

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, April 6, 1981**

A Regular Meeting of the City-County Council of Indianapolis and Marion County, Indiana, convened in the Council Chambers of the City-County Building, at 7:15 p.m., Monday, April 6, 1981. President SerVaas in the Chair. Mr. William A. Dowden opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

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

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, April 6, 1981, at 7:00 p.m. The purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City-County Council

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis

NEWS and The Indianapolis COMMERCIAL on March 26, 1981, and April 2, 1981, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 135, 1981, to be held on Monday, April 6, 1981, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippey
City Clerk

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 25, 1981, amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) authorizing changes in the personnel compensation schedule of the Marion County Assessor's Office.

FISCAL ORDINANCE NO. 28, 1981, amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) authorizing changes in the personnel compensation schedule of the Marion County Sheriff.

GENERAL ORDINANCE NO. 29, 1981, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, "Prohibiting stopping, standing or parking."

GENERAL ORDINANCE NO. 30, 1981, amending the City-County General Ordinance No. 36, 1980, authorizing changes in the personnel schedule of the Perry Township Trustee.

GENERAL ORDINANCE NO. 31, 1981, amending the City-County General Ordinance No. 36, 1980, and General Ordinance No. 3, 1981, authorizing changes in the personnel schedule of the Pike Township Trustee.

GENERAL ORDINANCE NO. 32, 1981, establishing intersection controls at various intersections on Capitol Avenue.

GENERAL ORDINANCE NO. 33, 1981, changing the speed limit on certain portions of Tacoma Avenue.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

PRESENTATION OF PETITIONS, MEMORIALS,
SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 170, 1981. Councillor West read the proposal supporting the Mayor in his efforts to identify public employees affiliated with any 'hate' group or terrorist and subversive organization. He then moved to amend this proposal. Consent was given. Proposal No. 170, 1981, As Amended, passed by unanimous voice vote; was retitled SPECIAL RESOLUTION NO. 27, 1981, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 27, 1981

A SPECIAL RESOLUTION supporting the Mayor.

WHEREAS, the philosophy espoused by the American Nazi Party and similar "hate" groups is abhorrent to democratic principles and to much of what we cherish in civilization; and

WHEREAS, the duties of all public employees include the protection of the life, safety, property and freedoms of all Americans, regardless of race or religion; and

WHEREAS, the beliefs of "hate" groups and terrorist and subversive organizations are inconsistent with the sworn duties of public employees to preserve, protect and defend the Constitution of the United States, the Constitution of the State of Indiana, and the ordinances of the City of Indianapolis and Marion County; 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 supports the Mayor in his efforts to identify public employees affiliated with any "hate" group or terrorist and subversive organization.

SECTION 2. The City-County Council urges the Mayor, the Sheriff's Merit Board, the Police Merit Board and the Fire Merit Board to seriously consider matters of conduct which are unbecoming of a public employee.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

INTRODUCTION OF GUESTS

Councillor West introduced State Senator Virginia Blankenbaker.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 155, 1981. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing the rules and procedures for the preparation of the 1982 annual budgets"; and the President referred it to the Administration Committee.

PROPOSAL NO. 156, 1981. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing all provisions of the Code regulating "Charitable Solicitations"; and the President referred it to the Administration Committee.

PROPOSAL NO. 157, 1981. Introduced by Councillor Parker. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$6,000 for Cooperative Extension Service to sponsor 4-H members"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 158, 1981. Introduced by Councillor Parker. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing the County to issue its Tax Anticipation Time Warrants for the County Welfare Fund"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 159, 1981. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$13,600 for the County Administrative Office to recover costs incurred for social programs"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 160, 1981. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$550,000 for the County Auditor to pay increases in interest on tax anticipation time warrants"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 161, 1981. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing the County to issue its Tax Anticipation Time Warrants for the County General Fund"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 162, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing certain actions and proceedings with respect to economic development bonds for Yellow Freight Systems, Inc. in the amount of \$4,500,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 163, 1981. Introduced by Councillors Borst, Brinkman, Clark, Cottingham, Coughenour, Gilmer, Holmes, Howard, Jones, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, SerVaas, Stewart, Strader, Tintera, West. The Clerk read the proposal entitled: "A GENERAL ORDINANCE imposing excise taxes and authorizes the issuance of revenue bonds to fund a multi-purpose expansion of the Indiana Convention Center"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 164, 1981. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,015,094 of Community Development Funds to improve park facilities"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 165, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$350 for purposes of the Law Library to receive credit for the purchase of microfiche"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 166, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$23,357 for Superior Court, Criminal Division 2, to fund Craine House with LEAA Funds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 167, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel compensation schedule of the Circuit Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 168, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$60,000 for the County Prosecutor for additional operating expenses in 1981"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 169, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$197,300 of Federal Air Urban funds for the Department of Transportation for the Ridesharing Program"; and the President referred it to the Transportation Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 170, 1981. Introduced by Councillor West. This proposal was adopted under Presentation of Petitions, Memorials, Special Resolutions and Council Resolutions, and was retitled SPECIAL RESOLUTION NO. 27, 1981.

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 135, 1981. Councillor McGrath reported that this proposal appropriates an additional \$49,367 in the Cumulative Bridge Fund for the Department of Transportation for the purpose of continuing bridge construction, and that the Transportation Committee recommended passage by unanimous voice vote. President SerVaas asked if there were any members of the public that wished to speak. There being none, he called for the vote. Proposal No. 135, 1981, was adopted on the following roll call vote; viz:

23 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. West
 NO NAYS

6 NOT VOTING: Mr. Campbell, Mr. Holmes, Mr. Miller, Mr. Rader, Mr. Rhodes, Mr. Vollmer

Proposal No. 135, 1981, was retitled FISCAL ORDINANCE NO. 29, 1981, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980), and appropriating an additional Forty-nine Thousand Three Hundred Sixty-seven dollars (\$49,367) in the Cumulative Bridge Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Cumulative Bridge Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the continuation of bridge construction work on West 30th Street and White River.

SECTION 2. The sum of Forty-nine Thousand Three Hundred Sixty-seven dollars (\$49,367) 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 TRANSPORTATION	CUMULATIVE BRIDGE FUND
50. Properties	<u>\$49,367</u>
Total Increase	<u>\$49,367</u>

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

DEPARTMENT OF TRANSPORTATION	CUMULATIVE BRIDGE FUND
Unappropriated and Unencumbered Cumulative Bridge Fund	<u>\$49,367</u>
Total Reductions	<u>\$49,367</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 84, 1981. Councillor Miller reported that this proposal appoints Mr. Jack A. Springer to the Human Rights Commission and it was heard before the Administration Committee on April 1, 1981, at which time the Committee voted 4-0 to Strike this proposal. Proposal No. 84, 1981, was then Stricken by consent of the Council.

PROPOSAL NO. 122, 1981. Introduced by Councillor Jones. This proposal appoints Mr. William D. Mott to the Human Rights Commission. The Administration Committee recommended passage by a vote of 5-0. The President asked for public comment, there being none, he then called for the vote. Proposal No. 122, 1981, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 6, 1981, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 6, 1981

A COUNCIL RESOLUTION appointing Mr. William D. Mott to the Human Rights Commission.

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

SECTION 1. As a member of the Indianapolis-Marion County Human Rights Commission, the City-County Council appoints:

Mr. William D. Mott

SECTION 2. The term of the foregoing appointment shall commence upon adoption of this resolution and shall end on December 31, 1983, at the pleasure of the Council, or when a successor has been duly appointed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 136, 1981. Councillor McGrath reported that this proposal establishes parking control changes in the 1100 block of South River Avenue, and had received a "Do Pass" recommendation from the Transportation Committee. The President asked for public comment, there being none, he called for the vote. Proposal No. 136, 1981, was adopted on the following roll call vote; viz;

27 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NAYS

2 NOT VOTING: Mr. Clark, Mrs. Coughenour

Proposal No. 136, 1981, was retitled GENERAL ORDINANCE NO. 34, 1981, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 34, 1981

A GENERAL ORDINANCE establishing parking control changes in the 1100 block of South River Avenue. (Amends Code Sec. 29-270)

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

SECTION 1. That the "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-270 "Parking prohibited during specified hours on certain days", be, and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT SUNDAY AND HOLIDAYS
FROM 6:00 A.M. to 6:00 P.M.
River Avenue, on the west side, from a
point 233 feet south of Standard Avenue
to a point 513 feet south of Standard Avenue**

SECTION 2. This ordinance shall be in full force and effect from and after its compliance with IC 18-4-5-2.

PROPOSAL NO. 138, 1981. Councillor McGrath stated that this proposal designates Gray Street one-way from Washington Street to New York Street. The Transportation Committee recommended "Do Pass" by unanimous voice vote. The President called for public comment, there being none, he called for the vote. Proposal No. 138, 1981, was then adopted on the following roll call vote; viz:

27 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

1 NAY: Mr. Campbell

1 NOT VOTING: Mr. Clark

Proposal No. 138, 1981, was retitled GENERAL ORDINANCE NO. 35, 1981, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 35, 1981

A GENERAL ORDINANCE designating Gray Street one-way from Washington Street to New York Street. (Amends Code Sec. 29-166)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-166, "One-way streets and alleys designated", be, and the same is hereby amended by the addition of the following, to wit:

**NORTHBOUND
Gray Street, from Washington Street to New York Street**

SECTION 2. This ordinance shall be in full force and effect from and after its compliance with IC 18-4-5-2.

PROPOSAL NO. 103, 1981. Councillor West stated that this proposal declares the expansion of the Marion County Jail as a necessity and authorizes construction through the Marion County Building Authority. Councillor West reported that the Public Safety and Criminal Justice Committee had amended the proposal and that it received a "Do Pass As Amended" recommendation. Councillor West moved, seconded by Councillor Tinera, to submit the amended version; Council consent was given. Councillor West stated that the Public Safety Committee has been asked to continue working with the Building Authority and to attend any scheduled meetings in an effort to keep abreast of this matter. Councillor West encouraged the Democrat Caucus members to attend the meetings dealing with the Jail expansion. In closing, Councillor West noted that the preliminary plans will be concluded by June 30, 1981. Councillor Miller expressed his attitude towards moving ahead with the expansion of the Jail. President SerVaas stated that one member from each Caucus be appointed by the Majority and Minority leaders to attend meetings concerning the expansion of the Jail so those appointed could report back to their respective Caucus, keeping them up-to-date. President SerVaas then called for public comment; there being none, he called for the vote. Proposal No. 103, 1981, As Amended, was then adopted on the following roll call vote; viz:

23 YEAS: *Dr. Borst, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tinera, Mr. Vollmer, Mr. West*
6 NAYS: *Mr. Boyd, Mrs. Brinkman, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Schneider*

Proposal No. 103, 1981, As Amended, was retitled SPECIAL RESOLUTION NO. 28, 1981, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 28, 1981

A SPECIAL RESOLUTION declaring the expansion of the Marion County Jail a necessity and authorizing the Mayor of Indianapolis and the Marion County Auditor to implement construction of the expansion through the Indianapolis-Marion County Building Authority.

WHEREAS, Judge S. Hugh Dillin, in a law suit in the United States District Court for the Southern District of Indiana, Indianapolis Division, entitled Marion County Jail Inmates, et al. v. Broderick et al., has ordered that appropriate City, County and State officials provide an area for contact visitation, space for indoors and outdoor exercise and recreation, and space for attorneys to interview inmates privately; and

WHEREAS, Judge Dillin ordered the defendants to provide predetermined space for the separation of classes, i.e. juveniles, women, dangerous felons, misdemeanants, first offenders, etc.; and

WHEREAS, this classification system frequently prevents the use of some space, resulting in the actual capacity of the jail being approximately 10% below the rated capacity; and

WHEREAS, the City-County Council and many city and county officials have investigated alternative means of financing and coordinating an expansion of the jail; and

WHEREAS, the Indianapolis-Marion County Building Authority ("Authority") has been created under the provisions of Chapter 54 of the Acts of the Indiana General Assembly for 1953, as amended (I.C. 19-8-4-1 *et seq.*), for the purpose of financing, acquiring, constructing, equipping, operating and leasing to governmental units within the boundaries of Marion County lands and buildings for public governmental purposes; 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, with reluctance, but with a sense of reality and practicality, hereby desires that the necessary expansion of the Marion County Jail be commenced immediately.

SECTION 2. The City-County Council desires that the expansion proceed under the general direction and management of the Authority, pursuant to its statutory powers, with any final authorization involving fiscal matters at the discretion of the Marion County Auditor and ultimately the Mayor of the City of Indianapolis.

SECTION 3. The City-County Council desires the Building Authority to report to the Council for its additional direction after receipt of preliminary architectural proposals that provide options for meeting Judge Dillin's mandates, bringing the Jail up to the present 788 person capacity, bringing it up to the 900 person capacity, bringing it up to the 1,000 person capacity, providing necessary improvements, major repairs and renovations, and evaluating the necessity of additional non-jail space, including that for the community corrections center.

SECTION 4. The Mayor and the Auditor are hereby authorized to implement the construction of the expansion to the Marion County Jail through the Authority, including, but not in limitation, to advance funds appropriated for this purpose to the Authority to cover preliminary expenses incurred in connection with the Marion County Jail project prior to the issuance of bonds by the Authority, which funds shall be reimbursed by the Authority to the County from the proceeds of the bonds sold by the Authority to finance the project.

SECTION 5. This resolution shall be in effect upon adoption and signing by the Mayor.

PROPOSAL NO. 111, 1981. This proposal appropriates \$1,500,000 for the County Administrator for construction of the jail modification and addition. Councillor West noted that this is a companion with Proposal No. 103, 1981. This proposal received a "Do Pass" recommendation from the Public Safety Committee. Councillor West stated that the \$1,500,000 are leftover funds from the Election Board for salaries used during election years. This money is to be used for one-time charges. Councillor West stated that these funds from the County General Fund are advanced to the Building Authority to pay for advanced fees for such things as the architect, attorneys fees, etc. Councillor West explained that the preliminary plans must be complete before the bonds are issued by the Building Authority. If the preliminary costs are not as much as \$1,500,000, the left over money will be put back into the fund. The President called for a Public Hearing requesting public comment, there being no response, Councillor Clark moved to Table Proposal No. 111, 1981,

seconded by Councillor Page. Councillor Clark expressed his concerns regarding setting aside such a large amount of money, when in fact, it may not all be needed and could be used somewhere else. Councillor Clark added that the Council needs hard figures to go by, stating that the report is not due until June which would allow some time to delay action on this proposal. President SerVaas called for a vote on the motion to Table which failed by the following roll call vote; viz:

8 YEAS: Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Jones, Mr. McGrath, Mr. Page, Mrs. Parker, Mr. Schneider

18 NAYS: Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mrs. Journey, Mr. Miller, Mr. Rader, Mr. Rhodes, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

3 NOT VOTING: Mr. Boyd, Mr. Howard, Mrs. Nickell

President SerVaas then called for a vote on the adoption of Proposal No. 111, 1981, and it was adopted on the following roll call vote; viz:

17 YEAS: Dr. Borst, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Gilmer, Mr. Holmes, Mrs. Journey, Mr. Miller, Mrs. Nickell, Mr. Rader, Mr. Rhodes, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

10 NAYS: Mrs. Brinkman, Mr. Clark, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Jones, Mr. McGrath, Mr. Page, Mrs. Parker, Mr. Schneider

2 NOT VOTING: Mr. Boyd, Mr. Howard

Proposal No. 111, 1981, was retitled FISCAL ORDINANCE NO. 30, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 30, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) appropriating an additional One Million Five Hundred Thousand dollars (\$1,500,000) in the County General Fund for purposes of the Marion County Administrator 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 2.04 of the City-County Annual Budget for 1981, be, and the same is hereby amended by the increases and reductions hereinafter stated for the purposes of providing preliminary funds for construction of the Marion County Jail modification and addition.

SECTION 2. The sum of One Million Five Hundred Thousand dollars (\$1,500,000) 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:

MARION COUNTY	COUNTY GENERAL
ADMINISTRATOR	FUND
50. Properties	\$1,500,000
Total Increases	\$1,500,000

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

MARION COUNTY	COUNTY GENERAL
AUDITOR	FUND
50. Properties	\$1,500,000
Total Reductions	\$1,500,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 128, 1981. Councillor Tintera reported that this proposal authorizes certain proceedings with respect to economic development bonds for Payless Cashways, Inc. in an amount of \$995,000, and the Economic Development Committee recommended this proposal for passage by a vote of 4-0. The President called for public comment; there being none, Councillor Tintera moved, seconded by Councillor Gilmer, for adoption. Proposal No. 128, 1981, was adopted on the following roll call vote; viz:

25 YEAS: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NAYS

4 NOT VOTING: *Mr. Boyd, Mr. Durnil, Mr. Howard, Mrs. Parker*

Proposal No. 128, 1981, was retitled SPECIAL RESOLUTION NO. 29, 1981, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1981

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. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Payless Cashways, Inc. (the "Company") previously had advised the Indianapolis Economic Development Commission and the City that it proposed that the City acquire, construct and equip two economic development facilities and sell or lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facilities to be 28,000 and 37,000 square foot redistribution centers (including the real estate on which they are located and the equipment to be installed therein), to be located near the intersection of 71st Street and Guion Road, Indianapolis, Indiana, on an approximate seven acre tract of land (the "Project"); and

WHEREAS, pursuant to the City-County Special Ordinance No. 1, 1979, adopted on January 22, 1979, this City-County Council authorized the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1978 (Payless Cashways, Inc. Project)" in the principal amount of Seven Hundred and Fifty Thousand Dollars (\$750,000) and approved and authorized other actions in respect thereto and approved the final forms of the Loan Agreement and Mortgage and Indenture of Trust, (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5); and

WHEREAS, Section 2.12 of the Mortgage and Indenture of Trust among Payless Cashways, Inc., the City of Indianapolis, and The Indiana National Bank, as Trustee, dated as of December 1, 1978, provides in part that additional bonds may be issued, authenticated and delivered for the purpose of providing funds for completing the Project or making additions to the Project; and

WHEREAS, the Company has grown and has advised the Indianapolis Economic Development Commission and the City that it proposes that the City issue additional revenue bonds to construct, expand and equip certain economic development facilities and that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facility to be the expansion of an existing warehouse redistribution center by 15,000 square feet and construction of one new warehouse redistribution center of 16,500 square feet, and the machinery and equipment to be installed therein, to be located at 6740 North Guion Road, Indianapolis, Indiana, (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (approximately 8 new jobs at the end of one year and 14 new jobs at the end of three years) to be achieved by the expansion, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

SECTION 2. It further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$995,000 under the Act to be issued pursuant to the provisions of the Mortgage and Indenture of Trust dated as of December 1, 1978, among the Payless Cashways, Inc., the City of Indianapolis, and The Indiana National Bank, as Trustee, and the loaning of the proceeds of such financing to Payless Cashways, Inc. (the "Company") for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

This resolution shall be in full force and effect upon compliance with IC 18-4-5-2.

PROPOSAL NO. 129, 1981. This proposal authorizes certain proceedings with respect to economic development bonds for Metal Service & Supply, Inc. in the amount of \$1,895,000, and the Economic Development Committee recommended "Do Pass" by a vote of 5-0. The President called for public comment; there being none, Councillor Tintera moved, seconded by Councillor Gilmer, for adoption. Proposal No. 129, 1981, was adopted on the following roll call vote; viz:

26 YEAS: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NAYS

3 NOT VOTING: *Mr. Boyd, Mr. Howard, Mrs. Parker*

Proposal No. 129, 1981, was retitled SPECIAL RESOLUTION NO. 30, 1981, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1981

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. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Metal Service & Supply, Inc. (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell

or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facility to be an approximately 20,000 square foot expansion of an existing manufacturing and storage building, and the machinery and equipment to be installed therein to be located at 916 Harrison Street, Indianapolis, Indiana, on an approximate 0.75 acre tract of land (the "Project") to be used in the business of providing cutting services for metal and wholesaling of metal, primarily steel, aluminum and stainless steel; and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 12 additional jobs at the end of one year and 18 additional jobs at the end of three years) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City of Indianapolis and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

SECTION 2. It further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$1,395,000 under the Act to be privately placed for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to Metal Service & Supply, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

This resolution shall be in full force and effect upon compliance with IC 18-4-5-2.

PROPOSAL NO. 130, 1981. This proposal authorizes the issuance of economic development mortgage revenue bonds to Cold Metal Products Company, Inc. in the amount of \$3,150,000. Councillor Tintera reported that the Economic Development Committee recommended this proposal for passage by a vote of 5-0. The President called for public testimony, there being none, Councillor Tintera moved, seconded by Councillor Gilmer, for adoption. Proposal No. 130, 1981, was adopted on the following roll call vote; viz:

26 YEAS: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NAYS

3 NOT VOTING: *Mr. Boyd, Mr. Howard, Mrs. Parker*

Proposal No. 130, 1981, was retitled SPECIAL ORDINANCE NO. 6, 1981, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 6, 1981

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bonds, Series A (Cold Metal Products Company, Inc., Project)", in the aggregate principal amount of Three Million One Hundred Fifty Thousand Dollars (\$3,150,000) and approving and authorizing other actions in respect thereof.

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 Cold Metal Products Company, 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 March 17, 1981, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Cold Metal Products Company, Inc. complies with the purposes and provisions of Indiana Code 18-6-4.5, 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, Mortgage and Trust Indenture, Bond Purchase Agreement, and the Loan Agreement, 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 MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to the City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Cold Metal Products Company, Inc. for the purposes of financing the acquisition and equipping of economic development facilities in Indianapolis, Indiana, and the repayment of said loan by Cold Metal Products Company, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 18-6-4.5.

SECTION 2. The forms of the Loan Agreement, Mortgage and Trust Indenture, Promissory Note and Bond Purchase Agreement approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) 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.

SECTION 3. The City of Indianapolis shall issue its Economic Development Mortgage Revenue Bonds, Series A (Cold Metal Products Company, Inc., Project) in the aggregate principal amount of Three Million One Hundred Fifty Thousand Dollars (\$3,150,000) for the purpose of procuring funds to loan to Cold Metal Products Company, Inc. in order to finance the economic development facilities, 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 Cold Metal Products Company, Inc. on its promissory note which will be executed and delivered by Cold Metal Products Company, Inc. to evidence and secure said loan, and as otherwise provided in the Financing Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis. It is recognized that the aggregate principal amount of revenue bonds herein authorized may not be sufficient to complete the economic development facilities and that the documents relating to the bond issue permit the issuance of additional bonds from time to time to complete, repair or replace the economic development facilities, or to add to the economic development facilities, in that Cold Metal Products Company, Inc. is proceeding at this time in contemplation of requesting additional bonds.

SECTION 4. The Mayor, City Clerk and/or City Controller are authorized and directed to sell the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bonds, Series A (Cold Metal Products Company, Inc., Project) at a price not less than 100% of the principal amount thereof and at a stated per annum interest rate equal to 70% of the Prime Commercial Rate of The Royal Bank and Trust Company, New York, New York, (with any change in said interest rate resulting from a change in the Prime Commercial Rate to be and become effective as of and on the date of the relevant change in such Prime Commercial Rate).

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 document 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 shall be manual signatures. The City Clerk or City Controller is authorized to arrange for the delivery of such Bonds to the purchasers thereof, American Fletcher National Bank and Trust Company (\$1,000,000) and The Royal Bank and Trust Company (\$2,150,000).

SECTION 6. The provisions of this ordinance and the Mortgage and Trust Indenture securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holders of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bonds, Series A (Cold Metal Products Company, Inc. Project), and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holders so long as any of 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 18-4-5-2.

PROPOSAL NO. 131, 1981. This proposal authorizes an amendment of documents previously issued to Koenig & Bauer/Egenolf Machine, Inc., and Councillor Tintera reported that this proposal was heard in the Economic Development Committee and was recommended for passage by a unanimous voice vote. The President called for public testimony, there being none, Councillor Tintera moved, seconded by Councillor Holmes, for adoption. Proposal No. 131, 1981, was adopted on the following roll call vote; viz:

27 YEAS: Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NAYS

2 NOT VOTING: Mr. Boyd, Mrs. Nickell

Proposal No. 131, 1981, was retitled SPECIAL ORDINANCE NO. 7, 1981, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1981

A SPECIAL ORDINANCE authorizing the amendment of a Loan Agreement dated as of May 15, 1980, between the City of Indianapolis, Indiana, and Koenig & Bauer/Egenolf Machine, Inc. and a Mortgage and Indenture of Trust dated as of May 15, 1980, among Koenig & Bauer/Egenolf Machine, Inc., the City of Indianapolis, Indiana, and American Fletcher National Bank and Trust Company, as Trustee.

WHEREAS, Koenig & Bauer/Egenolf Machine, Inc. desires to amend the Project description to be financed with the proceeds of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1980 (Koenig & Bauer/Egenolf Machine, Inc. Project), by substituting certain machinery for the DeVlieg Boring Mill and adding certain other machinery to be purchased with bond proceeds made available due to cost savings to be realized by such substitution; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 17, 1981, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the Amendments comply with the purposes and provisions of Indiana Code 18-6-4.5, 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 Amendment to Loan Agreement and of the Amendment to Mortgage and Indenture of Trust, 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 MARION COUNTY, INDIANA:

SECTION 1. The form of Amendment to Loan Agreement amending the Loan Agreement dated as of May 15, 1980, between the City of Indianapolis, Indiana, and Koenig & Bauer/Egenolf Machine, Inc., presented to this meeting and attached hereto is hereby approved.

SECTION 2. The form of Amendment to Mortgage and Indenture of Trust amending the Mortgage and Indenture of Trust dated as of May 15, 1980, among Koenig & Bauer/Egenolf Machine, Inc., the City of Indianapolis, Indiana, and American Fletcher National Bank and Trust Company, as Trustee, presented to this meeting and attached hereto is hereby approved.

SECTION 3. The Mayor and City Clerk are hereby authorized to execute and deliver such Amendment to Loan Agreement and such Amendment to Mortgage and Indenture of Trust.

SECTION 4. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 132, 1981. Councillor Tintera stated that this proposal authorizes an amendment of documents previously issued to Retirement Living, Inc., and it received a "Do Pass" recommendation from the Economic Development Committee. The President called for public testimony, there being none, Councillor Tintera moved, seconded by Councillor Cottingham, for adoption. Proposal No. 132, 1981, was adopted on the following roll call vote; viz:

25 YEAS: *Dr. Borst, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

1 NAY: *Mrs. Brinkman*

3 NOT VOTING: *Mr. Boyd, Mr. Campbell, Mr. Hawkins*

Proposal No. 132, 1981, was retitled SPECIAL ORDINANCE NO. 8, 1981, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 8, 1981

A SPECIAL ORDINANCE authorizing the amendment of a Loan Agreement dated as of September 1, 1980, between the City of Indianapolis, Indiana, and Retirement Living, Inc., d/b/a Marquette Manor, and a Mortgage and Indenture of Trust dated as of September 1, 1980, among Retirement Living, Inc., d/b/a Marquette Manor, and the Indiana National Bank, as Trustee.

WHEREAS, Retirement Living, Inc., d/b/a Marquette Manor, desires to amend the aforesaid Loan Agreement dated September 1, 1980, and the aforesaid Mortgage and Indenture of Trust dated September 1, 1980, previously approved by this City-County Council for use in the issuance of the previously issued City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1980 (Retirement Living, Inc. d/b/a Marquette Manor Project), to allow certain Life Occupancy Fees and investments to be used for construction of the Project, if needed; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 17, 1981, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the Amendments comply with the purposes and provisions of Indiana Code 18-6-4.5, 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 First Supplemental Loan Agreement and of the First Supplemental Mortgage and Indenture of Trust, 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 MARION COUNTY, INDIANA:**

SECTION 1. The form of the First Supplemental Loan Agreement amending the Loan Agreement dated as of September 1, 1980, between the City of Indianapolis, Indiana, and Retirement Living, Inc., d/b/a Marquette Manor, presented to this meeting and attached hereto is hereby approved.

SECTION 2. The form of First Supplemental Mortgage and Indenture of Trust amending the Mortgage and Indenture of Trust dated as of September 1, 1980, among Retirement Living, Inc., d/b/a Marquette Manor, the City of Indianapolis, Indiana, and The Indiana National Bank, as Trustee, presented to this meeting and attached hereto is hereby approved.

SECTION 3. The Mayor and City Clerk are hereby authorized to execute and deliver such First Supplemental Loan Agreement and the First Supplemental Mortgage and Indenture of Trust.

SECTION 4. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 133, 1981. This proposal authorizes changes in the personnel compensation schedule of the Marion County Superior Court, Juvenile Division. Councillor West stated that the Superintendent is requesting a change in the schedule by decreasing one Probation Officer and adding a Licensed Practical Nurse, of which they now have four nurses on staff. Councillor West noted that the Public Safety and Criminal Justice Committee recommended this proposal "Do Pass" by a unanimous voice vote. Councillor West moved that Proposal No. 133, 1981 be adopted. The President called for public comment, there being none, he called for the vote. Proposal No. 133, 1981, was adopted on the following roll call vote; viz:

24 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. Miller, Mrs. Nickell, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

4 NAYS: Mr. Cottingham, Mr. Durnil, Mr. McGrath, Mr. Page

1 NOT VOTING: Mr. Jones

Proposal No. 133, 1981, was retitled FISCAL ORDINANCE NO. 31, 1981, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980), authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Superior Court, Juvenile Division.

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

SECTION 1. Section 2.03 (b) of the City-County Fiscal Ordinance No. 73, 1980, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(b)(4) MARION COUNTY SUPERIOR COURT, JUVENILE DIVISION

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Judge	1	10,400	10,400
Administrators	3	30,091	81,201
Asst. Admini.	3	22,819	60,710

Managers	12	21,026	216,802
Asst. Managers	15	18,067	204,114
Secretaries	5	11,382	47,896
Clerk Typists	28	10,388	214,516
Referees Part-Time	5	13,797	82,782
Referees	1	27,500	27,500
Court Reporters	8	17,930	138,585
Balliffs	8	14,056	89,997
Household	11	11,447	111,277
Nurses	11	12,689	54,563
Probation	75	19,272	913,569
Child Care	71	13,178	694,730
Professional Staff	5	23,964	108,313
Maintenance Staff	15	10,668	115,746
Clerk Typist (CETA)	3	8,452	24,382
Child Care (CETA)	11	8,675	95,435
Household (CETA)	2	8,316	16,632
Asst. Engineers (CETA)	3	7,265	21,897
Jury Per Diem			8,000
Overtime			35,000
Temporary Help			25,000
Vacancy Factor-Non CETA			(244,860)

The official responsible for hiring and fixing salaries for this office shall limit the number of personnel or the salaries or both so that the total salaries paid shall not exceed the amount of the total personal services appropriation of \$3,154,187.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Borst announced that the final Ad Hoc Committee meeting for the Marion County Association for Retarded Citizens will be Tuesday, April 7, 1981, at 5:00 p.m. in Room 260 of the City-County Building for those wishing to be in attendance.

Councillor Clark announced that the next meeting of the Municipal Corporations Committee will be held on Wednesday, April 22, 1981, at 6:00 p.m. instead of the previously scheduled meeting to be held on Tuesday, April 23, 1981. Discussion will consist of the proposed "Domed Stadium".

Councillor West announced that the Public Safety and Criminal Justice Committee meeting will be held on Tuesday, April 21, 1981, at 4:00 p.m.

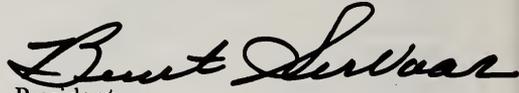
President SerVaas announced that Councillor Schneider will retire his Chairmanship of the County & Townships Committee as of May 1, 1981. He added that Councillor Schneider has been a very dedicated Chairman serving for that Committee for the past seven years. Councillor Brinkman will now take over duties as Chairman of this Committee.

There being no further business, and upon motion duly made and seconded, the meeting was adjourned at 8:34 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, Indiana, held at its Regular Meeting on the 6th day of April, 1981.

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

ATTEST:


President


Clerk of the City-County Council

(SEAL)