

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, June 21, 1982**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:06 p.m., Monday, June 21, 1982. President SerVaas in the Chair. Dr. Philip Borst opened the meeting with a prayer, followed by the Pledge of Allegiance.

**ROLL CALL**

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

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

**CORRECTION OF THE JOURNAL**

The Chair called for additions or corrections to the Journal of June 7, 1982. There being no additions or corrections, the minutes of June 7, 1982, were approved as distributed.

**OFFICIAL COMMUNICATIONS**

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

**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 June 4 and 11, 1982, a copy of NOTICE TO TAXPAYERS on General Ordinance Nos. 41, 42, 44, and 45, 1982.

Respectfully,

s/Beverly S. Rippy  
City Clerk

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on June 10 and 17, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 218, 1982, to be held on Monday, June 21, 1982, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 33, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Six Hundred Eighty Thousand dollars (\$680,000) in the City General Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 34, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) and appropriating an additional Twenty-five Thousand dollars (\$25,000) in the Consolidated County Fund for purposes of the Department of Public Works, Air Pollution Control Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 35, 1982, approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund and Consolidated County Fund during the period of July 1, 1982, to December 31, 1982, in anticipation of current taxes levied in the year 1981 and collectible in the year 1982, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon; ratifying, approving, and confirming the proceedings had and action taken by the Police Special Service District Council, the Fire Special Service District Council, and the Sanitation Solid Waste Special Service District Council in authorizing the making of the temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund; and fixing a time when this ordinance shall take effect.

FISCAL ORDINANCE NO. 36, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1982) transferring and appropriating Thirteen Thousand dollars (\$13,000) in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 53, 1982, establishing the rules and procedures for the preparation of the 1982 Annual Budget for City and County Government (Amends Code Sec. 1-402).

**SPECIAL ORDINANCE NO. 9, 1982**, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, 1982 Series (Paper Manufacturers Project)," in the aggregate principal amount of Six Hundred Twenty-five Thousand dollars (\$625,000) and approving and authorizing other actions in respect thereto.

**GENERAL RESOLUTION NO. 3, 1982**, approving a Confirmatory Resolution of the Board of Parks and Recreation of the City of Indianapolis, Indiana, and approving the issuance of "City of Indianapolis Park District Bonds of 1982, First Issue" in the amount of Seven Million Five Hundred Thousand dollars (\$7,500,000).

**SPECIAL RESOLUTION NO. 36, 1982**, instructing the Department of Administration to examine City license and permit fees.

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

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

**PROPOSAL NO. 244, 1982.** Introduced by Councillors Boyd, SerVaas and Miller. This proposal commends Dr. Karl R. Kalp. Councillor Boyd read the proposal and the Council acknowledged Dr. Kalp for his past thirty-four years of service to the Indianapolis Public School system and to the broader citizenry of Indianapolis. Councillor Boyd presented the resolution to Dr. Kalp. President SerVaas commended Dr. Kalp on a job well-done as a distinguished educator and administrator and presented a duplicate of the resolution to Frank Davis, Secretary of the Board, to display at the Indianapolis Education Center. Proposal No. 224, 1982, was adopted by unanimous voice vote of the Council, retitled **SPECIAL RESOLUTION NO. 37, 1982**, and reads as follows:

#### **CITY—COUNTY SPECIAL RESOLUTION NO. 37, 1982**

**A SPECIAL RESOLUTION commending the contributions of Dr. Karl R. Kalp.**

**WHEREAS, June 30, 1982, will mark the consummation of thirty-four years of formal service by Dr. Karl R. Kalp to the Indianapolis Public School system and to the broader citizenry of Indianapolis; and**

**WHEREAS, such service was rendered as an elementary school teacher, high school teacher, Director of Guidance, principal, college instructor, Associate Superintendent of Schools, and Superintendent of Schools; and**

**WHEREAS, Dr. Karl R. Kalp has distinguished himself nationally as an educator and administrator of uncommon energy, competence and commitment; and**

**WHEREAS, the need for the thorough interweaving of the educational community into the total fabric of the City is reflected in his personal support and membership with the Greater Indianapolis Progress Committee, the Criminal Justice Planning Board, YMCA, Rotary Foundation, the Indianapolis Convention and Visitors Bureau and other civic organizations; 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 the contributions made by Dr. Karl R. Kalp and offer this public commendation for the spirit and the vitality he has brought to the community.

**SECTION 2.** The City-County Council affirms the shared belief with Dr. Kalp in the importance of public school education and in maintaining a free society through an educated citizenry.

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

PROPOSAL NO. 245, 1982. Councillor Parker introduced the proposal commending Sharyn Seitz for her capacity of service as Budget Analyst for the City-County Council. The Council acknowledged Mrs. Seitz and presented her with Proposal No. 245, 1982, which was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 38, 1982, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 38, 1982**

**A SPECIAL RESOLUTION commending Sharyn Seitz.**

**WHEREAS,** Sharyn Seitz has demonstrated prudent stewardship of the tax dollars paid by the citizens of Indianapolis in serving as Budget Analyst for the City-County Council; and

**WHEREAS,** the service of Sharyn Seitz in the realm of consolidated government has been a hallmark of dedication, spirit and intelligence; and

**WHEREAS,** concurrent with her duties for the City-County Council, Sharyn Seitz pursued a masters degree, developed a small business and provided for family and home; and

**WHEREAS,** Sharyn Seitz added depth to the staff of the Council by offering an experienced background in administering the fiscal needs of government units in Arizona and Illinois; and

**WHEREAS,** Sharyn Seitz has elected to return to Arizona to serve in a position as Budget Analyst for Arizona State University; 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 commends Sharyn Seitz for her dedicated service in the realm of consolidated government.

**SECTION 2.** The City-County Council expresses its appreciation for her consistently high performance as Fiscal Analyst for the City-County Council.

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

PROPOSAL NO. 208, 1982. Introduced by Councillor Coughenour on May 24, 1982. She explained that this proposal urges the Indiana delegation to the United States Congress to consider action to amend the antitrust laws. She pointed out that Proposal No. 208, 1982, had not been heard by the Rules and Policy Committee and told of a recent Superior Court decision regarding cable television in Boulder, Colorado, which limited cities rights under Home Rule. Councillor Schneider

expressed concern towards voting on this proposal without it first going through the Committee procedures. President SerVaas reiterated that the Rules and Policy Committee Chairman has not had a meeting and that he consented to having this proposal discussed during this session of the Council. Councillor Miller noted that Congress will be having a hearing on June 30, 1982, and he was in favor of sending this resolution expressing the Council's concerns to the delegation. Councillor Coughenour stated that without Federal legislation, the power of the cities would be weakened. Mr. John Ryan, Corporation Counsel, testified that cities might be forced to "beef up" their legal staff if antitrust litigation were increased. Councillor Schneider again urged defeat of passing this proposal during this session of Council and encouraged the Council to send Proposal No. 208, 1982, back to the Rules and Policy Committee. Councillor Brinkman moved, seconded by Councillor Tintera, the previous question. The President called for a voice vote to take action on this proposal. Proposal No. 208, 1982, was then adopted by voice vote of the Council, retitled SPECIAL RESOLUTION NO. 39, 1982, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 39, 1982**

**A SPECIAL RESOLUTION urging the Indiana delegation to the United States Congress to consider action to amend the antitrust laws.**

**WHEREAS, recent decisions of the United States Supreme Court threaten to impose severe restraints on the ability of cities to effectively deal with matters of local governmental concern; and**

**WHEREAS, many ordinances adopted by local legislatures are promulgated under general enabling legislation, and until now, such laws were considered valid as exercises of the local police power; and**

**WHEREAS, the Supreme Court's recent rulings now dictate that cities that wish to avoid potential antitrust liability must return frequently to their state legislatures and importune them to grant "clearly articulated and affirmatively expressed" authority to enact local legislation; and**

**WHEREAS, if states may engage in anticompetitive practices within their jurisdictions, there seems to be no good reason why a city should not also be immunized from such liability when it adopts measures designed to protect the public, health, safety and general welfare of the community; and**

**WHEREAS, the Court's interpretation of the federal antitrust laws and the flood of litigation resulting from it can only be remedied by congressional action; 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 urges members of the Indiana delegation to the United States Congress to consider action to amend the antitrust laws to grant immunity to local government, thus providing municipalities the same protection that has been applied judicially to the states.**

**SECTION 2. The Mayor is invited to join with the Council 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.**

## INTRODUCTION OF GUESTS

Councillor Schneider introduced his wife, Patricia Schneider. President SerVaas introduced Ollen Cassell, noting his achievements in the field of amateur athletics. Mr. Cassell is currently Executive Director of the Athletics Congress.

## INTRODUCTION OF PROPOSALS

[Clerk's Note: Councillor Brinkman moved that Proposal Nos. 227 and 234, 1982, be moved forward on the agenda to be heard under Modification of Special Orders. The motion was duly seconded. Consent was given.]

PROPOSAL NO. 225, 1982. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE allowing cart sales on sidewalks less than fourteen feet wide"; and the President referred it to the Administration Committee.

PROPOSAL NO. 226, 1982. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE setting the salaries of the officers and employees of the various township trustees"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 227, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving proceedings with respect to proposed economic development revenue bonds for Willow Glen Apartments in an amount not to exceed \$6,500,000"; and the President referred it to the Committee of the Whole to be heard under Modification of Special Orders.

PROPOSAL NO. 228, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving proceedings with respect to proposed economic development revenue bonds for Eagle Magnetic Company, Inc. in an amount not to exceed \$800,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 229, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE which prohibits parking on Virginia Avenue between Delaware and Alabama Streets except for designated persons"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 230, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on Pennsylvania Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 231, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE providing for a traffic signal at the intersections of Ditch and Westlane Roads and Harcourt and Westlane Roads"; and the President referred it to the Transportation Committee.

PROPOSAL NOS. 232-233, 1982. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for REZONING ORDINANCES certified by the Metropolitan Development Commission on June 10, 1982"; and the President referred them to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 234, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving proceedings with respect to proposed economic development revenue bonds for We Care Manor, Inc. in an amount not to exceed \$1,350,000"; and the President referred it to the Committee of the Whole to be heard under Modification of Special Orders.

#### MODIFICATION OF SPECIAL ORDERS

[Clerk's Note: Council consent was given in order that the Council Rules on Preparation, Initiation, and Introduction of Proposals may be suspended and the following proposals may be introduced, although not timely submitted under the Rules.]

PROPOSAL NO. 235, 1982. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,100,000 for Central Equipment Management Division to purchase Department of Transportation vehicles"; and the President referred it to the Administration Committee.

PROPOSAL NO. 236, 1982. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$14,992 for the County Auditor to pay six months rent on the space vacated by the Warren Township Assessor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 237, 1982. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$30,000 for the Community Recreation Division to operate food and drink concessions"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 238, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,100,000 for the Department of Transportation to purchase vehicles through the Central Garage"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 239, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving proceedings with respect to proposed economic development revenue bonds for University Heights Hospital, Inc. in the amount of \$20,000,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NOS. 240-243, 1982. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for REZONING ORDINANCES certified by the Metropolitan Development Commission on June 17, 1982"; and the President referred them to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 244, 1982. Introduced by Councillors Boyd, SerVaas and Miller. This proposal commending Dr. Karl R. Kalp was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled Special Resolution No. 37, 1982.

PROPOSAL NO. 245, 1982. Introduced by Councillor Parker. This proposal commending Sharyn Seitz was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled Special Resolution No. 38, 1982.

PROPOSAL NO. 246, 1982. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION amending the Code, Chapter 10½, dealing with drainage and sediment control"; and the President referred it to the Public Works Committee.

[Clerk's Note: During Introduction of Proposals, Council consented to advance the following proposals on the agenda.]

PROPOSAL NO. 227, 1982. This proposal approves proceedings with respect to proposed economic development revenue bonds for Willow Glen Apartments in a amount not to exceed \$6,500,000, and was recommended for passage by the Economic Development Committee on June 11, 1982, by a vote of 4-0. Councillor Gilmer reported that Willow Glen Apartments will be located at Thompson Road and 9th Street in Beech Grove and that the Common Council of Beech Grove has given approval on the proposed project. There will be approximately 100 construction jobs generated with an approximate payroll of \$1,500,000. After completion of construction, there will be at least three permanent jobs required to maintain and operate the project. Councillor Gilmer moved, seconded by Councillor Hawkins, for adoption. Proposal No. 227, 1982, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Parker, Rader, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

4 NOT VOTING: *Cottingham, Jones, Journey, Rhodes*

Proposal No. 227, 1982, was retitled SPECIAL RESOLUTION NO. 40, 1982, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1982

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

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

WHEREAS, Willow Glen Apartments, an Indiana partnership (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction and equipping of an approximately 202 unit multi-family housing project plus a community building and the machinery and equipment to be installed therein plus certain site improvements to be located partially in Beech Grove, Marion County, Indiana, and partially in Indianapolis, Marion County, Indiana, at Thompson Road and 96th Street, on approximately 21 acres of land to be leased as residential living units (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 100 temporary construction jobs will be created during the construction phase and 3 permanent jobs will be created upon completion of the Project) to be achieved by the acquisition, construction and equipping and leasing of the Project will be of public benefit to the health, safety and general welfare of the City of Indianapolis, the City of Beech Grove, the County of Marion, and their citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing and leasing of the Project will be of public benefit to the health, safety and general welfare of the City, the City of Beech Grove, the County of Marion, and their citizens; and

WHEREAS, the Common Council of The City of Beech Grove, Indiana, by Resolution No. 4-1982 adopted on May 17, 1982, consented, as required by I. C. 36-7-12, to the financing of the Project by the City of Indianapolis, Indiana, and agreed to take or cause to be taken any action as may be required to evidence such consent; and

WHEREAS, the acquisition, construction and equipping and leasing of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana, the City of Beech Grove, and the County of Marion; 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, including the City of Beech Grove, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, the City of Beech Grove and the County of Marion; 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 the City, the City of Beech Grove, and the County of Marion.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount not to exceed \$6,500,000 but not to exceed the permanent commitment amount, to be used for construction financing, for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to Willow Glen Apartments, an Indiana partnership (the "Company"), or the loaning of the proceeds of such financing to the Company for such purposes and the leasing of the Project to various users 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, this City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

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

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

PROPOSAL NO. 234, 1982. This proposal approves proceedings with respect to proposed economic development revenue bonds for We Care Manor, Inc. in an amount not to exceed \$1,350,000. Councillor Gilmer reported that this project consists of the construction of a 33,000 square foot 88-bed skilled and intermediate

care nursing center to be located in the 900 block of Indiana Avenue. Estimated costs include \$300,000 for land, \$950,000 for buildings and \$150,000 for equipment. Approximately 100 construction jobs before and during the construction period, 61 at the beginning and end of one year, and 117 to 120 jobs at the end of three years is anticipated. The Economic Development Committee recommended passage on June 11, 1982, by a vote of 4-0. Councillor Gilmer moved, seconded by Councillor Howard, for adoption. Proposal No. 234, 1982, was adopted on the following roll call vote; viz:

*27 YEAS: Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Schneider, SerVaas, Stewart, Strader, Tintera, Volmer, West*

*NO NAYS*

*2 NOT VOTING: Jones, Rhodes*

Proposal No. 234, 1982, was retitled SPECIAL RESOLUTION NO. 41, 1982, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 41, 1982**

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

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

WHEREAS, We Care Manor, Inc. Nursing Center (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction and equipping of an approximately 33,398 square foot eighty-eight bed skilled and intermediate care nursing center and the machinery and equipment to be installed therein plus certain site improvements located in the 900 block of Indiana Avenue, Indianapolis, Indiana, on approximately 3 to 5 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 61 additional jobs at the end of one year and 117 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 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, renovation and equipping of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

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

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount not to exceed \$1,350,000 under the Act to be privately placed, the Project to be approved by the Metropolitan Development Commission and the Department of Metropolitan Development of the City of Indianapolis as part of the Northwest Redevelopment Project Area, to raise an amount of capital satisfactory to the Indianapolis Economic Development Commission and to have Section 1122 approval for purposes of the Social Security Act, for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to We Care Manor, Inc. Nursing Center (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

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

### SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 190, 1982. This proposal enlarges the boundaries of the Police and Fire Special Service Districts and was recommended for passage by the Public Safety and Criminal Justice Committee by a vote of 4-0 on June 10, 1982. Councillor West stated that Shell Oil Company had petitioned to be annexed in the Police and Fire District. The President called for public testimony at 7:52 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Holmes, for adoption. Proposal No. 190, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Clark, Dowden, Howard, Parker*

Proposal No. 190, 1982, was retitled GENERAL ORDINANCE NO. 55, 1982, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 55, 1982**

A GENERAL ORDINANCE enlarging the boundaries of the Fire Special Service District and the Police Special Service District of the City of Indianapolis, by amending the "Code of Indianapolis and Marion County, Indiana," and fixing a time when the same shall be effective.

WHEREAS, all of the owners of the real property hereinafter described have petitioned to have said real estate included within the boundaries of the Fire Special Service District and Police Special Service District of the City of Indianapolis; and

WHEREAS, the Department of Metropolitan Development has made its findings of fact and recommendations with respect to the Fire Special Service District request in said petition, which findings of fact and recommendations were mailed to the Indianapolis Fire Chief, the Wayne Township Trustee, and petitioners on March 3, 1982; and

WHEREAS, the Metropolitan Development Commission has recommended approval of the Fire Special Service District annexation proposed by petitioners; and

WHEREAS, this Council, after public hearing, now determines that reasonable and adequate fire and police protection can be provided within such expanded area by the City Fire Force and City Police Force and that the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; now, therefore:

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

SECTION 1. The boundaries of the Fire Special Service District and the Police Special Service District of the City of Indianapolis are hereby extended to include the territory of the Consolidated City which is described in Section 2 of this ordinance.

**SECTION 2. FIRE SPECIAL SERVICE DISTRICT EXTENSION**

Part of the west half of the Northeast Quarter of Section 30, Township 16 North, Range 3 East, Marion County, Indiana, more particularly described as follows, to wit:

BEGINNING at a point on the northeast corner of the west half of said quarter section, thence running in a westerly direction on and along the north line of said quarter section, a distance of 275 feet to a point; thence running in a southerly direction on and along a line parallel to the east line of the west half of said quarter section, a distance of 235 feet to a point; thence running in an easterly direction on and along a line parallel to the north line of said quarter section, a distance of 275 feet to a point on the east line of the west half of said quarter section; thence running in a northerly direction on and along the east line of the west half of said quarter section, a distance of 235 feet to the place of beginning, containing 1.48 acres more or less, but SUBJECT to any legal highways or rights-of-way.

SECTION 3. Title 1, Chapter 3, of the "Code of Indianapolis and Marion County, Indiana," is hereby amended to include additional sections appropriately numbered and titled by the Clerk, containing the descriptions in Section 2 of this ordinance as expansion of the Fire Special Service District and Police Special Service District as provided in Section 1.

SECTION 4. This ordinance shall be in full force and effect on July 1, 1982.

PROPOSAL NO. 218, 1982. This proposal appropriates \$78,044 for the County Prosecutor and Auditor for Student Jury, Witness Coordination, and Juvenile Screening LEAA Grants. Councillor West reported that the Student Jury and Diversion Program is modeled after a Denver, Colorado, program. Duration of the \$80,038.15 Federal Grant is fifteen months. The Diversion Program is the first of its kind in Indiana and is for juveniles who have pleaded guilty to a non-violent first offense. He explained that the juvenile appears before a panel of student jurors who deliberate and decide the penalty for the offense. The Juvenile Screening Grant and Witness Coordination Unit Grant involves \$106,000 in Federal monies. Both programs have proven successful by increasing prosecutorial effectiveness in the Juvenile Division. Councillor West noted that the Public Safety and Criminal Justice Committee recommended passage by a vote of 3-0 on June 10, 1982. The President called for public testimony at 7:54 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Holmes, for adoption. Proposal No. 218, 1982, was adopted on the following roll call vote; viz:

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

*NO NAYS*

*1 NOT VOTING: Clark*

Proposal No. 218, 1982, was retitled FISCAL ORDINANCE NO. 40, 1982, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 40, 1982**

**A FISCAL ORDINANCE amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Seventy-eight Thousand Forty-four dollars (\$78,044) in the Crime Control Fund for purposes of the Marion County Prosecutor and Marion County Auditor and reducing the unappropriated and unencumbered balance in the Crime Control Fund.**

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(e) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing Crime Control Funds for the Student Jury and the Witness Coordination and Juvenile Screening LEAA Grants and adjusting the personnel compensation schedule.

**SECTION 2.** The sum of Seventy-eight Thousand Forty-four dollars (\$78,044), 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:

MARION COUNTY PROSECUTOR

31. Personnel  
35. Operating Expenses

CRIME CONTROL FUND

\$64,386  
3,415  
67,801

MARION COUNTY AUDITOR

31. Personnel  
Total Increase

10,243  
\$78,044

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

MARION COUNTY PROSECUTOR

Unappropriated and Unencumbered  
Crime Control Fund  
Total Reduction

CRIME CONTROL FUND

\$78,044  
\$78,044

SECTION 5. The personnel compensation schedule paid from the Crime Control Fund is amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(2.03)(e) MARION COUNTY PROSECUTOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Prosecutor	<del>1</del> <u>5</u>	27,000	<del>114,117</del> <u>53,011</u>
Witness Coord.	<del>3</del> <u>3</u>	17,000	<del>112,111</del> <u>37,286</u>
Secretary	<del>3</del> <u>3</u>	12,000	<del>111,111</del> <u>22,230</u>
Legal Intern	<del>1</del> <u>1</u>	9,500	<del>111,111</del> <u>9,208</u>
Paralegal	<del>2</del> <u>2</u>	15,000	<del>13,250</del> <u>13,250</u>
Investigator	<del>1</del> <u>1</u>	20,000	<del>10,000</del> <u>10,000</u>
Computer Analyst	<del>1</del> <u>1</u>	13,000	<del>6,500</del> <u>6,500</u>
Data Collection Clerk	<del>1</del> <u>1</u>	11,000	<del>5,423</del> <u>5,423</u>
Director	<del>1</del> <u>1</u>	<del>22,050</del> <u>22,050</u>	<del>8,820</del> <u>8,820</u>
Counselor	<del>2</del> <u>2</u>	<del>12,500</del> <u>12,500</u>	<del>10,000</del> <u>10,000</u>
Jury Assistant	<del>1</del> <u>1</u>	<del>19,650</del> <u>19,650</u>	<del>7,860</del> <u>7,860</u>
Total	<del>16</del> <u>21</u>		<del>161,111</del> <u>207</u> <u>\$183,588</u>

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

SPECIAL ORDERS, UNFINISHED BUSINESS

PROPOSAL NO. 91, 1982. This proposal requires printed identification on the exterior of commercial trucks. Councillor Schneider stated that the Transportation Committee has not had an opportunity to hear this proposal. Councillor Jones stated that he has been doing research and meeting with some Indianapolis Police Officers to discuss the wrecker vehicles and requested that the ordinance be considered after further study. Councillor Jones then moved, seconded by Councillor Tintera, to postpone Proposal No. 91, 1982, until August 2, 1982. Council consent was given.

SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 163, 1982. This proposal authorizes changes in the personnel schedule of the Washington Township Trustee. Councillor Brinkman explained

that this will change the part-time clerk-typist compensation in the Small Claims Court from \$5,037 to \$5,537. She added that this part-time clerk was required to work full-time due to the illness of a full-time clerk early in this year, and that the County and Townships Committee recommended passage by a vote of 5-0 on June 15, 1982. Councillor Brinkman then moved, seconded by Councillor Howard, for adoption. Proposal No. 163, 1982, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Brinkman, Campbell, Clark, Cottingham, Coughenour, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

1 NAY: *Boyd*

3 NOT VOTING: *Dowden, Jones, Schneider*

Proposal No. 163, 1982, was retitled GENERAL ORDINANCE NO. 56, 1982, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 56, 1982**

**A GENERAL ORDINANCE amending City-County General Ordinance No. 68, 1981, authorizing changes in the personnel schedule of the Washington Township Trustee's Office.**

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

**SECTION 1. Section 9 of City-County General Ordinance No. 68, 1981, be and is hereby amended by deleting the crosshatched portions and adding the underlined amounts, as follows:**

	Number of Personnel	Annual Rate of Compensation	Total Compensation
<b>POSITION:</b>			
Township Trustee	1	14,625	14,625
Township Clerk	1	13,140	13,140
Advisory Board Members	3	1,205	3,615
Asst. Township Clerk	1	10,403	10,403
Clerks for Small Claims Court	2	10,402	20,804
Sr. Clerk for Small Claims Court	1	11,500	11,500
Part-time Clerk-typist for Small Claims Court		<del>13,037</del> 5,537	<del>13,037</del> 5,537
Judge for Small Claims Court	1	17,520	17,520

**FIRE DEPARTMENT PERSONNEL**

Fire Chief	1	24,043	24,043
Asst. Chief	5	21,955	109,775
Captain	6	20,515	123,090
Lieutenant	12	19,509	234,108
Chauffeurs	33	18,879	623,007
Privates	11	16,848	185,328
Probationary	7	13,358	93,506
Secretary	1	10,403	10,403
Extra Compensation for Paramedics	(16)	1,500	24,000
Total Year Longevity		33,300	33,300
Paid Holidays (7 at \$30 for 22 employees)		4,620	4,620

**POOR RELIEF PERSONNEL**

Suprs. of Investigators	1	13,140	13,140
Investigators (full-time)	4	10,403	41,612
Investigators (Part-time)		5,201	5,201
<b>TOTAL</b>	<b>91</b>		<u><b>1,622,277</b></u>

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

PROPOSAL NO. 186, 1982. This proposal transfers \$3,615 for Cooperative Extension to pay an increase in a maintenance service contract. Councillor Parker stated that no new money is involved in this proposal, however, there is an increase in the maintenance fee portion of the rent. She added that the Cooperative Extension is in need of a temporary person to help answer the calls relating to the horticulture area mainly during the growing season. This proposal was recommended for passage by the Community Affairs Committee by a vote of 4-0 on June 15, 1982. Councillor Parker moved, seconded by Councillor Coughenour, for adoption. Proposal No. 186, 1982, failed for lack of a statutory majority on the following roll call vote; viz:

- 14 YEAS: *Brinkman, Cottingham, Coughenour, Gilmer, Hawkins, Holmes, Journey, McGrath, Parker, Rader, Rhodes, SerVaas, Stewart, Tintera*  
 15 NAYS: *Borst, Boyd, Campbell, Clark, Durnil, Howard, Jones, Miller, Nickell, Page, Schneider, Strader, Vollmer, West*

Councillor Dowden, being on the dissenting side, moved to reconsider Proposal No. 186, 1982. Council consent was given. The President then called for the vote on Proposal No. 186, 1982, and it was adopted on the following roll call vote; viz:

- 16 YEAS: *Boyd, Brinkman, Cottingham, Coughenour, Dowden, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Parker, Rader, Rhodes, SerVaas, Stewart*  
 13 NAYS: *Borst, Campbell, Clark, Durnil, Howard, Miller, Nickell, Page, Schneider, Strader, Tintera, Vollmer, West*

Proposal No. 186, 1982, was retitled FISCAL ORDINANCE NO. 41, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 41, 1982**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Three Thousand Six Hundred Fifteen dollars (\$3,615) in the County General Fund for purposes of the Marion County Cooperative Extension Service and reducing certain other appropriations for that division.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(c)(4) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds and adjusting the personnel schedule to hire a temporary position in horticulture and to pay a rent increase.

**SECTION 2.** The sum of Three Thousand Six Hundred Fifteen dollars (\$3,615), 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:

<b>MARION COUNTY COOPERATIVE EXTENSION SERVICE</b>	<b>COUNTY GENERAL FUND</b>
3. Other Services & Charges	<u>\$3,615</u>
Total Increase	<u>\$3,615</u>

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

<b>MARION COUNTY COOPERATIVE EXTENSION SERVICE</b>	<b>COUNTY GENERAL FUND</b>
1. Personal Services	<u>\$3,615</u>
Total Reduction	<u>\$3,615</u>

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

**(2.03)(c)(4) MARION COUNTY COOPERATIVE EXTENSION SERVICE**

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Asst. Area Admin.	1	15,185	15,185
Secretaries	11	17,388	107,216
Extension Agents	15	16,000	170,387
4-H Camp Counsellors			48,160
Temporary Salaries			<i>IN</i> <u>4,385</u>
Vacancy Factor			<i>IN</i> <u>(8,000)</u>
<b>TOTAL</b>	<b>27</b>		<del>113,101,948</del> <u>336,599</u>

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

PROPOSAL NO. 187, 1982. This proposal authorizes a transfer of \$10,000 for the County Auditor to hire two clerks. Councillor Brinkman reported that the County and Townships Committee recommended passage by a vote of 6-0 on June 15, 1982, thus providing for the hire of two clerks to assist in monitoring mortgage exemption eligibility due to recent legislative changes. Councillor Brinkman then moved, seconded by Councillor Cottingham, for adoption. Proposal No. 187, 1982, was adopted on the following roll call vote; viz:

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

1 NAY: Tintera

1 NOT VOTING: Jones

Proposal No. 187, 1982, was retitled FISCAL ORDINANCE NO. 42, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 42, 1982**

A FISCAL ORDINANCE amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Ten Thousand dollars (\$10,000) in the County General Fund for purposes of the Marion County Auditor, reducing certain other appropriations for that division and authorizing changes in the personnel compensation schedule.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(a)(2) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of hiring 2 clerks for exemption files research which is necessary due to legislation passed by the Indiana General Assembly.

SECTION 2. The sum of Ten Thousand dollars (\$10,000), 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:

(2) MARION COUNTY AUDITOR	COUNTY GENERAL FUND
1. Personal Services	<u>\$10,000</u>
Total Increase	<u>\$10,000</u>

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

(2) MARION COUNTY AUDITOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$10,000</u>
Total Reduction	<u>\$10,000</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
Auditor	1	33,965	33,965
Chief Deputy	1	30,822	30,822
Assistant Chief Deputy	1	26,845	26,845
Administrative Deputy	1	18,000	18,000
Department Manager	9	17,476	129,328
Assistant Depart. Mgr.	5	11,431	57,000
Administrative Secretary	3	14,002	34,043
General Office Clerical	<del>11</del> <u>14</u>	10,455	<del>112,488</del> <u>132,438</u>
Accounts Payable Clerk	2	10,797	21,000
Temporary Help			40,000
Vacancy Factor			<del>10</del> <u>(10,000)</u>
<b>TOTAL</b>	<del>37</del> <u>37</u>	<del>1,303,441</del> <u>\$513,441</u>	

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

PROPOSAL NO. 197, 1982. This proposal will change the intersection control at Riverside Drive and Burdsal Parkway by removing the stop signal. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 6-0 on June 16, 1982. Councillor Schneider then moved, seconded by Councillor Hawkins, for adoption. Proposal No. 197, 1982, was adopted on the following roll call vote; viz:

27 YEAS: Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader Tintera, Vollmer, West  
 NO NAYS

2 NOT VOTING: Borst, Jones

Proposal No. 197, 1982, was retitled GENERAL ORDINANCE NO. 57, 1982, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 57, 1982**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," Section 29-92, Schedule of intersection controls.

**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 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24 Pg. 4	Burdsal Pkwy. & Riverside Dr.		Signal

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24 Pg. 4	Burdsal Pkwy. & Riverside Dr.	Riverside Dr.	Stop

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

PROPOSAL NO. 191, 1982. This proposal approves the disposal of certain real estate of the Department of Parks and Recreation. Councillor Gilmer reported that the Parks and Recreation Committee amended this proposal by deleting two parcels of land; one located at the southeast corner of West 62nd Street and Moller Road (which is called Northwestway Park), and another located at the northwest corner of South Illinois and Kansas Street, and recommended passage by a vote of 7-0 on June 17, 1982. He noted that a portion of the parcel on South Illinois Street will be traded to the Concord Community Center to construct a new building. Councillor Gilmer added that there were 45 acres designated for sale, but there were no bidders. This particular land does not have sewer or waterlines hooked-up which makes it less desirable property for development. This land is zoned D-3, which means there can only be three residential units per acre. Mr. Arthur Strong stated that the Parks Board is authorized to determine what property is surplus. After considerable discussion, Councillor Gilmer moved, seconded by Councillor Tintera, to substitute

the amended version for the introduced version. Council consent was given. Councillor Gilmer then moved, seconded by Councillor Tintera, for adoption. Proposal No. 191, 1982, As Amended, was adopted on the following roll call vote; viz:

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

Proposal No. 191, 1982, As Amended, was retitled SPECIAL RESOLUTION NO. 42, 1982, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 42, 1982**

A SPECIAL RESOLUTION approving the disposal of certain real estate of the Department of Parks and Recreation.

**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, pursuant to I.C. 36-1-11-3, the disposal of the following property by the Department of Parks and Recreation:

<u>LOCATION*</u>	<u>APPRAISED VALUE</u>	<u>ACREAGE (approx.)</u>
6110 Sunnyside Road	\$33,500	22 acres
Clayton & LaSalle Street	\$35,960	4 acres
1200 block of North White River Parkway, West Drive	\$96,000	8 acres
2000 block of North Sherman Drive (Metropolitan Stadium)	\$66,585	5.79 acres
Northwest corner of German Church Road and Brookvill Road	\$2,000 (per acre)	25 acres

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

PROPOSAL NO. 201, 1982. This proposal amends the Code dealing with identification of trucks and trailers bearing refuse. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 4-0-1 on June 16, 1982. Councillor McGrath then moved, seconded by Councillor Schneider, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 201, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 201, 1982, Staff Amended Version."

s/Councillor McGrath

The President called for discussion. Councillor Jones pointed out that increasing the fine might stimulate the Police Department to enforce the law. Councillor Clark said that some people are picking up trash trying to earn an "honest buck" on a part-time basis, and that this ordinance would discriminate against the honest people. Councillor Schneider called for the question on the amendment. Consent was given. Councillor Schneider then moved, seconded by Councillor McGrath, for adoption. Proposal No. 201, 1982, As Amended, failed for lack of a statutory majority on the following roll call vote; viz:

11 YEAS: *Coughenour, Dowden, Holmes, McGrath, Miller, Rader, Rhodes, SerVaas, Strader, Vollmer, West*

17 NAYS: *Boyd, Brinkman, Campbell, Clark, Cottingham, Durnil, Gilmer, Hawkins, Howard, Jones, Journey, Nickell, Page, Parker, Schneider, Stewart, Tintera*

1 NOT VOTING: *Borst*

[Clerk's Note: Councillor Brinkman moved, seconded by Councillor Page, to advance Proposal No. 562, 1981, on the agenda. Councillor West moved to follow the order of the agenda, seconded by Councillor Clark. The President ruled that the Council would follow the order of business on the agenda.]

PROPOSAL NO. 209, 1982. This proposal authorizes the issuance of \$1,400,000 economic development first mortgage revenue bonds for Wolverine World Wide, Inc. Councillor Brinkman explained that the project provides for The Indianapolis Glove Company to occupy and lease the new building from Wolverine World Wide, Inc., and that the Economic Development Committee, by a vote of 3-0 on June 11, 1982, amended the proposal to reflect that language. The 100,000 square foot facility is located at Park Fletcher, and will be used for continuation of glove operations, thus saving 100 jobs plus creating 4 additional jobs at the end of the first year. Councillor Brinkman moved, seconded by Councillor Gilmer, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 209, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 209, 1982, Committee Recommendations."

s/Councillor Brinkman

Council consent was given on the amendment. Councillor Brinkman then moved, seconded by Councillor Gilmer, for adoption. Proposal No. 209, 1982, As Amended, was adopted on the following roll call vote; viz:

21 YEAS: Boyd, Brinkman, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Nickell, Page, Parker, Rader, Schneider, SerVaas, Tintera, Vollmer, West

NO NAYS

8 NOT VOTING: Borst, Campbell, Clark, Jones, McGrath, Rhodes, Stewart, Strader

Proposal No. 209, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 10, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 10, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project)," in the principal amount of One Million Four Hundred Thousand dollars (\$1,400,000) 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 Wolverine World Wide, 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 June 2, 1982, 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 Wolverine World Wide, Inc. complies with the purposes and provisions of Indiana Code 36-7-12, and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Promissory Note and Loan Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), and the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project), and the 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 OF 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 this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Wolverine World Wide, Inc. for the purposes of financing the economic development facilities under renovation or to be renovated in Indianapolis, Indiana, the lease of said facilities to the Indianapolis Glove Company, a wholly owned subsidiary of Wolverine World Wide, Inc., and the repayment of said loan by Wolverine World Wide, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

**SECTION 2.** The forms of the Promissory Note and Loan Agreement (collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Mortgage and Indenture of Trust, Lease, and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project), 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 (2) copies of the Financing Agreement and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project), Lease, and the Mortgage and Indenture of Trust are on file in the office of the Clerk of the Council for public inspection.

**SECTION 3.** The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project), in the principal amount of One Million Four Hundred Thousand dollars (\$1,400,000) for the purpose of procuring funds to loan to Wolverine World Wide, 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 Wolverine World Wide, Inc. on its promissory note in the principal amount of One Million Four Hundred Thousand dollars (\$1,400,000) which will be executed and delivered by Wolverine World Wide, Inc. to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan Agreement, and Mortgage and Indenture of Trust. 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 Chemical Bank at a price not less than 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest on the bonds equal to 9 3/4% from the date of the bonds until January 19, 1987, and thereafter at a rate not to exceed fifteen percent (15%) per annum until the principal sum is paid, such rate to be established by the Company and approved by the Mayor and endorsed on the face thereof and to be effective on January 19, 1987, except as the provisions set forth in the bonds with respect to redemption prior to maturity may become applicable, or at such higher rate as may be provided for in the Loan Agreement, Promissory Note, Mortgage and Indenture of Trust, or the Bonds.

**SECTION 5.** The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement and the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project), and the 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 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 trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the trustee named in the Mortgage and Indenture of Trust. The Mayor and City Clerk may by their execution of the Financing Agreement, the Mortgage and Indenture of Trust, and imprinting of their facsimile signatures on the Bonds, or their manual execution thereof, approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11).

**SECTION 6.** The provisions of this ordinance and the Mortgage and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1982 (Wolverine World Wide, Inc. Project), and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 211, 1982. This proposal authorizes the issuance of a \$240,000 economic development revenue note for Henry J. Price and Lorraine M. Price. Councillor Brinkman reported that the Economic Development Committee recommended passage on June 11, 1982, by a vote of 3-0. She explained that the original amount of this project was \$440,000, with Arsenal Savings Association purchasing \$140,000 worth of the notes and Sullivan State Bank purchasing the remaining \$300,000. Arsenal did not purchase their portion and Sullivan only purchased \$200,000 of the notes. Merchants National Bank provided an interim conventional loan for the remaining \$240,000 at 13½% per annum for the gap between Sullivan's purchase and the total amount of financing, with the anticipation that during the 1-year period the remaining bonds (\$240,000) would be placed and sold to retire the Merchants' loan and increase the bond financing to the total authorized amount. Purchasers have been found and the previous documents have been supplemented and amended. Councillor Brinkman moved, seconded by Councillor Tintera, for adoption. Proposal No. 211, 1982, was adopted on the following roll call vote; viz:

*25 YEAS: Boyd, Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Strader, Tintera, Vollmer, West*

*NO NAYS*

*4 NOT VOTING: Borst, Campbell, McGrath, Stewart*

Proposal No. 211, 1982, was retitled SPECIAL ORDINANCE NO. 11, 1982, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1982**

**A SPECIAL ORDINANCE** authorizing the City of Indianapolis to issue its "Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project)," in the aggregate principal amount of Two Hundred Forty Thousand dollars (\$240,000) and approving and authorizing other actions in respect thereto.

**WHEREAS,** pursuant to City-County Council Special Resolution No. 96, 1980, adopted on December 15, 1980, by the City-County Council of the City of Indianapolis (the "Council"), the City of Indianapolis (the "City") stated its intention to issue economic development notes pursuant to IC 18-6-4.5 (now IC 36-7-12) up to an amount of \$440,000 to assist the Company in the financing of the acquisition, renovation and equipping of certain economic development facilities; and

WHEREAS, pursuant to City-County Council Special Ordinance No. 9, 1981, adopted on April 27, 1981 by the Council, the City of Indianapolis Economic Development Revenue Note, Series 1981 (301 Massachusetts Avenue Project), in the principal amount of Two Hundred Thousand dollars (\$200,000), dated as of May 1, 1981, was issued to partially finance the acquisition of land and rehabilitation of the existing three-story (and basement) 19th century (High Victorian era) Italianate-style brick "flatiron" commercial building, located at 301 Massachusetts Avenue, Indianapolis, Indiana, in such a manner as to restore architectural qualities, including the following: (1) restoration of the exterior of the building to its original facade, including reconstruction of wood windows, and doors, on the basement and first floors, and repair of wood windows on the second and third floors, (iii) restoration of the first floor to its original finish height and reconstruction of cast-iron stairs and entries, (iv) rebuilding of the brick chimneys to restore their original shape, (v) reroofing, shingling, relining of built-in gutters and installation of new downspouts, (iv) complete rehabilitation of the interior of the building, with new electrical, plumbing, heating, ventilating, air-conditioning, sprinkler and smoke detection systems, (vii) paving the sidewalk with bricks, (viii) planting trees, and (ix) other miscellaneous interior and exterior work. In addition, an entrance ramp and vertical circulation for the handicapped would be installed in such manner as to complement the architectural character of the building. The subject building is listed on the National Register of Historic Places and on the Indiana State Register of Historic Sites and Structures and would be leased or sub-leased substantially to various uses (the "Project"); and

WHEREAS, Special Ordinance No. 9, 1981, recognized that the \$200,000 City of Indianapolis Economic Development Revenue Note, Series 1981 (301 Massachusetts Avenue Project), might not be sufficient to complete the Project and that the documents relating to the note issue permit the issuance of additional notes from time to time to complete the Project; and

WHEREAS, the Company has now secured purchasers for the remaining \$240,000 in notes to complete financing of the Project which the City, by Special Resolution No. 96, 1980, indicated that it was willing to issue provided that the terms were mutually acceptable to the City and the Company; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 2, 1982, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the additional financing of certain economic development facilities for Henry J. Price and Lorraine M. Price, Husband and Wife, and the leasing of the economic development facilities for office, commercial and retail space complies with the purposes and provisions of Indiana Code 36-7-12, and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the First Supplement to Note Purchase and Loan Agreement, Series 1982 Promissory Note of Henry J. Price and Lorraine M. Price, the City of Indianapolis Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project), First Amendment To Mortgage and Trust Indenture, and First Amendment To Security 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 OF MARION COUNTY, INDIANA:**

**SECTION 1.** It is hereby found that the additional financing of the economic development facilities referred to in the First Supplement to Note Purchase and Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue notes, the loan of the net proceeds thereof to Henry J. Price and Lorraine M. Price, Husband and Wife (hereinafter "Company"), for the purpose of completing the financing of the the economic development facilities under rehabilitation or to be rehabilitated in Indianapolis,

Indiana, and the leasing of the economic development facilities for office, commercial and retail space, and the repayment of said loan by Henry J. Price and Lorraine M. Price, Husband and Wife, to be evidenced and secured by a promissory note of Henry J. Price and Lorraine M. Price, Husband and Wife, as well as a First Amendment To Security Agreement, and First Amendment To Mortgage and Trust Indenture, and Collateral Assignment of Leases and Rents, will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Series 1982 Promissory Note of Henry J. Price and Lorraine M. Price and First Supplement to Note Purchase and Loan Agreement, the First Amendment To Mortgage and Trust Indenture, First Amendment To Security Agreement, and the form of the City of Indianapolis Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project), 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-Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the First Supplement to Note Purchase and Loan Agreement, Series 1982 Promissory Note, the form of the City of Indianapolis Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project), the First Amendment To Mortgage and Trust Indenture, and First Amendment To Security Agreement 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 Notes, Series 1982 (301 Massachusetts Avenue Project), in the aggregate principal amount of Two Hundred Forty Thousand dollars (\$240,000) for the purpose of procuring funds to loan to Henry J. Price and Lorraine M. Price, Husband and Wife, in order to complete the financing of the economic development facilities, as more particularly set out in the First Amendment To Mortgage and Trust Indenture, First Amendment To Security Agreement and First Supplement to Note Purchase and Loan Agreement, incorporated herein by reference, which Notes will be payable as to principal, premium, if any, and interest solely from the payments made by Henry J. Price and Lorraine M. Price, Husband and Wife, on their Series 1982 Promissory Note in the principal amount of Two Hundred Forty Thousand dollars (\$240,000) which will be executed and delivered by the Company to evidence and secure said loan, from other sources under the First Supplement to Note Purchase and Loan Agreement, and as otherwise provided in the above described First Amendment To Mortgage and Trust Indenture, First Amendment To Security Agreement and Collateral Assignment of Leases and Rents. The Notes 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 the revenue notes herein authorized may not be sufficient to complete the economic development facilities and that the documents relating to the note issue permit the issuance of additional notes from time to time to complete the economic development facilities, to add to the economic development facilities, or to refund such notes, if refunding such notes is then permitted by law, at rates more favorable than the rates which are currently available, in that Henry J. Price and Lorraine M. Price, Husband and Wife, are proceeding at this time in contemplation of requesting additional notes or, if more favorable rates become available, refunding notes.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Notes to the purchasers thereof at a stated per annum rate of interest on the Notes equal to 70% of the prime interest rate charged by Sullivan State Bank to its largest and most creditworthy corporate customers, as adjusted for the next succeeding quarter on any Interest Adjustment Date [the first day of March, June, September and December of each year during which any portion of the City of Indianapolis Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project), remains unpaid], provided, however, that the rate of interest payable shall never be less than 12% nor more than 13¼% per annum or at such higher rate as may be provided for in the First Supplement to Note Purchase and Loan Agreement, First Amendment To Mortgage and Trust Indenture, or the Notes, and at a price not less than 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 Endorsement to the Series 1982 Promissory Note, the First Supplement to Note Purchase and Loan Agreement, the City of Indianapolis Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project), and First Amendment To Mortgage and Trust Indenture 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 Notes authorized herein. The signatures of the Mayor and City Clerk on the Notes may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Notes to the purchasers thereof, payment for which will be made to the Trustee named in the First Amendment To Mortgage and Trust Indenture. The Mayor and City Clerk may approve changes in the Series 1982 Promissory Note, First Supplement to Note Purchase and Loan Agreement, the First Amendment To Mortgage and Trust Indenture, First Amendment To Security Agreement, and the Notes, without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11).

**SECTION 6.** The provisions of this ordinance and the First Amendment To Mortgage and Trust Indenture securing the Notes shall constitute a contract binding between the City of Indianapolis and the holders of the Economic Development Revenue Notes, Series 1982 (301 Massachusetts Avenue Project), and after the issuance of said Notes this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holders so long as said Notes 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. 212, 1982. This proposal authorizes the issuance of \$1,000,000 economic development revenue bonds, Series 1982, for Cabot Corporation. Councillor Brinkman reported that the Economic Development Committee amended this proposal in Section 4 to reflect a change in the underwriter's discount from 98.5% to 98.75% and recommended passage by a vote of 3-0-1 on June 11, 1982. She then requested that the amended version be substituted for the introduced version. Council consent was given. Councillor Brinkman further explained that Cabot Corporation is expanding its facility at 7911 Zionsville Road for its subsidiary, EAR Corporation, to continue manufacturing industrial noise control products and ear protection devices. She then moved, seconded by Councillor Nickell, for adoption. Proposal No. 212, 1982, As Amended, was adopted on the following roll call vote; viz:

25 YEAS: *Boyd, Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Strader, Tintera, Vollmer, West*  
NO NAYS

4 NOT VOTING: *Borst, Campbell, McGrath, Stewart*

Proposal No. 212, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 12, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 12, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1982 (Cabot Corporation Project)," in the principal amount of One Million dollars (\$1,000,000) 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 financing of economic development facilities for Cabot Corporation, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 2, 1982, 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 Cabot Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Promissory Note and Loan Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), and the City of Indianapolis Economic Development Revenue Bonds, Series 1982 (Cabot Corporation Project), the Official Statement and Trust Indenture 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, 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 Cabot Corporation for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by Cabot Corporation will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Promissory Note and Loan Agreement (collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Official Statement, Trust Indenture, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1982 (Cabot 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 Financing Agreement and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1982 (Cabot Corporation Project), and the Official Statement and Trust Indenture 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 1982 (Cabot Corporation Project), in the principal amount of One Million dollars (\$1,000,000) for the purpose of procuring funds to loan to Cabot Corporation 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 Cabot Corporation on its promissory note in the principal amount of One Million dollars (\$1,000,000) which will be executed and delivered by Cabot Corporation to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan 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 Essex Company (the "Underwriters") at a price equal to 98.75% of the principal amount thereof, plus accrued interest, if any, for reoffering by the Underwriter and at a stated per annum rate of interest on the bonds equal to 13% or at such higher rate as may be provided for in the Loan Agreement, Trust Indenture, or the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement and the City of Indianapolis Economic Development Revenue Bonds, Series 1982 (Cabot Corporation Project), the Trust Indenture and Official Statement 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 trustee named in the Trust Indenture, payment for which will be made to the trustee named in the Trust Indenture. The Mayor and City Clerk may by their execution of the Financing Agreement, Official Statement, Trust Indenture, and imprinting of their facsimile signatures on the Bonds or their manual execution thereof approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I. C. 36-7-12-27(a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1982 (Cabot 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. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 213, 1982. This proposal authorizes certain actions with respect to proposed economic development revenue bonds for World Wide Chemicals, Inc., in an amount not to exceed \$350,000. Councillor Brinkman reported that representatives of World Wide Chemicals, Inc. requested that this proposal be stricken. She moved, seconded by Councillor West, to strike Proposal No. 213, 1982. Council consent was given.

PROPOSAL NO. 214, 1982. This proposal authorizes certain actions with respect to proposed economic development revenue bonds for Meridian & Ohio Realty Company in an amount not to exceed \$6,000,000. Councillor Tintera reported that this project consists of renovating the 20-story Hilton Hotel facility and parking garage located at 150 North Meridian Street. The cost of the project is estimated at \$1,200,000 for rehabilitation of the structure, \$4,200,000 for refurbishing and equipment, and contingencies of \$600,000. The Economic Development Committee recommended passage by a vote of 3-0-1 on June 21, 1982. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 214, 1982, was adopted on the following roll call vote; viz:

23 YEAS: *Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Tintera, Vollmer, West*

5 NAYS: *Borst, Gilmer, Jones, Nickell, Strader*

1 NOT VOTING: *Durnil*

Proposal No. 214, 1982, was retitled SPECIAL RESOLUTION NO. 43, 1982, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 43, 1982**

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

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

WHEREAS, Meridian & Ohio Realty Company (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facility to be the renovation of the Hilton Hotel facility at 150 North Meridian Street, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of economic development and the preservation of and potential increase in job opportunities (approximately 25 additional jobs at the end of one year and 75 additional jobs at the end of three years) to be achieved by the acquisition, renovation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount of approximately \$6,000,000 under the Act (to be privately placed, to be guaranteed by the general partners of the Company and the Project to be declared a Designated Development Area) for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Meridian & Ohio Realty Company (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, and equipping of the Project, this City-County Council hereby finds, determines, ratifies, and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the

City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

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

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

PROPOSAL NO. 215, 1982. This proposal authorizes certain actions with respect to proposed economic development revenue bonds for Downtown Leasing Company in an amount not to exceed \$400,000. Councillor Gilmer reported that the Economic Development Committee recommended passage on June 11, 1982, by a vote of 4-0. He noted that the Company will purchase a General Electric 100-C front-end computer design system and a 301 film recorder and supporting equipment for lease to Visual Graphic Services, Inc. After brief discussion, Councillor Gilmer moved, seconded by Councillor Tintera, for adoption. Proposal No. 215, 1982, was adopted on the following roll call vote; viz:

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

3 NAYS: *Jones, Nickell, Schneider*

2 NOT VOTING: *Dowden, Durnil*

Proposal No. 215, 1982, was retitled SPECIAL RESOLUTION NO. 44, 1982, and reads as follows:

#### CITY—COUNTY SPECIAL RESOLUTION NO. 44, 1982

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

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

WHEREAS, Downtown Leasing Company, or an entity to be formed thereby for lease to Visual Graphic Services, Inc. ("VGS") (collectively 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 the

acquisition of a General Electric 100-c front-end computer design system and 301 film recorder and supporting equipment to be leased and used by VGS at The Trails Building, 309 West Market Street, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (approximately 6 additional jobs at the end of one year and 10 additional jobs at the end of three years) to be achieved by the acquisition, installation 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 installation of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

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

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount of approximately \$400,000 under the Act (with the lease payments of VGS to be guaranteed by RIHT Capital Corporation, an SBIC, and to be privately placed) for the acquisition, and equipping of the Project and the sale or leasing of the Project to Downtown Leasing Company, or an entity to be formed thereby for lease to Visual Graphic Services, Inc. (collectively the "Company"), or the loaning of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

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

PROPOSAL NO. 217, 1982. This proposal authorizes a transfer of \$14,363 for the County Prosecutor, Child Support Division, to match the Child Support Budget approved by the State IV-D to receive reimbursement. Councillor West moved, seconded by Councillor Clark, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 217, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 217, 1982, Committee Recommendations."

s/Councillor West

Consent was given. Councillor West explained that this transfer is necessary for the Child Support Division's budget to match that of the State's. The Prosecutor's Office had funds for computer consultants in consultants and data entry costs budgeted in Contractual Services, and the State has requested that these funds be budgeted in Personal Services. Councillor West moved, seconded by Councillor Howard, for adoption. Proposal No. 217, 1982, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Brinkman, Strader*

Proposal No. 217, 1982, As Amended, was retitled FISCAL ORDINANCE NO. 43, 1982, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 43, 1982

A FISCAL ORDINANCE amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Fourteen Thousand Three Hundred Sixty-three dollars (\$14,363) in the County General Fund for purposes of the Marion County Prosecutor's Child Support 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 2.03(b)(12) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to match the Child Support budget approved by the State IV-D to receive reimbursement and increase temporary salary classification on the personnel schedule.

SECTION 2. The sum of Fourteen Thousand Three Hundred Sixty-three dollars (\$14,363), 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 PROSECUTOR  
CHILD SUPPORT DIVISION**

**COUNTY GENERAL FUND**

3. Other Services & Charges	<u>\$14,363</u>
Total Increase	<u>\$14,363</u>

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

**MARION COUNTY PROSECUTOR  
CHILD SUPPORT DIVISION**

**COUNTY GENERAL FUND**

1. Personal Services	\$3,863
2. Supplies	3,000
4. Capital Outlay	<u>7,500</u>
Total Reduction	<u>\$14,363</u>

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Admin. Supervisor	3	20,988	54,000
General Sec./Clerks	18	15,202	<del>11981000</del> <u>186,137</u>
Paralegal	18	17,520	220,500
Supervisor, Prof.	1	36,012	25,000
Deputy Prosecutor (Full and Part-time)	2	32,443	<del>1821000</del> <u>54,000</u>
Temporary			<del>1011000</del> <u>36,000</u>
Vacancy Factor			<u>(48,643)</u>
<b>TOTAL</b>	<b>42</b>		<del>13801837</del> <u>526,994</u>

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

PROPOSAL NO. 219, 1982. This proposal allows the Department of Public Works to dispose of certain real estate appraised over \$10,000. Councillor Coughenour reported that this property, located at 1639 Lafayette Road, was offered at a public auction but did not sell. The original appraisal of the property was estimated at \$25,000, but is now reduced by the cost of demolition which would be \$6,000, for an appraised value of \$19,000. On June 14, 1982, the Public Works Committee recommended passage by a vote of 6-0. Councillor Coughenour moved, seconded by Councillor Tintera, for adoption. Proposal No. 219, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: Campbell, Page

Proposal No. 219, 1982, was retitled SPECIAL RESOLUTION NO. 45, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 45, 1982

A SPECIAL RESOLUTION approving the disposal of certain real estate of the Department of Public Works.

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, pursuant to I.C. 36-1-11-3, the disposal of the following property by the Department of Public Works:

<u>LOCATION</u>	<u>APPRAISED VALUE</u>	<u>ACERAGE (approx.)</u>
1639 Lafayette Road	\$19,000	80/100 acre

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

PROPOSAL NO. 223, 1982. This proposal urges the Indiana General Assembly to amend the Code to allow counties to enact a flat fixed-dollar-tax on motor vehicles. Councillor Schneider reported that the Transportation Committee recommended passage by a vote of 4-0-2 on June 16, 1982. This proposal would substitute a flat fee instead of a percentage fee. Councillor Jones reiterated that this proposal conveys a message to the general assembly. Councillor Clark moved, seconded by Councillor Cottingham, for adoption. Proposal No. 223, 1982, was adopted on the following roll call vote; viz:

19 YEAS: *Boyd, Brinkman, Clark, Cottingham, Durnil, Hawkins, Jones, McGrath, Miller, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, West*

10 NAYS: *Borst, Campbell, Coughenour, Dowden, Gilmer, Holmes, Howard, Journey, Nickell, Vollmer*

Proposal No. 223, 1982, was retitled SPECIAL RESOLUTION NO. 46, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 46, 1982

A SPECIAL RESOLUTION urging the Indiana General Assembly to amend the Code to allow counties to enact a flat fixed dollar tax on motor vehicles.

WHEREAS, Marion County, Indiana, is unable to pave more than 15 miles of streets in 1982 due to a lack of funds; and

WHEREAS, the City-County Council of Indianapolis and Marion County, Indiana, was forced to enact a county motor vehicle excise surtax pursuant to I.C. 6-3.5-4 to provide funds for the paving of streets in 1983; and

WHEREAS, I.C. 6-3.5-4 provides that a county may enact a county motor vehicle excise surtax at a rate of not less than 2% or more than 10% of the annual license excise tax imposed under I.C. 6-6-5; and

WHEREAS, the county motor vehicle excise surtax enacted by Marion County is equal to 10% of the state's annual license excise tax imposed under I.C. 6-6-5; and

WHEREAS, the state's annual license excise tax is based upon the age and initial base price of each motor vehicle; and

WHEREAS, late model automobiles as a general rule weigh substantially less than older automobiles whose weight does significantly greater damage to streets and roads; and

WHEREAS, the owner of a late model automobile will pay far more state annual license excise tax and Marion County motor vehicle excise surtax than the owner of an older automobile; and

WHEREAS, the state's annual license excise tax and county motor vehicle surtaxes as presently constituted bear no relationship to the damage caused to streets and roads by these motor vehicles and are unfair; and

WHEREAS, the City-County Council desires to alter its present county motor vehicle excise surtax and substitute a tax levying a flat fixed dollar tax on these motor vehicles registered in Marion County; and

WHEREAS, I.C. 6-3.5-4 does not allow a county to enact a motor vehicle tax levying a flat fixed dollar tax; now, therefore:

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

**SECTION 1.** The City-County Council of Indianapolis and Marion County, Indiana, urges the Indiana General Assembly to amend I.C. 6-3.5-4 to allow counties to enact a flat fixed dollar tax on motor vehicles.

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

PROPOSAL NOS. 232-233, 1982. Proposals for Rezoning Ordinances certified from the Metropolitan Development Commission on June 10, 1982. Consent was given. Proposal Nos. 232-233, 1982, were adopted by unanimous voice vote, re-titled REZONING ORDINANCE NOS. 33-34, 1982, respectively, and read as follows:

**REZONING ORDINANCE NO. 38, 1982 82-Z-40 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 23**

**1404 SOUTH STATE AVENUE, INDIANAPOLIS**

Larry M. Davis, M.D. & James R. Davis, M.D., by Bruce M. Pennamped, request rezoning of 9.65 acres, being in D-5 district, to SU-6 classification, to provide for use as a private hospital for individualized treatment of adolescents with alcohol and drug abuse problems.

**REZONING ORDINANCE NO. 39, 1982 82-Z-49 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 16**

**801 INDIANA AVENUE, INDIANAPOLIS**

Metropolitan Development Commission, by J. Nicholas Shelley, Administrator, Division of Planning and Zoning, requests rezoning of 11.27 acres, being in D-8 and C-4

districts, to C-S classification, to provide for rezoning within the Northwest Redevelopment Project Area in accordance with Resolution No. 108 of the Division of Economic and Housing Development of the Department of Metropolitan Development.

PROPOSAL NOS. 240-243, 1982. Proposals for Rezoning Ordinances certified from the Metropolitan Development Commission on June 17, 1982. Consent was given. Proposal Nos. 240-243, 1982, were adopted by unanimous voice vote, re-titled REZONING ORDINANCE NOS. 40-43, 1982, respectively, and read as follows:

**REZONING ORDINANCE NO. 40, 1982 82-Z-41 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
8302 SOUTH RAHKE ROAD, INDIANAPOLIS**

Most Rev. Edward T. O'Meara, Archbishop of the Roman Catholic Archdiocese of Indianapolis, by James L. Tuohy, requests rezoning of 10.55 acres, being in D-3 district, to SU-1 classification, to provide for conforming the existing use of St. Barnabas Catholic Church and school.

**REZONING ORDINANCE NO. 41, 1982 82-Z-42 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 22  
730 SOUTH STATE STREET, INDIANAPOLIS**

Mundy Realty Inc., by Wayne E. Divine, requests rezoning of 0.35 acre, being in D-5 and C-3 districts, to C-3 classification, to provide for commercial use as granted by variance 82-UV2-9.

**REZONING ORDINANCE NO. 42, 1982 82-Z-43 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25  
119 PINE STREET, SOUTHPORT, INDIANA**

Ash Realty Co., by Southport Heights Christian Church, Inc., by Douglas S. Jones, requests rezoning of 2.71 acres, being in A-2 district, to SU-1 classification, to provide for church related uses.

**REZONING ORDINANCE NO. 43, 1982 82-Z-45 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 3  
6119 EAST 82ND STREET, INDIANAPOLIS**

James E. and Marianne Murphy, and Castleway Corporation, by Howard J. DeTrude, Jr., request rezoning of 1.06 acres, being in C-3 district, to C-4 classification, to provide for retail of durable goods, such as furniture, major appliances, etc.

**UNFINISHED BUSINESS**

PROPOSAL NO. 562, 1981. This proposal changes College Avenue to a two-way street between Virginia and Massachusetts Avenue. Councillor Brinkman moved, seconded by Councillor Page, to take action on Proposal No. 562, 1981. The motion carried on the following roll call vote; viz:

17 YEAS: *Boyd, Brinkman, Cottingham, Coughenour, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Page, Parker, Schneider, SerVaas, Strader, Tintera, Vollmer*

9 NAYS: *Campbell, Clark, Durnil, Jones, McGrath, Rader, Rhodes, Stewart, West*

3 NOT VOTING: *Borst, Dowden, Nickell*

Councillor Brinkman stated that she has received requests from business owners and people living in the area to change College Avenue to a two-way street. Mr. Fred Madorin outlined what changes would have to be made in the way of signs, signals, lines on the street, etc. He also pointed out that the cost would be approximately \$96,000. After discussion, Councillor Clark moved, seconded by Councillor Dowden, to table Proposal No. 562, 1981. The President called for a vote on the motion to table, and it failed on the following roll call vote; viz:

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

The President then called for the vote on Proposal No. 562, 1981, and it was adopted on the following roll call vote; viz:

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

Proposal No. 562, 1981, was retitled GENERAL ORDINANCE NO. 58, 1982, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 58, 1982**

A GENERAL ORDINANCE changing a certain street from one-way to two-way traffic. (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. Chapter 29 of the "Code of Indianapolis and Marion County, Indiana," specifically, Sec. 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the deletion of the following, to wit:

**NORTHBOUND**

College Avenue, from Virginia Avenue to Massachusetts Avenue

SECTION 2. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana," for violations of the section amended by this ordinance.

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

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:51 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 21st day of June, 1982.

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)

