

**FIRE SPECIAL SERVICE DISTRICT COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
SPECIAL MEETING
Monday, December 12, 1983**

A Special Meeting of the Fire Special Service District Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 6:59 p.m., Monday, December 12, 1983. President Stewart in the Chair.

ROLL CALL

The Chair instructed the Clerk to take the roll. Twenty-nine members being present, she announced a quorum.

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

OFFICIAL COMMUNICATIONS

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

**TO THE MEMBERS OF THE FIRE SPECIAL SERVICE DISTRICT
COUNCIL OF INDIANAPOLIS, MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

You are hereby notified that there will be a **SPECIAL MEETING** of the Fire Special Service District Council held in the City-County Building, in the Council Chambers, on Monday, December 12, 1983, at 6:40 p.m. The purpose of such **MEETING** being to conduct any and all business that may properly come before the special meeting of the Council.

Respectfully,

s/Betty Stewart, President
Fire Special Service District Council

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
FIRE SPECIAL SERVICE DISTRICT 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 December 1 and 8, 1983, a copy of

NOTICE TO TAXPAYERS of a Public Hearing on Proposals F.S.S.D. F.O. Nos. 4 and 5, 1983, to be held on Monday, December 12, 1983, at 6:40 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE FIRE SPECIAL SERVICE DISTRICT 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 Fire Special Service District, Mrs. Beverly S. Rippy, the following ordinances:

FISCAL ORDINANCE NO. 3, 1983, amending the Fire Special Service District Annual Budget for 1983 (F.S.S.D. Fiscal Ordinance No. 2, 1982) transferring and appropriating Twenty Thousand Dollars (\$20,000) in the Fire Pension Fund for purposes of the Department of Public Safety, Fire Division and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 4, 1983, amending the Fire Special Service District Annual Budget for 1983 (F.S.S.D. Fiscal Ordinance No. 2, 1982) transferring and appropriating Two Hundred Ten Thousand Dollars (\$210,000) in the Fire General Fund for purposes of the Department of Public Safety, Fire Division and reducing certain other appropriations for that division.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

INTRODUCTION OF PROPOSALS

F.S.S.D. G.O. NO. 2, 1983. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Appendix A dealing with the holiday pay and the annual leave of the Indianapolis Fire Department". Councillor West reported that the Public Safety and Criminal Justice Committee recommended passage on this proposal by a vote of 6-0 on December 8, 1983. He moved, seconded by Councillor Borst, to advance F.S.S.D. G.O. NO. 2, 1983, on the agenda for final action. Consent was given. Councillor West moved, seconded by Councillor Borst, for adoption. F.S.S.D. G.O. NO. 2, 1983, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Miller, Nickell, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, West

NO NAYS

10 NOT VOTING: Boyd, Brinkman, Campbell, Hawkins, Howard, Jones, Journey, McGrath, Page, Vollmer

F.S.S.D. G.O. NO. 2, 1983, reads as follows:

FIRE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 2, 1983

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by amending Appendix A dealing with the holiday pay and the annual leave of the Indianapolis Fire Department.

BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 1 of Part 1 of Appendix A of the "Code of Indianapolis and Marion County, Indiana", shall be amended by inserting the words underlined and deleting the words crosshatched as follows:

Sec. 1. (Holidays; additional pay.)

Because of the nature of the work of the members of the Indianapolis Fire Force, many members therein in the regular rotation of their duties are required to work on the following holidays, when other citizens are free from the duties of their employment, to-wit:

New Year's Day	Independence Day
Washington's Birthday	Labor Day
Easter Sunday	Veterans Day
Decoration Day	Thanksgiving Day
Discovery Day	Christmas Day

Because of the increased pressures of the work of the fire force and the around-the-clock requirement for those who are engaged in such work, it is deemed by this fire special service district council that they shall be granted additional pay of ~~Twenty~~ Fifty Dollars (~~\$30.00~~) (\$50.00) per day for working on any of the ten (10) listed holidays.

SECTION 2. Section 2 of Part 1 of Appendix A of the "Code of Indianapolis and Marion County, Indiana", shall be amended by inserting the words underlined as follows:

Sec. 2. (Annual leave.)

Each active member of the Indianapolis Fire Department shall receive hereafter not less than twenty-one (21) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided, that hereafter any active member of said fire department who shall have served from ten (10) years to twenty (20) years of said department shall receive not less than thirty (30) consecutive calendar days' annual leave with full salary each and every fiscal year. Provided, further that any active member of said department who shall have served for more than twenty (20) years shall be entitled to seven (7) additional consecutive calendar days' annual leave to be added to his regular annual leave. Annual leave shall be taken within the calendar year in which it is accumulated; however, at the discretion of the chief of the fire department, up to a maximum of fifteen (15) consecutive calendar days of earned annual leave may be carried over from one calendar year to the next calendar year, provided the chief of the fire department retains the right to schedule such carryover annual leave at his discretion in order to maintain the efficiency of the operation of the fire department.

SECTION 3. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this

ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

SPECIAL ORDERS, PUBLIC HEARING

F.S.S.D. F.O. NO. 5, 1983. This proposal authorizes the issuance of tax anticipation time warrants for the Consolidated Fire Force Account and the Firemen's Pension Fund for the first half of 1984. Councillor West yielded to Councillor Holmes who reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on November 17, 1983. The President called for public testimony at 7:02 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Brinkman, for adoption. P.S.S.D. F.O. NO. 5, 1983, was adopted on the following roll call vote; viz:

19 YEAS: Borst, Brinkman, Clark, Coughenour, Durnil, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, Sawyers, Schneider, SerVaas, Stewart, Strader, Tintera, West

NO NAYS

10 NOT VOTING: Boyd, Campbell, Cottingham, Dowden, Hawkins, Howard, Jones, Journey, Page, Vollmer

F.S.S.D. F.O. NO. 5, 1983, reads as follows:

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 5, 1983

A FISCAL ORDINANCE approving temporary tax anticipation borrowing and authorizing temporary loans for the use of the Consolidated City Fire Force Account and the Firemen's Pension Fund during the period January 1, 1984, to June 30, 1984, in anticipation of current taxes levied in the year 1983, and collectible in the year 1984, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Account and Fund to the payment of said tax anticipation time warrants including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented the Special Service District Council of the Fire Special Service District of the City of Indianapolis now finds that there will be

insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from said Account prior to June, 1984, distribution of taxes levied for said Account; and

WHEREAS, the June, 1984, distribution of taxes to be collected for said Consolidated City Fire Force Account will amount to more than seven million dollars (\$7,000,000) and the interest cost of making a temporary loan for said Consolidated City Fire Force Account; and

WHEREAS, the Controller has represented and the Special Service District Council of the Fire Special Service District now finds that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the June, 1984, distribution of taxes levied for said Fund; and

WHEREAS, the June, 1984, distribution of taxes collected for said Firemen's Pension Fund will amount to more than two million dollars (\$2,000,000) and the interest cost of making a temporary loan for said Firemen's Pension Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Account and Fund in anticipation of current revenues for said Account and Fund actually levied and in course of collection for the year 1984; now, therefore:

**BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Fire Force Account of said City in the amount of seven million dollars (\$7,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 4. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 28, 1984. Said warrants, including interest shall be payable from the Consolidated City Fire Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Fire Force Account from the June, 1984, distribution of taxes for said Consolidated City Fire Force Account, viz; seven million dollars (\$7,000,000) to the 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1984 Budget Fund No. 087, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Firemen's Pension Fund of said City in the amount of two million dollars (\$2,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 4. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 28, 1984. Said warrants, including interest shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a

sufficient amount of the current revenues to be received in said Firemen's Pension Fund from the June, 1984, distribution of taxes for said Firemen's Pension Fund, viz; two million dollars (\$2,000,000) to the Firemen's Pension 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Firemen's Pension Fund 1984 Budget Fund No. 088, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 3. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the facsimile signature of the Mayor of said City, countersigned by the Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the Council. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer or the paying agent of the City of Indianapolis.

SECTION 4. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate Fund or Account, amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal and Interest \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT
(FUND)

On the _____ day of _____, 19____, the City of Indianapolis, in Marion County, Indiana, promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer or _____ the paying agent of the City of Indianapolis, the sum of _____ including interest on the principal amount of this warrant from the date hereof to maturity, payable out of and from taxes levied in the year of 19____, and payable in the year 19____, which said taxes are now in course of collection for the _____ (FUND)(ACCOUNT) of the City of Indianapolis, with which to pay general, current, operating expenses of the _____.

This Tax Anticipation Time Warrant is one of an authorized issue of warrants aggregating a sum of _____ exclusive of interest added thereto to the maturity, evidencing a temporary loan in anticipation of taxes levied and in course of collection for the _____ (FUND)(ACCOUNT) of said City.

Said temporary loan was authorized by ordinance duly adopted by the _____ of the City of Indianapolis and Marion County, at (a) meeting(s) thereof duly and legally convened and held on the _____ day of _____, 19____, for the purpose of providing funds for the _____ (FUND)(ACCOUNT) of said City of Indianapolis, in compliance with I.C. 36-3-4-22.

The consideration of said warrant is a loan made to the City of Indianapolis in anticipation of taxes levied for the _____ (FUND) (ACCOUNT) of said City for the year of 19____, payable in the year 19____, and said taxes so levied are hereby specifically appropriated and pledged to the payment of said Tax Anticipation Time Warrants.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to the authorization, preparation, complete execution and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of said City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 19__.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis
WILLIAM H. HUDNUT, III

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis
FRED L. ARMSTRONG

(SEAL)

ATTEST:

By: _____
Clerk, City of Indianapolis
BEVERLY S. RIPPY

SECTION 5. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner substantially set out in the form hereinbefore provided. The Controller shall sell said warrants at public sale. Prior to the sale of said warrants, the Controller shall cause to be published a notice of sale at least ten days before the date of sale in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids for said warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name a separate rate of interest for each issue of warrants, or portion thereof bid for, of each Fund or Account. The warrants of each Fund or Account, or portion thereof bid for, shall be awarded to the bidder or bidders therefore submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants of an issue, such warrants shall be awarded to the bidder submitting the greatest premium. Any premium bid shall be used solely for the repayment of the principal of and interest on the warrants of the particular issue. No bid for less than par shall be considered, and the Controller shall have the right to reject any and all bids. The proper officers of the City are authorized to deliver the time warrants to the purchaser or purchasers of said warrants of the agreed purchase price. The warrants of any issue may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Controller and the purchaser or purchasers of the warrants.

SECTION 6. 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 7:03 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Fire Special Service District Council of Indianapolis, Marion County, Indiana, held at its Special Meeting on December 12, 1983.

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

ATTEST:

Betty Stewart
President

Joseph H. Hays
Clerk of the Fire Special
Service District Council

(SEAL)