

**MINUTES OF THE CITY-COUNTY COUNCIL
AND SPECIAL SERVICE DISTRICT COUNCILS
OF INDIANAPOLIS, MARION COUNTY, INDIANA:**

REGULAR MEETINGS, MONDAY, NOVEMBER 11, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m., on Monday, November 11, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer led by Councillor Julius Shaw. All joined in the Pledge of Allegiance to the Flag.

ROLL CALL

Councillor SerVaas requested the Councillors to record their presence. The Clerk took the roll call of the Council, which was as follows:

PRESENT: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Boyd

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor Gilmer introduced Mr. Skip Lange, resident of Pike Township. Councillor Clark introduced Mr. Don Christianson, resident of Marion County.

OFFICIAL COMMUNICATIONS

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

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

You are hereby notified that **REGULAR MEETINGS** of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, November 11, 1985, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before the regular meetings of the Councils.

Respectfully,

s/Beurt SerVass, President

City-County Council October 22, 1985

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 Friday, October 25, 1985, and Friday, November 1, 1985, a copy of a **LEGAL NOTICE** regarding Police Special Service District General Ordinance No. 2, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

October 22, 1985

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 October 31, 1985, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal Nos. 697, 700, 705, 708 and 711, 1985, to be held on Monday, November 11, 1985, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

October 30, 1985

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 November 1, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 717, 1985, to be held on Monday, November 11, 1985, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

November 6, 1985

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. 96, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Ten Thousand Dollars (\$10,000) in the County Welfare Fund for purposes of the Marion County Guardian Home and reducing certain other appropriations for the Marion County Welfare Department.

FISCAL ORDINANCE NO. 97, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Ten Thousand Six Hundred Seventy Dollars (\$110,670) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 98, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the presiding Judge of the Municipal Court Adult Probation Fees Fund.

GENERAL ORDINANCE NO. 89, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 90, 1985, amending Chapter 23 concerning certain employee benefits and employee leaves.

GENERAL ORDINANCE NO. 91, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 10-1, Commission established.

GENERAL ORDINANCE NO. 92, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 93, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 67, 1985, a proposal for a special ordinance expressing the current intent of the City-County Council to consider annual appropriations to a debt service reserve fund of the Indianapolis Local Public Improvement Bond Bank.

SPECIAL RESOLUTION NO. 154, 1985, honoring the Decatur Central High School Varsity Cheerleading Squad.

SPECIAL RESOLUTION NO. 155, 1985, memorializing Elden J. Cox.

SPECIAL RESOLUTION NO. 156, 1985, urging abolition of apartheid in South Africa and supporting certain policies with respect to foreign trade.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF AGENDA

By consent the agenda for November 11, 1985 for the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils, was adopted as distributed.

APPROVAL OF JOURNALS

President SerVaas called for additions or corrections for the Journals of August 5 and 26, 1985. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 751, 1985. This proposal honors John Marshall High School for receiving the U.S. Department of Education National Excellence in Education Award for the school year. Councillor Nickell, sponsor of Proposal 751, explained that she had presented the resolution to the School at a special dinner prior to the November 11, 1985, Council meeting. Councillor Nickell read the resolution and moved for its adoption, seconded by Councillor Coughenour. Proposal 751, 1985, was adopted by unanimous voice vote, retitled Special Resolution No. 157, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 157, 1985

A SPECIAL RESOLUTION honoring John Marshall High School for receiving the U.S. Department of Education National Excellence in Education Award for the school year 1984-85.

WHEREAS, a broadly-representative group of distinguished educators and laymen reviewed thousands of schools to determine who provided the highest quality education to all their students; and

WHEREAS, schools selected by the review panelists were chosen for their steadfast dedication to achieving excellence in education; and

WHEREAS, John Marshall High School was one of 212 public secondary schools in the United States selected for recognition; and

WHEREAS, John Marshall High School has received the United States Department of Education National Excellence in Education Award for the school year 1984-85; now, therefore:

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

SECTION 1. The Indianapolis-Marion County City-County Council hereby honors John Marshall High School for their achievement of being awarded the United States Department of Education National Excellence in Education Award for the school year 1984-85.

SECTION 2. The Council further recognizes the administration, faculty and student body of John Marshall High School for their outstanding educational performance and dedication to the achievement of academic excellence.

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

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

PROPOSAL NO. 752, 1985. This proposal approves a schedule of regular council meetings for the year 1986. Councillor Miller mentioned that one technical amendment was necessary to Proposal No. 752 to delete the word "Tuesday" and add the word "Monday" for the Council meeting to be October 13, 1986. Since there were no other additions or corrections to the schedule, Councillor Miller moved for its adoption As Amended, seconded by Councillor SerVaas. Proposal No. 752, 1985, As Amended, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 25, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 25, 1985

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1986.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 1986:

- | | |
|-------------------------------|---------------------------------|
| 1) Monday - January 6, 1986 | 12) Monday - July 21, 1986 |
| 2) Monday - January 27, 1986 | 13) Monday - August 4, 1986 |
| 3) Monday - February 10, 1986 | 14) Monday - August 18, 1986 |
| 4) Monday - February 24, 1986 | 15) Monday - September 8, 1986 |
| 5) Monday - March 10, 1986 | 16) Monday - September 29, 1986 |
| 6) Monday, March 24, 1986 | 17) Monday - October 13, 1986 |
| 7) Monday - April 14, 1986 | 18) Monday - October 27, 1986 |
| 8) Monday - April 28, 1986 | 19) Monday - November 10, 1986 |
| 9) Monday - May 12, 1986 | 20) Monday - November 24, 1986 |
| 10) Monday - June 2, 1986 | 21) Monday - December 15, 1986 |
| 11) Monday - June 23, 1986 | |

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

PROPOSAL NO. 753, 1985. This proposal honors the veterans of Indianapolis for their unwavering support and self-sacrifice on behalf of the United States of America. Councillor SerVaas stated that he sponsored the resolution on behalf of the Mayor of Indianapolis. Councillor SerVaas read the resolution which was to be presented at a future date and moved, seconded by Councillor Gilmer, for adoption. Proposal No. 753, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 158, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 158, 1985

A SPECIAL RESOLUTION honoring the veterans of Indianapolis for their unwavering support and self-sacrifice on behalf of the United States of America.

WHEREAS, this nation is entering its third century of independence and it is vitally important that the citizens of Indianapolis honor the many thousands of men and women who have served our nation in times of peace and war as members of our Country's Armed Forces; and

WHEREAS, these dedicated patriots successfully protected our liberties and freedoms when threatened by foreign powers in the past and continue to safeguard democracy; and

WHEREAS, the Indianapolis Checkers Hockey Club, Marsh Supermarkets and the Downtown Promotion Council will present a "Salute to Veterans" on Tuesday, November 12, 1985, at Market Square Arena to benefit the Richard L. Roudebush Veterans Administration Medical Center; 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 recognizes and extends its appreciation to all those individuals, organizations and associations who volunteered their time, effort and financial resources to make this salute a successful fund raising event.

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. 772, 1985. This proposal honors Debra L. Holt, a former employee of the City-County Council. Councillor Coughenour read the resolution and presented a framed copy to Miss Holt. Councillor Coughenour moved, seconded by Councillor Dowden, for adoption. Proposal No. 772, 1985, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 159, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 159, 1985

A SPECIAL RESOLUTION honoring Debra L. Holt.

WHEREAS, Debra L. Holt served the people of Indianapolis and Marion County as an employee of the City-County Council from July of 1979 until October of 1985; and

WHEREAS, Debra L. Holt, through her personal dedication and exemplary performance, advanced over the tenure of her employment from clerical staff to Senior Deputy Clerk of the Council; and

WHEREAS, Debra L. Holt left the City-County Council to pursue a career in private industry; now, therefore:

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

SECTION 1. The Indianapolis-Marion County City-County Council extends a sincere expression of gratitude to Debra L. Holt for her years of service to the Council and the citizens of Indianapolis and Marion County.

SECTION 2. The Council further wishes Debra L. Holt the best of fortune in her new chosen career.

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

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 754, 1985. Introduced by Councillors Rhodes and Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adding Article VIII to Chapter 17 of the Code for regulating the operations of pedicabs and establishing a licensing procedure and fixing fees therefor"; and the President referred it to the Administration Committee.

PROPOSAL NO. 755, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE providing for indemnifying the directors of the Indianapolis Local Public Improvement Bond Bank"; and the President referred it to the Administration Committee.

PROPOSAL NO. 756, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$549 for the Franklin Township Assessor for supplies for the remainder of the year"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 757, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$150 for the County Surveyor for unanticipated maintenance and repairs of field vehicles"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 758, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$6,865 from the Auditor to the County Election Board to purchase equipment"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 759, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$388 for Superior Court, Criminal Division, Probation Department, to purchase equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 760, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring

\$10,600 and amends the personnel schedule for the Presiding Judge of the Municipal Court to reduce the vacancy factor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 761, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE transferring \$165,000 for the Department of Public Safety, Police Division, for pension payments for the remainder of the year"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 762, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE ratifying and confirming the issuance of City of Indianapolis, Adjustable/Fixed Rate Resource Recovery Revenue Bonds"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 763, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the sale of certain real property of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 764, 1985. Introduced by Councillor Gilmer. 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. 765, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking regulations on a portion of Pleasant Run Parkway, South Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 766, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking regulations on a portion of Marcy Lane"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 767, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing

speed limit regulations on a portion of German Church Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 768, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing weight load limitations on a portion of Woodlawn Avenue "; and the President referred it to the Transportation Committee.

PROPOSAL NO. 769, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking regulations on a portion of 10th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 770, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Westfield Blvd., Winthrop Avenue and Riveria Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 771, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Boyd Avenue and Edgecomb Avenue"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 718, 1985. This is a final bond ordinance authorizing the issuance of \$8,400,000 Economic Development Revenue Bonds for Rand McNally Book Manufacturing Company. Councillor Schneider moved the following amendment with regard to Proposal No. 718, 1985:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 718, 1985, by:

- 1) deleting the figures \$8,400,000 in the title and substituting therefor the figures \$8,000,000; and**
- 2) in Section 3. deleting the figures \$8,400,000 in both places and substituting therefor the figures \$8,000,000.**

Councillor Schneider

Consent was given to the amendment. Councillor Schneider reviewed the project as the acquisition of certain new equipment for use in a 373,000 square foot existing building located at 3131 N. Franklin Road. The facility will be used for production of map products, publications, books printed for other publishers, tickets, timetables and other related materials. The interest rate will be 61% of the prime rate of First Union National Bank in Charlotte, North Carolina. The final maturity is November 1, 2000. The Economic Development Committee on November 6, 1985, recommended Proposal No. 718, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 718, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, West*

NO NAYS

6 NOT VOTING: *Boyd, Curry, Durnil, Holmes, Rhodes, Strader*

Proposal No. 718, 1985, was retitled SPECIAL ORDINANCE NO. 68, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 68, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, (Rand McNally & Company Project) Series 1985" in the aggregate principal amount of \$8,000,000 and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has approved a report concerning the proposed financing of economic development facilities described as the acquisition and installation of equipment and related facilities (the "Project") for use in the printing and manufacturing of books at the printing facility of Rand McNally Book Manufacturing Company, a wholly owned subsidiary of Rand McNally & Company, a Delaware corporation (the "Company") located in the City of Indianapolis, and has submitted such report to the executive director or chairman of the plan commission and having jurisdiction over the area where the Project will be located; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on November 6, 1985, adopted a Resolution on that date, which Resolution has been transmitted to this City-County Council, finding that the financing of the Project for the Company complies with the provisions and purposes of Indiana Code 36-7-11.9 and Indiana Code 36-7-12, as supplemented and amended (the "Act"), 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 by Resolution adopted November 6, 1985, the forms of the following:

(1) Trust Indenture (the "Indenture"), including the form of bond therein, between the City of Indianapolis and The Indiana National Bank (the "Trustee");

(2) Loan Agreement (the "Loan Agreement") including the form of Promissory Note therein, between the City of Indianapolis and the Company;

(3) Arbitrage Regulation Agreement (the "Arbitrage Regulation Agreement") among the City of Indianapolis, the Trustee and the Company governing the investment of the gross proceeds of the Bonds; and

(4) This Bond Ordinance;

such documents being hereinafter referred to collectively as the "Financing Agreements" referred to in the Act, which Resolution has been transmitted to this City-County Council; and

WHEREAS, pursuant to the provisions of the Act and Section 103(k) of the Internal Revenue Code of 1954, as amended (the "Code"), a public hearing on the proposed plan of financing of the Project and the issuance of the Bonds was conducted by the Indianapolis Economic Development Commission on November 6, 1985 pursuant to notice duly published, and it is desirable that this City-County Council make a record that the plan of financing of the Project and the issuance of the Bonds are approved; 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 Project referred to in the Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purpose of financing the Project to be acquired and installed in the City of Indianapolis, Marion County, Indiana, for use in the printing and manufacturing of books at the existing printing facility of Rand McNally Book Manufacturing Company, a wholly owned subsidiary of the Company, and the repayment of said loan by the Company to be evidenced and secured by the Promissory Note of the 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 the Act.

SECTION 2. The forms of the Loan Agreement, Promissory Note, Arbitrage Regulation Agreement and Trust Indenture (including the form of bond therein) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be incorporated herein by reference and 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 copies of the Financing Agreements as described herein are on file in the office of the Clerk of this City-County Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, (Rand McNally & Company Project) Series 1985 in the aggregate principal

amount of \$8,000,000 (the "Bonds") for the purpose of obtaining funds to loan to the Company in order to finance costs of the Project, as 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 the Company under the Loan Agreement and on its Promissory Note in the principal amount of \$8,000,000 which will be executed and delivered by the Company to evidence and secure said loan, and as otherwise provided in the above-described Indenture and Loan Agreement. The Bonds shall be in substantially the form set forth in the Indenture, shall mature on November 1, 2000, shall bear interest at 61% of the Prime Rate (as defined in the Indenture) and at such other rates as set forth in the Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Indianapolis, Marion County, Indiana.

SECTION 4. The Mayor, City Clerk or City Controller are authorized and directed to sell such Bonds to First Union National Bank, Charlotte, North Carolina, at a price of 100% of the principal amount thereof plus accrued interest, if any.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing 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, including the Bonds authorized herein. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller is authorized to arrange for the delivery of such Bonds to the purchasers thereof, payment of which will be made to the Trustee named in the Indenture. The City Clerk or City Controller is authorized to arrange for the delivery of the Bonds to the purchaser or purchasers thereof on payment therefor in the manner set forth in the Indenture. The Mayor and City Clerk may by their execution of the Financing Agreements and imprinting of their facsimile signatures on the Bonds on their manual execution of any thereof approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect the terms set forth in Sections 27(a)(1) through 27(a)(11) of the Act.

SECTION 6. Upon investigation by the Indianapolis Economic Development Commission, this City-County Council ratifies the Commissions' finding that the Project will not have an adverse competitive impact on other facilities of the same kind already operating in the same market area and that the Project will contribute significantly to the retention of existing and the creation of permanent new job opportunities.

SECTION 7. The City of Indianapolis hereby elects to have the provisions of Section 103(b)(6)(D) of the Code applied to the Bonds and the Mayor and the City Clerk are hereby authorized to cause evidence of such election to be filed with the Internal Revenue Service prior to the issuance and delivery of the Bonds.

SECTION 8. It is the intention of this City-County Council that this Ordinance, upon adoption, constitute the approval by the City-County Council of the issuance of the Bonds under Section 103(k) of the Code.

SECTION 9. The provisions of this Ordinance and the Indenture securing the Bonds shall constitute a contract binding between the City of Indianapolis and the owners of the Bonds, and after the issuance of said Bonds this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such owners so long as any of said Bonds or the interest thereon remains unpaid.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 719, 1985. This is an amendment to a final bond ordinance authorizing the issuance of \$1,250,000 in Economic Development Revenue Bonds for Haden Schweitzer Corporation. Councillor Schneider reviewed the project as the purchase and renovation of a 72,000 square foot facility located at 8301 East 33rd Street. The project will be used for the Company's manufacturing activities, processing equipment for industrial paint finishing systems, and various pollution control equipment. This proposal amends Special Ordinance No. 25, 1985, to revise the final maturity date to 12/1/95; the principal and interest remain the same. The Economic Development Committee on November 6, 1985, recommended Proposal No. 719, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 719, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Campbell, Clark, Cottingham, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

5 NOT VOTING: *Boyd, Bradley, Coughenour, Curry, Durnil*

Proposal No. 719, 1985, was retitled SPECIAL ORDINANCE NO. 69, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 69, 1985

A SPECIAL ORDINANCE authorizing certain amendments to the previously authorized City of Indianapolis Economic Development Revenue Bonds, Series 1985 (Haden Schweitzer Corporation Project) in the aggregate principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and approving 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 permanent financing of economic development facilities for Haden Schweitzer Corporation who will lease and operate the economic development facilities and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, on July 22, 1985 the City-County Council of the City of Indianapolis and of Marion County, Indiana adopted City-County Special Ordinance No. 25, 1985 authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Haden Schweitzer Corporation Project) in the principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and approving and authorizing other actions in respect thereto; and

WHEREAS, the previously authorized bonds have not been issued as of this date and it is desirable to approve and authorize a change of the maturity date

contained in the previously approved documents so that now a maturity date not to extend past December 1, 1995 would be authorized.

WHEREAS, the Indianapolis Economic Development Commission after a public hearing conducted on November 6, 1985, 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 Haden Schweitzer Corporation (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 72,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 8301 East 33rd Street, Indianapolis, Indiana on approximately 6 acres of land which will be used by Haden Schweitzer Corporation for administrative offices and the manufacturing process equipment for industrial (paint) finishing systems, including spray-booths, ovens, electrocoat machines, washers, phosphate machines, pickling machines, degreasers and various pollution control equipment such as thermal and catalytic incinerators, scrubbers, and other pollution collection equipment ("the Project") which will be initially owned and operated by Haden Schweitzer Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") 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, Trust Indenture, First Mortgage Note Series 1985, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Haden Schweitzer Corporation 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, construction, installation and equipping of an existing building containing approximately 72,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 8301 East 33rd Street, Indianapolis, Indiana on approximately 6 acres of land which will be used by Haden Schweitzer Corporation for administrative offices and the manufacturing of process equipment for industrial (paint) finishing systems, including spraybooths, ovens, electrocoat machines, washers, phosphate machines, pickling machines, degreasers and various pollution control equipment such as thermal and catalytic incinerators, scrubbers, and other pollution collection equipment previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance sale of revenue bonds, the loan of the net proceeds thereof to Haden Schweitzer Corporation for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Haden Schweitzer 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 the Act.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note Series 1985, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Haden Schweitzer Corporation 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, Trust Indenture, First Mortgage Note Series 1985, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Haden Schweitzer Corporation 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 Bonds, Series 1985 (Haden Schweitzer Corporation Project) in the aggregate principal amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) for the purpose of procuring funds to loan to Haden Schweitzer Corporation 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 Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Haden Schweitzer Corporation and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement and Trust Indenture. 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 the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Haden Schweitzer Corporation Project) 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 Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to the First Mortgage Note Series 1985 and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note Series 1985 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) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Haden Schweitzer Corporation 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. City-County Special Ordinance No. 25, 1985 is hereby amended and supplemented.

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

PROPOSAL NO. 720, 1985. This proposal is for a final bond ordinance authorizing the issuance of a \$850,000 in Economic Development Revenue Bond, Series 1985A, and a \$150,000 in Economic Development Revenue Bond, Series 1985B, for Koorsen Protection Services Project. Councillor Schneider reviewed the project as the acquisition and renovation of an existing building located at 2719 Arlington Avenue, with the construction of a 20,000 square foot addition. The building will be used by the Company in their business as a wholesale distributor and installer of fire, safety and security products. The interest rate on the Series A Bond will be 78% of prime payable monthly. Monthly payments on the principal will be \$4,722.22, commencing the seventh month after closing for 178 months with a final payment due on the first day of the 180th month. The interest rate on the Series B Bond will be 78% of prime payable monthly. Monthly payments on the principal are \$2,500, commencing the seventh month after closing for fifty-eight months, with a final payment on the 60th month. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 720, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Stewart, for adoption. Proposal No. 720, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Curry*

Proposal No. 720, 1985, was retitled SPECIAL ORDINANCE NO. 70, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 70, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985A" (Koorsen Protection Services Project) in the principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000) and its City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B (Koorsen Protection Services Project) in the principal amount of One Hundred Fifty Thousand Dollars (\$150,000) and approving 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 permanent financing of economic development facilities for Randall R. Koorsen and/or Koorsen Protection Services, 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 November 6, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the permanent financing of certain economic development facilities to be developed by Randall R. Koorsen and Judith A. Koorsen (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 10,625 square feet plus the addition of a new building containing approximately 20,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 2719 North Arlington Avenue on approximately 5.914 acres of land in Indianapolis, Marion County, Indiana which will be used by Koorsen Protection Services, Inc., in its business as a wholesale distributor and installer of fire, safety and security products ("the Project") which will be initially owned by Randall R. Koorsen and Judith A. Koorsen and operated by leased to Koorsen Protection Services, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such permanent financing will be of benefit to the health and welfare of the City of Indianapolis its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase and Loan Agreement, Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Collateral Assignment of Rents and Leases, Assignment of Loan Documents, Bond Guaranty Agreement, Series 1985A Note and Series 1985B Note, and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985A and (Koorsen Protection Services Project) and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B (Koorsen Protection Services 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 permanent financing of the economic development facilities referred to in the Bond Purchase and Loan Agreement, consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 10,625 square feet plus the addition of a new building containing approximately 20,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 2719 North Arlington Avenue on approximately 5.914 acres of land in Indianapolis, Marion County, Indiana which will be used by Koorsen Protection Services, Inc., in its business as a wholesale distributor and installer of fire, safety and security products ("the Project") which will be initially owned by Randall R. Koorsen and Judith A. Koorsen and operated by leased to Koorsen Protection Services, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such permanent financing will be of benefit to the health and welfare of the City of Indianapolis its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Bond Purchases and Loan Agreement, Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Collateral Assignment of Rents and Leases, Assignment of Loan Documents, Bond Guaranty Agreement, Series 1985A Note and Series 1985B Note and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985A (Koorsen Protection Services Project) and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B (Koorsen Protection Services 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 Bond Purchase and Loan Agreement, Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Collateral Assignment of Rents and Leases, Assignment of Loan Documents, Bond Guaranty Agreement, Series 1985A Note and Series 1985B Note and the form of the City of Indianapolis, Indiana Economic First Mortgage Development Revenue Bond, Series 1985A (Koorsen Protection Services) and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B (Koorsen Protection Services 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, Series 1985A (Koorsen Protection Services Project) in the principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000) and its City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B in the principal amount of One Hundred Fifty Thousand Dollars (\$150,000) for the purpose of procuring funds to loan to Randall R. Koorsen and Judith A. Koorsen in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and 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 Randall R. Koorsen and Judith A. Koorsen and as otherwise provided in the above described Bond Purchase and Loan Agreement, Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Collateral Assignment of Rents and Leases and Bond 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 the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Bond Purchase and Loan Agreement and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Assignment of Loan Documents, Endorsements to the Series 1985A Note and Series 1985B Note, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985A (Koorsen Protection Services Project) and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B (Koorsen Protection Services Project) 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 Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof 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 Agree-

ment, the Endorsements to the Series 1985A Note and Series 1985B Note, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Collateral Assignment of Rents and Leases, Bond Guaranty Agreement and Series 1985A Note and Series 1985B Note 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) 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 First Mortgage Revenue Bond, Series 1985A (Koorssen Protection Services Project) and the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1985B (Koorssen Protection Services 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. 721, 1985. This proposal is a final bond ordinance authorizing the issuance of a \$9,500,000 in Economic Development Revenue Bond for The Standard Register Company. Councillor Schneider reviewed the project as the construction and equipping of a 80,000 square foot facility located at 7575 Georgetown Road to be used by the Company for the coating of paper to produce chemical carbonless copy paper. The interest rate will be 68% of the prime rate of The Third National Bank & Trust Company of Dayton, Ohio. Payments on the interest commence January 1, 1986, and are payable quarterly thereafter. Payments on the principal commence July 1, 1993, and are to be made quarterly in the amount of \$190,000. The final maturity is October 1, 2005. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 721, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 721, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Boyd, Curry, Howard*

Proposal No. 721, 1985, was retitled SPECIAL ORDINANCE NO. 71, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 71, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (The Standard Register Company Project)" in the principal amount of Nine Million Five Hundred Thousand Dollars (\$9,500,000) and approving 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 permanent financing of economic development facilities for The Standard Register 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 November 6, 1985, 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 The Standard Register Company (the "Company") consisting of the acquisition, construction, installation and equipping of a building containing approximately 80,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located on a tract of land located at 7575 Georgetown Road, Indianapolis, Indiana which will be used by The Standard Register Company for the coating of paper to produce chemical carbonless copy paper ("the Project") which will be initially owned and operated by The Standard Register Company complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") 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, First Mortgage Note, Trust Indenture, First Mortgage Note Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (The Standard Register Company Project) by the 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, construction, installation and equipping of a building containing approximately 80,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located on a tract of land located at 7575 Georgetown Road, Indianapolis, Indiana which will be used the The Standard Register Company for the coating of paper to produce chemical carbonless copy paper previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to The Standard Register 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 The Standard Register 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 the Act.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (The Standard Register 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 Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (The Standard Register Company 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 1985 (The Standard Register Company Project) in the principal amount of Nine Million Five Hundred Thousand Dollars (\$9,500,000) for the purpose of procuring funds to loan to The Standard Register 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, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by The Standard Register Company and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement 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 as set forth in the Trust Indenture and the Bond.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (The Standard Register Company Project) 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 Bonds 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 payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to the First Mortgage Note, Series 1985 and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series 1985 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) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1985 (The Standard Register 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 7. This ordinance shall be in full force and effect from and compliance with IC 36-3-4-14.

PROPOSAL NO. 722, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum of \$9,100,000 in Economic Development Revenue Bonds for Mediplex of Indiana, Inc. Councillor Schneider explained that at its November 6, 1985, meeting, the Committee approved this proposal by a 6-0 vote; however, since that time the Company has requested that further action be postponed. Councillor Schneider moved, seconded by Councillor Howard, to postpone Proposal No. 722, 1985, until the November 25, 1985, Council meeting. Consent was given.

PROPOSAL NO. 723, 1985. This proposal designates the parcels of land commonly known as 18-42 North Pennsylvania Street, Indianapolis, Indiana, as an economic development target area. Councillor Schneider explained that this Proposal accompanies PROPOSAL NO. 724, 1985, a final bond ordinance for Symphony Tower, which would be heard under the "Public Hearing" section of the Council agenda. The Economic Development Committee on November 6, 1985, recommended Proposal No. 723, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 723, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Boyd, Coughenour, Curry, Dowden*

Proposal No. 723, 1985, was retitled SPECIAL ORDINANCE NO. 72, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 72, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 18 through 42 North Pennsylvania Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL I.:

Part of the Lot numbered seven (7) in Square numbered fifty-six (56) in the City of Indianapolis, more particularly described as follows:

Beginning at the southeast corner of said lot numbered seven (7) and running thence northwardly along the east line of said lot, running westwardly parallel with the south line of said lot one hundred twenty (120) feet to a point in the west line of said lot; thence running southwardly along the west line of said lot, thirty-six (36) feet nine (9) inches to the southwest corner of said lot; thence running eastwardly along the south line of said lot one hundred twenty (120) feet to the southeast corner thereof.

PARCEL II

Part of lot No. 7 in square 56 in the City of Indianapolis, Marion County, Indiana described as follows:

Beginning at the northeast corner of lot 7 on Pennsylvania Street and running thence south 34 feet and 6 inches; thence west 120 feet to an alley; thence north 34 feet and 6 inches; and thence east 120 feet to the place of beginning.

PARCEL III:

Lots numbered 8 and 9 in square 56 of the Donation Lands of the City of Indianapolis, Indiana.

PARCEL IV:

The south half of lot numbered 10 in square 56 in the City of Indianapolis, Marion County, Indiana.

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 18 through 42 North Pennsylvania Street, Indianapolis, Indiana, which are more specifically described as:

PARCEL I.:

Part of the Lot numbered seven (7) in Square numbered fifty-six (56 in the City of Indianapolis, more particularly described as follows:

Beginning at the southeast corner of said lot numbered seven (7) and running thence northwardly along the east line of said lot, running westwardly parallel with the south line of said lot one hundred twenty (120) feet to a point in the west line of said lot; thence running southwardly along the west line of said lot, thirty-six (36) feet nine (9) inches to the southwest corner of said lot; thence running eastwardly along the south line of said lot one hundred twenty (120) feet to the southeast corner thereof.

PARCEL II

Part of lot No. 7 in square 56 in the City of Indianapolis, Marion County, Indiana described as follows:

Beginning at the northeast corner of lot 7 on Pennsylvania Street and running thence south 34 feet and 6 inches; thence west 120 feet to an alley; thence north 34 feet and 6 inches; and thence east 120 feet to the place of beginning.

PARCEL III:

Lots numbered 8 and 9 in square 56 of the Donation Lands of the City of Indianapolis, Indiana.

PARCEL IV:

The south half of lot numbered 10 in square 56 in the City of Indianapolis, Marion County, Indiana.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

PROPOSAL NO. 725, 1985. This proposal is a final bond ordinance authorizing the issuance of \$4,300,000 in Economic Development Revenue Bonds for BetaMed Pharmaceuticals, Inc. Councillor Schneider reviewed the project as the acquisition and renovation of an existing 18,000 square foot facility at 6925 N. Guion Road which is currently being leased from unrelated parties. The project includes construction of a 20,000 square foot addition to be used for manufacturing, testing, and the sale and distribution of parenteral (injectable) drugs and related products and services. Payments of the interest are to be made monthly, commencing January 1, 1986; and the interest rate will be 70% of the prime rate of interest. Monthly payments of \$23,900 on the principal commence December 1, 1986 to and including October 1, 2001, (179 consecutive payments). Dr. Beurt SerVaas, member and President of the City-County Council, has submitted claim to the Bankruptcy Court and expects to receive reimbursement for administrative expenses in connection with the bankruptcy and repayment of a loan to BetaMed Pharmaceuticals, Inc. Dr. SerVaas announced therefore he will not participate in any proceedings of the City-County Council concerning this proposal and that he will abstain from any votes of said Council concerning this matter in compliance with I.C. 36-7-12-16. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 725, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Stewart, for adoption. Proposal No. 725, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Stewart, West

NO NAYS

5 NOT VOTING: Boyd, Curry, Durnil, SerVaas, Strader

Proposal No. 725, 1985, was retitled SPECIAL ORDINANCE NO. 73, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 73, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bond (BetaMed Pharmaceuticals, Inc. Project)" in the principal amount of Four Million Three Hundred Thousand Dollars (\$4,300,000) and approving 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 permanent financing of economic development facilities for BetaMed Pharmaceuticals, 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 November 6, 1985 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 BetaMed Pharmaceuticals, Inc. (the "Company") consisting of the acquisition of the project site containing approximately 4.2853 acres of land located at 6925 North Guion Road in Indianapolis, Indiana, including a building thereon containing approximately 18,000 square feet, consisting of the manufacturing and warehouse space and related office space ("Existing Facility"); the acquisition, rehabilitation and improvement of the Existing Facility; construction, installation and equipping of an addition to the Existing Facility currently expected to be approximately 20,000 square feet, including the acquisition of any additional adjacent real estate necessary or appropriate for such addition; the acquisition, construction, installation and equipping of various site improvements at the expanded facility; and the acquisition and installation of machinery, equipment, fixtures and furnishings for use in the expanded facility; all of which will be used for the manufacture, testing, sale and distribution of parenteral drugs and related products and services ("the Project") which will be initially owned and operated by BetaMed Pharmaceuticals, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") 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, Loan Agreement, Assignment of Interests, Bond Purchase Agreement, Mortgage, Security Agreement and Guaranty Agreement, and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (BetaMed Pharmaceuticals, 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 Loan Agreement, consisting of the acquisition of the project site containing approximately 4.2853 acres of land located at 6925 North Guion Road in Indianapolis, Indiana including a building thereon containing approximately 18,000 square feet consisting of the manufacturing and warehouse space and related office space ("Existing Facility"); the acquisition, rehabilitation and improvement of the

Existing Facility; construction, installation and equipping of an addition to the Existing Facility currently expected to be approximately 20,000 square feet, including the acquisition of any additional adjacent real estate necessary or appropriate for such addition; the acquisition, construction, installation and equipping of various site improvements at the expanded facility; and the acquisition and installation of machinery, equipment, fixtures and furnishings for use in the expanded facility; all of which will be used for the manufacture, testing, sale and distribution of parenteral drugs and related products and services previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to BetaMed Pharmaceuticals, Inc. for the purposes of financing the economic development facilities being acquired, rehabilitated and improved or to be acquired, rehabilitated and improved in Indianapolis, Indiana, and the repayment of said loan by BetaMed Pharmaceuticals, 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 the Act. The Project will be initially owned and operated by BetaMed Pharmaceuticals, Inc.

SECTION 2. The forms of the Promissory Note, Loan Agreement, Assignment of Interests, Bond Purchase Agreement, Mortgage, Security Agreement and Guaranty Agreement, and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (BetaMed Pharmaceuticals, 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 Promissory Note, Loan Agreement, Assignment of Interests, Bond Purchase Agreement, Mortgage, Security Agreement and Guaranty Agreement, and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (BetaMed Pharmaceuticals, 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 Mortgage Revenue Bond (BetaMed Pharmaceuticals, Inc. Project) in the principal amount of Four Million Three Hundred Thousand Dollars (\$4,300,000) for the purpose of procuring funds to loan to BetaMed Pharmaceuticals, 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 Bond will be payable as to principal, premium, if any, and interest solely from the payments made by BetaMed Pharmaceuticals, Inc. on its promissory note in the principal amount of Four Million Three Hundred Thousand Dollars (\$4,300,000) which will be executed and delivered by BetaMed Pharmaceuticals, Inc. to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan Agreement, Mortgage and Security Agreement, and a certain Guaranty Agreement of Par Pharmaceutical, Inc. 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 as set forth in the Bond Purchase Agreement and the Bond which also provides that such interest rate on the Bond shall not exceed 25% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Bond Purchase Agreement, the Assignment of Interests and the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (BetaMed Pharmaceuticals, Inc. Project) 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 manual or facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof 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, Bond Purchase Agreement, the Assignment of Interests, and imprinting of their facsimile signatures on the Bond or their manual signatures 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, the Loan Agreement, 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 (BetaMed Pharmaceuticals, 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. 726, 1985. This is a final bond ordinance authorizing the issuance of \$13,000,000 Economic Development Revenue Bonds for Sexton 1985 Spinnaker II. Councillor Schneider reviewed the project as the acquisition, construction, installation and equipping of approximately 534 units of multi-family residential rental housing, contained in 33 individual buildings plus a clubhouse to be located at 3785 St. Thomas Boulevard. The interest rate will be 75% of prime, and payments on the interest will be made monthly. The entire principal payment is due January, 1988. The Economic Development Committee on November 6, 1985, recommended Proposal No. 726, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 726, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Boyd, Curry, Dowden*

Proposal No. 726, 1985, was retitled SPECIAL ORDINANCE NO. 74, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 74, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Sexton 1985 Spinnaker II Project)" in the aggregate principal amount of Thirteen Million Dollars (\$13,000,000) and approving 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 permanent financing of economic development facilities for Sexton 1985 Spinnaker II, 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 November 6, 1985 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 Sexton 1985 Spinnaker II, an Indiana limited partnership, (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 534 units of multi-family residential rental housing contained in 33 individual buildings plus a clubhouse having a total gross building area of approximately 451,258 square feet and garage and carports and the machinery and equipment to be installed therein plus certain site improvements to be located at 3785 St. Thomas Blvd. on approximately 48.573 acres of land, Indianapolis, Indiana ("the Project") which will be initially owned and operated by Sexton 1985 Spinnaker II, an Indiana limited partnership, complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") 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, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Spinnaker II Project) by the 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, construction, installation and equipping of approximately 534 units of multi-family residential rental housing contained in 33 individual buildings plus a clubhouse having a total gross building area of approximately 451,258 square feet and garages and carports and the machinery and equipment to be installed therein plus certain site improvements to be located at 3785 St. Thomas Blvd. on approximately 48.573 acres of land, Indianapolis, Indiana previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Sexton 1985 Spinnaker II, an Indiana limited 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 Sexton 1985 Spinnaker II, 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 the Act.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Spinnaker II 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, Trust Indenture, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Spinnaker II 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 Bonds (Sexton 1985 Spinnaker II Project) in the aggregate principal amount of Thirteen Million Dollars (\$13,000,000) for the purpose of procuring funds to loan to Sexton 1985 Spinnaker II, 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 Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Sexton 1985 Spinnaker II, an Indiana limited partnership, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement and Trust Indenture. 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 the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bonds (Sexton 1985 Spinnaker II Project) 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 Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to the First Mortgage Note, Land Use Restriction Agreement and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note 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) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic

Development Revenue Bonds (Sexton 1985 Spinnaker II Project) 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. 727, 1985. This is a special ordinance authorizing certain amendments concerning the previously issued City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1980 (Alan C. Stanford Project). Councillor Schneider explained that the amendments are to the financing documents: \$900,000 principal amount of bonds were issued in 1980 to fund renovation of a building at 129 W. Market Street (Data Sciences); however, the documents did not permit a second mortgage on the bond-financed project. It is now necessary to amend the Mortgage and Indenture of Trust and also Loan Agreement in order to permit a second mortgage. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 727, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 727, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Boyd, Curry

Proposal No. 727, 1985, was retitled SPECIAL ORDINANCE NO. 75, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 75, 1985

A SPECIAL ORDINANCE authorizing certain amendments concerning the previously issued City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1980 (Alan C. Stanford Project) to allow a second mortgage to be placed upon the bond financed property at 125 West Market Street.

WHEREAS, the City of Indianapolis Indiana (the "City") and Alan C. Stanford ("Stanford") entered into a Loan Agreement, dated as of April 1, 1980 (the "Loan Agreement") in connection with the issuance by the City of its \$900,000 City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1980 (Alan C. Stanford Project) (the "Bonds"), the proceeds of which were loaned to Stanford by the City to facilitate the acquisition and construction of the Project (as defined in the Loan Agreement); and

WHEREAS, the City and American Fletcher National Bank and Trust Company, as Trustee (the "Trustee") entered into a Mortgage and Indenture of Trust, dated as of April 1, 1980 (the "Indenture"); and

WHEREAS, the Loan Agreement and Mortgage and Indenture of Trust do not, in their present form, permit a second mortgage to be placed upon the Project and Stanford has requested that all parties to the financing agree to certain amendments to allow a second mortgage to be placed upon the bond financed property at 125 West Market Street; and

WHEREAS, the Indianapolis Economic Development Commission, on November 6, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the proposed amendment of the financing of the Project complies with the purposes and provisions of Indiana Code 36-7-11.9 36-7-12 (collectively the "Act") and that such financing amendments will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

**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 proposed amendment of the financing of the economic development facilities referred to in the First Amendment to Loan Agreement previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, 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 the Act.

SECTION 2. The forms of the First Amendment to Loan Agreement and First Amendment to Mortgage and Indenture of Trust 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 First Amendment to Loan Agreement and First Amendment to Mortgage and Indenture of Trust are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Bonds shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute the First Amendment to Loan Agreement and First Amendment to Mortgage and Indenture of Trust 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 City Clerk or City Controller are authorized to arrange for the delivery of such First Amendment to Loan Agreement and First Amendment to Mortgage and Indenture of Trust. The Mayor and City Clerk may by their execution of the First Amendment to Loan Agreement and First Amendment to Mortgage and Indenture of Trust 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) through (a)(11).

SECTION 5. The provisions of this ordinance and the Mortgage and Indenture of Trust and First Amendment to Mortgage and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holders of the Economic

Development Revenue Bonds Series 1980 (Alan C. Stanford 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 holders so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 728, 1985. This proposal is for a special ordinance authorizing the execution and delivery of an Assignment and Assumption Agreement concerning the previously issued \$1,990,000 City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Unijax, Inc., 1981 Project). Councillor Schneider explained that the building owned by Unijax, Inc. is being sold to Distribix, Inc. who will be assuming the obligation to pay the bonds (with the bondholder's consent). The Economic Development Committee, on November 6, 1985, recommended Proposal No. 728, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 728, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Boyd, Curry, Giffin*

Proposal No. 728, 1985, was retitled Special Ordinance No. 76, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 76, 1985

A SPECIAL ORDINANCE authorizing the execution and delivery of an Assignment and Assumption Agreement concerning the previously issued \$1,990,000 City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Unijax, Inc., 1981 Project).

WHEREAS, the Indianapolis Economic Development Commission at its meeting on November 6, 1985 was presented with an Assignment and Assumption Agreement (the "Agreement") between Unijax, Inc., d/b/a Crescent Paper Company, a Delaware Corporation (the "Assignor"); Distribix, Inc. a Delaware Corporation (the "Assignee"); City of Indianapolis, Indiana, a municipal corporation organized and existing under the laws of the State of Indiana, (the "City"); and Boatmen's Bank (the "Bondholder"); and

WHEREAS, the Assignor entered into a Loan Agreement, Mortgage and Security Agreement, dated as of December 1, 1981, with the City (the "Loan Agreement"), in connection with the issuance by the City of its \$1,990,000 Economic Development First Mortgage Revenue Bond (Unijax, Inc., 1981 Project) (the "Bond"), the proceeds of which were loaned to the Assignor by the City to facilitate the acquisition and construction of the "Project" (as defined in the Loan Agreement). The Assignor also issued its Promissory Note in the principal amount of \$1,990,000 (the "Note") pursuant to the Loan Agreement to secure its payment obligations on the Bond; and

**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 execution and delivery of the Agreement and the performance of the acts provided for therein previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council 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 36-7-11.9 and 36-7-12.

SECTION 2. The forms of the Agreement approved by the Indianapolis Economic Development Commission is approved and such document 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 Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Bond shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute the Agreement approved herein, and its 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 City Clerk or City Controller are authorized to arrange for the delivery of such Agreement. The Mayor and City Clerk may by their execution of the Agreement 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) through (a)(11).

SECTION 5. The provisions of this ordinance and the Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the execution and delivery of the Agreement 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 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 729, 1985. Councillor SerVaas stated that this proposal had been withdrawn.

PROPOSAL NO. 730, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 33, 1985 (inducement resolution for Masters Associates, II). Councillor Schneider explained that Proposal 730 changes the expiration date from November 30, 1985, to June 30, 1986. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 730, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Boyd, for adoption. Proposal No. 730, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

4 NOT VOTING: *Boyd, Curry, Giffin, Nickell*

Proposal No. 730, 1985, was retitled SPECIAL RESOLUTION NO. 160, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 160, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 33, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, renovation, installation 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, City-County Special Resolution No. 33, 1985 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Master Associates, II, an Indiana Limited Partnership (the "Company") which special Resolution set an expiration date of November 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 33, 1985 is hereby amended by deleting the expiration date of November 30, 1985 contained therein and replacing said date with the date of June 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 33, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 731, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in previously adopted Special Resolution No. 34, 1985 (inducement resolution for Joseph F. Sexton - 2000 block North High School Road). Councillor Schneider explained that Proposal No. 731 changes the expiration date from November 30, 1985, to June 30, 1986. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 731, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Boyd, for adoption. Proposal No. 731, 1985, was adopted on the following roll call vote; viz:

28 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Couphenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Boyd

Proposal No. 731, 1985, was retitled SPECIAL RESOLUTION NO. 161, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 161, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 34, 1985 and 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 and I.C. 36-7-11.9 (collectively 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, renovation, installation 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, City-County Special Resolution No. 34, 1985 has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Joseph F. Sexton, corporations controlled by Joseph F. Sexton, or limited partnership(s) of which Joseph F. Sexton or corporation(s) controlled by him is or are the general partner (the "Company") which special Resolution set an expiration date of November 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the City-County Special Resolution No. 34, 1985 is hereby amended by deleting the expiration date of November 30, 1985 contained therein and replacing said date with the date of June 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 34, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 732, 1985. This proposal is an inducement resolution amending Special Resolution No. 123, 1985, to modify the project description for Indianapolis Fruit Co., Inc. Councillor Schneider reviewed the project as the construction of a new wholesale fruit and vegetable warehouse and distribution center. The original project site was to be at 30th and Shadeland Avenue; however, it is necessary to relocate the project to 4300 Massachusetts Avenue, and Proposal No. 732, 1985, reflects changes in the project description. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 732, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 732, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey,*

McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader,
West

NO NAYS

2 NOT VOTING: Boyd, Schneider

Proposal No. 732, 1985, was retitled SPECIAL RESOLUTION NO. 162, 1985,
and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 162, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Indianapolis Fruit Co., Inc. (the "Applicant") has previously advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 50,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 30th Street and Shadeland Avenue on approximately 13.5 acres of land in Indianapolis, Marion County, Indiana which will be used by the Applicant as a wholesale fruit and the warehouse and distribution center (the "Original Project");

WHEREAS, the Applicant has advised the Issuer that various aspects of the configuration, location and site of the proposed economic development facilities have changed so that now said economic development facilities will be the acquisition, construction, installation and equipping of a new building containing approximately 45,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 4300 Massachusetts Avenue, Indianapolis, Indiana on approximately 10 acres of land, will be used by the Applicant as a wholesale fruit and vegetable warehouse and distribution center (the "Revised Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 12 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$2,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Revised Project and the sale or leasing of the Revised Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Revised 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Revised Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Revised Project and for additions to the Revised Project,

including the costs of issuance (providing that the financing of such addition or additions to the Revised Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Revised Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Revised Project will be permitted to be included as part of the bond issue to finance said Revised Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Revised Project.

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

PROPOSAL NO. 733, 1985. This proposal is a special ordinance designating the parcels of land commonly known as 201, 207, 211-215 South Meridian Street, Indianapolis, Indiana, as economic development target areas. PROPOSAL NO. 734, 1985. This proposal is an inducement resolution amending special Resolution No. 83, 1981, as amended, to modify the project description for Meridian Partners. Councillor Schneider explained that Meridian Partners is a limited partnership in which Stewart Bainum (the owner of Realty Investment Company) is a general partner. Mr. Bainum, through Meridian Partners, purchased three buildings on South Meridian Street for the purpose of renovation. Changes in the market have necessitated certain modifications to the original development concept. The three buildings will be developed as a multi-use facility, while keeping with the historic theme of the area. Plans are to convert approximately one-third of the interior upper floor space to a self-storage facility. The first floor will be reserved for commercial use, and the window spaces on all floors developed as first-class offices. The Economic Development Committee on November 6, 1985, recommended Proposal Nos. 733 and 734, 1985, Do Pass by a vote of 7-0. Councillor Schneider moved, seconded by Councillor Clark, to recommend Proposal Nos. 733 and 734, 1985, for adoption. Proposal No. 733, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller,*

Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West
NO NAYS

4 NOT VOTING: *Boyd, Clark, Durnil, Strader*

Proposal No. 733, 1985, was retitled SPECIAL ORDINANCE NO. 77, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 77, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 201, 207 and 211-215 South Meridian Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

201 South Meridian Street:

Part of Square No. 86 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows, to wit:

Commencing at the North West corner of said Square 86, thence South on East side of Meridian Street 40 feet, thence East parallel to Georgia Street 195 feet to an alley, thence North along said alley 40 feet to the South line of said Georgia Street; thence West on South line of said Georgia Street 195 feet to the place of beginning.

207 South Meridian Street:

Part of Lot 1 in Square 86 in the City of Indianapolis, described as follows:

Beginning 40 feet South of the North West Corner of Square 86, thence East 195 feet, to an Alley, thence South 32 feet, thence West 195 feet, to Meridian Street, thence North 32 feet to the place of beginning; 11-215 South Meridian Street:

Part of Square No. 86 and Square No. 97 in the City of Indianapolis, Marion County, in the State of Indiana, to-wit;

Beginning at a point on the East line of Meridian Street Seventy-two (72) feet South of the North West corner of Square Eighty-six (86) in the City of Indianapolis, thence East parallel with the South line of Georgia Street one hundred ninety-five (195) feet to the alley, thence South parallel with the East line of Meridian Street Sixty-two (62) feet, thence West parallel with the South line of Georgia Street One Hundred Ninetyfive (195) feet to the East line of Meridian Street, thence North to the place of beginning.

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 201, 207 and 211-215 South Meridian Street, Indianapolis, Indiana which are more specifically described as:

201 South Meridian Street:

Part of Square No. 86 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows, to wit;

Commencing at the North West corner of said Square 86, thence South on East side of Meridian Street 40 feet, thence East parallel to Georgia Street 195 feet to an alley, thence North along said alley 40 feet to the South line of said Georgia Street; thence West on South line of said Georgia Street 195 feet to the place of beginning.

207 South Meridian Street:

Part of Lot 1 in Square 86 in the City of Indianapolis, described as follows:

Beginning 40 feet South of the North West Corner of Square 86, thence East 195 feet, to an Alley, thence South 32 feet, thence West 195 feet, to Meridian Street, thence North 32 feet to the place of beginning;

211-215 South Meridian Street:

Part of Square No. 86 and Square No. 97 in the City of Indianapolis, Marion County, in the State of Indiana, to-wit;

Beginning at a point on the East line of Meridian Street Seventy-two (72) feet South of the North West corner of Square Eighty-six (86) in the City of Indianapolis, thence East parallel with the South line of Georgia Street one hundred ninety-five (195) feet to the alley, thence South parallel with the East line of Meridian Street Sixty-two (62) feet, thence West parallel with the South line of Georgia Street One Hundred Ninetyfive (195) feet to the East line of Meridian Street, thence North to the place of beginning.

Meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 734, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Hawkins*

Proposal No. 734, 1985, was retitled SPECIAL RESOLUTION NO. 163, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 163, 1985

A SPECIAL RESOLUTION supplementing and amending City-County Special Resolution No. 83, 1981, as amended (the "Prior Resolution") to amend the description of the Project contained in the Prior Resolution and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Meridian Partners, a limited partnership, or another entity in which Stewart Bainum will be a general partner (the "Applicant") has previously advised the Indianapolis Economic Development Commission and the Issuer that it proposed that the Issuer either acquire, rehabilitate, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation, equipping and improvement of a building located at 201 South Meridian Street containing approximately 30,000 square feet located on approximately 8,000 square feet of land, a building located at 207 South Meridian Street containing approximately 36,000 square feet located on approximately 6,000 square feet of land, and a building located at 211-215 South Meridian Street containing approximately 60,000 square feet located on approximately 12,000 square feet of land, Indianapolis, Indiana for the purpose of commercially leasing units in such building to various users (the "Project"); and

WHEREAS, the Applicant has requested that the description of the Project be revised to reflect the proposed use of approximately one-third of the space to be used for commercial warehouse space including the storage of business records with the other two-thirds of the space to be used for commercial office and retail space with the retail space anticipated to be located on the ground floor (collectively referred to as the "Revised Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 at the end of one year and three years) to be achieved by the acquisition, rehabilitation, installation, equipping, and improvement of the Revised Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

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

WHEREAS, the acquisition, rehabilitation, installation, equipping, and improvement of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore;

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such actions it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$6,800,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, rehabilitation, installation, equipping and improvement of the Revised Project and the sale or leasing of the Revised Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, rehabilitation, installation, equipping and improvement of the Revised 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Revised Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Revised Project and for additions to the Revised Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Revised Project incurred after the passage of City-County Special Resolution No. 83, 1981, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Revised Project will be permitted to be included as part of the bond issue to finance said Revised Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Revised Project.

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

PROPOSAL NO. 735, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Stewart Manufacturing Company, Inc. in an approximate amount of \$700,000. Councillor Schneider stated that the Company plans to relocate and build a new 20,000 square foot manufacturing and offices facility at 1200 North Senate Avenue on approximately 1.78 acres of land. Stewart Manufacturing Company, Inc. is involved in the manufacturing and distribution of residential ventilation equipment. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 735, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 735, 1985, was adoption the following roll call vote; viz:

26 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Strader, West*
NO NAYS

3 NOT VOTING: *Boyd, SerVaas, Stewart*

Proposal No. 735, 1985, was retitled SPECIAL RESOLUTION NO. 164, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 164, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Stewart Manufacturing Company, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 20,000 square feet of manufacturing area and offices located at 1200 North Senate Avenue, Indianapolis, Indiana on approximately 1.78 acres of land which will be used by the Applicant for manufacturing and distribution of residential ventilation equipment (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 25 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$700,000 under the Act to be privately placed or a public offering with credit enhancement pursuant to the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 736, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Pictorial Publishers, Inc. in an amount up to approximately \$5,000,000. Councillor Schneider explained that V-marc, Inc. is a wholly owned subsidiary of Pictorial Publishers, Inc. and that both entities are currently located

at 8081 Zionsville Road. There are two alternate projects for this inducement resolution. The first alternative would be construction of a 16,000 square foot addition plus loading docks to existing facility which will be used by V-marc, Inc. to manufacture a special purpose portable computer and associated peripherals. Rehabilitation should begin in early 1986 with occupancy by the end of 1986. Estimated costs for this alternate project involve \$1.1 million for land, \$450,000 for equipment and \$50,000 for other contingencies. The estimated number of additional employment positions at the end of one year total 10 jobs with \$208,000 in additional payroll to the community. The three-year job estimate is 25 positions with \$322,000 in additional payroll. The Company reports a current annual payroll of \$4 million for 120 employees. The second alternative would be construction of 70,000 square feet of new building space with loading docks and parking located on 10 acres in Park 100. Construction on the second alternative should commence in early 1986 with occupancy by the end of 1986. Preliminary estimated costs are \$700,000 for land, \$3.85 million for building, \$800,000 for equipment and \$100,000 for other contingencies. The estimated number of additional employment positions at the end of one year total six jobs with \$398,000 in additional payroll to the community. The three-year job estimate is forty-one positions with \$737,000 in additional payroll. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 736, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 736, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Nickell, Page, Rader, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Boyd, Howard, Miller, Rhodes

Proposal No. 736, 1985, was retitled SPECIAL RESOLUTION NO. 165, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 165, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Pictorial Publishers, Inc. or Alexander T. Lange (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of either an approximately 16,000 square foot addition (plus loading docks) to an existing 45,000 square foot office, manufacturing, warehousing and printing facility owned by Pictorial Publishers, Inc., located at 8081 Zionsville Road, Indianapolis, Indiana on approximately 4.26 acres of land which will be used by V-marc, Inc. for manufacturing a special purpose portable computer (the V-MARC 88) and associated peripherals; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project") or an approximately 70,000 square foot new building plus loading docks and parking to be located on approximately 10 acres of land on the southeast intersection of I-465 and 79th Street in Park 100, Indianapolis, Indiana of which approximately one-third will be used by V-marc, Inc. for manufacturing a special purpose portable computer (the V-MARC 88) and associated peripherals and the remaining two-thirds of which will be used by Pictorial Publishers, Inc. to develop and market training, licensing and selling material for the insurance and banking industries; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Alternate Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 or 16 at the end of one year and 25 or 41 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project or the Alternate Project respectively will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

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

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,500,000 for the Project or \$5,000,000 for the Alternate Project under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project or the Alternate Project and the sale of leasing of the Project or the Alternate Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project or the Alternate 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project or the Alternate Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project or the Alternate Project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Alternate Project and for additions to the Alternate Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

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

Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Alternate Project.

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

PROPOSAL NO. 737, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Richard D. Summe and/or Que Corporation in an approximate amount of \$1,500,000. Councillor Schneider explained that the Company desires to relocate and that the project is to construct a new 29,995 square foot structure located at 94,200 Priority Way West Drive on approximately 3.291 acres which will be used by Que Corporation in its business of creating, producing and publishing microcomputer software, periodicals and books. Estimated costs for the \$1.5 million project are \$200,000 for land, \$1.1 million for building, and \$200,000 for equipment. The estimated number of additional employment positions at the end of one year total twenty-three jobs with \$320,000 in additional payroll to the community. The three-year job estimate is thirty-two positions with \$450,000 in additional payroll. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 737, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 737, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Boyd, Hawkins, Rader, Schneider*

Proposal No. 737, 1985, was retitled SPECIAL RESOLUTION NO. 166, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 166, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Richard D. Summe, Que Corporation and/or a partnership to be formed (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 29,995 square feet located at 9420 Priority Way West Drive, Indianapolis, Indiana on approximately 3.291 acres of land which will be used by Que Corporation in its business of creating, producing and publishing microcomputer software, periodicals and books; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 23 at the end of one year and 32 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 738, 1985. This proposal is a special ordinance designating the parcels of land commonly known as 2330 North Meridian Street and 2323 North Illinois Street, Indianapolis, Indiana, as economic development target areas.
PROPOSAL NO. 739, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond

financing for K. Philip Watts, and Claude A. Jarvis as principals of a partnership in an approximate amount of \$1,700,000. Councillor Schneider explained that the project is to renovate a currently vacant structures at at 2330 N. Meridian Street and 2323 North Illinois Street containing 21,778 square feet and 63,000 square feet respectively. The project will be used by Indianapolis Office Supply Co., Inc. for storage of office products, furniture and supplies. Renovation should begin in late 1985 with occupancy by January, 1986. Estimated costs for the \$1.7 million project are as follows: \$250,000 land, \$1,050,000 building, \$275,000 equipment and \$125,000 other contingencies. The estimated number of additional employment positions at the end of one year total five jobs with \$100,000 in additional payroll to the community. The three-year job estimate is fourteen jobs with \$300,000 in additional payroll. The Company reports a current annual payroll of \$1.2 million for eighty-five employees. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos. 738 and 739, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption of Proposal Nos. 738 and 739, 1985. Proposal No. 738, 1985, was adopted on the following roll call vote; viz:

23 AYES: Borst, Bradley, Campbell, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, Stewart, Strader, West

NO NAYS

6 NOT VOTING: Boyd, Clark, Cottingham, Durnil, Shaw, Stewart

Proposal No. 738, 1985, was retitled SPECIAL ORDINANCE NO. 78, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 78, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 2320 North Meridian Street, and 2323 North Illinois Street, Indianapolis, Indiana as an Economic Development Target Area which parcels are more specifically described as:

Lots 7, 8, 9, 10, 25, 26, 27, 28, 29 and 30 in John C. Pierson's North Meridian Street Addition, an addition to the City of Indianapolis as per plat thereof recorded in Plat Book 9, page 2, in the office of the Recorder of Marion County, Indiana, together with 15 feet south of and adjacent to lot 30 being the entire width of the first alley south of 24th Street as vacated by Declaratory Resolution 70-VAC-38 recorded November 12, 1970 as Instrument No. 70-50644.

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 2320 North Meridian Street, and 2323 North Illinois Street, Indianapolis, Indiana which are more specifically described as:

Lots 7, 8, 9, 10, 25, 26, 27, 28, 29 and 30 in John C. Pierson's North Meridian Street Addition, an addition to the City of Indianapolis as per plat thereof recorded in Plat Book 9, page 2, in the office of the Recorder of Marion County, Indiana, together with 15 feet south of and adjacent to lot 30 being

the entire width of the first alley south of 24th Street as vacated by Declaratory Resolution 70-VAC-38 recorded November 12, 1970 as Instrument No. 70-50644.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 739, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*
NO NAYS

3 NOT VOTING: *Boyd, Clark, Stewart*

Proposal No. 739, 1985, was retitled SPECIAL RESOLUTION NO. 167, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 167, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, K. Philip Watts and Claude A Jarvis as principals of a partnership to be formed (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development

financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of existing buildings containing approximately 21,778 square feet and 63,000 square feet, located at 2320 North Meridian Street respectively and 2323 North Illinois Street, Indianapolis, Indiana on approximately 2.922 acres of land which will be used by Indianapolis Office Supply, Inc. to warehouse, distribute and sell office products, furniture and supplies and also for sales and administrative offices; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (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 14 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,700,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 740, 1985. This proposal is a special ordinance designating the parcels of land commonly known as 220, 235-237, 239-249, 345 and 350 Virginia Avenue, Indianapolis, Indiana, as an economic development target area.

PROPOSAL NO. 741, 1985. This proposal is a special resolution authorizing certain proceedings with respect to proposed economic development bond financing for Group Americal, Inc. or its assigns in an approximate amount of \$4,500,000. Councillor Schneider reported that the project involves the renovation of four buildings containing approximately 89,331 square feet, plus the addition of one story to 220 Virginia Avenue. The renovated buildings will

contain both commercial and office space. Renovation should begin in late 1985 with occupancy by mid 1986. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos. 740 and 741, 1985, Do Pass by a vote of 4-0-1. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption for Proposal Nos. 740 and 741, 1985. Proposal No. 740, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Stewart*

Proposal No. 740, 1985, was retitled SPECIAL ORDINANCE NO. 79, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 79, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration- or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 220, 235-237, 239-249, and 345 Virginia Avenue, Indianapolis, Indiana as an Economic Development Target Area which parcels are more specifically described as:

1) 220 Virginia Avenue:

(See "Exhibit A" incorporated herein.)

2) 235-237 Virginia Avenue:

the east half of Lot 4 of Yandes Subdivision, Square 82 of the Donation Lands, City of Indianapolis.

3) 239-249 Virginia Avenue:

Lots 1, 2, 3, 4, 5 and 8 in George B. Yandes Subdivision of Lot 6 in Square 82, of the City of Indianapolis, according to the plat thereof recorded in Plat Book 3 page 28, in the Office of the Recorder of Marion County, Indiana.

4) 345 Virginia Avenue:

Lot 12 in Joshua Steven's Subdivision of the Southwest Half of Square 101 in the City of Indianapolis, the plat of which is recorded in Land Record K, page 330, in the Office of the Recorder of Marion County, Indiana, except the following portion of Lot 12 more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Lot on Virginia Avenue, thence Southeastwardly on the line of Virginia Avenue 24 feet and 2 inches, thence Southwestwardly at right angles with Virginia Avenue to the West line of said Lot 12, thence North on the West line of said Lot to a point 25 feet measured

at right angles from Virginia Avenue thence Northeastwardly on a line at right angles with Virginia Avenue 25 feet to Virginia Avenue, being the place of beginning.

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 220, 235-237, 239-249, and 345 Virginia Avenue, Indianapolis, Indiana which are more specifically described as:

1) 220 Virginia Avenue:

(See "Exhibit A" incorporated herein.)

2) 235-237 Virginia Avenue:

the east half of Lot 4 of Yandes Subdivision, Square 82
of the Donation Lands, City of Indianapolis.

3) 239-249 Virginia Avenue:

Lots 1, 2, 3, 4, 5 and 8 in George B. Yandes Subdivision of Lot 6 in Square 82, of the City of Indianapolis, according to the plat thereof recorded in Plat Book 3 page 28, in the Office of the Recorder of Marion County, Indiana.

4) 345 Virginia Avenue:

Lot 12 in Joshua Steven's Subdivision of the Southwest Half of Square 101 in the City of Indianapolis, the plat of which is recorded in Land Record K, page 330, in the Office of the Recorder of Marion County, Indiana, except the following portion of Lot 12 more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Lot on Virginia Avenue, thence Southeastwardly on the line of Virginia Avenue 24 feet and 2 inches, thence Southwestwardly at right angles with Virginia Avenue to the West line of said Lot 12, thence North on the West line of said Lot to a point 25 feet measured at right angles from Virginia Avenue thence Northeastwardly on a line at right angles with Virginia Avenue 25 feet to Virginia Avenue, being the place of beginning.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 741, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

NO NAYS

6 NOT VOTING: *Boyd, Clark, Dowden, Durnil, Holmes, Stewart*

Proposal No. 741, 1985, was retitled SPECIAL RESOLUTION NO. 168, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 168, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Group Americal, Inc. or its assigns (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of the following existing buildings located in Indianapolis, Indiana: 1) 220 Virginia Avenue containing approximately 48,000 square feet currently but which will contain approximately 55,573 square feet after the construction of an addition thereto; and 2) 235-237 Virginia Avenue containing approximately 6,010 square feet; and 3) 239-249 Virginia Avenue containing approximately 19,844 square feet; and 4) 345 Virginia Avenue containing approximately 3,200 square feet; and 5) 350 Virginia Avenue containing approximately 4,704 square feet located on a total of approximately 3.85 acres of land which will be leased by the Applicant to various businesses for office and commercial/retail space; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 100 at the end of one year and 200 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$4,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of

issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 742, 1985. This proposal is a special ordinance designating the parcels of land commonly known as 111 East 16th Street, 1 East 36 Street, 3330-3340 North Meridian Street, 1040 North Delaware Street, 38th and Pennsylvania, 1022 North West Street, 2139 North College, 429 North Pennsylvania Street, and 245 South Meridian Street, Indianapolis, Indiana, as economic development target areas. PROPOSAL NO. 743, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Stenz & Associates, Inc. or its assigns in an approximate amount of \$14,500,000. Councillor Schneider explained that the project involves the acquisition and renovation of several buildings for use as apartment and office space. Preliminary costs for the \$14.5 million project are: \$1 million for land, \$5 million for building, and \$8.5 million for equipment and improvements. The estimated number of additional employment positions at the end of one year total 29 jobs with \$465,000 in additional payroll. The three-year job estimate is 29 positions with \$580,000 in additional payroll. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos. 742 and 743, 1985, Do Pass by votes of 6-0 and 5-0 respectively. Councillor Schneider moved, seconded by Councillor Howard, for adoption of Proposal Nos. 742 and 743, 1985. Proposal No. 742, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Boyd, Dowden

Proposal No. 742, 1985, was retitled SPECIAL ORDINANCE NO. 88, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 88, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

- "(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;
- (2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or
- (3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 111 East 16th Street, 1 East 36 Street, 3330-3340 North Meridian Street, 1040 North Delaware Street, 38th and Pennsylvania, 1022 North West Street, 2139 North College, 429 North Pennsylvania Street and 245 South Meridian Street, Indianapolis, Indiana as Economic Development Target Areas which parcels are more specifically described as:

429 North Pennsylvania

Lots numbered 4, 5, 6, 19, 20, 21 and 22 in Samuel Henderson's subdivision of Square 17 of the Donation Lands of the City of Indianapolis, as per plat thereof recorded in Land Record S, page 364, in the Office of the recorder of Marion County, Indiana.

3802 North Pennsylvania

Maple Court Lot 10

245 South Meridian

North Half of Lot 24, Square 97, one foot off of entire south side of Lot 25 Square 97

2133 North College Avenue

J.A. & M. Bruces Addition, Lot 114

2139 North College Avenue

J.A. & M. Bruces Addition, Lot 115

1022 North West Street

Sullivan Sub Mayhew HRS Addition, Lot 6

1036 North West Street

Sullivan Sub Mayhew HRS Addition, Lot 5

1040 North Delaware

A.L. Roache Addition, Lot 4

3330 North Meridian Street

North Park Addition, Lot 16, Block 3

3340 North Meridian Street

North Park Addition, Lot 15, Block 3

1 East 36th Street

Eitels North Meridian Street Addition, Lot 2

3557 North Meridian Street

Eitels North Meridian Street Addition, Lot 1

111 East 16 Street

Richard's Place, Lot 1 to Lot 5 inclusive

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 111 East 16th Street, 1 East 36 Street, 3330-3340 North Meridian Street, 1040 North Delaware Street, 38th and Pennsylvania, 1022 North West Street, 2139 North College, 429 North Pennsylvania Street and 245 South Meridian Street, Indianapolis, Indiana which are more specifically described as:

429 North Pennsylvania

Lots numbered 4, 5, 6, 19, 20, 21 and 22 in Samuel Henderson's subdivision of Square 17 of the Donation Lands of the City of Indianapolis, as per plat thereof recorded in Land Record S, page 364, in the Office of the recorder of Marion County, Indiana.

3802 North Pennsylvania

Maple Court Lot 10

245 South Meridian

North Half of Lot 24, Square 97, one foot off of entire south side of Lot 25 Square 97

2133 North College Avenue

J.A. & M. Bruces Addition, Lot 114

2139 North College Avenue

J.A. & M. Bruces Addition, Lot 115

1022 North West Street

Sullivan Sub Mayhew HRS Addition, Lot 6

1036 North West Street

Sullivan Sub Mayhew HRS Addition, Lot 5

1040 North Delaware

A.L. Roache Addition, Lot 4

3330 North Meridian Street

North Park Addition, Lot 16, Block 3

3340 North Meridian Street

North Park Addition, Lot 15, Block 3

1 East 36th Street

Eitels North Meridian Street Addition, Lot 2

3557 North Meridian Street

Eitels North Meridian Street Addition, Lot 1

111 East 16 Street

Richard's Place, Lot 1 to Lot 5 inclusive

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 743, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader,

West

NO NAYS

2 NOT VOTING: Boyd, Dowden

Proposal No. 743, 1985, was retitled SPECIAL RESOLUTION NO. 170, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 170, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Stenz & Associates, Inc. or its assigns (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of the following existing buildings located on tracts of land in Indianapolis, Indiana:

- 1) 111 East 16th Street which will be used for approximately 80 units of multi-family residential rental housing plus some commercial space;
- 2) 1 East 36th Street which will be used for approximately 49 units of multi-family residential rental housing;
- 3) 3330-3340 North Meridian Street which will be used for approximately 74 units of multi-family residential rental housing;
- 4) 1040 North Delaware Street which will be used for approximately 49 units of multi-family residential rental housing;
- 5) 38th and Pennsylvania which will be used for approximately 18 units of multi-family residential rental housing;
- 6) 1022 North West Street which will be used for approximately 42 units of multi-family residential rental housing;
- 7) 2139 North College Avenue which will be used for approximately 14 units of multi-family residential rental housing;
- 8) 429 North Pennsylvania Street (Lumberman's Building) which will be used for approximately 55,000 square feet of office/commercial space;

9) 245 South Meridian Street (Painter's Union Building) which will be used for approximately 7,000 square feet of office/commercial space;

the acquisition, construction, installation and equipping of various site improvements at the facilities; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facilities (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 29 at the end of one year and 29 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$14,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 afore-said financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private

activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 744, 1985. This proposal is a special ordinance designating the parcels of land commonly known as 445 North Pennsylvania Street, Indianapolis, Indiana, as an economic development target area. **PROPOSAL NO. 745, 1985.** This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Benton R. Marks, David H. Marks, Sophia G. Marks, 445 North Pennsylvania Corp., Daben Realty Co., Inc. and/or Puritan Home Funding Partnership, in an approximate amount of \$1,000,000. Councillor Schneider explained that the project is to renovate a nine-story 83,000 square foot building at 445 N. Pennsylvania for use as office space. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos 744 and 745, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption for Proposal Nos.

744 and 745, 1985. Proposal No. 744, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Dowden*

Proposal No. 744, 1985, was retitled SPECIAL ORDINANCE NO. 80, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 80, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 445 North Pennsylvania Street, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

Lot Number 23 and 24 in Samuel Henderson's Subdivision of Original Square 17 in the City of Indianapolis, as per plat thereof recorded in Land Record 5, page 364, in the Office of the Recorder of Marion County, Indiana.

now, therefore:

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

SECTION 1. It is hereby found that the parcel commonly known as 311 West Washington Street, and 445 North Pennsylvania Street, Indianapolis, Indiana which is more specifically described as:

Lot Number 23 and 24 in Samuel Henderson's Subdivision of Original Square 17 in the City of Indianapolis, as per plat thereof recorded in Land Record 5, page 364, in the Office of the Recorder of Marion County, Indiana.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 745, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath,*

Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: *Boyd, Dowden*

Proposal No. 745, 1985, was retitled SPECIAL RESOLUTION NO. 171, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 171, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Benton Marks, David Marks, Sophia Marks, Daben Realty Corporation, Puritan Home Funding Partnership, 445 North Pennsylvania Corporation and/or partnership which they may form (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of the existing building located in Indianapolis, Indiana at 445 North Pennsylvania Street, (\$1,000,000 remodeling of existing 83,000 square foot office building, consisting of nine stories with basement); the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for sue in the facility (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 7 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,000,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction,

renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 746, 1985. This proposal is a special ordinance designating the parcel of land commonly known as 748 Bates, Indianapolis, Indiana, as an economic development target area. PROPOSAL NO. 747, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Angelo's, Inc. and/or Leo M. LaGrotte, in an approximate amount of \$800,000. Councillor Schneider reported that the project is the renovation of I.P.S. School No. 7 which contains approximately 20,000 square feet. The renovated building will be used as a small business complex for various offices. The completion date is projected for mid 1986. Estimated costs for the project are: \$40,000 land, \$900,000 building and \$60,000 other contingencies. The estimated number of additional employment positions at the end of one year are three positions with \$30,000 in additional payroll. The three-year job estimate is five positions with an additional payroll of \$50,000. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos. 746 and 747, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Clark, for adoption of Proposal Nos. 746 and 747, 1985. Proposal No. 746, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

3 NOT VOTING: Boyd, Dowden, Durnil

Proposal No. 746, 1985, was retitled SPECIAL ORDINANCE NO. 81, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 81, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 748 Bates, Indianapolis, Indiana as an Economic Development Target Area which parcel are more specifically described as:

Lots 29, 30, 31 and 32 in Bates Subdivision of outlot No. 89 in the City of Indianapolis as per plat thereof recorded in Plat Book No. 1 page 62 in the office of the Recorder of Marion, Indiana.

now, therefore:

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

SECTION 1. It is hereby found that the parcel commonly known as 748 Bates, Indianapolis, Indiana which is more specifically described as:

Lots 29, 30, 31 and 32 in Bates Subdivision of outlot No. 89 in the City of Indianapolis as per plat thereof recorded in Plat Book No. 1 page 62 in the office of the Recorder of Marion, Indiana.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 747, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Miller*

Proposal No. 747, 1985, was retitled SPECIAL RESOLUTION NO. 172, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 172, 1985

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 and I.C. 36-7-11.9 (collectively 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, installation and equipping of said facilities either directly owned by or leased or sold to company; and leased or subleased to users of the facilities; and

WHEREAS, Angelo's Inc. and/or Leo M. LaGrotte (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of the existing School No. 7 building containing approximately 20,000 square feet located at 748 Bates, Indianapolis, Indiana on approximately 1 acre of land which will be used as a small business and office complex; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 3 at the end of one year and 80 to 155 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$800,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-1.4.

PROPOSAL NO. 748, 1985. This proposal is a special ordinance designating the parcel of land commonly known as 800-1000 Indiana Avenue, Indianapolis, Indiana, as an economic development target area. PROPOSAL NO. 749, 1985. This proposal is an inducement resolution authorizing certain proceedings with

respect to proposed economic development bond financing for Lockefield Associates in an approximate amount of \$29,000,000. Councillor Schneider explained that the project is to renovate a currently existing vacant multi-family residential rental housing complex. The new project will consist of one- and two-bedroom apartments for use as multi-family rental residences in addition to some commercial space. The project also involves the construction of eleven new three-story buildings to include 294 multi-family residential rental units, a clubhouse and 657 parking spaces. New construction should begin in early 1986. Projected monthly rental rates for the apartments are from \$350 to \$650. The total estimated cost of the project is \$29 million. Approximately 250 construction jobs will be created. The estimated number of additional employment positions at the end of one and three years total thirty-two positions with \$215,000 and \$252,000 in additional payroll to the community. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos. 748 and 749, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Howard, for adoption of Proposal Nos. 748 and 749, 1985. Proposal No. 748, 1985, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West*
NO NAYS

4 NOT VOTING: *Boyd, Gilmer, Howard, Shaw*

Proposal No. 748, 1985, was retitled SPECIAL ORDINANCE NO. 82, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 82, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 800 to 1000 Indiana Avenue, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

Parcel 1

All that part of Out Lots 157 and 158 of the Donation Lands in the City of Indianapolis lying and being in the City of Indianapolis and County of Marion State of Indiana bounded on the North by Indiana Avenue; on the East by Blake Street; on the South by North Street; and on the West by Locke Street, said streets and avenue as existing and located on December 31, 1964, excepting however the portion of the above described real estate conveyed to Indiana University at Indianapolis Federal Credit Union by deed recorded October 5, 1976, as Instrument "76-60388, and being more particularly described as follows:

Lots 6, 7, 8 and 9 in Square I in Isaac Harris Subdivision of Out Lot 157 of the Donation Lands in the City of Indianapolis, as per plat thereof, recorded in Land Record H, page 232, in the Office of the Recorder of Marion County, Indiana.

Also, 15 feet West of and adjoining lots 8 and 9 and the 16 foot 3 inch vacated alley lying between lots 8 and 9, being a portion of the East half of Agnes Street, vacated by Resolution No. 15142, recorded January 5, 1935, in Deed Record 926, page 443.

Also, 16 feet and 3 inches lying between lots 6, 7, 8 and 9 being a portion of the first alley North of North Street, vacated by Resolution No. 15141, recorded January 5, 1935, in Deed Record 926, page 447.

Parcel 2

NDP 8-10, Disposition Block 1, Parcel 1, as per plat thereof, recorded May 16, 1978, as instrument No. 78-29219, in the Office of the Recorder of Marion County, Indiana.

The real estate described above by recorded plat consists of Lot 7 through and including Lot 26 together with vacated alleys all in Edward R. Ames' Subdivision of Part of Out Lot 159 as recorded in Plat Book 1, pages 269 and 270; and Lot 4 through and including Lot 6 in the Subdivision of part of Out Lot 159 made by the City Council, recorded in Plat Book 1, pages 51 and 52; and that part of vacated Douglas Street lying between said subdivisions.

Parcel 3

The real estate generally described as follows:

Lots 1, 2, 3, 31, 32, 33 and 34 in Edward R. Ames' Subdivision of Part of Out Lot 159; Plat Book 1, page 269 and 270; and Lots 1, 2, 3, 7, 8, 9 and 10 through and including Lot 16 and the vacated alleys in the City Council Subdivision of Out Lot 159; Plat Book 1, pages 51 and 52; and, Lots 25 through and including 32 and Lots 49 through and including 59 in William T. Wiley Kinney Subdivision of Out Lot 159; Plat Book 2, page 17.

now, therefore:

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

SECTION 1. It is hereby found that the parcel commonly known as 800 to 1000 Indiana Avenue, Indianapolis, Indiana which is more specifically described as:

Parcel 1

All that part of Out Lots 157 and 158 of the Donation Lands in the City of Indianapolis lying and being in the City of Indianapolis and County of Marion State of Indiana bounded on the North by Indiana Avenue; on the East by Blake Street; on the South by North Street; and on the West by Locke Street, said streets and avenue as existing and located on December 31, 1964, excepting however the portion of the above described real estate conveyed to Indiana University at Indianapolis Federal Credit Union by deed recorded October 5, 1976, as Instrument No. 76-60388, and being more particularly described as follows:

Lots 6, 7, 8 and 9 in Square I in Isaac Harris Subdivision of Out Lot 157 of the Donation Lands in the City of Indianapolis, as per plat thereof, recorded in Land Record H, page 232, in the Office of the Recorder of Marion County, Indiana.

Also, 15 feet West of and adjoining lots 8 and 9 and the 16 foot 3 inch vacated alley lying between lots 8 and 9, being a portion of the East half of Agnes Street, vacated by Resolution No. 15142, recorded January 5, 1935, in Deed Record 926, page 443.

Also, 16 feet and 3 inches lying between lots 6, 7, 8 and 9 being a portion of the first alley North of North Street, vacated by Resolution No. 15141, recorded January 5, 1935, in Deed Record 926, page 447.

Parcel 2

NDP 8-10, Disposition Block 1, Parcel 1, as per plat thereof, recorded May 16, 1978, as instrument No. 78-29219, in the Office of the Recorder of Marion County, Indiana.

The real estate described above by recorded plat consists of Lot 7 through and including Lot 26 together with vacated alleys all in Edward R. Ames' Subdivision of Part of Out Lot 159 as recorded in Plat Book 1, pages 269 and 270; and Lot 4 through and including Lot 6 in the Subdivision of part of Out Lot 159 made by the City Council, recorded in Plat Book 1, pages 51 and 52; and that part of vacated Douglas Street lying between said subdivisions.

Parcel 3

The real estate generally described as follows:

Lots 1, 2, 3, 31, 32, 33 and 34 in Edward R. Ames' Subdivision of Part of Out Lot 159; Plat Book 1, page 269 and 270; and Lots 1, 2, 3, 7, 8, 9 and 10 through and including Lot 16 and the vacated alleys in the City Council Subdivision of Out Lot 159; Plant Book 1, pages 51 and 52; and, Lots 25 through and including 32 and Lots 49 through and including 59 in William T. Wiley Kinney Subdivision of Out Lot 159; Plat Book 2, page 17.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 749, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, West*

NO NAYS

5 NOT VOTING: *Boyd, Cottingham, Durnil, Stewart, Strader*

Proposal No. 749, 1985, was retitled SPECIAL RESOLUTION NO. 173, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 173, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, Lockefield Associates, a to-be-formed limited partnership with one or more of the following as its general partner; Joseph F. Sexton, Harold D. Garrison, Cornelius M. Alig, or Business Opportunity Systems (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of an existing vacant multi-family residential rental housing complex as follows: The project will consist exclusively of one and two-bedroom apartments for use as multi-family rental residences, and a small amount of commercial space. The project will consist of i) the rehabilitation of six existing historic buildings which were part of the original Lockefield Gardens housing project, which will contain 198 apartment units, and ii) the construction of 11 new three-story buildings, which will contain 294 apartment units, for a total of 492 apartment units. The project will also contain 11,138 square feet of commercial space in the existing buildings, and 657 parking spaces. The Project will be located at 800-1000 Indiana Avenue on approximately 25 acres of land; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 16 at the end of one year and three years in addition to approximately 250 construction jobs) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$29,000,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 Issuer and the Applicant; (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 subject to the caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 750, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for James W. Budden, Albert A. Savill, Gerald A. Kosene and David H. Kosene, as partners in a general partnership to be formed, in an approximate amount of \$1,200,000. Councillor Schneider explained that the project is to renovate an existing structure at 1430 N. Illinois to be used for vertical commercial storage. Parking will be available at 1401 N. Illinois. Renovation should commence in late 1985 with occupancy by March, 1986. The estimated number of additional employment positions at the end of one year total five jobs with \$60,000 in additional payroll to the community. The three-year job estimate is also five positions with \$80,000 in additional payroll. The Economic Development Committee, on November 6, 1985, recommended Proposal No. 750, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No.750, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

3 NOT VOTING: Boyd, Hawkins, Howard

Proposal No. 750, 1985, was retitled SPECIAL RESOLUTION NO. 174, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 174, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively 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, installation 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, James W. Budden, Albert A. Savill, Gerald A. Kosene and David H. Kosene in a general partnership to be formed (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of an existing building (1430 North Illinois Street) containing approximately 60,000 square feet of gross building area with usable square footage of approximately 40,000 square feet plus a parking area (1402 North Illinois Street) located at 1402 and 1430 North Illinois Street, Indianapolis, Indiana on approximately 1/2 acre of land which will be used by the Applicant for vertical self-storage warehousing; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (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 three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; 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 Issuer and its citizens; and

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

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,200,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, renovation, installation 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires June 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NOS. 773 - 779, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on November 8, 1985". Councillor McGrath moved that Proposal Nos. 774 and 775, 1985, be scheduled for public hearing by the Council at their November 28, 1985, meeting. Unanimous consent was given. No action was taken on Proposal Nos. 773 and 776-779, 1985, by the Council; and the proposals were deemed adopted. Proposal Nos. 773 and 776-779, 1985, were retitled REZONING ORDINANCE NOS. 179-183, 1985, and read as follows:

**REZONING ORDINANCE NO. 179, 1985 85-Z-118 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

861 WEST TROY AVENUE, INDIANAPOLIS

Curtis J. Hillock, by Phillip V. Price, requests the rezoning of 2.85 acres, being in the A-1 district, to the I-3-U classification, to provide for semi-trailer parking and storage.

**REZONING ORDINANCE NO. 180, 1985 85-Z-169 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

4402 WEST 52nd STREET, INDIANAPOLIS

Executive III, Inc., by Paul F. Madden, requests the rezoning of approximately 20 acres, being in the D-5 and D-6 districts, to the I-1-S classification, to provide for an electronic manufacturing and engineering service firm.

**REZONING ORDINANCE NO. 181, 1985 85-Z-177 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19**

3301 KENTUCKY AVENUE, INDIANAPOLIS

Kerr McGee Refining Corporation and Melvin and Cheryl Thomas, by William F. LeMond, request the rezoning of 0.92 acre, being in the D-5 district, to the C-3 classification, to provide for neighborhood retail use.

**REZONING ORDINANCE NO. 182, 1985 85-Z-180 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 4**

6450 RUCKER ROAD, INDIANAPOLIS

Indiana Soft Water Services, Inc., by Thomas Michael Quinn, Jr., requests the rezoning of 3.26 acres, being in the C-1 and I-2-S districts, to the I-2-S classification, to provide for the construction of a distribution center and offices for water treatment services.

**REZONING ORDINANCE NO. 183, 1985 85-Z-194 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 6**

Gary Canada, by Steven C. Robinson, requests the rezoning of 0.13 acre, being in the D-5 district, to the C-1 classification, to provide for office use.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 660, 1985. This proposal approves the issuance of temporary tax anticipation time warrants for the County Welfare Fund during the period of

January 2, 1986, to December 30, 1986. Councillor Stewart moved to postpone Proposal No. 660, 1985, until the November 25, 1985, meeting of the Council. Consent was given.

PROPOSAL NO. 661, 1985. This proposal provides a transfer of funds of \$7,944 for the Lawrence and Pike Township Assessors to eliminate the vacancy factors. Councillor Cottingham explained that the transfer, provided by the County Auditor, eliminates vacancy factors for both Lawrence and Pike Township Assessors. The County and Townships Committee, on November 5, 1985, recommended Proposal No. 661, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Holmes, for adoption. Proposal No. 661, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Bradley, Campbell, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

0 NAYS

5 NOT VOTING: Boyd, Clark, Crowe, Howard, McGrath

Proposal No. 661, 1985, was retitled **FISCAL ORDINANCE NO. 99, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 1985

A **FISCAL ORDINANCE** amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Seven Thousand Nine Hundred Forty-Four Dollars (\$7,944) in the County General Fund for purposes of the Lawrence and Pike Township Assessors and reducing certain other appropriations for the Marion County Auditor.

**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 202(a)2 and (d)(4 and 6) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to eliminate the vacancy factors.

SECTION 2. The sum of Seven Thousand Nine Hundred Forty-Four Dollars (\$7,944) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
1. Personal Services	\$3,734
PIKE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
1. Personal Services	<u>4,210</u>
TOTAL INCREASE	\$7,944

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

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
3. Other Services and Charges	<u>\$7,944</u>
TOTAL REDUCTION	\$7,944

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(4) LAWRENCE TOWNSHIP ASSESSOR - Dept. 20

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	31,202	31,202
Chief Deputy	1	23,397	23,397
Deputies	9	22,684	98,345
Temporary			6,840
Vacancy Factor			(3,734) 0
TOTAL	11	136,050	<u>159,784</u>

(6) PIKE TOWNSHIP ASSESSOR - Dept. 23

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	28,602	28,602
Chief Deputy	1	21,452	21,452
Deputies	7	17,718	92,765
Temporary	3		5,500
Vacancy Factor			(4,210) 0
TOTAL	12	154,109	<u>148,319</u>

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

PROPOSAL NO. 662, 1985. This proposal approves the issuance of temporary tax anticipation time warrants for the County General Fund during the period of January 2, 1986, to December 30, 1986. Councillor Stewart moved to postpone

Proposal No. 662, 1985, until the November 25, 1985, meeting of the Council. Consent was given.

PROPOSAL NO. 664, 1985. This proposal transfers and appropriates \$30,000 for the Department of Public Safety for repairs to the Public Warning System. Councillor Dowden moved to postpone Proposal No. 664, 1985, until the November 25, 1985, meeting of the Council. Consent was given.

PROPOSAL NO. 697, 1985. This proposal appropriates \$1,022 for the Criminal Justice Coordinating Agency to purchase crime prevention films and printing of informational pamphlets. Councillor Dowden explained that the appropriation was available through donations from the public. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No. 697, 1985, Do Pass by a vote of 8-0. The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 691, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

5 NOT VOTING: *Boyd, Crowe, Howard, McGrath, Page*

Proposal No. 697, 1985, was retitled FISCAL ORDINANCE NO. 100, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Thousand Twenty-Two Dollars (\$1,022) in the Consolidated County Fund for purposes of the Department of Public Safety, Criminal Justice Coordinating Agency 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 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for crime prevention films and printing of informational pamphlets. The funds were voluntary contributions to the Crime Watch program.

SECTION 2. The sum of One Thousand Twenty-Two Dollars (\$1,022) 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	CONSOLIDATED COUNTY FUND
Criminal Justice Coordinating Agency	
2. Supplies	<u>\$1,022</u>
TOTAL INCREASE	\$1,022

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

DEPARTMENT OF PUBLIC SAFETY	CONSOLIDATED COUNTY FUND
Criminal Justice Coordinating Agency	
UNAPPROPRIATED AND UNENCUMBERED	
CONSOLIDATED COUNTY FUND	<u>\$1,022</u>
TOTAL REDUCTION	\$1,022

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

PROPOSAL NO. 700, 1985. This proposal appropriates \$13,000 for the Superior Court, Juvenile Division, to purchase a van for the Court. Councillor Dowden stated that the new van is capable of carrying more passengers than the 1976 model van currently being used by the Court. The 1976 model has presented maintenance problems and even has holes in the floorboard. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No. 700, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 8:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 700, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Boyd, Clark

Proposal No. 700, 1985, was retitled FISCAL ORDINANCE NO. 101, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirteen Thousand Dollars (\$13,000) in the Juvenile Probation Fees Fund for purposes of the Marion County Superior Court - Juvenile Division and reducing the unappropriated and unencumbered balance in the Juvenile Probation Fees 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 2.02 (b)(4) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds to purchase a van for the Court.

SECTION 2. The sum of Thirteen Thousand Dollars (\$13,000) 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:

SUPERIOR COURT - JUVENILE DIVISION

JUVENILE PROBATION FEES FUND

4. Capital Outlay	\$13,000
TOTAL INCREASE	<u>\$13,000</u>

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

SUPERIOR COURT - JUVENILE DIVISION

JUVENILE PROBATION FEES FUND

UNAPPROPRIATED AND UNENCUMBERED	
JUVENILE PROBATION FEES FUND	\$13,000
TOTAL REDUCTION	<u>\$13,000</u>

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

PROPOSAL NO. 705, 1985. This proposal transfers and appropriates \$27,350 for the Superior Court, Roving Court Reporter, to remodel and furnish a title IV-D Court Room. Councillor Dowden explained that the number of paternity suits in the Circuit Court have increased by 10,000 cases, thus a backlog exists in case-loads. Judge Metz and Prosecutor Goldsmith supported the creation of a new IV-D courtroom in order that the Court's backlog be lessened. This would hopefully result in the County benefiting financially from more cases being heard. The transfer and appropriation in Proposal No. 705 is 70% reimbursable and will allow

for the creation of a new courtroom to be located in the basement of the City-County Building in space formerly occupied by the Weights and Measures Division (this Division will move to the 17th Floor). The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No. 705, 1985, Do Pass by a vote of 6-0-1. The President called for public testimony at 8:08 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 705, 1985, was adopted on the following roll call vote; viz:

26 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West Stewart*
 NO NAYS

3 NOT VOTING: *Boyd, Clark, Gilmer*

Proposal No. 705, 1985, was retitled FISCAL ORDINANCE NO. 102, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Twenty-Seven Thousand Three Hundred Fifty Dollars (\$27,350) in the County General Fund for purposes of the Marion County Superior Court, Roving Court Reporter and reducing certain other appropriations for that office and the Marion County Auditor and the unappropriated and unencumbered balance in the County General 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 2.02 (b)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring and appropriating funds for remodeling and furnishing a Title IV-D Court which is 70% reimbursable.

SECTION 2. The sum of Twenty-Seven Thousand Three Hundred Fifty Dollars (\$27,350) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SUPERIOR COURT- ROVING COURT REPORTER	COUNTY GENERAL FUND
3. Other Services and Charges	\$24,350
4. Capital Outlay	<u>3,000</u>
TOTAL INCREASE	\$27,350

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

SUPERIOR COURT- ROVING COURT REPORTER	COUNTY GENERAL FUND
1. Personal Services	\$16,150
MARION COUNTY AUDITOR	
1. Personal Services (Fringes)	3,200
UNAPPROPRIATED AND UNENCUMBERED COUNTY GENERAL FUND	
TOTAL REDUCTION	<u>8,000</u> <u>\$27,350</u>

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
General Term			
Court Reporter	1	19,933	19,933
Commissioner	1	27,900	27,900 <u>20,210</u>
Bailiff	2	15,350	18,017 <u>22,240</u>
Vacancy Factor			<u>(24,400)</u>
TOTAL	4		54,133 <u>37,983</u>

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

PROPOSAL NO. 708, 1985. This proposal transfers \$33,698 of the State of Indiana Driving While Intoxicated Grant to the Prosecuting Attorney and Presiding Judge of the Municipal Court. Councillor Dowden stated that the original intent of the grant from the Governor's Drunk Driving Task Force was to set up a separate court to handle drunk driving cases. The Presiding Judge of the Municipal Court elected not to set up the new court and is requesting that the grant be revised to reflect an additional \$21,698 to hire two additional deputy prosecutors and \$12,000 for computer equipment relating to the new classification of the Lockup. Councillor Dowden added that the Council was viewing an amended version of Proposal No. 708; the amendments were accepted by the Committee to change the Prosecuting Attorney's personnel schedule by adding an additional two positions for the line item "deputy prosecutors" and by incorporating the those two positions into the "total" figure. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No.

708, 1985, Do Pass As Amended by a vote of 6-1. The President called for public testimony at 8:09 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 708, 1985, As Amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Clark*

Proposal No. 708, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 103, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Thirty-Three Thousand Six Hundred Ninety-Eight Dollars (\$33,698) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and Presiding Judge of the Municipal Court and reducing certain other appropriations for the Presiding Judge of the Municipal Court.

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 2.02 (b)(22 & 24) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds from the State of Indiana Driving While Intoxicated Grant from the Municipal Court to the Prosecutor and transferring funds within the Municipal Court.

SECTION 2. The sum of Thirty-Three Thousand Six Hundred Ninety-Eight Dollars (\$33,698) 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:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$21,698
MUNICIPAL COURT	
34. Equipment	<u>12,000</u>
TOTAL INCREASE	<u>\$33,698</u>

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

MUNICIPAL COURT	STATE AND FEDERAL GRANT FUND
31. Personal Services	<u>\$33,698</u>
TOTAL REDUCTION	<u>\$33,698</u>

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(24) Municipal Court - Dept. 47/State and Federal Grant Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	1	18,000	18,000 <u>3,278</u>
Clerk	1	9,295	9,295 <u>1,787</u>
Specialist	<u>1</u>	14,000	14,000 <u>2,532</u>
TOTAL	3		41,295 <u>7,597</u>

(22) Prosecuting Attorney - Dept. 25/State and Federal Grant Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	5 <u>7</u>	32,000	163,000 <u>104,594</u>
Witness Coordinator	1	18,000	<u>18,000</u>
Paralegal	2	17,000	27,999
Investigator	2	21,000	35,924
Project Analyst	1	11,000	14,808
Director	4	26,000	65,088
Volunteer Coordinator	1	15,000	15,000
Project Coordinator	1	9,240	5,331
Secretary	4	14,500	34,301
Counselor	2	16,000	36,625
Screening Deputy	1	12,000	10,844
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	8,750
Vacancy Factor			(57,715) <u>(47,517)</u>
Temporary			<u>1,700</u>
TOTAL	26 <u>28</u>		316,249 <u>337,947</u>

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

PROPOSAL NO. 668, 1985. This proposal approves and ratifies the Service Agreement between Massburn, Inc., d/b/a/ Ogden Martin Systems of Indianapolis, Inc. and the City of Indianapolis for the design, construction, operation, etc., of a

Mass Burn Resource Recovery Facility. Councillor West stated that the Service Agreement has been amended by consent of the committee to incorporate three major areas of concern: 1) a two-second retention time is now required instead of the original one-second retention time; 2) a more specific new accumulated "down-time" for all three crossburners of fifteen weeks per year instead of the original language which inferred that the facility could be down for regularly scheduled maintenance for a total of fifteen weeks per year; and 3) new terms allowing for a peak-period of three months per year (transfer capacity is not established for consistent maximum capacity) instead of the original language which inferred that the transfer capacity would 500 tons per day. The President called for public testimony at 8:19 p.m.

Mr. Carl Moldthan, representing the Indianapolis Taxpayers Association, urged that: 1) there be a set user fee charge schedule for the future so that taxpayers know the cost now; 2) existing landfills be protected so that the citizens will not lose their only existing source of trash disposal; and 3) the City take more time in its decision on the Mass Burn Facility. Mr. Moldthan stated that the decision should not be rushed because of new tax laws that are due to become law in January of 1986.

Mr. Jim Hutchinson criticized the "quickness of action" with regard to the City's decision to go ahead with the Mass Burn Facility. He recognized that the subject of landfills is an emotional and political problem but that the future of the City is at stake with the decision to build the Mass Burn Facility.

Mrs. Constance Hulce stated that she resides at 5450 E. 16th Street, Indianapolis. She supported Proposal 668 by stating that landfills are short lived and that problems associated with landfills include that of polluting the drinking water supply.

Mr. Fred Fasnfeld, a member of the Solid Waste Task Force since 1974, supported passage of Proposal No. 668 by stating that he has visited over fifty-five mass burn plants, some of which are located in residential areas where heat and air conditioning is supplied through the facilities. Various costs associated with landfills are changing, and now the Environmental Protection Agency frowns on landfills due to problems with ground water. Mr. Fasnfeld praised Councillor

Beulah Coughenour as “mother” of the mass burn solution and also recognized former Councillor Michael D. Vollmer as “father” of the mass burn solution.

Councillor Dowden inquired whether there would be waivers issued with regard to the user fee for the new Facility and whether there would be flow controls imposed on homeowners. He commented that there appears to be an urgency in approving this matter because of the December 31st deadline. Mrs. Barbara Gole, Director of the Department of Public Works, responded that there will be no exceptions to flow control and no exceptions to the payment of disposal fees.

Councillor Rhodes voiced support of Proposal 668 by stating that the Mass Burn Facility is a “great step in our community for trying to decide what to do with its trash”.

The Public Works Committee, on November 7, 1985, recommended Proposal No. 668, 1985, Do Pass As Amended by a vote of 4-0. There being no further public testimony, Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 668, 1985, As Amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

1 NAY: *Dowden*

1 NOT VOTING: *Boyd*

Proposal No. 668, 1985, as amended, was retitled SPECIAL ORDINANCE NO. 83, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 83, 1985

A SPECIAL ORDINANCE ratifying, confirming, and approving the Service Agreement by and between Massburn, Inc., an Indiana corporation, doing business as Ogden Martin Systems of Indianapolis, Inc., and the Board of Public Works on behalf of the Consolidated City of Indianapolis and Marion County, Indiana, with the approval of its Mayor, dated as of September 23, 1985, providing for the design, construction, start-up, performance testing, ownership, operation and maintenance of a Mass Burn Resource Recovery Facility, for a period of at least twenty (20) years, for disposing of solid waste, producing saleable energy and recovering other resource therefrom.

WHEREAS, heretofore, to-wit: the Board of Public Works awarded the Service Agreement to Ogden Martin Systems of Indianapolis, Inc., and has approved by resolution said Services Agreement by and between the Board of Public Works on behalf of the Consolidated City of Indianapolis and Marion County, Indiana, and Massburn, Inc., a successor to Ogden Martin Systems of Indianapolis, Ind. and a wholly owned subsidiary of Ogden Martin Systems, Inc., dated as of September 23, 1985, a copy of which is attached to this ordinance, incorporated herein by reference and two copies of which are on file in the office of the Clerk and open for public inspection pursuant to IC 36-2-5-4; now, therefore,;

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

SECTION 1. The Service Agreement, dated as of September 23, 1985, made and entered into by and between Massburn, Inc., an Indiana corporation, doing business as Ogden Martin Systems of Indianapolis, Inc. and the Board of Public Works on behalf of the Consolidated City of Indianapolis and Marion County, Indiana, a copy of which is attached hereto and incorporated herein by reference and two copies of which are on file in the office of the Clerk and open to inspection pursuant to IC 36-1-5-4, is hereby ratified, confirmed and approved.

SECTION 2. The Resolution of the Board of Public Works awarding the Service Agreement and the findings therein are hereby ratified, confirmed and approved, and a copy of the Resolution is attached hereto and incorporated herein by reference and two copies of said Resolution are on file in the office of the Clerk and open for public inspection pursuant to IC 36-1-5-4.

SECTION 3. The City-County Council recognizes that said Services Agreement is in substantially final form as of this date and acknowledges that insubstantial changes may be made in said form by the Board of Public Works and Massburn, Inc., with the approval of the Mayor and of the Corporation Counsel.

SECTION 4. This City-County Council recognizes that the Services Agreement constitutes a "put or pay contract" pursuant to IC 36-9-31-5 in which contract the City covenants and agrees to establish fees pursuant to IC 36-9-31-8, or any successor statute, to the extent and in the amount necessary to make payments under the Service Agreement.

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

PROPOSAL NO. 711, 1985. This proposal authorizes revenue bonds for "Mass Burn" facilities at the southwest corner of Raymond and Harding Streets. Councillor West explained that this Proposal No. 711 is a "companion" to Proposal No. 668. Councillor Rhodes clarified that Proposal No. 711 is a revenue bond issue, not a general obligation bond issue. Councillor Coughenour commended the City for facing the mass burn issue "head on" instead of facing the issue with a "band-aid" approach. She introduced Mr. David Hoppock, former director of the Department of Public Works and representatives from Ogden

Products (Vice President John Phillips and President David Sokol). The Public Works Committee on November 7, 1985, recommended Proposal No. 711, 1985, Do Pass As Amended by a vote of 4-0. The President called for public testimony at 9:04 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Coughenour, for adoption. Proposal No. 711, 1985, As Amended, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West Stewart*

1 NAY: *Dowden*

1 NOT VOTING: *Boyd*

Proposal No. 711, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 84, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 84, 1985

A SPECIAL ORDINANCE authorizing the Consolidated City of Indianapolis and Marion County, Indiana, to issue its adjustable/fixed rate resource recovery revenue bonds (Ogden Martin Systems of Indianapolis, Inc. Project), 1985 Series A, 1985 Series B, and 1985 Series C, approving and authorizing other actions in respect thereto and repealing ordinances inconsistent therewith.

WHEREAS, the Board of Public Works ("Board") and the City-County Council of Indianapolis and Marion County ("Council") adopted inducement resolutions in 1984 inducing the acquisition, construction, installation and equipping of certain sewage and solid waste facilities ("Project") at the southwest corner of Raymond and Harding Streets in the City of Indianapolis ("City"); and

WHEREAS, the Board conducted a public hearing on November 11, 1985, in accordance with I.C. 36-9-31 ("Act") and Section 103(k) of the Internal Revenue Code of 1954, as amended ("Code"), and adopted a resolution on that date approving the financing of the Project ("Resolution"), which Resolution was transmitted to this Council; and

WHEREAS, The Board found in the Resolution that the financing for Massburn, Inc. ("Company") complies with the purposes and provisions of the Act and that such financing ("Company") complies with the purposes and provisions of the Act and that such financing would be of benefit to the health and welfare of the City and its citizens; and

WHEREAS, the Board in the Resolution recommended the adoption of this form of ordinance ("Ordinance") by this Council and has further approved the substantially final forms of the Financing Agreement, dated as of December 1, 1985, between the

City and the Company, including related financing documents, to which the City is a party, attached thereto as Exhibits, including the Site Lease, the Service Agreement, the Mortgage and Security Agreement and the City Assignment Agreement (collectively "Agreement"); the Trust Indenture, dated as of December 1, 1985 ("Indenture"), between the City and The Indiana National Bank, as trustee (the "Trustee"); and a Purchase Contract, relating to bonds issued pursuant to this Ordinance, as more fully described herein ("Purchase Contract"), between the City and Smith Barney, Harris Upham & Co., Incorporated ("Underwriter") (said documents referred to in this paragraph being referred to herein collectively as "Financing Documents"); and

WHEREAS, the Board has transmitted the Financing Documents to the Council for approval of those substantially final forms; now, therefore:

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

SECTION 1. It is hereby found that (a) the financing of the Project; (b) the issuance and sale of the City of Indianapolis, Adjustable/Fixed Rate Resource Recovery Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project) 1985 Series A, 1985 Series B, and 1985 Series C (collectively, "Bonds") issued pursuant to this Ordinance in an amount not to exceed \$120,000,000; (c) the acquisition, construction, installation and equipping of the Project; (d) the payment of principal of, premium, if any, and interest on the Bonds by the City pursuant to the Indenture; (e) the assignment to the Trustee of the City's rights under the Agreement to performance by the Company; and (f) the securing of said Bonds by the granting of the City's interest in the Agreement and other pledged agreements or interests to the Trustee, complies with the purposes and provisions of the Act and will be of benefit to the health and welfare of the City and its citizens.

SECTION 2. The substantially final forms of the Financing Documents are hereby approved, are incorporated herein by reference, shall be inserted in the minutes of the Council and kept on file in the office of the Clerk in accordance with the provisions of I.C. 36-1-5-4. Two copies of each of the Financing Documents are on file in the office of the Clerk for public inspection pursuant to that statute.

SECTION 3. The City shall issue its Adjustable/Fixed Rate Resource Recovery Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project) 1985 Series A, 1985 Series B and 1985 Series C Bonds', in the total principal amount not exceeding \$120,000,000 and maturing not later than December 1, 2010, for the purpose of procuring funds to finance a portion of the Project, all as described and defined in the Indenture and as more particularly set out in the Agreement, which Bonds will be payable as to principal, premium, if any, purchase price, where necessary, and interest solely from the revenues and receipts arising out of or in connection with the Agreement or as otherwise provided or described therein, or, to the extent paid out of moneys attributable thereto, drawings under a letter of credit, payments under an insurance policy or drawings or payments under another credit enhancement facility as further set forth in the Indenture. The Bonds bearing interest at a variable rate ("Variable Rate Bonds") shall be issued only in fully registered form, may be issued in denominations of \$100,000 or integral multiples thereof, unless converted to a fixed interest rate (as provided in the Indenture) in which case said Variable Rate Bonds will be issued in denominations of \$5,000 or integral multiples thereof, and shall be redeemed as provided in the Indenture. Payments of principal on said Variable Rate Bonds are payable at the principal corporate trust office of the Trustee or any paying agent appointed in accordance with

the Indenture. Payments of interest are payable by check mailed, or in certain circumstances, wire transfers, to the registered address of the registered owners of the Variable Rate Bonds. The Bonds bearing interest at a fixed rate ("Fixed Rate Bonds") shall be issued only in fully registered form, may be issued in denominations of \$5,000 or integral multiples thereof, and shall be redeemed as provided in the Indenture. Payments of principal on said Fixed Rate Bonds are payable at the principal corporate trust office of the Trustee or any paying agent appointed in accordance with the Indenture, and payments of interest are payable by check mailed to the registered address of the registered owners of said Fixed Rate Bonds. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit or public funds of the City, nor are the Bonds a debt of the City under the Constitution of the State of Indiana.

SECTION 4. The Mayor and Controller are authorized and directed to sell such Bonds to the Underwriter pursuant to the Purchase Contract at rates of interest determined according to the Indenture, but in no event to exceed 15% per annum, at a price not less than 97% of the principal amount thereof.

SECTION 5. The Mayor, Controller and the Clerk are authorized and directed to execute, attest, affix or imprint by any means the City seal to the Financing Documents and any other document or closing certificate which may be necessary or desirable to consummate the transactions contemplated by this Ordinance, including the Bonds. The Mayor and the Controller are expressly authorized to approve any modifications or additions to the Financing Documents which take place after the date of this Ordinance after consultation with the Corporation Counsel; it being the express understanding of this Council that said Financing Documents are in substantially final form, respectively, as of the date of this Ordinance. The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof, if such execution or attestation is necessary for the particular Financing Document and the affixing of the seal thereto or the imprinting of the seal thereon, where necessary, as approved by this Council by this Ordinance without further consideration by this Council; provided, however, that no such modification or addition shall change the maximum principal amount of, maximum interest rate or rates on, or the manner in which the interest rate or rates will be determined, or the final maturity of the Bonds without further consideration by this Council. The signature of the Mayor and the Controller on the Bonds may be either manual or facsimile signatures and the Bonds shall be executed as set forth in the Indenture. The Controller is authorized to arrange delivery of such Bonds to the Trustee. Payment for the Bonds will be made to the Trustee and after such payment the Bonds will be delivered by the Trustee to the Underwriter. The Controller and the Trustee may, however, arrange with the Underwriter to allow the Underwriter to have custody of the Bonds prior to the time of actual delivery and payment for purposes of making arrangements for the final delivery of the Bonds to the ultimate purchasers thereof so long as no such final deliveries are made until payments to the Trustee are made as set forth in this Section.

SECTION 6. The distribution of a Preliminary Official Statement and final Official Statement relating to the Bonds is hereby approved and the Mayor is further authorized to execute and deliver the final Official Statement relating to the Bonds.

SECTION 7. The provisions of this Ordinance and the Indenture securing the Bonds shall constitute contracts binding between the City and the respective owners of the Bonds, and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which may adversely affect the rights of any such owner so long as any Bonds or the interest thereon remains unpaid.

SECTION 8. All ordinances and parts of ordinances in conflict or inconsistent herewith are hereby repealed.

SECTION 9. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 717, 1985. This proposal appropriates \$120,000 for the Marion County Prosecuting Attorney for various purposes. Councillor Dowden reported that the Prosecutor plans to use the appropriation for purposes such as renovating the Lockup, consolidating juvenile intake at the Juvenile Center, for expenses associated with the IV-D Agency, white-collar crime cases and remodelling the first floor of the City-County Building (new location for the Prosecutor's Office). The Public Safety and Criminal Justice Committee on October 30, 1985, recommended Proposal No. 717, 1985, Do Pass by a vote of 7-0. The President called for public testimony at 9:06 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 717, 1985, was adopted on the following roll call vote; viz:

27 AYES: Borst, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

2 NOT VOTING: Boyd, Cottingham

Proposal No. 717, 1985, was retitled FISCAL ORDINANCE NO. 104, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Twenty Thousand Eight Hundred Ninety-Seven Dollars (\$120,897) in the County General Fund for purposes of the Marion County Prosecuting Attorney and reducing certain other appropriations for that office and the unappropriated and unencumbered balance in the County General 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 2.02 (b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating and transferring funds for trial expenses, remodeling of the first floor, a computer link-up to the Bureau of Motor Vehicles, Juvenile Intake Center and Lock-up, and repayment of extradition and an I.P.D. project.

SECTION 2. The sum of One Hundred Twenty Thousand Eight Hundred Ninety-Seven Dollars (\$120,897) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

PROSECUTING ATTORNEY	COUNTY GENERAL FUND
3. Other Services and Charges	\$89,022
4. Capital Outlay	<u>31,875</u>
TOTAL INCREASE	<u>\$120,897</u>

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

PROSECUTING ATTORNEY	COUNTY GENERAL FUND
1. Personal Services	\$32,622
UNAPPROPRIATED AND UNENCUMBERED	
COUNTY GENERAL FUND	<u>88,275</u>
TOTAL REDUCTION	<u>\$120,897</u>

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

(22) PROSECUTING ATTORNEY - Dept. 25

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	7,245	7,245
Chief Trial Deputy	1	4,928	4,928
Admin. Staff	3	25,716	62,700
Admin. Supervisor	8	26,000	87,868
Admin. Secretary	12	17,196	145,050
General Secretary	11	16,932	133,101
Computer Staff	4	14,635	40,000
Investigator	4	40,110	90,000
Law Clerk	13	15,855	91,000
Paralegal	17	19,513	215,218
Chief Counsel	1	42,110	42,110
Supv. of Professionals	8	40,110	277,819
Full & Part-time Deputy			
Prosecutors	47	36,135	1,060,620
Forensic Services Director	1	45,000	17,310
Temporary			<u>20,000</u>
Vacancy Factor			<u>(142,837)</u>
TOTAL	131	2,117,454 <u>2,152,832</u>	

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

PROPOSAL NO. 724, 1985. This proposal is a final bond ordinance authorizing the issuance of \$48,000,000 Floating Rate Monthly Demand Economic Development Revenue Bonds for Symphony Tower. Councillor Schneider reviewed the project as the acquisition, construction, installation and equipping of a mixed-use facility consisting of a 41 story apartment complex, including an eight-story parking garage and a two-story retail commercial space to be located at 18-42 North Pennsylvania Street. This proposal is necessary because the previous developer was not able to secure an acceptable credit facility by June 10, 1985. The Economic Development Committee, at its November 6, 1985, meeting recommended Proposal No. 724, 1985, Do Pass by a vote of 7-0. Because the Economic Development Commission had not held a public hearing on this project, the President called for public testimony at 9:11 p.m. There being no one present to testify, Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 724, 1985, was adopted on the following roll call vote; viz:

24 AYES: *Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page,*

Rader, Schneider, SerVaas, Stewart, Strader, West

1 NAY: *Borst*

4 NOT VOTING: *Boyd, Holmes, Rhodes, Shaw*

Proposal No. 724, 1985, was retitled SPECIAL ORDINANCE NO. 85, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 85, 1985

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana authorizing the issuance and sale of one or more series of revenue bonds in the aggregate principal amount not to exceed Forty-eight Million Dollars (\$48,000,000) and the loaning of the proceeds derived therefrom to Symphony Tower, an Indiana Limited Partnership to finance the costs of construction of an economic development facility.

WHEREAS, the City of Indianapolis, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of Indiana Code 36-7-11.9 and 36-7-12, inclusive as amended (hereinafter collectively called the "Act"), is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the cost of acquisition, construction and equipping of economic development facilities to promote the general welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of acquisition or reno-

vation of such economic development facilities, including engineering, legal fees and all other expenses relating thereto during construction, including the costs of issuing the bonds, and to secure said bonds pursuant to a Loan Agreement (the "Loan Agreement") dated as of December 1, 1985 by and between the City and Symphony Tower, an Indiana limited partnership (the "Owner"), and the Trust Indenture (the "Indenture") dated as of December 1, 1985 by and between the City and Midwest Commerce Banking Company, as trustee (the "Trustee"); and

WHEREAS, the Owner is an Indiana limited partnership duly organized and existing under the laws of the State of Indiana, having its principal place of business in the City of Indianapolis; and

WHEREAS, the Owner has agreed to acquire, construct, install and equip a mixed-use facility consisting of a 41 story apartment complex, including an eight story parking garage and a two story retail commercial space, which will include (i) 380 apartments totalling 442,679 square feet which will consist of 84 efficiency units, 168 one-bedroom units, 112 two-bedroom units and 16 penthouse units (ii) 36,644 square feet of commercial space on two floors and (iii) eight floors of parking totalling 277,030 square feet providing 704 parking spaces on 17 levels, located at 18 N. Pennsylvania Street through 42 N. Pennsylvania Street on approximately 29,906 square feet of land, (the "Project") within the City and thereby assist in providing for the increased general economic welfare in and near the area of the City and has agreed to make payments pursuant to the Loan Agreement evidencing its loan obligations in an amount or amounts designed to be sufficient to pay the principal of, premium, if any, and interest on one or more series of the City's Floating Rate Monthly Demand Economic Development Revenue Bonds, Series 1985 (Symphony Tower Project) (the "Bonds"); and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council") has heretofore, by Ordinance and pursuant to the Act, created the Indianapolis Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that the economic welfare of the City would be benefited by financing the acquisition of the Project for and on behalf of the Owner; and

WHEREAS, the Commission has approved a report and an amended report estimating the public services which would be made necessary or desirable, the expense thereof, the number of residential units developed for use on account of the acquisition of the Project and the cost of the Project and has submitted such report and amended report to the Presiding Officer of the Metropolitan Development Commission of Marion County, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held on November 6, 1985 a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the purposes and provisions of the Act, approving the financing and approving the form and terms of the Bonds proposed to be issued by the City for the purpose of funding a loan from the City to the Owner to fund the cost of acquisition, construction and equipping of the Project to pay certain costs of issuance and to fund certain reserve funds, and approving drafts of the forms of financing documents in connection therewith (the "Financing Docu-

ments"), two copies of which resolution and Financing Documents and information pertaining to the proposed financing have been transmitted to the City-County Council by the Secretary of the Commission all of which are on file in the office of the Clerk of the City-County Council for public inspection; and

WHEREAS, pursuant to the Act, the City-County Council adopted on September 10, 1984, a resolution finding that the proposed financing of the acquisition and construction of such economic development facilities by the Owner will be of benefit to the general welfare of the City, approving the proposed financing and authorizing the issuance by the City of its bonds, upon adoption by the City of a Bond Ordinance, payable solely from the sources, having such terms and provisions and secured as provided by the Indenture and the Loan Agreement; and

WHEREAS, there have been presented to this meeting the following documents which the City proposes to enter into or accept to effectuate the proposed issuance of the Bonds:

1. The form of Loan Agreement including the Regulatory Agreement attached thereto as an Exhibit;
2. The form of Indenture which sets forth the terms of the Bonds (including, without limitation, the maturity dates, rates of interest redemption provisions) and the conditions and security for the Bonds;
3. The form of Bond Purchase Agreement (the "Purchase Agreement") between the City and Thomson McKinnon Securities, Inc. (the "Underwriter");
4. The form of Inducement Letter (the "Inducement Letter") from the general partners of the Owner to the City and the Underwriter;
5. The form of Administration Agreement (the "Administration Agreement") among the City, the Owner, the Trustee and the Compliance Agent (hereinafter identified);
6. The form of Official Statement relating to the Bonds (the "Official Statement");
7. The form of the Bonds, as set forth in the Indenture; and

WHEREAS, it appears that each of the instruments above referred to, which are now before the City, is in appropriate form and is an appropriate instrument for the purposes intended; now, therefore;

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

SECTION 1. Public Benefits. The City-County Council of Indianapolis and of Marion County, Indiana, after giving notice in accordance with Section 103 of the Internal Revenue Code and after having held a public hearing immediately preceding consideration of this Ordinance on November 11, 1985 in accordance with Section 103 of the Internal Revenue Code hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment to be acquired and constructed with the proceeds of the Bonds herein authorized are "economic development facilities" as that phrase is used in the Act and that the construction and equipping of the Project will improve and promote the economic stability, development and the general welfare of the area in and near the City, and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic facilities in such area.

SECTION 2. Findings. The City-County Council hereby finds that this Ordinance (the "Bond Ordinance") is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist and that such benefit is

greater than the cost of public facilities (as that phrase is defined in the Act) which will be required by the Project and further that the proposed financing will be of benefit to the welfare of the City and complies with the purposes and provisions of the Act. City-County Special Resolution No. 73, 1984, as amended by City-County Special Resolution No. 89, 1984 is hereby ratified, confirmed, reaffirmed and extended, good cause having been shown, and all costs of the Project incurred after the passage of City-County Special Resolution No. 73, 1984 including reimbursement or repayment to the Owner of moneys expended by the Owner for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the Bonds to finance said Project. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to the passage of City-County Special Resolution No. 73, 1984 will be permitted to be included as part of the Bonds to finance the Project.

SECTION 3. Authorization of Bonds.

(A) In order to provide for the financing of the Project, the Bonds are hereby authorized to be issued in one or more series in the total principal amount of not to exceed \$48,000,000, in accordance with the terms of the Indenture. The Bonds shall be issued in any denomination or denominations authorized by terms of the Indenture, shall be numbered consecutively from one (1) upwards and shall be typewritten, photo-offset, printed or any combination of the foregoing.

(B) The bonds shall be issued in fully registered form without coupons, shall be dated as of their date of first authentication and delivery, except as otherwise provided in the Indenture, and shall mature on December 1, 2009 and bear interest payable as set forth in the Indenture at a rate not to exceed 15% per annum, and thereafter at the times and at the variable or fixed rate established as provided therein and in the Indenture, provided that the interest rate shall not exceed a maximum rate of 15% per annum.

(C) The Bonds shall be subject to redemption prior to maturity and to purchase upon the demand of the owners thereof as provided therein and in the Indenture.

(D) The Mayor is hereby authorized to execute, by manual or facsimile signature, each of the Bonds in the name of the City in the manner provided by the Indenture. The Clerk of the City-County Council is hereby authorized to affix the corporate seal of the City to each of the Bonds or to impress the corporate seal thereon or to provide for the engraving or other reproduction of the signature, to such affixing, imprinting, engraving or other reproduction of the corporate seal, all as provided in the Indenture.

SECTION 4. Obligation of Bonds

(A) The Bonds shall be limited obligations of the City payable solely from certain payments and other amounts due pursuant to the Loan Agreement and from other moneys available to the Trustee under the Indenture, including a debt service reserve fund, if any.

(B) Each Bond shall contain thereon a statement substantially as follows: The Bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Indiana, particularly Indiana Code 36-7-11.9 and 36-7-12, as amended and pursuant to an ordinance adopted by the City which authorizes the execution and delivery of the Indenture. The Bonds and the interest thereon are limited obligations

of the City and are payable solely from payments and other amounts due pursuant to the Loan Agreement. The Bonds are not in any respect a general obligation of the City and are not payable in any manner from revenues raised by taxation. The Bonds shall never constitute an indebtedness of the City or the State of Indiana or within the meaning of any constitutional or statutory provision but shall be payable solely from the revenues pledged therefor.

(C) Neither the City-County Council of the City or the Indianapolis Economic Development Commission (including the members of either or both) nor any person executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

SECTION 5. Execution and Delivery of the Indenture, the Loan Agreement, the Administration Agreement and the Inducement Letter. The Indenture, the Loan Agreement, the Administration Agreement and the Inducement Letter are hereby approved in the forms presented to this meeting with such changes, commissions and insertions as the Mayor may approve which changes may be made without further approval of the 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) inclusively. The Mayor and Clerk with respect to the Indenture, Loan Agreement and Administration Agreement, are hereby authorized to execute, acknowledge and deliver the same on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, commissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to the Indenture, the Loan Agreement, the Administration Agreement, and the Inducement Letter. The Mayor is authorized to accept the Inducement Letter.

SECTION 6. Sale of Bonds. The Bonds shall be sold to the Underwriter at a price equal to not less than 97% of the aggregate principal amount thereof on the terms and conditions set forth in the Purchase Agreement and insertions as the Mayor may approve which changes may be made without further approval of the 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) inclusively. The Mayor is hereby authorized to execute and deliver the Purchase Agreement to the Underwriter on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to said document and attest to the impressing, imprinting or otherwise affixing of the corporate seal to said document. The proceeds of the sale of the Bonds shall be applied as provided in the Indenture.

SECTION 7. Official Statement. The Official Statement. The Official Statement of the City relating to the Bonds is hereby approved in the form presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the 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) inclusively. The Mayor is hereby authorized to execute and deliver the Official Statement on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions). The Underwriter is hereby authorized to distribute the Official Statement to prospective purchasers of the Bonds and any such distribution made prior to the passage of this Bond Ordinance is hereby ratified and approved.

SECTION 8. Appointment of Remarketing Agent; Indexing Agent; Registrar and Compliance Agent. Thomson McKinnon Securities, Inc. is hereby appointed to serve as the initial Remarketing Agent. Kenny Information Systems is hereby appointed to serve as the initial Indexing Agent and Lawyers Title Insurance Corporation is hereby appointed to serve as the Initial Registrar. The Mayor is authorized to approve the appointment of any other agents, including the Initial Registrar under the Indenture, who may be required or desirable to complete the transactions contemplated or necessary by the issuance or reoffering of the Bonds.

SECTION 9. Authorization for Financing. The Trustee is hereby authorized to provide permanent financing for the Project under the terms of the Loan Agreement as provided in the Indenture.

SECTION 10. Effect of Agreements.

(A) All covenants, stipulations, obligations and agreements of the City contained in this Bond Ordinance and contained in each of the agreements or other documents authorized by this Bond Ordinance shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and such covenant, stipulations, obligations and agreements shall be binding upon the City and its successors from time to time and upon any body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Bond Ordinance, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this Bond Ordinance, and by each of the agreements or other documents authorized by this Bond Ordinance shall be exercised or performed by the City or by such officers, board or body as may be required by law to exercise such powers and to perform such duties.

(B) All covenants, stipulations, promises, agreements and obligations of the City contained herein and in each of the agreements and other documents authorized by this Bond Ordinance shall be deemed to be covenants, stipulations, promises, agreements and obligations of the City and not of any member, officer or employee of the City or its Economic Development Commission in his individual capacity.

SECTION 11. Further Authority. The Mayor and the Clerk of the City-County Council are hereby designated the authorized representatives of the City, and each of them is hereby authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary desirable or convenient for carrying out this Bond Ordinance, the agreements and other documents authorized by this Bond Ordinance and the issuance or reoffering of the Bonds.

SECTION 12. Repeal, Amendment and Modification of this Bond Ordinance. This Bond Ordinance shall be part of the contract with the owners from time to time of the Bonds and from and after the delivery of the Bonds shall not be repealed, amended or modified except to the extent and in the manner permitted for supplemental agreements to the Indenture.

SECTION 13. Effective Date and Repeal of Conflicting Ordinances or Resolutions. This Bond Ordinance shall take effect and be in full force and effect immediately upon adoption and compliance with I.C. 36-3-4-14. All ordinances or resolutions inconsistent with this Bond Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 14. Severability. If any provision of this Bond Ordinance shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent wherever; provided however, that if the limitation on the source of revenues to pay principal, interest and premium, if any, on the Bonds is held invalid, the Issuer shall have no obligation to pay the Bonds from other sources.

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

SPECIAL ORDERS - UNFINISHED BUSINESS

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 418, 1985. This proposal would have amended the Code to allow the regulation and licensing of limousine services. Councillor Coughenour explained that the Legal Division has recommended that Proposal No. 418, 1985, be stricken due to legislation to be proposed by the Public Service Commission in 1986. The Administration Committee on November 4, 1985, recommended Proposal No. 418, 1985, be stricken by a vote of 4-0. In accordance with the Committee report, Proposal No. 418, 1985, was stricken by consent of the Council.

PROPOSAL NO. 497, 1985. This proposal would have approved and confirmed the franchise contract between the City of Indianapolis and Omega Satellite Products Company. The Administration Committee, on November 4, 1985, recommended Proposal No. 497, 1985, be stricken by a vote of 3-0-1. Councillor Coughenour stated that she had no comments to offer at this time because the Committee minutes of the November 4th meeting contained excellent information with regard to the testimony "pro and con" for this proposed franchise contract.

Councillor SerVaas explained that representatives from Omega would have five minutes to offer testimony with regard to the proposed franchise contract. Mr. William Evans, Counsel for Omega, stated that the application was approved by the Cable Franchise Board. The Company currently has approximately five hundred subscribers in one apartment complex owned by Oxford Development Corporation. Councillor Borst questioned the Company's proposed new studio which was estimated to cost about one-half million dollars. Mr. Robert Schloss, President of Omega, stated that the initial cost estimates were somewhat high. He added that the company still intends to purchase two satellite dishes for \$50,000

to \$75,000. The Council questioned the "expensive nature" of the satellite dishes.

Councillor Page supported the proposed franchise contract for Omega by stating that as a small company, Omega deserves a chance to grow.

Mr. Clark Schneider, representing Indianapolis Cablevision, voiced opposition for Omega's franchise contract. He stated that the franchise rights of others are in question because Omega serves such a small section of the population, and this section is of high density.

Mr. Schloss commented that Omega has serves a total of 75,000 residences in twenty-five different communities in Indiana, Michigan and Ohio and added that there are a total of 2,500 subscribers in Indianapolis. The President of Indianapolis Cablevision, Mr. Joe Dawson, reported that Indianapolis Cablevision, formed in 1979, currently has 76,000 subscribers.

It was Mr. Don McPherson's opinion (Director of the Department of Administration) that Mr. Evans' testimony was misleading. He opposed the issuance of the franchise contract for Omega for a number of reasons. Mr. McPherson stated that the Cable Franchise Board held ten hearings on the proposed contract, four of which were advertised public hearings, and no representatives from Oxford Development Corporation appeared at any of the hearings to offer testimony with regard to the proposed franchise contract. Mr. McPherson added that amended versions of the franchise application were often denied due to the Company's "poor method" of providing required information on the contract application. No cities in the U.S. have even considered issuing a cable franchise contract similar to the proposed contract for Omega which would grant the franchise to such a small geographic area to the benefit of one property owner.

In accordance with the Committee's recommendation, Councillor Coughenour moved, seconded by Councillor Holmes, to Strike Proposal No. 497, 1985. After further discussion, Councillor West moved, seconded by Councillor Howard, to Postpone further discussion on Proposal No. 497, 1985. The General Counsel ruled that the motion was out of order while the motion to strike was pending. Due to the controversial nature of the issue, Councillor SerVaas requested that a

roll call vote be taken on the motion to strike. Proposal No. 497, 1985, was stricken on the following roll call vote; viz:

20 AYES: Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader

1 NOT VOTING: Boyd

8 NAYS: Campbell, Hawkins, Howard, Journey, Miller, Page, Shaw, West

PROPOSAL NO. 515, 1985. This proposal would have changed intersection controls at North Audubon Road and East 38th Street. Councillor Gilmer explained that the Transportation Committee, on November 6, 1985, recommended that Proposal No. 515, 1985, be Stricken by a 5-0 vote. The proposal requested that a traffic signal be installed at this location; however, the Department of Transportation is working with residents of the area and members of the Light of the World Christian Church who requested the signal to arrive at a more suitable alternative to the area's traffic problems. Councillor Boyd sponsored the introduction of Proposal No. 515 and has supported the Committee's recommendation in light of D.O.T.'s efforts to consult with the Church and area residents. In accordance with the Committee's recommendation, Proposal No. 515, 1985, was Stricken by Consent.

PROPOSAL NO. 634, 1985. This proposal is a special ordinance designating the parcel of land commonly known as 127 East Michigan Street, Indianapolis, Indiana as an economic development target area. PROPOSAL NO. 635, 1985. This proposal is a final bond ordinance authorizing the issuance of \$950,000 Economic Development Revenue Bonds for Haugh Historical Partners, a limited partnership. Councillor Schneider reviewed the project as the acquisition and renovation of an existing 15,000 square foot building located at 127 East Michigan Street to be leased for commercial office space. The Economic Development Committee, on November 6, 1985, recommended Proposal Nos. 634 and 635, 1985, Do Pass As Amended by 5-0 vote. The amendments concerned replacing the date October 9, 1985, with November 6, 1985. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal Nos. 634 and 635, 1985, As Amended, were adopted on the following roll call vote; viz:

21 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, West*

NO NAYS

8 NOT VOTING: *Boyd, Durnil, Hawkins, Howard, Page, Shaw, Stewart, Strader*

Proposal No. 634, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 86, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 86, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

“(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer.”; and

WHEREAS, at its meeting on November 6, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 127 East Michigan Street, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

Lots Numbered One (1), Two (2), Three (3), and Four (4) in DAVID V. CULLEY'S SUBDIVISION of the North Half of the Northeast Quarter of SQUARE 17, as per plat thereof, recorded in Plat Book 1, page 148 in the Office of the Recorder of Marion County, Indiana.

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 parcel commonly known as 127 East Michigan Street, Indianapolis, Indiana, which is more specifically described as:

Lots Numbered One (1), Two (2), Three (3), and Four (4) in DAVID V. CULLEY'S SUBDIVISION of the North Half of the Northeast Quarter of SQUARE 17, as per plat thereof, recorded in Plat Book 1, page 148 in the Office of the Recorder of Marion County, Indiana.

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having “. . . become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property . . .”.

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

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

Proposal No. 635, 1985, As Amended, was adopted on the following roll call vote; viz:

25 AYES: *Borst, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Durnil, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Boyd, Cottingham, Dowden, Gilmer*

Proposal No. 635, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 87, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 87, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Haugh Historical Partners Project)" in the aggregate principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000) and approving 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 Haugh Historical Partners and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on November 6, 1985, 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 Haugh Historical development facilities to be developed by Haugh Historical Partners (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 15,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 127 East Michigan Street, Indianapolis, Marion County, Indiana which will be leased for use as commercial office space ("the Project") which will be initially owned and operated by Haugh Historical Partners complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 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, Trust Indenture, Conditional Assignment of Leases and Rentals, First Mortgage Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Haugh Historical Partners 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 an existing building containing approximately 15,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 127 East Michigan Street, Indianapolis, Marion County, Indiana which will be leased for use as commercial office space previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Haugh Historical Partners 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 Haugh Historical Partners 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 and Indiana Code 36-7-22.9.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Conditional Assignment of Leases and Rentals, First Mortgage Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Haugh Historical Partners 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, Trust Indenture, First Mortgage Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Haugh Historical Partners 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 Bonds (Haugh Historical Partners Project) in the aggregate principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000) for the purpose of procuring funds to loan to Haugh Historical Partners 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 Haugh Historical Partners on its First Mortgage Note in the principal amount of Nine Hundred Fifty Thousand Dollars (\$950,000) and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement, Trust Indenture and Conditional Assignment of Leases and Rentals. 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 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 as set forth in the Trust Indenture and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Endorsement to the First Mortgage Note, the City of Indianapolis, Indiana Economic Development Revenue Bonds (Haugh Historical Partners Project) 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 signature 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 the purchaser or purchasers thereof payment for which would be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Endorsement to the First Mortgage Note and imprinting of their facsimile signature on the Bonds or their manual signatures thereof approve changes therein and also in the Conditional Assignment of Leases and Rentals and First Mortgage Note 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) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (Haugh Historical Partners 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 from and after compliance with procedure required by Indiana Code 36-3-4-14.

PROPOSAL NO. 666, 1985. This proposal transfers \$70,000 for increased expenses of the Flood Control Division, Department of Public Works. Councillor West explained that the transfer from Character 01 to Character 03 will provide additional funds for maintenance, repair and fuel for this division for the remainder of 1985. The Public Works Committee, on October 31, 1985, recommended Proposal No. 666, 1985, Do Pass by a 4-0 vote. Councillor West moved, seconded by Councillor McGrath, for adoption. Proposal No. 666, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS

4 NOT VOTING: Boyd, Clark, Dowden, Journey

Proposal No. 666, 1985, was retitled **FISCAL ORDINANCE NO. 105, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seventy Thousand Dollars (\$70,000) in the Flood Control General Fund for purposes of the Department of Public Works Flood Control Division 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 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for maintenance, repairs and fuel for the remainder of 1985.

SECTION 2. The sum of Seventy Thousand Dollars (\$70,000) 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:

DEPARTMENT OF PUBLIC WORKS
FLOOD CONTROL DIVISION
3. Other Services and Charges
TOTAL INCREASE

FLOOD CONTROL GENERAL FUND
\$70,000
\$70,000

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

DEPARTMENT OF PUBLIC WORKS
FLOOD CONTROL DIVISION
1. Personal Services
Total Reduction

FLOOD CONTROL GENERAL FUND
\$70,000
\$70,000

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

PROPOSAL NO. 667, 1985. This proposal establishes sewer user changes for 1986, 1987 and 1988. Councillor West explained that Proposal 667 authorizes the current sewer user rate to be extended for an additional three years. Mrs. Barbara Gole, Director of the Department of Public Works, testified that the Indianapolis Power and Light Company has filed a request for a major rate increase with the Public Service Commission. The Department is hopeful that the full rate increase will not be granted. The impact of this on the budget of the Liquid Waste Division (Wastewater Treatment Plant) could be about \$2 million. The Public Works Committee on October 31, 1985, recommended Proposal No. 667, 1985, Do Pass by a 4-0 vote. Councillor West moved, seconded by Councillor Coughenour, for adoption. Proposal No. 667, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

2 NAYS: *Durnil, Strader*

4 NOT VOTING: *Boyd, Dowden, Giffin, Journey*

Proposal No. 667, 1985, was retitled GENERAL ORDINANCE NO. 94, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 1985

A GENERAL ORDINANCE providing for the establishment of rates and charges for the use of the sewerage system.

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

SECTION 1. Section 27-102 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language crosshatched as follows:

Sec. 27-102. Basis for charge; how calculated.

(a) Established. The sewer user charge imposed by this article shall be based upon the following general formulas:

$$VT = Vu2 \dots + Vun$$

$$Vc = \frac{CT-CI-Cu-CE-I}{VT} + \frac{0.25(CI+CI+Cu)}{VT}$$

VT

$$Cc = \frac{0.75(CI+CI+Cu)}{Tc} - 12$$

Nonindustrial user:

$$R = Vu(Vc) + Cc$$

Industrial user:

$$R = Vu(Vc) + Bc(B) + Sc(S) + Nc(N) + Pc(P) + Vu(Iu) + Cc$$

Where

- Cc = Availability of service charge per month.
- CT = Total operation and maintenance cost per a unit of time.
- CI = Operation and maintenance cost to transport and treat infiltration per a unit of time.
- CI = Operation and maintenance cost to transport and treat inflow per a unit of time.
- Cu = Operation and maintenance cost to transport and treat unmetered water per a unit of time.
- CE = Operation and maintenance cost to treat wastes in excess of base level strength.
- Vc = Operation and maintenance cost to transport and treat a unit of users' wastes equal to or below the base level strength.
- Bc = Operation and maintenance cost to treat a unit of BOD.
- Sc = Operation and maintenance cost to treat a unit of SS.
- Nc = Operation and maintenance cost to treat a unit of ammonia nitrogen.
- Pc = Operation and maintenance cost to treat any other pollutant.
- B = Amount of BOD from a user above a base level.
- S = Amount of SS from a user above a base level.
- N = Amount of ammonia nitrogen from a user above a base level.
- P = Amount of any other pollutant from a user above a base level.
- Vu = Volume contribution per user per a unit of time.
- VT = Total volume contribution from all users per a unit of time (does not include infiltration, inflow and unmetered).
- I = Industrial surveillance cost per a unit of time.
- Iu = Industrial surveillance cost per a unit of time.

R = User's charge for operation and maintenance per a unit of time.
VR = Total waste water contributed by residential customers per a year.
Tc = Total number of connections to the system.

(b) Application. Until amended the following rates or factors shall apply; effective January 1, 1985, and shall be in effect for the calendar years 1985, 1986, 1987 and 1988:

Vc = \$1.1339 per 1,000 gallons
Iu = \$0.0539 per 1,000 gallons
Bc = \$0.0859 per pound
Sc = \$0.0970 per pound
Cc = \$2.03 per month
N = \$0.4474 per pound

(c) Minimum charge and base level. The minimum charge on a monthly billing for an industrial user shall be \$5.59 and non-industrial user shall be \$5.43. Further, for the purpose of the foregoing formulas, the BOD base level shall be 250 milligrams per liter, and SS base level shall be 300 milligrams per liter, and NH3-N base level shall be 20 milligrams per liter. The industrial and non-industrial rates and charges will be based on the quantity of water used on or delivered to the property or premises subject to such rates and charges, as the same is measured by the water meters in use and the strength of the waste where applicable except as herein-after provided.

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

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 691, 1985. This proposal amends the Code to give licensing regulations violations the same status as municipal ordinance violations. Councillor Coughenour stated that Proposal No. 691 will allow certain licensing regulations to be enforced as ordinance violations, thus allowing the City Controller to better control licensing violations. The Administration Committee,

on November 4, 1985, recommended Proposal No. 691, 1985, Do Pass by a 3-0-1 vote. Councillor Coughenour moved, seconded by Councillor Curry, for adoption. Proposal No. 691, 1985, was adopted on the following roll call vote; viz:

23 AYES: Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Giffin, Gilmer, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
4 NAYS: Borst, Durnil, Hawkins, Howard
2 NOT VOTING: Boyd, Dowden

Proposal No. 691, 1985, was retitled GENERAL ORDINANCE NO. 95, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 1985

A PROPOSAL FOR A GENERAL ORDINANCE giving duly promulgated licensing regulations of the Controller the force and effect of municipal ordinances.

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

SECTION 1. Sec. 17-9 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by inserting the words underscored and deleting the words cross-hatched to read as follows:

Sec. 17-9. Penalties ~~for violations of the~~ and Violations.

(a) Any person violating the provisions of this chapter, unless otherwise specified, shall be subject to the penalties provided in section 1-8 of this Code.

(b) Violations of licensing regulations duly promulgated by the controller pursuant to authority granted in this chapter shall constitute a municipal ordinance violation. Any person violating such licensing regulations shall be subject to penalties prescribed for violation of a municipal ordinance as provided in section 1-8 of this Code.

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

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinances as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 692, 1985. This proposal amends the Code concerning garage, patio and residence sales. Councillor Coughenour stated that she was not on the prevailing side at the Committee's meeting and asked Councillor Holmes to present the Committee report. The Administration Committee, on November 4, 1985, recommended that Proposal No. 692 be Stricken by a 3-1 vote. Councillor Holmes referred to Councillor Stewart, sponsor of Proposal No. 692 who explained that she introduced the proposal because she has received numerous complaints from constituents in her Councilmanic District regarding the frequency of neighborhood garage sales. Current regulations allow garage sales at a location for up to ten days per calendar year. The regulations proposed in Proposal No. 692 would limit garage sales to two per calendar year, prohibit garage sales on Sundays and increase the fines imposed for first, second, third and subsequent convictions. Law enforcement authorities could better keep track of the frequency of garage sales.

Councillor Stewart, seconded by Councillor Coughenour, moved to reject the Committee report, and the motion carried on a voice vote.

Councillor Stewart stated that she had no religious beliefs to support the new regulation for no garage sales being allowed on Sundays; she proposed this regulation to "allow everyone a day of peace and quiet". Councillor Coughenour stated that the director of the Department of Public Safety indicated support for passage of Proposal 692. Councillor Giffin moved, seconded by Councillor West, to amend Proposal No. 692, 1985, by deleting item (1) under (b) thus allowing garage sales to be held on Sundays. The motion carried on a voice vote.

(f) (e) [Restriction on items to be sold.] It shall be unlawful to sell at a garage sale any goods or merchandise purchased for the purpose of resale.

(f) (f) Penalty. Any person found guilty of violation of this section shall be fined as follows:

- (1) Upon the first conviction ~~\$10.00~~ \$50.00
- (2) Upon the second conviction ~~\$25.00~~ \$75.00
- (3) Upon the third and subsequent convictions ~~\$100.00~~ \$200.00

(f) (g) [Violations may be enjoined under state law.] Violations of this section may be enjoined under the provisions of I.C. 18-1-1.5-5(C). SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 693, 1985. This proposal appropriates \$7,500 for the City-County Council to purchase a word processing display station and printer. Councillor Coughenour explained that Proposal 693 transfers \$7,500 from Character 01 to Character 04 to purchase one IBM Displaywriter and one printer. The Council Office currently has three displaywriters and one printer, and since only three units may be connected to one printer, the addition of a fourth displaywriter requires an additional printer. Some minor office remodeling is proposed to provide better office efficiency such as converting one conference room into an office for the Deputy Clerk and thereby "freeing up" her former work station for another employee who has had to "borrow time" from the Displaywriters for writing committee minutes, etc. The Administration Committee, on November 4, 1985, recommended Proposal No. 693, 1985, Do Pass by a 4-0 vote. Councillor Coughenour moved, seconded by Councillor Bradley, for adoption. Proposal No. 693, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
4 NOT VOTING: Boyd, Durnil, Gilmer, Hawkins

Proposal No. 693, 1985, was retitled FISCAL ORDINANCE NO. 106, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Seven Thousand Five Hundred Dollars (\$7,500) in the Consolidated County Fund for purposes of the City-County Council 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 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase a Wordprocessing Display Station and Printer.

SECTION 2. The sum of Seven Thousand Five Hundred Dollars (\$7,500) 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:

CITY-COUNTY COUNCIL	CONSOLIDATED COUNTY FUND
4. Capital Outlay	\$7,500
TOTAL INCREASE	<u>\$7,500</u>

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

CITY-COUNTY COUNCIL	CONSOLIDATED COUNTY FUND
1. Personal Services	\$7,500
TOTAL REDUCTION	<u>\$7,500</u>

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

PROPOSAL NO. 694, 1985. This proposal transfers \$4,400 for the Marion County Recorder to purchase supplies for the remainder of the year. Councillor Cottingham confirmed that the transfer will be used to purchase supplies needed for the remainder of 1985. The County and Townships Committee, on November 5, 1985, recommended Proposal No. 694, 1985, Do Pass by a 5-0 vote. Councillor Cottingham moved, seconded by Councillor Journey, for adoption. Proposal No. 694, 1985, was adopted on the following roll call vote; viz:

25 AYES: Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

2 NAYS: Durnil, Howard

2 NOT VOTING: Borst, Boyd

Proposal No. 694, 1985, was retitled FISCAL ORDINANCE NO. 107, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Four Thousand Four Hundred Dollars (\$4,400) in the County General Fund for purposes of the Marion County Recorder 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 2.02 (a)(6) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for supplies for the remainder of the year.

SECTION 2. The sum of Four Thousand Four Hundred Dollars (\$4,400) 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 RECORDER	COUNTY GENERAL FUND
2. Supplies	\$4,400
TOTAL INCREASE	<u>\$4,400</u>

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

MARION COUNTY RECORDER	COUNTY GENERAL FUND
3. Other Services and Charges	\$4,400
TOTAL REDUCTION	<u>\$4,400</u>

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

PROPOSAL NO. 695, 1985. This proposal authorizes changes in the personnel compensation schedule for the Voters Registration. Councillor Cottingham explained that the change in the personnel schedule is necessary to provide funds for vacation leave for an employee who resigned during 1985. Since the new employee began his tenure immediately following the departure of the former employee, there were no extra funds available to pay the vacation leave. The County and Townships Committee, on November 5, 1985, recommended Proposal No. 695, 1985, Do Pass by a 5-0 vote. Councillor Cottingham moved, seconded by Councillor Giffin, for adoption. Proposal No. 695, 1985, was adopted on the following roll call vote; viz:

27 AYES: Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Borst, Boyd

Proposal No. 695, 1985, was retitled FISCAL ORDINANCE NO. 108, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Voters Registration.

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

SECTION 1. Section 2.02 (c)(5) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(c)(5) VOTERS REGISTRATION

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Board Members	2	25,000	50,000 <u>50,962</u>
Chief Deputies	2	22,500	45,000
Operation Supervisors	2	15,000	30,000 <u>29,519</u>
Systems Managers	2	13,000	26,000 <u>25,519</u>
Computer Operators/Clerks	18	11,817	205,732
Temporary			<u>6,000</u>
TOTAL	26		362,732

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

PROPOSAL NO. 696, 1985. This proposal transfers \$640 for the Marion County Law Library to purchase copier supplies for the remainder of the year. Councillor Dowden stated that the transfer is from the Law Library's Characters 03 and 04 into Character 02 to purchase supplies needed for the Library's new copier. The Public Safety and Criminal Justice Committee, on October 30, 1985, recom-

mended Proposal No. 696, 1985, Do Pass by a 8-0 vote. Councillor Dowden moved, seconded by Councillor Shaw, for adoption. Proposal No. 696, 1985, was adopted on the following roll call vote; viz:

21 AYES: *Bradley, Campbell, Clark, Coughenour, Crowe, Giffin, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

1 NAY: *Curry*

7 NOT VOTING: *Borst, Boyd, Cottingham, Dowden, Durnil, Gilmer, Stewart*

Proposal No. 696, 1985, was retitled FISCAL ORDINANCE NO. 109, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Six Hundred Forty Dollars (\$640) in the County General Fund for purposes of the Marion County Law Library 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 2.02 (c)(6) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for copier supplies for the remainder of 1985.

SECTION 2. The sum of Six Hundred Forty Dollars (\$640) 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 LAW LIBRARY	COUNTY GENERAL FUND
2. Supplies	\$640
TOTAL INCREASE	<u>\$640</u>

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

MARION COUNTY LAW LIBRARY	COUNTY GENERAL FUND
3. Other Services and Charges	\$540
4. Capital Outlay	100
TOTAL REDUCTION	<u>\$640</u>

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

PROPOSAL NO. 699, 1985. This proposal transfers \$25,000 for the Prosecutor's Child Support IV-D Agency to encumber the one-time expense of relocating the Agency. Councillor Dowden explained that the IV-D office will be relocated to the Indiana Parking Garage, 143 E. Market, and the IV-D Court will be relocated to the basement of the City-County Building. Also included in Proposal No. 699 is an adjustment in the Personnel Schedule to reflect additional overtime hours for two employees. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No. 699, 1985, Do Pass by a 8-0 vote. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 699, 1985, was adopted on the following roll call vote; viz:

23 AYES: *Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader*

1 NAY: *Page*

5 NOT VOTING: *Borst, Boyd, Bradley, Stewart, West*

Proposal No. 699, 1985, was retitled FISCAL ORDINANCE NO. 110, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 110, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Twenty-Five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Marion County Prosecutor's Child Support IV-D Agency and reducing certain other appropriations for that agency.

**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 2.02 (b)(23) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for one time expenses for the relocation of the agency.

SECTION 2. The sum of Twenty-Five Thousand Dollars (\$25,000) 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:

PROSECUTOR'S CHILD-SUPPORT IV-D AGENCY COUNTY GENERAL FUND	
2. Supplies	\$5,000
3. Other Services and Charges	5,000
4. Capital Outlay	<u>15,000</u>
TOTAL INCREASE	<u>\$25,000</u>

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

PROSECUTOR'S CHILD-SUPPORT IV-D AGENCY COUNTY GENERAL FUND	
1. Personal Services	<u>\$25,000</u>
TOTAL REDUCTION	<u>\$25,000</u>

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Supervisor Professional	2	40,110	40,100 <u>43,800</u>
Administrative Supervisor	5	23,377	<u>86,000</u>
Deputy Prosecutors	10	36,135	192,199 <u>194,136</u>
Paralegals	26	19,513	350,000 <u>351,000</u>
Secretaries	24	16,926	<u>265,264</u>
Temporary			157,127 <u>32,261</u>
Vacancy Factor			<u>(72,500)</u>
Overtime			<u>3,000</u>
TOTAL	67		927,199 <u>902,961</u>

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

PROPOSAL NO. 701, 1985. This proposal transfers \$640 for the Superior Court, Criminal Division, Probation Department, to purchase supplies for the remainder of the year. PROPOSAL NO. 702, 1985. This proposal transfers \$640 for the Superior Court, Criminal Division, Probation Department, to purchase supplies for the remainder of the year. Councillor Dowden reported that supplies to be purchased include mimeograph paper, photo copy paper, typewriter supplies, file folders, legal pads, probation rules, etc. The transfer in Proposal No. 701 is from the County General Fund, and the transfer in Proposal No. 702 is from the Adult Probation Fees Fund. Both transfers are from Character 03 to Character 02. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal Nos. 701 and 702, 1985, by a vote of 8-0. Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 701, 1985, was adopted on the following roll call vote; viz:

25 YES: Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

1 NAY: Durnil

3 NOT VOTING: Borst, Boyd, Stewart

Proposal No. 701, 1985, was retitled FISCAL ORDINANCE NO. 111, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 111, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Six Hundred Forty Dollars (\$640) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Probation Department and reducing certain other appropriations for that department.

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 2.02 (b)(1) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase supplies for the remainder of the year.

SECTION 2. The sum of Six Hundred Forty Dollars (\$640) 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:

SUPERIOR COURT, CRIMINAL DIVISION	
PROBATION DEPARTMENT	
2. Supplies	<u>\$640</u>
TOTAL INCREASE	\$640

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

SUPERIOR COURT, CRIMINAL DIVISION	
PROBATION DEPARTMENT	
3. Other Services and Charges	<u>\$640</u>
TOTAL REDUCTION	\$640

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

Proposal No. 702, 1985, was adopted on the following roll call vote; viz:

23 AYES: Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Strader, West

1 NAY: Durnil

5 NOT VOTING: Borst, Boyd, Curry, Schneider, Stewart

Proposal No. 702, 1985, was retitled FISCAL ORDINANCE NO. 112, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 112, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Eight Hundred Fifty Dollars (\$850) in the Adult Probation Fees Fund for purposes of the Marion County Superior Court, Criminal Division, Probation Department and reducing certain other appropriations for that department.

**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 2.02 (b)(1) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase supplies for the remainder of the year.

SECTION 2. The sum of Eight Hundred Fifty Dollars (\$850) 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:

SUPERIOR COURT, CRIMINAL DIVISION	
PROBATION DEPARTMENT	ADULT PROBATION FEES FUND
2. Supplies	<u>\$850</u>
TOTAL INCREASE	<u>\$850</u>

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

SUPERIOR COURT, CRIMINAL DIVISION	
PROBATION DEPARTMENT	ADULT PROBATION FEES FUND
3. Other Services and Charges	<u>\$850</u>
TOTAL REDUCTION	<u>\$850</u>

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

PROPOSAL NO. 703, 1985. This proposal transfers \$1,700 for the Superior Court, Civil Division, Room 3, to purchase a printer and/or typewriter.

Councillor Dowden confirmed that the Court will either purchase a printer and/or typewriter with the transfer from Character 02 to Character 04. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No. 703, 1985, Do Pass by a vote of 8-0. Councillor Dowden moved, seconded by Councillor Giffin, for adoption. Proposal No. 703, 1985, was adopted on the following roll call vote; viz:

25 AYES: Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

1 NAY: Durnil

3 NOT VOTING: Borst, Boyd, Stewart

Proposal No. 703, 1985, was retitled FISCAL ORDINANCE NO. 113, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 113, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Thousand Seven Hundred Dollars (\$1,700) in the County General Fund for purposes of the Marion County Superior Court, Civil Division, Room 3 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 2.02 (b)(16) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase a printer and/or typewriter.

SECTION 2. The sum of One Thousand Seven Hundred Dollars (\$1,700) 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:

SUPERIOR COURT CIVIL DIVISION, ROOM 3	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$1,700</u>
TOTAL INCREASE	\$1,700

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

SUPERIOR COURT CIVIL DIVISION, ROOM 3	COUNTY GENERAL FUND
2. Supplies	<u>\$1,700</u>
TOTAL REDUCTION	\$1,700

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

PROPOSAL NO. 704, 1985. This proposal transfers \$2,860 for the Superior Court, Civil Division, Room 7, to purchase recording equipment. Councillor Dowden confirmed that the transfer is to purchase new recording equipment to replace equipment that is seven years old. The old equipment no longer has audio capabilities. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended Proposal No. 704, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 704, 1985, was adopted on the following roll call vote; viz:

22 AYES: Campbell, Cottingham, Crowe, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

1 NAY: Durnil

6 NOT VOTING: Borst, Boyd, Bradley, Clark, Coughenour, Stewart.

Proposal No. 704, 1985, was retitled FISCAL ORDINANCE NO. 114, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 114, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Two Thousand eight Hundred Sixty-Six Dollars (\$2,866) in the County General Fund for purposes of the Marion County Superior Court, Civil Division, Room 7 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 2.02 (b)(20) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase recording equipment.

SECTION 2. The sum of Two Thousand Eight Hundred Sixty-Six Dollars (\$2,866) 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:

SUPERIOR COURT	
Civil Division, Room	
4. Capital Outlay	COUNTY GENERAL FUND
	<u>\$2,866</u>
TOTAL INCREASE	\$2,866

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

SUPERIOR COURT
Civil Division, Room 7
2. Supplies
3. Other Services and Charges
TOTAL REDUCTION

COUNTY GENERAL FUND
\$1,750
1,116
\$2,866

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

PROPOSAL NO. 707, 1985. This proposal would have transferred \$10,194 for the Superior Court, Juvenile Division, to encumber necessary expenses for the remainder of the year. Councillor Dowden explained that Judge Payne had requested the transfer for courtroom remodeling and repair of the building roof. The Public Safety and Criminal Justice Committee, on October 30, 1985, recommended that Proposal No. 707, 1985, be Stricken by a 7-0 vote. In accordance with the Committee's report, Proposal No. 707, 1985, was Stricken by Consent.

PROPOSAL NO. 709, 1985. This proposal amends the Code to extend the hours during which children under the age of 16 are restricted from the use of amusement machines. Councillor Coughenour explained that Proposal No. 709 amends Article VI. of the Code by extending the "hour requirement" from 2:30 p.m. to 3:30 p.m. The "hour requirement" was changed because students within the Indianapolis Public School System are released from school from 2:30 p.m. to 3:55 p.m. The Proposal was introduced by Councillor Nickell. The Administration Committee, on November 4, 1985, recommended Proposal No. 709, 1985, Do Pass by a 4-0 vote. Councillor Coughenour moved, seconded by Councillor Schneider, for adoption. Proposal No. 709, 1985, was adopted on the following roll call vote; viz:

27 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Boyd, Howard*

Proposal No. 709, 1985, was retitled GENERAL ORDINANCE NO. 97, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 1985

A PROPOSAL FOR A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County to extend the hours during which a child under sixteen is restricted from use of amusement machines.

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

SECTION 1. Chapter 17 of the Code of Indianapolis and Marion County, specifically Sec. 17-185 and Sec. 17-227, be and are hereby amending by deleting the figures crosshatched and inserting the figures underlined, so as to read as follows:

ARTICLE VI. AMUSEMENT LOCATIONS

Sec. 17-185. Unlawful acts.

For the purposes of this article, the following acts shall be deemed to be unlawful as herein stated:

(a) It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article, without an amusement location license issued by the city controller.

(b) It shall be unlawful to allow to be operated in any public place any amusement machine without an amusement machine license issued by the city controller.

(c) It shall be unlawful to allow a child under sixteen (16) years of age who is subject to the compulsory school attendance laws of the State of Indiana and who is not accompanied by a parent, guardian, or custodian to be present in an amusement location between the hours of 7:00 a.m. and ~~8:30~~ 3:30 p.m. on a day when such child's school is in session.

(d) It shall be unlawful to allow a person who has not reached the age of eighteen (18) years to be present in an amusement location after the hours established by state statute or city ordinance for juvenile curfew unless accompanied by a parent, guardian, or custodian, or an adult specified by the child's parent, guardian or custodian.

(e) It shall be unlawful to operate an amusement location unless a sign is conspicuously posted inside the location which provides that no child under sixteen (16) may be present in an amusement location from 7:00 a.m. to ~~8:30~~ 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian or custodian; no child under eighteen (18) may be present in an amusement location in violation of the curfew established by state or local law.

(f) It shall be unlawful to own or operate any location fitting the definition of an "amusement location" as stated in this article unless each amusement machine in the amusement location which is enclosed in a booth meets the following requirements:

(1) Each such amusement machine shall have a rectangular-shaped entranceway of not less than two (2) feet wide and six (6) feet high.

(2) There shall be no door, curtain or other obstruction blocking or closing off such entranceway so as to prohibit a patron of the amusement machine from being visible from the waist down.

(g) It shall be unlawful for a patron to be present in or operate an amusement machine unless he/she is visible from the waist down.

Sec. 17-227. Signs required.

An exhibitor shall conspicuously post a sign containing the following information near any amusement machines which are located on his premises:

No child under sixteen (16) may operate an amusement machine from 7:00 a.m. to ~~2:30~~ 3:30 p.m. on a day when the child's school is in session unless accompanied by a parent, guardian, or custodian.

No child under eighteen (18) who is in violation of the curfew established by state or local law may operate an amusement machine.

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

PROPOSAL NO. 710, 1985. This proposal establishes a fee for the disposal of solid waste on Saturdays at the Belmont Facility. The Public Works Committee, on October 31, 1985, recommended Proposal No. 710, 1985, Do Pass As Amended by a 4-0 vote. Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 710, 1985, As Amended, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Bradley, Campbell, Clark, Cottingham, Coughenour, Curry, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

2 NAYS: *Holmes and Rader*

4 NOT VOTING: *Boyd, Crowe, Dowden, Schneider*

Proposal No. 710, 1985, As Amended, was retitled GENERAL ORDINANCE NO. 98, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 98, 1985

A PROPOSAL FOR A GENERAL ORDINANCE establishing fees for Saturday disposal of Solid Waste on Saturdays at the City-owned Belmont facilities.

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

SECTION 1. Chapter 13 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by adding a NEW section 13-101 to read as follows:

Sec. 13-101 Saturday disposal fees imposed.

Effective December 1, 1985, the fees for the disposal of solid waste on Saturdays at the City-owned Belmont facilities, payable to the department of public works shall be as follows:

- a) For solid waste transported to the facility by automobile (sedan or station wagon) . . . \$2.00 per automobile load.
- b) For solid waste transported to the facility by van or pick-up truck with a three-quarter ton or less capacity . . . \$5.00 per van or pick-up truck load.

SECTION 2. The City-County Council hereby approves, adopts, ratifies and confirms the fees for Saturday disposal of solid waste at the City-owned Belmont facilities, as fixed and established by board of public works Resolution No. 2663-1985, which fees are herein codified as Sec. 13-101 of the Code of Indianapolis and Marion County, Indiana.

SECTION 3. This ordinance shall be in full force and effect upon passage and compliance with I.C. 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Coughenour announced that the Administration Committee would hear Proposal No. 754, 1985, (pedicabs), on Monday, November 18, 1985, at 4:00 p.m.

There being no further business for any of the Police Special Service District Council, the President recommended The City-County Council adjourn at 10:37 p.m.

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



President

ATTEST:



Clerk of the City-County Council

(SEAL)