

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

REGULAR MEETINGS — TUESDAY, JANUARY 17, 1984

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building, at 7:09 p.m., on Tuesday, January 17, 1984, with Councillor SerVaas presiding.

The meeting was opened with prayer by Councillor William G. Schneider. All joined in the Pledge of Allegiance to the Flag.

ROLL CALL

Councillor SerVaas instructed the Clerk to take the roll call of the Council, which was as follows:

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

ABSENT: Curry

Councillor Curry being excused, Dr. SerVaas announced a quorum with twenty-eight members present.

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that **REGULAR MEETINGS** of the City-County Council and Police, Fire and Solid Waste Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Tuesday, January 17, 1984, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

**s/Beurt SerVaas, President
City-County Council**

January 3, 1984

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 RECORDER on January 6 and 13, 1984, a copy of NOTICE TO TAXPAYERS of General Ordinance No. 126, 1983.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 4, 1984

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 January 6 and 13, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 7, 12, 13, 14, 15, 18, 1984, to be held on Tuesday, January 17, 1984, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 12, 1984

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 resolution:

SPECIAL RESOLUTION NO. 1, 1984, memorializing Henry J. Richardson.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

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

[Clerk's Note: Councillor Miller moved, seconded by Councillor Howard, to consider Proposal Nos. 1, 2, 3, 8, 9, 10, 17, and 19, 1984, by one voice vote. Consent was given.]

PROPOSAL NO. 1, 1984, appoints Joseph A. Slash as Senior Deputy Mayor.
PROPOSAL NO. 2, 1984, appoints John L. Krauss as Deputy Mayor. PROPOSAL

NO. 3, 1984, appoints Donald R. McPherson as Director of the Department of Administration. PROPOSAL NO. 8, 1984, appoints David E. Carley as Director of the Department of Metropolitan Development. PROPOSAL NO. 9, 1984, appoints F. Arthur Strong as Director of the Department of Parks and Recreation. PROPOSAL NO. 10, 1984, appoints Richard I. Blankenbaker as Director of the Department of Public Safety. PROPOSAL NO. 17, 1984, appoints Barbara S. Gole as Director of the Department of Public Works. PROPOSAL NO. 19, 1984, appoints Fred L. Madorin as Director of the Department of Transportation. All of the aforementioned proposals have been heard by their respective committees and have been recommended by unanimous votes. The President called for the vote and Proposal Nos. 1, 2, 3, 8, 9, 10, 17, and 19, 1984, were adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 4-11, 1984, and read as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1984

A COUNCIL RESOLUTION approving the appointment of Joseph A. Slash by the Mayor to fulfill the office of Senior Deputy Mayor during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed Joseph A. Slash to serve at his pleasure as Senior Deputy Mayor for a term ending December 31, 1984; now, therefore:

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

SECTION 1. Joseph A. Slash is hereby approved and confirmed by the City-County Council for the office of Senior Deputy Mayor for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1984

A COUNCIL RESOLUTION approving the appointment of John L. Krauss by the Mayor to fulfill the office of Deputy Mayor during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed John L. Krauss to serve at his pleasure as Deputy Mayor for a term ending December 31, 1984; now, therefore:

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

SECTION 1. John L. Krauss is hereby approved and confirmed by the City-County Council for the office of Deputy Mayor for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1984

A COUNCIL RESOLUTION approving the appointment of Donald R. McPherson by the Mayor to fulfill the office of Director of the Department of Administration during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed Donald R. McPherson to serve at his pleasure as Director of the Department of Administration for a term ending December 31, 1984; now, therefore:

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

SECTION 1. Donald R. McPherson is hereby approved and confirmed by the City-County Council for the office of Director of the Department of Administration for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 7, 1984

A COUNCIL RESOLUTION approving the appointment of David E. Carley by the Mayor to fulfill the office of Director of the Department of Metropolitan Development during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed David E. Carley to serve at his pleasure as Director of the Department of Metropolitan Development for a term ending December 31, 1984; now, therefore:

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

SECTION 1. David E. Carley is hereby approved and confirmed by the City-County Council for the office of Director of the Department of Metropolitan Development for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 1984

A COUNCIL RESOLUTION approving the appointment of F. Arthur Strong by the Mayor to fulfill the office of Director of the Department of Parks and Recreation during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed F. Arthur Strong to serve at his pleasure as Director of the Department of Parks and Recreation for a term ending December 31, 1984; now, therefore:

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

SECTION 1. F. Arthur Strong is hereby approved and confirmed by the City-County Council for the office of Director of the Department of Parks and Recreation for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1984

A COUNCIL RESOLUTION approving the appointment of Richard I. Blankenbaker by the Mayor to fulfill the office of Director of the Department of Public Safety during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed Richard I. Blankenbaker to serve at his pleasure as Director of the Department of Public Safety for a term ending December 31, 1984; now, therefore:

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

SECTION 1. Richard I. Blankenbaker is hereby approved and confirmed by the City-County Council for the office of Director of the Department of Public Safety for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1984

A COUNCIL RESOLUTION approving the appointment of Barbara S. Gole by the Mayor to fulfill the office of Director of the Department of Public Works during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy

mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed Barbara S. Gole to serve at his pleasure as Director of the Department of Public Works for a term ending December 31, 1984; now, therefore:

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

SECTION 1. Barbara S. Gole is hereby approved and confirmed by the City-County Council for the office of Director of the Department of Public Works for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 11, 1984

A COUNCIL RESOLUTION approving the appointment of Fred L. Madorin by the Mayor to fulfill the office of Director of the Department of Transportation during the period from January 1, 1984 through December 31, 1984.

WHEREAS, pursuant to IC 36-3-3-8 and Sections 2-142 and 2-143 of the "Code of Indianapolis and Marion County, Indiana" certain mayoral appointments of deputy mayors and department directors are subject to the approval of the City-County Council; and

WHEREAS, the Mayor has appointed Fred L. Madorin to serve at his pleasure as Director of the Department of Transportation for a term ending December 31, 1984; now, therefore:

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

SECTION 1. Fred L. Madorin is hereby approved and confirmed by the City-County Council for the office of Director of the Department of Transportation for a term beginning January 1, 1984, and ending December 31, 1984, to serve at the pleasure of the Mayor.

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

[Clerk's Note: Council consent was given to consider Proposal Nos. 35 and 36, 1984, by voice vote.]

PROPOSAL NO. 35, 1984, appoints Charles Bock to the Marion County Health and Hospital Corporation Board. PROPOSAL NO. 36, 1984, appoints William R. Brown to the Marion County Health and Hospital Corporation Board. Councillor Clark reported that both appointees were approved by a vote of 3-0 by the Municipal Corporations Committee on January 5, 1984. Councillor Clark moved for adoption, seconded by Councillor Gilmer. Proposal Nos. 35 and 36, 1984, were adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NOS. 12 and 13, 1984, respectively, and read as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 12, 1984

A COUNCIL RESOLUTION appointing Henry Charles Bock to the Marion County Health and Hospital Corporation Board.

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

SECTION 1. As a member of the Marion County Health and Hospital Corporation Board, the Council appoints:

HENRY CHARLES BOCK

SECTION 2. The foregoing appointee shall serve for a period of four (4) years ending December 31, 1987, at the pleasure of the Council and until his successor is duly appointed and qualified.

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

CITY-COUNTY COUNCIL RESOLUTION NO. 13, 1984

A COUNCIL RESOLUTION appointing William R. Brown to the Marion County Health and Hospital Corporation Board.

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

SECTION 1. As a member of the Marion County Health and Hospital Corporation Board, the Council appoints:

WILLIAM R. BROWN

SECTION 2. The foregoing appointee shall serve for a period of two (2) years ending December 31, 1985, at the pleasure of the Council and until his successor is duly appointed and qualified.

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

PROPOSAL NO. 66, 1984. Introduced by Councillors Nickell and Boyd, this proposal urges the Indiana General Assembly to provide fiscal relief to local units of government. Mr. John Ryan, Corporation Counsel, stated that the Indiana Association of Cities and Towns has asked that the county and city councils pass a resolution supporting House Bill 1217. Councillor Jones and Borst voice their support. After discussion, the President called for the vote. Proposal No. 66, 1984, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 3, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 3, 1984

A SPECIAL RESOLUTION urging the Indiana General Assembly to provide fiscal relief to local units of government.

WHEREAS, Indianapolis has experienced substantial increases in the cost of furnishing police and fire protection, street lighting, trash and garbage collection and disposal,

snow removal, street and road repair, park and recreational services, and other municipal services required for the welfare and well being of the residents of Indianapolis and Marion County without the benefit of a like increase in funding for the payment of such increased expenses; and

WHEREAS, study groups appointed by both the Governor of Indiana and by the Indiana General Assembly have concluded that local government needs more funding; and

WHEREAS, Indianapolis has become increasingly concerned with the failure of the General Assembly to pass legislative alternatives for local funding; and

WHEREAS, alternatives for local funding authority should be available to the City-County Council in order to meet its statutory responsibilities and obligations, and to provide necessary services for the benefit of the residents of Indianapolis and Marion County; 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 endorses and supports the position advocated by the Indiana Association of Cities and Towns with respect to local funding alternatives.

SECTION 2. The City-County Council encourages the Indiana General Assembly to make a concerted effort during the 1984 Session to provide the legislation necessary to grant to local governments the authority to adopt local option taxes to meet the unit's responsibilities and obligation to its residents.

SECTION 3. Those persons representing Indianapolis and Marion County in the General Assembly are hereby urged to support the position advocated by the Indiana Association of Cities and Towns in its endeavor to create new means of local funding.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 37, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Section 2-412, Membership in associations"; and the President referred it to the Administration Committee.

PROPOSAL NO. 42, 1984. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Bowers Envelope Company in an approximate amount of \$900,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 48, 1984. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE for a final bond ordinance authorizing the issuance of \$2,800,000 Economic Development Revenue Bonds for Mayfair Partnership 2"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 49, 1984. Introduced by Councillors Howard, Boyd, Crowe, Hawkins, Journey, Shaw and Strader. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION changing the name of Martindale Avenue from 16th Street to 34th Street; Sutherland Avenue from 34th Street to 38th Street; and 34th Street from Martindale Avenue to Shadeland Avenue to "Martin Luther King, Jr. Drive"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 50, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel schedule for Superior Court - Criminal Division - Room Six"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 51, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$109,848 for the Prosecutor's Child Support Agency to repair water damaged equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 52, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Shelby Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 53, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in various subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 54, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in various subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 56, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on a portion of 80th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 67, 1984. Introduced by Councillors Miller and McGrath. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION pro-

hibiting smoking on the floor of the Council"; and the President referred it to the Rules and Policy Committee.

SPECIAL ORDERS, PRIORITY BUSINESS

PROPOSAL NO. 38, 1984. Introduced by Councillors Jones and Schneider, this inducement resolution authorizes proceedings with respect to proposed economic development bonds for Purolator, Inc., and/or Purolator Courier Corp. in an approximate amount of \$45,000,000. Councillor Schneider reported that the Economic Development Committee recommended passage by a vote of 6-0 on January 13, 1984. He reported that there will be 300 additional positions at the end of one year, of which 275 are part-time and 25 full time. Of the 300 positions, 50 are skilled, 50 semi-skilled and 200 unskilled with \$3,700,000 in additional payroll to the community. After three years, projections reflect 385 positions with an additional \$5,000,000 in payroll. Mr. Jim Crawford stated that the estimated costs for this \$45,000,000 project are as follows: \$17,800,000 for the building, which is not taxable; \$21,600,000 for equipment, which is taxable; and \$5,600,000 for other contingencies. If any money allotted for other contingencies is spent for equipment, that amount would also be taxable. Construction should begin in April of 1984, with occupancy by April, 1986. The Indianapolis Airport Authority will lease 100 acres in the southeast quadrant for an initial term of thirty years. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 38, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Curry

Proposal No. 38, 1984, was retitled SPECIAL RESOLUTION NO. 4, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1984

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, installation 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, Purolator, Inc. and/or Purolator Courier Corp. (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install 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, installation and equipping of an approximately 180,000 square foot air package express sorting hub, including efficient state-of-art material handling systems and the machinery and equipment to be installed therein plus certain site improvements to be located in the Southeast quadrant of Indianapolis International Airport, Indianapolis, Indiana, on approximately 100 acres of land which will be leased from the Airport Authority (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 300 at the end of one year and approximately 385 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

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

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said 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 approximate amount of \$45,000,000 under the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Purolator, Inc. and/or Purolator Courier Corp. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction,

installation 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 the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter 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. 39, 1984, was withdrawn on January 13, 1984.

[Clerk's Note: Council consent was given to discuss Proposal Nos. 40 and 41, 1984, together. Both proposals were introduced by Councillor Schneider and recommended for passage by a vote of 7-0 on January 13, 1984.]

PROPOSAL NO. 40, 1984, for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for 941 North Meridian Street Investment Company, an Indiana General Partnership in an approximate amount of \$7,000,000. PROPOSAL NO. 41, 1984, for a special ordinance designating the parcel of land commonly known as 941 North Meridian Street, 930 North Meridian Street, 966-970 North Meridian Street, Meridian and Pennsylvania Street parking lots and 11 West 10th Street as an economic development target area. Councillor Schneider reported that partners are principals in Everett I. Brown Company, an Indiana limited partnership, currently located at 5500 West Bradbury Avenue, which provides professional architectural and engineering services and coordination. The partners are also principals in Mid-States Engineering Co., Inc., currently located at 107 North Pennsylvania, which provides professional civil engineering, photogrammetric and mapping services. This project is to acquire, renovate and equip the former Stokely-Van Camp, Inc., corporate headquarters at 941 North Meridian, the parking lots, the advertising warehouse at 930 North Meridian, general office annex at 966-970 North Meridian and 11 West 10th Street for use as headquarters for both companies. Estimated costs for the \$7,000,000 project are as follows: \$4,200,000 - land and building; \$2,000,000 - equipment; and \$800,000 - renovation and other contingencies. Construction should begin April 1, 1984 with occupancy by April 1, 1984. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 40, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Curry*

Proposal No. 40, 1984, was retitled SPECIAL RESOLUTION NO. 5, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1984

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, installation 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, 941 North Meridian Street Investment Company, an Indiana General Partnership (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, renovate, install 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, renovation, installation and equipping of the former Stokely-Van Camp, Inc., corporate headquarters office at 941 North Meridian Street, Meridian and Pennsylvania Street parking lots, advertising warehouse at 930 North Meridian Street, and general office annex at 966-970 North Meridian Street and 11 West 10th Street, for use as headquarters for Everett I. Brown Company, an Indiana limited partnership and Mid-States Engineering Co., Inc., an Indiana corporation and the machinery and equipment to be installed therein plus certain site improvements (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 30 at the end of one year and 100 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

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

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said 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 approximate amount of \$7,000,000 under the Act subject to the Project being located in an Economic Development Target Area designated pursuant to I.C. 36-7-12 as amended for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to 941 North Meridian Street Investment Company, an Indiana General Partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter 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. 41, 1984. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 41, 1984, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Shodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

4 NOT VOTING: *Clark, Curry, Dowden, Jones*

Proposal No. 41, 1984, was retitled SPECIAL ORDINANCE NO. 1, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 1, 1984

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

WHEREAS, I.C. 36-7-12 (as amended by P.L. 40-1983) limits the use of industrial development bonds for financing economic development facilities for retail trade, banking, credit agencies or certain services; and

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

WHEREAS, I.C. 36-7-12-38 (as added by P.L. 40-1983) authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 25% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-12-2, as amended, (as added by P.L. 40-1983) indicates that an Economic Development Target Area means a geographic area that:

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

(2) has been declared and confirmed as a redevelopment area before March 31, 1983; under:

- (A) I.C. 36-7-14-15, I.C. 36-7-14-16, and I.C. 36-7-14-14-17; or
- (B) I.C. 36-7-15.1-8, I.C. 36-7-15.1-9, and I.C. 36-7-15.1-10;

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

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

- (A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;
- (B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or
- (C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on January 13, 1984 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels located at 941 North Meridian Street, 930 North Meridian Street, 966-970 North Meridian Street, Meridian and Pennsylvania Street parking lots and 11 West 10th Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

Lot Number One (1) in Joseph R. Pratt's Subdivision of Out Lot Number 171 of the Donation Lands of the City of Indianapolis as per plat thereof, recorded in Plat Book 1, page 97 in the office of the Recorder of Marion County, Indiana.

ALSO: Lots Number One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) in George D. Staat's Subdivision of Lots Numbered Twenty-six (26), Twenty-seven (27) and Twenty-eight (28) of J.R. Pratt's Subdivision of Out Lot Number One hundred Seventy-two (172) of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 1, page 309 in the office of the Recorder of Marion County, Indiana.

ALSO: a vacated alley as of Declaratory Resolution Number 17579 of July 25, 1957, recorded January 7, 1958 as record 1690 in the office of the Recorder of Marion County, Indiana and more particularly described as follows: Part of the North Half of the Northwest Quarter of Section 1, Township 15 North, Range 3 East; described as follows: Beginning at the intersection of the South line of St. Joseph Street with the West line of the first alley East of Meridian Street, which point is the Northeast corner of Lot Number 5 in Staat's Subdivision of Out Lot Number 172 in the City of Indianapolis, as recorded in Plat Book 1, page 309 in the office of the Recorder of Marion County, Indiana. Thence South along the West line of the first alley East of Meridian Street one hundred eighty-seven and five tenths feet (187.50 feet) to the North line of Sahn Street;

thence East along the North line of Sahn Street extended ten (10) feet; thence North parallel with and ten (10) feet distant from the said West line of the first alley East of Meridian Street one hundred eighty-seven and five tenths (187.5) feet to the South line of St. Joseph Street. Thence West along the South line of St. Joseph Street, extended ten (10) feet to the place of beginning.

ALSO: Lots Twenty-nine (29), Thirty (30) and Thirty-one (31) in Joseph R. Pratt's Subdivision of the North part of Out Lot One hundred seventy-two (172) of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 1, pages 79 and 80 in the office of the Recorder of Marion County, Indiana.

ALSO, Lot six (6) and forty (40) feet off the South side of Lot Five (5) in Pratt's Subdivision of Out Lot 171 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 1, page 97 in the office of the Recorder of Marion County, Indiana.

ALSO, part of Lot Number Seven (7) in St. Clair's Addition to the City of Indianapolis, the plat of which is recorded in Land Record H, page 595 in the office of the Recorder of Marion County, Indiana, more particularly described as follows: Beginning at the Southeast corner of said Lot 7, thence running North along the East line of said Lot, 112 feet to a point; thence West parallel with the South line of said Lot 208 feet, more or less, to the East line of a thirty foot alley; thence South on the East line of said thirty foot alley, 112 feet to the South line of said Lot; thence East along the South line of said Lot 210 feet, more or less to the place of beginning, except that part taken for the widening of Pennsylvania Street and that part taken for the widening of East Tenth Street.

All of the above Lots that border on Meridian Street are subject to a five foot wide taking for the widening of Meridian Street. All above Lots are subject to all legal easements and rights of way.

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 parcels located at 941 North Meridian Street, 930 North Meridian Street, 966-970 North Meridian Street, Meridian and Pennsylvania Street parking lots and 11 West 10th Street, Indianapolis, Indiana, which are more specifically described as:

Lot Number One (1) in Joseph R. Pratt's Subdivision of Out Lot Number 171 of the Donation Lands of the City of Indianapolis as per plat thereof, recorded in Plat Book 1, page 97 in the office of the Recorder of Marion County, Indiana.

ALSO: Lots Number One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) in George D. Staat's Subdivision of Lots Numbered Twenty-six (26), Twenty-seven (27) and Twenty-eight (28) of J.R. Pratt's Subdivision of Out Lot Number One hundred Seventy-two (172) of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 1, page 309 in the office of the Recorder of Marion County, Indiana.

ALSO: a vacated alley as of Declaratory Resolution Number 17579 of July 25, 1957, recorded January 7, 1958 as record 1690 in the office of the Recorder of Marion County, Indiana and more particularly described as follows: Part of the North Half of the Northwest Quarter of Section 1, Township 15 North, Range 3 East; described as follows: Beginning at the intersection of the South line of St. Joseph Street with the West line of the first alley East of Meridian Street, which point is the Northeast corner of Lot Number 5 in Staat's Subdivision of Out Lot Number 172 in the City of Indianapolis, as recorded in Plat Book 1, page 309 in the office of the Recorder of Marion County, Indiana. Thence South along the West line of the first alley East of Meridian Street one hundred eighty-seven and five tenths feet (187.50 feet) to the North line of Sahn Street;

thence East along the North line of Sahn Street extended ten (10) feet; thence North parallel with and ten (10) feet distant from the said West line of the first alley East of Meridian Street one hundred eighty-seven and five tenths (187.5) feet to the South line of St. Joseph Street. Thence West along the South line of St. Joseph Street, extended ten (10) feet to the place of beginning.

ALSO: Lots Twenty-nine (29), Thirty (30) and Thirty-one (31) in Joseph R. Pratt's Subdivision of the North part of Out Lot One hundred seventy-two (172) of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 1, pages 79 and 80 in the office of the Recorder of Marion County, Indiana.

ALSO, Lot six (6) and forty (40) feet off the South side of Lot Five (5) in Pratt's Subdivision of Out Lot 171 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 1, page 97 in the office of the Recorder of Marion County, Indiana.

ALSO, part of Lot Number Seven (7) in St. Clair's Addition to the City of Indianapolis, the plat of which is recorded in Land Record H, page 595 in the office of the Recorder of Marion County, Indiana, more particularly described as follows: Beginning at the Southeast corner of said Lot 7, thence running North along the East line of said Lot, 112 feet to a point; thence West parallel with the South line of said Lot 208 feet, more or less, to the East line of a thirty foot alley; thence South on the East line of said thirty foot alley, 112 feet to the South line of said Lot; thence East along the South line of said Lot 210 feet, more or less to the place of beginning, except that part taken for the widening of Pennsylvania Street and that part taken for the widening of East Tenth Street.

All of the above Lots that border on Meridian Street are subject to a five foot wide taking for the widening of Meridian Street. All above Lots are subject to all legal easements and rights of way.

meet the requirement imposed by I.C. 36-7-12-2, as amended of having ". . . become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property . . ."

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

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

PROPOSAL NO. 43, 1984. This inducement resolution authorizing proceedings with respect to proposed economic development bonds for Pakway Container Corporation in an approximate amount of \$1,900,000, was recommended for passage by a vote of 7-0 by the Economic Development Committee on January 13, 1984. Councillor Schneider reported that the project is to acquire an existing building containing approximately 44,000 square feet plus construct an approximately 6,000 square foot addition to the 2051 Sherbrook Avenue facility. Pakway Container Corporation is primarily a manufacturer of corrugated containers and related inter packaging products. Estimated costs for the \$1,900,000 project are as follows: \$100,000 land, \$571,000 building, and \$1,229,000 equipment. Estimated additional employees at the end of one year total 10 jobs of which 3 are semi-

skilled and 7 are skilled and 30 positions at the end of three years of which 10 are semi-skilled and 20 are unskilled. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 43, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Curry

Proposal No. 43, 1984, was retitled SPECIAL RESOLUTION NO. 6, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1984

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, installation 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, Pakway Container Corporation (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, expand, install 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, expansion, installation and equipping of an existing building containing approximately 44,000 square feet plus the construction of an approximately 6,000 square foot addition to the Company's existing plant and the machinery and equipment to be installed therein and on the site plus certain site improvements to be located at 2051 Sherbrook Avenue, Indianapolis, Indiana, on approximately 1.0 acre of land which will be used for the manufacturing and distribution of corrugated boxes and packaging materials (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 30 at the end of three years) to be achieved by the acquisition, construction, expansion, installation 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, 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 will contribute significantly to the creation of permanent new job opportunities; and

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

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said 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 approximate amount of \$1,900,000 under the Act to be privately placed for the acquisition, construction, expansion, installation and equipping of the Project and the sale or leasing of the Project to Pakway Container Corporation (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, expansion, installation 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 the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter 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. 44, 1984. This inducement resolution authorizing proceedings with respect to proposed economic development bonds for RC of A Retirement Living Ltd., Series V or an entity to be formed in which Richard T. Conard, M.D. is a partner or shareholder in an approximate amount of \$13,000,000, was recommended for passage by a vote of 7-0 on January 13, 1984. Councillor Schneider reported that this project is to acquire, renovate and expand the vacant Delaware Trails school building located at the northeast corner of West 73rd Street and Hoover Road to provide for a retirement and health oriented center containing approximately 250 residential apartments. Estimated costs for this \$13,068,000 project include: \$500,000 land, \$11,000,000 building, \$600,000 equipment, and \$468,000 other expenditures. There will be an estimated 75 additional jobs

after one and three years. Monthly rent including the cost of daily maid service, food and transportation ranges from \$800 for a studio apartment to approximately \$1,500 for a two bedroom with two baths. Councillor Howard moved, seconded by Councillor Rader, for adoption. Proposal No. 44, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Curry, Schneider*

Proposal No. 44, 1984, was retitled SPECIAL RESOLUTION NO. 7, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 1984

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, installation 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, RC of A Retirement Living Ltd., Series V or an entity to be formed in which Richard T. Conard, M.D. is a partner or shareholder (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, renovate, install 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, installation, renovation and equipping of the existing, vacant, Delaware Trails School Building and the machinery and equipment to be installed therein plus certain site improvements to be located at the northeast corner of the intersection of West 73rd Street and Hoover Road, Indianapolis, Indiana, on approximately 20.31 acres of land which will be used for approximately 250 multi-family residential rental units (the "Project"); and

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

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

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

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said 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 approximate amount of \$13,000,000 under the Act to be privately placed for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to RC of A Retirement Living Ltd., Series V or an entity to be formed in which Richard T. Conard, M.D. is a partner or shareholder (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter 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. 45, 1984. This final bond ordinance authorises the issuance of a \$1,000,000 Economic Development Revenue Bond for America States Insurance Company. Councillor Schneider moved to postpone action on Proposal No. 45, 1984, until February 13, 1984, seconded by Councillor Howard. Motion carried by consent.

PROPOSAL NO. 46, 1984. This final bond ordinance authorizes the issuance of \$1,000 Economic Development Revenue Bonds for Byram, Gates, Middleton Partnership. Councillor Schneider reported that the Economic Development Committee

recommended passage by a vote of 7-0 on January 13, 1984. This project, located at 1836 North Illinois, will be used for the diagnosis and treatment of cancer patients and the creation of programs for cancer care information. The trustee for this project is Indiana National Bank Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 46, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Curry*

Proposal No. 46, 1984, was retitled SPECIAL ORDINANCE NO. 2, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership Project)" in the aggregate principal amount of One Million Dollars (\$1,000,000) and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Byram - Gates Middleton Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on January 13, 1984, 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 Byram - Gates Middleton Partnership (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an existing building totaling approximately 13,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 1836 North Illinois Street, Indianapolis, Indiana, on approximately 1.0 acre of land which will be used for the diagnosis and treatment of cancer patients and the creation of programs for cancer care information to be distributed to medical practitioners and hospitals through the operation of the medical practices of William M. Dugan, M.D., Lawrence H. Bates, M.D., Redmond P. Hogan, III, M.D. and Gregory W. Smith, M.D. who are partners in Byram - Gates Middleton Partnership and who are specializing in oncology and hematology and also the occupancy of the building by three related tenants who are: 1. Indiana Community Cancer Care, Inc. (ICCC) is a corporation wholly owned by its physician-shareholders. The corporation's purpose is to support doctors, hospitals and their staffs in treating, diagnosing and educating cancer patients at community hospitals around Indiana. 2. Indiana Oncology Program Data Systems (IOPDS) is an information resource for doctors and hospitals requiring statistical experience in analyzing cancer cases. The IOPDS information bank will be held in a computer accessible to its membership through local terminals. 3. Universal Reagents, Inc. is a corporation currently doing business at 3524 North Meridian Street, Indianapolis, Indiana. Universal Reagents sells rare plasma to pharmaceutical companies,

research firms and doctors specializing in oncology and hematology (the "Project") which will be initially owned and operated by Byram - Gates Middleton Partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Guaranty Agreement, Trust Indenture, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, construction, installation and equipping of an existing building totaling approximately 13,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 1836 North Illinois Street, Indianapolis, Indiana, on approximately 1.0 acre of land which will be used for the diagnosis and treatment of cancer patients and the creation of programs for cancer care information to be distributed to medical practitioners and hospitals through the operation of the medical practices of William M. Dugan, M.D., Lawrence H. Bates, M.D., Redmond P. Hogan, III, M.D. and Gregory W. Smith, M.D. who are partners in Byram - Gates Middleton Partnership and who are specializing in oncology and hematology and also the occupancy of the building by three related tenants who are: 1. Indiana Community Cancer Care, Inc. (ICCC) is a corporation wholly owned by its physician-shareholders. The corporation's purpose is to support doctors, hospitals and their staffs in treating, diagnosing and educating cancer patients at community hospitals around Indiana. 2. Indiana Oncology Program Data Systems (IOPDS) is an information resource for doctors and hospitals requiring statistical experience in analyzing cancer cases. The IOPDS information bank will be held in a computer accessible to its membership through local terminals. 3. Universal Reagents, Inc. is a corporation currently doing business at 3524 North Meridian Street, Indianapolis, Indiana. Universal Reagents sells rare plasma to pharmaceutical companies, research firms and doctors specializing in oncology and hematology 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 Byram - Gates Middleton Partnership for the purposes of financing the economic development facilities being acquired, renovated, constructed, installed and equipped or to be acquired, renovated, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Byram - Gates Middleton Partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Guaranty Agreement, Trust Indenture, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Guaranty Agreement, Trust Indenture, Bond Purchase Agreement, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership Project) are on file in the office of the Clerk of the council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership Project) in the aggregate principal amount of One Million Dollars (\$1,000,000) for the purpose of procuring funds to loan to Byram - Gates Middleton Partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Byram - Gates Middleton Partnership on its Promissory Note in the principal amount of One Million Dollars (\$1,000,000) which will be executed and delivered by Byram - Gates Middleton Partnership to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement, Guaranty Agreement and Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest at the rate of ten percent (10%) per annum prior to maturity and twelve percent (12%) thereafter provided, however, in the event of any change in the Maximum Corporate Tax Rate (as defined in the Loan Agreement, Mortgage and Security Agreement hereinafter referred to as "Loan Agreement") then the rate at which interest on the Bonds accrues prior to maturity and prior to a Determination of Taxability (as defined in Section 3.27(b) of the Loan Agreement) will also change with each such change in the Maximum Corporate Tax Rate, but only so long as The Indiana National Bank is the holder of the Bonds, to the rate which is the Adjusted Tax Exempt Rate (as defined in the Loan Agreement) of such new Maximum Corporate Tax Rate, as defined in the Loan Agreement with each such change in the rate at which interest accrues on the Bonds resulting from a change in the Maximum Corporate Tax Rate shall be effective as of the date of such change and further provided that upon the occurrence of a Determination of Taxability (as defined in Section 3.27(b) of the Loan Agreement), the interest on the Bonds shall increase and additional payments shall be due in the manner provided in Section 211 of the Trust Indenture, but in no case shall the rate of interest charged exceed thirty percent (30%) per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership Project), and the Endorsement to the Promissory Note, approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made to the trustee named in the Trust Indenture. The Mayor and City Clerk may be their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to the Promissory Note, and imprinting of their facsimile signatures on the Bonds, or their manual execution thereof approve changes therein and also in the Promissory Note and Guaranty Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1984 (Byram - Gates Middleton Partnership 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. 47, 1984. This final bond ordinance authorizes the issuance of \$4,500,000 Economic Development Revenue Bonds for Tippman & Associates. The Economic Development Committee recommended passage by a vote of 6-0-1 on January 13, 1984. Councillor Rader, an employee of Merchants National Bank, disclosed his interest and was not in attendance and did not participate in any of the Council proceedings involving Proposal No. 47, 1984. Councillor Schneider reported that this proposal is for the acquisition, renovation, construction, etc., of a building, located at 4001 West Minnesota Street. The building contains approximately 143,000 square feet to be used for cold storage and food processing. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 47, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Curry, Rader*

Proposal No. 47, 1984, was retitled SPECIAL ORDINANCE NO. 3, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1984 (Tippman & Associates Project)" in the aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Tippman & Associates, an Indiana General Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on January 13, 1984, 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 Tippman & Associates, an Indiana General Partnership (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an approximately 143,000 square foot building, which will be used for cold storage and food processing and will be leased to Interstate Cold Storage Inc. (the "User"), and other users and the machinery and equipment to be installed therein plus certain site improvements to be located at 4001 West Minnesota Street, Indianapolis, Indiana, on an approximate 7.0 acre tract of land (the "Project") which will be initially owned and operated by Tippman & Associates, an Indiana General Partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Indenture of Trust, Promissory

Note, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement To Lease Assignment, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Tippman & Associates Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, construction, installation and equipping of an approximately 143,000 square foot building, which will be used for cold storage and food processing and will be leased to Interstate Cold Storage Inc. (the "User"), and other users and the machinery and equipment to be installed therein plus certain site improvements to be located at 4001 West Minnesota Street, Indianapolis, Indiana, on an approximate 7.0 acre tract of land 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 Tippman & Associates, an Indiana General Partnership (hereinafter "Tippman & Associates") for the purposes of financing the economic development facilities being acquired, renovated, constructed, installed and equipped or to be acquired, renovated, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Tippman & Associates will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Indenture of Trust, Promissory Note, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement To Lease Assignment, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Tippman & Associates Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Indenture of Trust, Promissory Note, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement To Lease Assignment, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Tippman & Associates Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1984 (Tippman & Associates Project) in the aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) for the purpose of procuring funds to loan to Tippman & Associates in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Tippman & Associates on its Promissory Note in the principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000), which will be executed and delivered by Tippman & Associates to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement To Lease Assignment, 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 the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest lesser of 30% per annum or, to the date twelve (12) months from the date of delivery of the Bonds, the rate per annum equal to the prime commercial lending rate announced from time to time by Merchant National Bank & Trust Company of Indianapolis (the "Prime Rate") plus 1% and thereafter at the rate per annum equal to 70% of the Prime Rate with the interest rate to be adjusted on the same day as each change in the Prime Rate becomes effective, provided however that interest on the bonds shall be increased to the Taxable Rate (as defined in the Mortgage and Indenture of Trust hereinafter re-

ferred to as "Indenture") upon the occurrence of a Determination of Taxability as defined in the Loan Agreement but in no case shall the Taxable Rate exceed thirty percent (30%) per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Indenture of Trust, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Tippman & Associates Project), and the Endorsement to the Promissory Note, approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made to the trustee named in the Mortgage and Indenture of Trust. The Mayor and City Clerk may be their execution of the Loan Agreement, Mortgage and Indenture of Trust, the Endorsement to the Promissory Note, and imprinting of their facsimile signatures on the Bonds, or their manual execution thereof approve changes therein and also in the Promissory Note, Lessee's Consent and Agreement To Lease Assignment 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 Revenue Bonds, Series 1984 (Tippman & Associates 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 NOS. 57-65, 1984. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on January 6, 1984". No action was taken by the Council, and the proposals were deemed adopted. Proposal Nos. 57-65, 1984, were retitled REZONING ORDINANCE NOS. 9-17, 1984, and read as follows:

**REZONING ORDINANCE NO. 9, 1984 83-Z-144 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 2
8475 DITCH ROAD, INDIANAPOLIS**

Bruce A. Bodner, by Thomas Michael Quinn, Jr., requests rezoning of 1.72 acres, being in D-7 district, to C-3 classification, to provide for commercial retail sales.

**REZONING ORDINANCE NO. 10, 1984 83-Z-194 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

8201 NORTH PAYNE ROAD, INDIANAPOLIS
Holly Heights, Incorporated, by Scott A. Lindquist, requests rezoning of 73.10 acres, being in A-2 district, to the D-3 classification, to provide for a single-family subdivision by platting.

**REZONING ORDINANCE NO. 11, 1984 83-Z-215 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20**

3647 SOUTH KEYSTONE AVENUE, INDIANAPOLIS
Steven M. Dickhaus and Carol M. Dickhaus, by Donald F. Foley, request rezoning of 0.77 acre, being in the D-4 district, to the C-1 classification, to provide for office use.

**REZONING ORDINANCE NO. 12, 1984 83-Z-223 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

4350 SOUTH HARDING STREET, INDIANAPOLIS
American Aggregates Corporation, by Mark W. Gray, requests rezoning of 13.43 acres, being in the SU-23 district, to the SU-25 classification, to permit production and preparation of asphaltic concrete paving materials.

**REZONING ORDINANCE NO. 13, 1984 83-Z-224 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15**

1704 NORTH SHADELAND AVENUE, INDIANAPOLIS

Saga Property Management Corporation, by John M. Hunt, Jr., by Robert H. Jessen, requests rezoning of 2.00 acres, being in the D-4 and C-4 districts, to the C-4 classification, to provide for a restaurant.

**REZONING ORDINANCE NO. 14, 1984 83-Z-228 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

7440 HAGUE ROAD, INDIANAPOLIS

Indianapolis Christian Reformed Church, by Philip A. Nicely, requests rezoning of 3.20 acres, being in the A-2 and D-3 districts, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 15, 1984 83-Z-229 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

6325 ENGLISH AVENUE, INDIANAPOLIS

The Penn Central Corporation and Charles L. Mong, by Wilson S. Stober, request rezoning of 4.20 acres, being in the I-2-S district, to the I-3-S classification, to provide for a truck terminal.

**REZONING ORDINANCE NO. 16, 1984 83-Z-230 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 2**

7411 HOOVER ROAD, INDIANAPOLIS

Metropolitan School District of Washington Township, by William F. LeMond, requests rezoning of 20.31 acres, being in the SU-2 district, to the D-6 II classification, to provide for a retirement complex in a reconstructed school building.

**REZONING ORDINANCE NO. 17, 1984 83-Z-238 (83-DP-6) LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5**

7301 EAST 86TH STREET, INDIANAPOLIS

Ash Realty Company, Incorporated, by William F. LeMond, requests rezoning of 11.48 acres, being in the D-P district, to the D-P classification, to provide for a planned unit development including a convalescent center, assisted living apartments and retirement apartments.

SPECIAL ORDERS – PUBLIC HEARING

[Clerk's Note: Council consent was given to consider Proposal Nos. 6 and 7, 1984 together. Both proposals were recommended for passage by the County and Townships Committee by votes of 5-0 on January 10, 1984.]

PROPOSAL NO. 6, 1984, decreases the appropriation for the County Surveyor by \$6,135 in the County General Fund. PROPOSAL NO. 7, 1984, appropriates \$20,657 for the County Surveyor from the Surveyor's Corner Perpetuation Fund. Councillor Cottingham reported that the County Surveyor presented a zero budget increase, however, he was able to give his employees a 5% salary increase by deleting one assistant Party Chief previously funded by the County General Fund and establishing the position in the Surveyor's Corner Perpetuation Fund. Councillor Cottingham added that the Surveyor charges \$1.00 for every Deed recorded and those funds are deposited in the Corner Perpetuation Fund. The President called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Holmes, for adoption. Proposal No. 6, 1984, was adopted on the following roll call vote; viz:

26 YEAS: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
 2 NAYS: Durnil, Page
 1 NOT VOTING: Curry

Proposal No. 6, 1984, was retitled FISCAL ORDINANCE NO. 1, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 1, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) decreasing the appropriation Six Thousand One Hundred Thirty-five Dollars (\$6,135) in the County General Fund for purposes of the Marion County Surveyor.

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)(8) of the City-County Annual Budget for 1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of decreasing funding from the County General Fund made available by the increase in the funding from the Surveyor's Corner Perpetuation Fund.

SECTION 2. The sum of Six Thousand One Hundred Thirty-five Dollars (\$6,135) be, and the same is hereby unappropriated as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SURVEYOR	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$6,135

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

MARION COUNTY SURVEYOR	COUNTY GENERAL FUND
1. Personal Services	<u>\$6,135</u>
Total Reduction	<u>\$6,135</u>

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

(8) COUNTY SURVEYOR - Dept. 29

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	29,338	29,338
Chief Administrator	1	26,966	26,966
Technical Supervisor	1	25,558	25,558
Administrative Asst.	1	14,129	14,129
Party Chief	2	20,657	41,314
Assistant Party Chief	<u>1/0</u>	<u>18,570 0</u>	<u>18,570 1,429</u>
Instrumentman	1	17,504	17,504
Rod/Chainman	3	14,815	29,630
Draftsman	2	14,075	14,075

Secretary	1	14,129	14,129
Part-time		2,040	2,040
Vacancy Factor	—		1,111,006 0
TOTAL	13	1222,247	216,112

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

Dr. SerVaas called for the vote on Proposal No. 7, 1984, and it was adopted on the following roll call vote; viz:

25 YEAS: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, Shaw, Stewart, Strader, West
 2 NAYS: Durnil, Page
 2 NOT VOTING: Curry, SerVaas

Proposal No. 7, 1984, was retitled FISCAL ORDINANCE NO. 2, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 2, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Twenty Thousand Six Hundred Fifty-seven Dollars (\$20,657) in the Surveyor's Corner Perpetuation Fund for purposes of the Marion County Surveyor and reducing the unappropriated and unencumbered balance in the Surveyor's Corner Perpetuation 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 (a)(8) of the City-County Annual Budget for 1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing the 1984 appropriation of funds for the Surveyor which is funded by the collection of one dollar for each deed recorded. (I.C. 36-2-7-10 (b-9) and I.C. 36-2-12-11 (e)).

SECTION 2. The sum of Twenty Thousand Six Hundred Fifty-seven Dollars (\$20,657) 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 SURVEYOR	SURVEYOR'S CORNER PERPETUATION FUND
1. Personal Services	\$20,657
Total Increase	\$20,657

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

MARION COUNTY SURVEYOR	SURVEYOR'S CORNER PERPETUATION FUND
Unappropriated and Unencumbered Surveyor's Corner Perpetuation Fund	\$20,657
Total Reduction	\$20,657

SECTION 5. The personnel schedule is established as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Party Chief	<u>1</u>	20,657	<u>\$20,657</u>
TOTAL	1		\$20,657

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

PROPOSAL NO. 12, 1984. This proposal appropriates \$25,000 for the Marion County Sheriff for gateage fees and travel costs for Department of Correction Inmates which will be reimbursed by the Department of Corrections. Councillor Dowden reported the Public Safety and Criminal Justice Committee recommended passage by a vote of 9-0 on January 11, 1984. Marion County has a contractual agreement with the State Department of Corrections to house a maximum of 30 inmates at the Marion County Jail at a per diem of \$21.40 per day. Upon release, each inmate is given a gateage fee of \$75 plus bus transportation within Indiana. The Sheriff has been guaranteed reimbursement within fifteen days from the State. The President called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 12, 1984, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Durnil, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader*

NO NAYS

4 NOT VOTING: *Clark, Curry, Howard, West*

Proposal No. 12, 1984, was retitled FISCAL ORDINANCE NO. 3, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (a)(7) of the City-County Annual Budget for 1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for gateage fees and travel costs for Department of Corrections Inmates released from the Marion County Jail which will be reimbursed by the Department of Corrections.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$25,000</u>
Total Increase	<u>\$25,000</u>

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$25,000</u>
Total Reduction	<u>\$25,000</u>

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

PROPOSAL NO. 13, 1984. This proposal appropriates \$297,387 for the Community Corrections Advisory Board for the 1984 appropriation for the Community Corrections Program to be reimbursed by the State. Councillor Dowden reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 9-0 on January 1, 1984. He moved, seconded by Councillor Gilmer, for adoption. The President called for public testimony at 8:19 p.m. There being no one present to testify, he called for the vote. Proposal No. 13, 1984, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

3 NAYS: *Clark, Durnil, Schneider*

1 NOT VOTING: *Curry*

Proposal No. 13, 1984, was retitled FISCAL ORDINANCE NO. 4, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Two Hundred Ninety-seven Thousand Three Hundred Eighty-seven Dollars (\$297,387) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (e) of the City-County Annual Budget for

1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing the 1984 appropriation of funds for the Community Corrections Program which will be reimbursed by the State.

SECTION 2. The sum of Two Hundred Ninety-seven Thousand Three Hundred Eighty-seven Dollars (\$297,387) 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:

COMMUNITY CORRECTIONS ADVISORY BOARD	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$79,671
33. Travel	1,413
34. Equipment	12,096
35. Operating Expenses	<u>192,193</u>
	\$285,373
 MARION COUNTY AUDITOR	
31. Personal Services (Fringes)	<u>\$ 12,014</u>
Total Increase	<u>\$297,387</u>

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

COMMUNITY CORRECTIONS ADVISORY BOARD	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered State and Federal Grant Fund	\$297,387
Total Reduction	\$297,387

SECTION 5. The personnel schedule is established as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Community Corr. Coord.	1	20,181	20,181
Home Detention Coord.	1	15,000	15,000
Jail Com. Corr. Coord.	1	18,600	18,600
Assistant Jail Coord.	1	12,000	12,000
Secretary/Bookkeeper	1	11,500	11,500
Legal Interns	2		7,500
Interns			2,500
Vacancy Factor	—		<u>(7,610)</u>
TOTAL	7		\$79,671

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

PROPOSAL NO. 14, 1984. This proposal appropriates \$2,500 for Marion County Superior Court, Criminal Division, Probation Department for the Social Services Intern Supervisor's salary to be reimbursed by the Community Corrections Department. Councillor Dowden reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 7-1-1 on January 11, 1984. The President called for public testimony at 8:23 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 14, 1984, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: Clark, Curry, Schneider

Proposal No. 14, 1984, was retitled FISCAL ORDINANCE NO. 5, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Two Thousand Five Hundred Dollars (\$2,500) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Probation Department and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (b)(1) of the City-County Annual Budget for 1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the Social Services Intern Supervisor's salary which will be reimbursed by the Community Corrections Department.

SECTION 2. The sum of Two Thousand Five Hundred Dollars (\$2,500) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

SUPERIOR COURT, CRIMINAL DIVISION		
PROBATION DEPARTMENT		COUNTY GENERAL FUND
1. Personal Services		<u>\$2,500</u>
Total Increase		\$2,500

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

SUPERIOR COURT, CRIMINAL DIVISION		
PROBATION DEPARTMENT		COUNTY GENERAL FUND
Unappropriated and Unencumbered		
County General Fund		<u>\$2,500</u>
Total Reduction		\$2,500

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
Probation Admin.	2	22,919	44,125
Probation Officers (Prof.)	24	17,950	338,451 <u>373,451</u>
Admin. Secretary	2	12,723	24,312
Secretary	10	11,352	98,242
Vacancy Factor	_____		(113,052) <u>(15,552)</u>
TOTAL	38		522,078 <u>524,578</u>

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

PROPOSAL NO. 15, 1984. This proposal appropriates \$116,010 for the County Prosecutor for the 1984 appropriation for the Juvenile Screening Grant and Juvenile Diversion Program Grant to be reimbursed by Crime Control Funds. The Public Safety and Criminal Justice Committee amended and recommended for passage by a vote of 8-0 on January 11, 1984. Councillor Dowden explained that \$47,051 will be used for the Juvenile Screening Grant/Victim Assistance Program and \$68,959 will be used for the Juvenile Diversion Program Grant. The Prosecutor's Office will serve as an intake/referral unit for Marion County to direct the juveniles to the proper agency for assistance. The President called for public testimony at 8:25 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 15, 1984, As Amended, was adopted on the following roll call vote; viz:

25 YEAS: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Dowden, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

2 NAYS: *Clark, Schneider*

2 NOT VOTING: *Curry, Durnil*

Proposal No. 15, 1984, As Amended, was retitled FISCAL ORDINANCE NO. 6, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Hundred Sixteen Thousand Ten Dollars (\$116,010) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (e) of the City-County Annual Budget for 1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing the 1984 appropriation of funds for the Juvenile Screening Grant and Juvenile Diversion Program Grant which will be reimbursed by Crime Control Funds.

SECTION 2. The sum of One Hundred Sixteen Thousand Ten Dollars (\$116,010) 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	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$87,627
35. Operating Expenses	<u>3,262</u>
	\$90,889
MARION COUNTY AUDITOR	
31. Personal Services (Fringes)	<u>25,121</u>
Total Increase	\$116,010

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

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$116,010</u>
Total Reduction	<u>\$116,010</u>

SECTION 5. The personnel schedule is established as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Prosecutor	2	10,750	12,972
Witness Coordinator	1	17,870	11,145
Intern	1	11,500	8,434
Director	1	16,000	11,510
Volunteer Coordinator	1	6,000	4,038
Student Jury Coor.	1	12,000	8,769
Secretary	1	15,000	4,019
Counselor	<u>3</u>	14,350	<u>26,740</u>
TOTAL	11		\$87,627

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

PROPOSAL NO. 18, 1984. This proposal appropriates \$3,630,000 for the Sanitation Division, Department of Public Works for the design and engineering of Sludge Handling Facilities. Councillor West reported that the Administration Committee recommended passage by a vote of 7-0 on January 12, 1984. He stated that the City of Indianapolis produces an average of 1,000 tons of sludge per day, however, 850 tons of sludge is burned and 150 tons of sludge is taken to the landfill. The contract with the Danville landfill expires March 31, 1984 and the City can only process 150 tons of sludge per day Monday through Friday, 75 tons on Saturday and none on Sunday. The President called for public testimony at 8:27 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Coughenour, for adoption. Proposal No. 18, 1984, was adopted on the following roll call vote;

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

NO NAYS

1 NOT VOTING: Curry

Proposal No. 18, 1984, was retitled FISCAL ORDINANCE NO. 7, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Three Million Six Hundred Thirty Thousand Dollars (\$3,630,000) in the Sanitation General Fund for purposes of the Department of Public Works, Sanitation Division and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1984, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the design engineering of Sludge Handling Facilities which must be completed before federal funds are made available for construction.

SECTION 2. The sum of Three Million Six Hundred Thirty Thousand Dollars (\$3,630,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC WORKS SANITARY DIVISION	SANITATION GENERAL FUND
3. Other Services & Charges	<u>\$3,630,000</u>
Total Increase	\$3,630,000

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

DEPARTMENT OF PUBLIC WORKS SANITARY DIVISION	SANITATION GENERAL FUND
Unappropriated and Unencumbered Sanitation General Fund (Transfer from General Improvement Fund)	<u>\$3,630,000</u>
Total Reduction	\$3,630,000

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

SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 5, 1984. This proposal approves an amended schedule of rates and charges for American Cablevision of Indianapolis, Inc. Councillor Coughenour reported that the Administration Committee approved this proposal by a vote of 4-0-1 on January 9, 1984. After comments from Councillor Journey regarding the number of employees residing within Councilmanic District 10 employed by American Cablevision and a statement from the General Manager, Jeff Quinn, Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption. Proposal No. 5, 1984, was adopted on the following roll call vote; viz:

23 YEAS: *Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Gilmer, Hawkins, Holmes, Howard, Jones, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

1 NAY: *Page*

5 NOT VOTING: *Borst, Curry, Durnil, Journey, Strader*

Proposal No. 5, 1984, was retitled GENERAL RESOLUTION NO. 1, 1984, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 1, 1984

A GENERAL RESOLUTION approving an amended schedule of rates and charges for cable television services furnished to residents of the Consolidated City by American Cablevision of Indianapolis, Inc.

WHEREAS, American Cablevision of Indianapolis, Inc. has petitioned the City-County Council for approval of an amended schedule of rates of charges for services within the Consolidated City to be provided pursuant to franchise agreement dated February 19, 1981; and

WHEREAS, the Cable Franchise Board has recommended approval of the amended schedule and changes as requested; and

WHEREAS, the City-County Council has considered such request; now, therefore:

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

SECTION 1. The schedule of rates and charges for service by American Cablevision of Indianapolis, Inc. as set forth in Schedule I is hereby approved.

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

SCHEDULE I

Amended Schedule of Rates and Charges

	<u>Effective</u> <u>3-1-84</u>	<u>Effective</u> <u>8-1-85</u>
Basic Cable Service (Monthly Rate)	\$ 8.00***	\$ 9.00***
Additional Set (Monthly Rate)	4.00	4.50
Basic Service (Installation-Aerial)	20.00*	20.00*
Basic Service (Installation-Underground)	35.00*	35.00*
Additional Set (Installation)	20.00**	20.00**
Reconnect Fee (Installation)	20.00*	20.00*

* Drops over two hundred feet (200') will be charged in the amount of costs of time and materials for the footage required over two hundred (200'). Installation fee may be waived or reduced during promotional periods.

** Installation fee waived if installed at same time as first set.

*** If basic service customer supplies converter or has cable-ready set, the monthly cost will be \$1.00 less.

PROPOSAL NO. 11, 1984. This proposal authorizes changes in the personnel schedule of the Marion County Superior Court, Probate Division. Councillor Dowden reported that this proposal was amended by the Public Safety and Criminal Justice Committee by a vote of 8-1 on January 11, 1984. The amendment increases the Court Administrator's salary retroactive to January 1, 1984. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 11, 1984, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Curry, Dowden*

Proposal No. 11, 1984, As Amended, was retitled FISCAL ORDINANCE NO. 8, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Superior Court, Probate Division office.

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

SECTION 1. Section 2.03 (b)(6) of City-County Fiscal Ordinance No. 72, 1983, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(b)(6) SUPERIOR COURT, PROBATE DIVISION

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	16,493	16,493
Hearing Judge	1	40,258	40,258
Commissioners	4	32,873	64,869
Court Attorney	1	7,767	7,767
Court Reporters	2	19,262	38,623 <u>37,523</u>
Bailiff	1	14,767 <u>14,587</u>	14,767 <u>14,587</u>
<u>Admin. Assistant</u>	1	13,407 <u>14,587</u>	13,407 <u>14,587</u>
Estate & Gdnshp. Clerks	2	13,407	26,814
Adoption Clerk	1	13,407	13,407
Temporary Help			<u>1,228</u>
TOTAL	14		237,533

SECTION 2. This ordinance shall be in full force and effect retroactive to January 1, 1984, and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 16, 1984. This proposal authorizes changes in the personnel schedule for the Juvenile Detention Center. Councillor Dowden reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 9-0 on January 11, 1984. Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 16, 1984, was adopted on the following roll call vote; viz:

28 YEAS: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
 NO NAYS
 1 NOT VOTING: Curry

Proposal No. 16, 1984, was retitled FISCAL ORDINANCE NO. 9, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) authorizing changes in the personnel compensation schedule (Section 2.03) of the Juvenile Detention Center office.

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

SECTION 1. Section 2.03 (b)(5) of City-County Fiscal Ordinance No. 72, 1983, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(5) JUVENILE DETENTION CENTER - Dept. 53

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrator	1	26,058	26,058
Assistant Managers	6	22,977	115,467
Asst. Supervisor	6	15,134	84,252
Child Care Staff	67	15,019	787,135
Clerk Typist	7	12,510 <u>12,640</u>	73,677
Cook	8	12,563	84,395
Dir. of Nursing	1	20,200	20,200
Janitor/Maid	3	11,805	30,805 <u>31,305</u>
Laundry	2	10,934	19,679
Maintenance Man	4	10,372 <u>10,672</u>	41,272 <u>41,672</u>
Maint. Supervisor	1	17,670	17,670
Nurse	5	14,472	67,424
Professional	2	22,050	42,794
Recreation Director	1	16,870	16,870
Recreation Staff	4	16,710	57,163
Seamstress	1	10,725	10,725
Social Serv. Director	1	20,645	20,645
Social Worker	7	15,622	98,048 <u>97,148</u>

Specialist	1	14,595	14,595
Overtime			28,000
Temporary			11,180
Vacancy Factor			<u>(60,000)</u>
TOTAL	128		1,608,054

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

PROPOSAL NO. 34, 1984. This proposal amends the Code concerning the rules of the City-County Council. Councillor McGrath reported that the Rules and Policy Committee recommended to amend and pass this proposal by a vote of 5-0 on January 9, 1984. He stated that the majority of this ordinance incorporates concurrent meetings of the Police, Fire and Solid Waste Special Service District Councils into the Regular Meetings of the Council. Councillor McGrath moved, Councillor Cottingham, for adoption. Proposal No. 34, 1984, As Amended, was adopted on the following roll call vote; viz:

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

1 NAY: *Boyd*

1 NOT VOTING: *Curry*

Proposal No. 34, 1984, As Amended, was retitled GENERAL ORDINANCE NO. 1, 1984, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 1, 1984

A GENERAL ORDINANCE revising the rules of the City-County Council and the Special Service District Councils.

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

SECTION 1. Division 2 of Chapter 2 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended to read as follows:

DIVISION 2. RULES OF THE CITY-COUNTY COUNCIL AND THE SPECIAL SERVICE DISTRICT COUNCILS

RULE 1. AUTHORITY AND MEETINGS

Sec. 2-25. Authority.

The city-county council is the legislative and fiscal body of both the Consolidated City of Indianapolis and the County of Marion with such powers as provided by statutes or ordinances. The police special service district council, the fire special service district council and the solid waste special service district council are the legislative body respec-

tively for the police special service district, fire special service district and solid waste special service district. Each special service district council of the consolidated city shall have such limited legislative and fiscal powers as are provided by statute.

Sec. 2-26. Membership of councils.

The city-county council and each special service district council shall consist of twenty-nine members elected as provided by statute. The preferred form of address for members of the council shall be councillor.

Sec. 2-27. Meetings concurrent.

Regular meetings shall be convened as current sessions of the city-county council and each special service district council.

Sec. 2-28. Days, time and place of regular meetings.

Regular meetings shall be held at least once each month on such dates and at such times as the council shall establish by resolution adopted at least forty-five (45) days prior to such meeting. If no such dates are so established, the regular meeting shall be held on the first Monday of each month at 7:00 p.m. prevailing local time, in the council chamber, on the second floor of the City-County Building in Indianapolis. In the event that the date of the regular meeting is on a holiday observed by state law or local ordinance for employees of the consolidated city, the regular meeting shall be held on the next succeeding day that is not such a holiday nor a Saturday, or Sunday, unless the council, by a majority vote at a prior meeting, shall cancel the meeting or postpone it to another date. The time or place of any regular meeting may be changed by majority vote at a prior regular meeting.

Sec. 2-29. Special meetings.

Special meetings may be held on call of the president or forty (40) per cent of the members of the council, by having written notice of the time and place of the meeting delivered to each member personally or sent by mail or telegram so that each member has at least seventy-two (72) hours' notice of the meeting.

Sec. 2-30. Statutory meetings.

Statutory meetings shall be held as required by law upon such notice as is provided by the statute requiring the meeting; if the statute requires publication of notice, no further notice need be given to members. As a courtesy to members, the clerk shall endeavor to give members the same notice as this division prescribes for special meetings.

RULE 2. ORGANIZATION AND OFFICERS

Sec. 2-32. Election of Officers.

At its first regular meeting in each calendar year, the city-county council shall elect by roll call vote, the following officers of the city-county council:

- (1) President;
- (2) Vice President;

The city-county council officers so elected shall also serve as president and vice president, respectively of each special service district council and shall hold office until the first regular meeting of the city-county council in the next calendar year.

Sec. 2-33. Appointment of clerk.

A clerk of the council, who shall also be clerk of each special service district council, shall be appointed at the first regular meeting of each calendar year for a term of one (1) year, to serve at the pleasure of the council.

Sec. 2-34. Majority and minority caucus leaders.

The members of the city-county council belonging to each political party shall hold separate caucuses and each shall elect a caucus leader. The caucus leader of the party which has the allegiance of the greatest number of members of the city-county council shall be called the "majority leader." The caucus leaders of the other parties shall be called "minority leaders." When used elsewhere in this article, "minority leader" shall mean the minority leader whose election was certified by the most members of the city-county council. The election of caucus leaders shall be official upon filing with the clerk a certificate of election signed by the members of the caucus.

Sec. 2-35. Manner of electing and removing officers; terms of officers; filling vacancies.

(a) A majority vote of all members of the city-county council shall be required for the election of all officers of the city-county council, except the majority and minority leaders.

(b) All officers elected by the city-county council shall hold their office until a successor is chosen or they are removed.

(c) Any officer elected by the city-county council may be removed upon a majority vote of all the members of the city-county council; however, no vote shall be had upon a removal until the motion to do so has been made a special order of business by vote at a meeting at least one (1) week prior thereto.

(d) A vacancy created pursuant to subsection (c) shall be filled by election in the manner of election of the officer so removed.

RULE 3. COMMITTEES

Sec. 2-36. Permanent committees designated.

The permanent committees of the city-county council shall be as follows:

- (1) The committee on committees;
- (2) The committee on rules and public policy;
- (3) The committee of the whole council.

Sec. 2-37. Composition and function of the committee on committees.

(a) The committee on committees shall consist of three (3) members: The president of the city-county council, the majority leader and the minority leader.

(b) The president of the city-county council shall act as chairman of the committee.

(c) The committee on committees shall name the members of the standing committees and such members of the permanent committees as are not specified in these rules. The membership of all standing committees shall be named on or before the first day of February of each year. Any vacancy on any committee shall be filled within thirty (30) days after it occurs.

Sec. 2-38. Composition and functions of the committee on rules and public policy.

The committee on rules and public policy shall consist of seven (7) members, including the president, the majority leader and the minority leader of the city-county council. The chairman of the committee shall be appointed by the president. The committee shall consider and recommend proposed changes in the rules of the council and may function in the manner of a standing committee upon any matter referred to it by the president or on motion of a council. The committee shall also be responsible for recommendations upon the employment of the staff of the council and supervising its performance.

Sec. 2-39. Composition and functions of the committee of the whole council.

The committee of the whole council shall consist of every duly elected or appointed and acting member of the council. The council shall, by declaration of the president,

or by a motion duly carried, form itself as a committee of the whole council whenever by statute or under these rules the public is entitled to a hearing before the council upon any matter of business properly before the council. The committee of the whole council may also function in the manner of a standing committee upon any matter referred to it by the president or upon motion of the council. The president shall be chairman of the committee of the whole council, but may designate another member to preside or act as chairman at such times and for such periods as he may designate.

Sec. 2-40. Standing committees enumerated.

The standing committees of the council shall be as follows:

- (1) The administration committee;
- (2) The community affairs committee;
- (3) The county and townships committee;
- (4) The economic development committee;
- (5) The metropolitan development committee;
- (6) The municipal corporations committee;
- (7) The parks and recreation committee;
- (8) The public safety and criminal justice committee;
- (9) The public works committee;
- (10) The transportation committee.

Sec. 2-41. Composition and chairmen of standing committees.

The standing committees of the council shall consist of the number of members determined by the committee on committees, but shall not be less than three (3) members and shall have at least one (1) minority member. The president of the council shall name the chairman of each standing committee from among the members named to the committee by the committee on committees.

Sec. 2-42. President of the council to be an ex officio member of the standing committees.

The president of the council shall be an ex officio member of each standing committee of the council and may participate in its deliberations. The president shall not vote unless his vote would break a tie, and then only if he chooses to do so.

Sec. 2-43. Functions of standing committees.

It shall be the duty of all standing committees of the council to consider all proposals referred to it as provided in these rules. A standing committee may consider any other matter properly concerning departments or subject matter indicated by the name of the standing committee. Meetings of the standing committees shall be open to the public. A standing committee may hear such testimony or public comment as the committee deems proper. In lieu of separate hearings, standing committees may meet with the boards of corresponding city departments.

Sec. 2-44. Attendance at meetings of standing committees by council members who are not on the committee.

Any member of the council shall be entitled to attend and participate in the discussions before any standing committee. The councilman introducing any proposal referred to a standing committee shall be a member of that committee while it is considering that proposal, but he shall not be entitled to vote or be counted in determining a quorum.

Sec. 2-45. Action and reports on proposals.

Any permanent or standing committee of the council to which a proposal has been referred shall report to the council upon each such proposal within forty-five (45) days of its referral, either with or without a recommendation, unless the president of the

council shall withdraw the proposal or reassign it. After any hearing by the committee upon a proposal, the chairman of the committee shall submit a formal report of the committee's action, in writing, to the clerk. The report shall include any recommendations supported by a majority of the committee and may, upon request of any member of the council, include a minority position. Any member of a committee may file a minority report. Such reports shall be filed in sufficient time to permit the clerk to circulate copies to all members of the council prior to the next scheduled meeting of the council. Copies of all committee reports shall remain on file in the clerk's office readily available to the press and public.

Sec. 2-46. Meetings of standing committees; quorum.

Standing committees of the council shall establish at least one (1) regular meeting time and date each month. Other meetings of standing committees shall be held at the call of the committee chairman upon not less than twenty-four (24) hours' actual notice to each member of the committee; provided public notice is given as required by law at least forty-eight (48) hours before the meeting. All proposals referred to the committee shall be a proper item of business at each regular meeting, unless the proposal has been reported back to the council. At any regular meeting of a committee, three (3) members present shall constitute a quorum for purposes of acting and reporting on any proposal assigned to the committee.

Sec. 2-47. Special committees.

Special committees of a council may be formed by the president of the council or by a vote of the majority of the members of the city-county council for any specific purpose proper for council consideration. Special committees shall consist of an odd number of members and shall have at least one (1) minority members.

Sec. 2-48. Investigating committees.

Investigating committees of a council may be formed by resolution of the council for any lawful purpose. The resolution establishing the committee shall specify the membership of the committee, the general nature of its investigation and the power to subpoena witnesses, if the power is granted.

RULE 4. PROCEDURE AND DECORUM

Sec. 2-50. Presiding officer.

The president shall be the presiding officer of the city-county council and each special service district council. In the absence of the president, the vice president shall preside. In the absence of both the president and vice president, the majority leader and then the chairmen of the standing committees in the order listed in section 2-40 shall be entitled to preside, unless another shall be designated to preside by the president before surrendering the gavel.

Sec. 2-51. Powers of the presiding officer generally.

The presiding officer of the council shall have all the powers of the president thereof with respect to the conduct of the business before the meeting while presiding, but only the president or vice president with respect to matters adopted while presiding shall have the authority to sign ordinances or resolutions adopted by a council or to exercise other powers conferred on the president by state statute, this Code or other ordinance.

Sec. 2-52. Convening council; roll call.

The president shall take the chair at the hour designated for convening a council for any regular, special or statutory meeting. The president shall call the council to order and instruct the clerk to call the roll. If the roll call establishes that a quorum is present,

the president shall proceed in the manner and order prescribed by these rules. A majority of the members elected, qualified and serving as members of the council shall constitute a quorum.

Sec. 2-53. Procedure upon absence of a quorum.

If the roll call taken pursuant to this division does not establish that a quorum of a council is present, the president shall recess the council for three (3) successive fifteen-minute periods and shall have the roll called at the end of each such recess until a quorum is present. If a quorum is not present at the end of the third recess, the council shall not meet until the next regular or special meeting is duly convened.

Sec. 2-54. Preservation of order and decorum.

The president of the council shall preserve order and decorum and, in the case of a disturbance or disorderly conduct in the chamber or in the adjacent lobbies, may cause the areas to be cleared. The president may require the county sheriff, his deputy or an officer of the city police force to be present to assist in preserving order.

Sec. 2-55. Council chamber floor described; admittance.

The floor of the council chamber shall consist of that portion of the chamber from beyond the last seats of members of the council to the front of the room. No person shall be permitted on the floor of the council chamber while the council is in order other than the members thereof, its staff and accredited reporters of the news media. The mayor and other city or county officials may be admitted upon permission from the presiding officer or by a majority vote of the council. Any person who is entitled under this division to address the council shall be admitted to the floor during the time he is permitted to speak.

Sec. 2-56. Addresses to the council by others than members.

No person other than a member or officer of a council shall be permitted to address a council during its meeting except as provided in this rule as follows:

(1) The president may recognize any distinguished guest under "Introduction and Recognition of Guests and Visitors" and permit a two-minute response to the introduction;

(2) The president may permit any city or county officer or employee to address the council in response to a question or request for information by a member of the council; such person shall be limited in his reply to two (2) minutes;

(3) Any member of a council desiring that someone be heard that is denied the floor by these rules or the president, may move to recess to a committee of the whole council to hear the person. The motion shall state the person to be heard, the subject to which the discussion will be limited and the time to be granted the speaker. The motion shall require a second; it shall be privileged and immediately put to vote without debate. The motion shall be carried only if receiving a vote of a majority of the members of the council. If the motion is carried, the meeting shall recess and reconvene as the committee of the whole council in accordance with the motion;

(4) If an item of business before a council is one for which a notice of public hearing has been given, the president shall inquire before stating the question whether members of the public desire to be heard on that item. If any person indicates a desire to be heard, the president shall recess the council to a committee of the whole council for the public hearing. The committee of the whole council may, by majority vote, impose reasonable limits upon the time and number of persons to be allowed to speak.

Sec. 2-57. Leave for member to absent himself from meeting.

After a meeting of a council shall have been called to order, no member thereof shall absent himself from the council chamber without first having been excused by the presiding officer. If the presiding officer refuses to grant an excuse, the member seeking

to be excused shall have the right to appeal to a vote of the council upon his request to be excused, and the affirmative vote of a majority of the members present shall be sufficient to excuse him from further attendance at that meeting of the council. The question upon excusing a member, notwithstanding the refusal of the presiding officer to do so, shall be a question of privilege and shall be immediately put to vote by the presiding officer, taking precedence over all other questions and motions that may be before the council at that time. When any member shall be excused in accordance with the provisions of this rule, the clerk shall note in the journal that the leave was granted, showing whether leave was granted by the presiding officer or by vote of the council.

Sec. 2-58. Calling members to order for violation of rules.

If any member of a council, in speaking or otherwise, transgresses the rules of the council, the presiding officer shall, or any member may, call him to order, in which case he shall immediately surrender the floor, unless permitted on motion of another member to explain, and the council shall, if appealed to, decide the case without debate. If the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise, and if the case requires it, he shall be liable to such censure or such punishment as the council may deem proper or the law may provide.

Sec. 2-59. Procedure when exception is taken to spoken words.

If a member of a council is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to and the words shall be taken down in writing at the clerk's desk and read aloud to the council; however, the member shall not be held to answer, nor be subject to the censure of the council therefor, if further debate or other business shall have intervened.

Sec. 2-60. Time limit on speaking.

No member of a council shall speak more than twice, nor for more than five (5) minutes on each occasion, upon any one question in debate during the same session or meeting, without leave therefor of the council, except in explanation, unless he is the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member desiring to speak shall have spoken.

Sec. 2-61. Roll call votes.

All votes upon the final adoption of proposals for ordinances or general resolutions, motions to reconsider or motions to suspend the rules, shall be by roll call vote. If electronic or mechanical voting systems are installed for use by the council, the recording of the vote by such methods shall be the same as a vote by calling the roll and may be used for the roll call at the opening of a meeting and to determine a quorum. All ordinances or resolutions shall be adopted solely upon the affirmative vote of a majority of all members of the council. All members present shall vote on all roll call votes except where permitted to abstain by vote of a majority present after stating the reasons therefor.

Sec. 2-62. Motions entertained during debate.

When a question is under debate, including while special orders are under consideration, no motion shall be considered except one of the following, which motions shall take precedence in the order stated:

- (1) To adjourn;
- (2) For the previous question;
- (3) To postpone to a time certain;
- (4) To recommit to a committee;
- (5) To amend;
- (6) To postpone indefinitely.

When a question is under consideration, a motion to amend and a motion to amend that amendment shall be in order, but no further motion to amend shall be in order until the disposition of that motion.

Sec. 2-63. Previous question.

The form of the previous question shall be: "Shall the debate now close?" The motion for the previous question shall require a majority of those voting and shall be decided without debate. All incidental questions of order arising after a motion is made for a previous question and pending the motion shall be decided, whether on appeal or otherwise, without debate. When the previous question has been ordered on a proposition under debate, the proponent of the question shall have two (2) minutes to close the debate, immediately following which the previous question shall be decided.

Sec. 2-64. Motion to adjourn or recess.

(a) A motion to adjourn or recess shall be in order, except as follows:

- (1) When a member is speaking;
- (2) While the same item of business is pending during which such a previous motion was defeated;
- (3) During a roll call.

(b) A motion to recess shall take precedence over a motion to adjourn.

Sec. 2-65. Suspension of these rules.

These rules may be suspended by a two-thirds vote of the elected and qualified members of the council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in lieu of the suspended rule. The power to suspend these rules shall not apply to rules which are required by statutory or constitutional law.

Sec. 2-66. Amendment of rules.

These rules may be amended only by adopting an amending ordinance in accordance with these rules, except that the approval of the mayor shall not be required with respect to an ordinance amending these rules.

Sec. 2-67. Parliamentary authority.

All meetings of a council and its committees shall be conducted in accordance with the procedures set forth in "Robert's Rules of Order, Newly Revised," except where a different procedure is required by state law, this Code or other ordinances of the city-county council. A majority of the members of the council shall decide all matters of procedure not covered by the authorities stated in this section.

Sec. 2-68. General counsel to act as parliamentarian.

The general counsel shall attend all council meetings and advise the president as the parliamentarian. With permission of the presiding officer, the general counsel may address the council with respect to any point of order or law arising during a meeting of the council.

RULE 5. PREPARATION AND INTRODUCTION OF PROPOSALS

Sec. 2-70. Designation of proposals.

(a) Any proposal for action by a council by ordinance or general resolution shall be in writing and entitled in the following form: "A Proposal for a _____," inserting therein the class of ordinance or general resolution and the subject matter of the proposal.

(b) Any proposal which contemplates a resolution or other action by a council in the nature of a memorial, commendation or other admonishment or proclamation shall

be designated "A Proposal for a Special Resolution." The proposal shall be properly before the council for final action unless the president or the council refers or tables, the proposal.

(c) Any proposal which contemplates action relating only to the internal procedures of a council, its finances or its staff, or relates to appointments or confirmation of appointments made exclusively by the council, shall be designated "A Proposal for a Council Resolution." The proposal shall be properly before the council for final action at the same meeting at which it is introduced, unless the president or the council refers or postpones it.

(d) All other actions of a council, shall be taken by ordinance or general resolution. Ordinances or general resolutions shall be designated in one of the following classes:

- (1) General ordinances;
- (2) Fiscal ordinances;
- (3) Special ordinances;
- (4) Rezoning ordinances;
- (5) General resolutions.

(e) Proposals for action by a special service district council shall be designated similarly including the respective council.

Sec. 2-71. Initiation of proposal.

A proposal is initiated when fifty (50) copies of the written proposal are submitted to the clerk in proper form, bearing the written approval of the general counsel. A proposal may be initiated by any member of a council or other person authorized by law, but the person initiating a proposal shall sign the original proposal or such other form as is required by the clerk to record the source of the proposal. When all steps required by this rule are completed, the clerk shall assign the proposal a number. If such steps are completed on the last full business day prior to the date of the meeting of the council, the proposal shall be entered on the agenda of that meeting for introduction.

Sec. 2-72. Drafting of proposals and approval as to form.

The general counsel, upon request of any member of a council, a department director, the county auditor, the city controller or other person authorized by law to initiate an ordinance or resolution shall review any suggested ordinance or resolution and cause the suggested ordinance or resolution to be placed in proper form for initiation and shall draft appropriate proposals for any member of a council or city or county official. Such requests shall be made sufficiently in advance as to give adequate time for compliance with the request. The general counsel shall, within five (5) working days after receiving the request, advise when the requested action will be completed. In general, the general counsel shall have five (5) working days in which to draft fiscal ordinances or Code amendments. If the general counsel has previously reviewed the proposal, he shall have at least three (3) working days in which to place the proposal in final form and approve it for initiation. If the general counsel refuses to approve a proposal for legal reasons, he shall so advise in writing stating briefly those reasons.

Sec. 2-73. Fiscal ordinances.

No proposal for a fiscal ordinance shall be initiated unless approved by the proper fiscal officer of the city or county or unless that officer has been notified by the clerk of its receipt at least seven (7) days before introduction. Any proposal for a fiscal ordinance appropriating or transferring funds shall not be approved for introduction if any of the financial data or reports required by section 2-360 of this Code are delinquent as to a fund which is the subject of such proposal.

RULE 6. CONSIDERATION AND ADOPTION OF PROPOSALS

Sec. 2-74. Order of business.

The order of business at each regular or special meeting of a council, shall be determined by the president in advance of the meeting, subject to adoption of an agenda by the council. If such determination is not made, the following shall be the order of business:

- (a) Formal opening ceremony;
- (b) The roll call;
- (c) The introduction and recognition of guests and visitors;
- (d) Official communications from the mayor and other city and county officials;
- (e) Adoption of the agenda;
- (f) Approval of the journal;
- (g) Presentations of petitions, memorials, special resolutions and council resolutions;
- (h) The introduction of proposals;
- (i) Special orders - priority business
 - (1) Reconsideration of the Mayor's Vetos
 - (2) Rezoning Ordinances
 - (3) Economic Development Bonds
 - (4) Suspension of Regulations
- (j) Special orders - public hearings;
- (k) Special orders - unfinished business;
- (l) Special orders - final adoption of proposals;
- (m) Special service district council meetings;
 - (1) Police
 - (2) Fire
 - (3) Solid Waste
- (n) New business;
- (o) Pending proposals;
- (p) Announcements and adjournment.

Sec. 2-75. Approval of journal.

At each meeting of a council, if it is held at least seven (7) days after the prior meeting, the clerk shall distribute to the members of the council the journal of the proceedings of the preceding meeting. The president shall call for corrections of the journal in the regular order of business. Unless that order of business is postponed or a motion carried to read the journal, the corrections, if any, shall be noted and the journal shall stand approved without motion.

Sec. 2-76. Petitions.

Any petition directed to a council, whether specifically authorized by law or not, shall be filed with the clerk and called to the attention of the council by the clerk under the proper order of business. If the petition is one specifically authorized by law, the president shall refer it to a proper committee. As to all other petitions, any motion for referral or other appropriate action shall be in order unless the motion requires action which is proper only by a general resolution or ordinance. In calling the petition to the attention of the council, the clerk need not read the petition in full but shall report, fairly describing its contents.

Sec. 2-77. Introduction of proposals.

Proposals shall be introduced and presented to the city-county council only in the following manner: Under the proper item of business, the clerk shall read the proposal, stating only the number, reciting the title and stating the name of the person initiating the proposal. After each proposal is introduced, the president shall state the committee to which the proposal is referred or, if the proposal has been previously referred to a committee, the committee to which the referral was made. If, by law, a public hearing

before the entire council is required, the president shall state the date of the public hearing. If the proposal is for a rezoning ordinance, the approval of which by the metropolitan development commission has been certified to the clerk, the president shall inquire if any member moves that the proposal be set for public hearing before the entire city-county council and, if no such motion is adopted, the proposal shall be deemed adopted.

Sec. 2-78. Consideration for final adoption.

No proposal for an ordinance or general resolution shall be considered for final adoption except when placed upon the agenda as a special order. "Adoption of Agenda," it shall be in order to move to advance any proposal then introduced to "Special Order - Final Adoption of Proposals." If the motion is to advance a proposal first introduced at the same meeting, the motion shall be carried only if eighteen (18) members of the council vote in the affirmative and the proposal has been distributed in advance of the meeting. No proposal for an ordinance shall be adopted at the same meeting or on the same day of introduction, unless:

(a) By unanimous consent of the council members present the matter is considered and at least two-thirds of all members are present and vote for its adoption.

(b) The ordinance was initiated by a director, board or commission and does not provide for an appropriation or tax levy or the incurring of general obligation indebtedness; or

(c) The ordinance is for the reappropriation or transfer of funds previously appropriated by the annual budget ordinances.

Sec. 2-79. Public hearings.

Whenever a proposal is such that by law a hearing must be held before the entire council, the clerk shall advertise the hearing on the date set by the president and place the proposal on the agenda for that meeting under the "Special Orders - Public Hearings," in the order of introduction.

Sec. 2-80. Special orders - public hearing.

Upon reaching the order of business "Special Orders - Public Hearings," the president shall inquire as to each proposal if members of the public desire to be heard on that proposal. If any appear wishing to be heard, the city-county council shall recess to a committee of the whole council, as provided in these rules. If none desire to be heard or, upon reconvening the city-county council, the president shall state that the question before the council is on the final adoption of Proposal No. _____.

Sec. 2-81. Reconsideration after veto.

If the mayor shall veto any ordinance or general resolution of a council, upon receipt of the communication from the mayor so informing the council and at the next succeeding regular meeting of the council, any member thereof may move to have the ordinance or general resolution made a special order of unfinished business. Upon coming to that order of business, the president shall state the question: "Shall the ordinance or resolution be effective notwithstanding the veto?" If the question receives the statutory majority of two-thirds of the members of the council, the ordinance shall be in effect. If the veto is of one or more items of appropriation, the motion to make a special order of business shall specify which items shall be considered for adoption, notwithstanding the veto and, upon consideration of those items, any member of the council may require that the question be separately put on any one or more of the vetoed items.

Sec. 2-82. Special procedures for rezoning ordinances.

(a) Ordinances amending zoning regulations in Marion County may be amended or rejected only after the council holds a public hearing pursuant to IC 36-7-4-606. Whenever pursuant to IC 36-7-4605 the council schedules such a public hearing, the rules set forth in section shall apply.

(b) After such public hearing is scheduled by vote of the council, a preliminary investigation shall proceed as follows:

- (1) The clerk shall notify the administrator of the division of planning and zoning within two (2) days after a rezoning hearing is scheduled, and the administrator shall distribute in writing to all council members and the general counsel the staff comments and any other information deemed by him relevant to the matter to be heard. Such materials shall be mailed at least seven (7) days prior to the hearing date.
- (2) Any interested party may distribute any relevant written materials to council members, provided all such information is distributed to all council members. Such materials will be distributed to council members by the clerk's staff if thirty-five (35) copies are delivered at the staff conference provided in paragraph (3) of this subsection.
- (3) The general counsel shall conduct a preliminary staff conference on all rezoning petitions on the Wednesday immediately preceding the scheduled hearing beginning at 2:00 p.m. in the clerk's offices. The petitioner(s) and any remonstrator(s) each shall be represented at such conference by not more than two (2) persons for each side, one of whom may be their attorney.
- (4) The purpose of the staff conference shall be to insure agreement as to the procedures for the public hearing, to promote agreement on order of presentation, to list witnesses and exhibits, and to narrow issues to be heard.

(c) Order of public hearings:

- (1) Councilman requesting hearing (two (2) minutes);
- (2) Petitioner(s)' presentation (twenty (20) minutes or less);
- (3) Remonstrator(s)' presentation (twenty (20) minutes or less);
- (4) Public comment from any citizen who has an interest distinct from that represented by petitioner(s) or remonstrator(s) (two (2) minutes or less each);
- (5) Council questioning and debate:
 - a. Each council member has the floor only once for not more than two (2) minutes, except the council member requesting the hearing may have an additional five (5) minutes to close;
 - b. All questions by council members and the responses shall be counted within the time allocated in subparagraph a;
- (6) Petitioner(s) to close (remainder of twenty (20) minutes if any);
- (7) Remonstrator(s) to close (remainder of twenty (20) minutes if any);
- (8) Hearing ends, petition is decided.

(d) The petitioner(s) and remonstrator(s) each shall have twenty (20) minutes total per side for presentation and closing, which may be used at their discretion. All testimony, except public comment and questions by council members and the response thereto, shall be treated as part of either the petitioner(s)' or remonstrator(s)' time whether or not called by a party.

(e) If either party is of the opinion that the issues are sufficiently complex to justify additional time, such request shall be made at the staff conference and decided by the counsel prior to the hearing. No additional time shall be allowed after the hearing begins except by action suspending these rules.

(f) A proposal for a rezoning ordinance may be adopted as other ordinances are adopted or, after public hearing, amended or rejected by a vote of eighteen of the members of the city-county council. Any other vote shall be indecisive and the proposal shall be considered postponed indefinitely, unless stricken from the files.

Sec. 2-83. Action to change or postpone.

Action to change or postpone the effective date of a transportation board resolution adopted pursuant to this Code purporting to establish traffic regulations pursuant to authority delegated by the council, shall be taken by council resolution.

Sec. 2-84. Committee reports.

Whenever a committee acts to return a proposal to a council, the chairman of the committee shall so inform the clerk, stating in writing whether the committee recommends adoption or denial or reports without recommendation.

Sec. 2-85. Special orders - final adoption.

Upon reaching the order of business "Special Orders - Unfinished Business" and the order of business "Special Orders - Final Adoption of Proposals," the president shall state with respect to each proposal in the order listed in the agenda, that the question is on the final adoption of Proposal No._____.

Sec. 2-86. Order of debate.

When the presiding officer has stated a question on final adoption, he shall then recognize the chairman of the committee to which the proposal was referred or if the chairman has voted with the minority on the proposal in committee a member of the committee which voted for the committee recommendation, and the member of the council introducing the proposal, if there is one. After the committee recommendations have been announced and after the sponsoring council member has spoken or declined to speak, any member of the council may be recognized for debate or any other matter in order. If the committee has recommended that the proposal be amended, the question before the council shall be on adoption of the proposal as amended by the committee.

Sec. 2-87. Roll call votes.

The presiding officer may state the question of final adoption jointly on more than one proposal; however, if any member of the council objects, the roll call on adoption shall be taken separately on each proposal.

Sec. 2-88. Amendments.

No amendment to a proposal shall be in order unless in writing and copies presented to the president and the clerk. Any amendment may be referred, delayed or otherwise disposed of without delay or prejudice of the proposal itself. The adoption of any amendment not having the prior approval of the general counsel as to form shall have the effect of tabling the proposal until the next meeting.

Sec. 2-89. Indecisive vote.

If, after the president has stated the question on final adoption and the council has postponed the final vote or if on final vote the proposal fails to obtain the necessary vote for adoption or defeat, the proposal shall be placed on the agenda of the next meeting under the order of business: "Special Orders - Unfinished Business," unless it is referred back to a committee or tabled or postponed to a time certain or indefinitely.

RULE 7. COUNCIL STAFF

Sec. 2-101. Staff officers.

The city-county council shall consider for approval the recommendations of the committee on rules and public policy for appointments to the following staff officer positions:

- (1) An assistant clerk;
- (2) A general counsel;
- (3) A research director;
- (4) Fiscal analysts;
- (5) Assistant attorneys.

Sec. 2-102. General duties of the clerk.

In addition to any other duties imposed by state law, this Code or other ordinances of the consolidated city and county, the clerk shall perform the following duties with respect to the proceedings of the city-county council:

(1) Act as secretary of the city-county council and each special service district council and keep and preserve an accurate journal of all proceedings of the councils;

(2) Shall cause all notices of regular and special meetings of the councils and its committees to be served in accordance with state statutes, this Code and other city-county ordinances, these rules and the directions of the president of the council; shall cause the publication of all notices of public hearings as required by law or these rules and shall also deliver all subpoenas issued by authority of the councils.

(3) Shall be the legal custodian of all records of the councils and of all ordinances and resolutions of the consolidated city and county.

(4) Shall maintain complete and orderly files containing all papers and documents of every kind and character pertaining to the business of the councils and hold them available for the use and reference of the councils and their members.

(5) Shall call the roll when directed by the presiding officer in alphabetical order, except that the president shall be called last.

Sec. 2-103. Journal.

The journal of the council shall contain a complete and accurate record of the official proceedings of the city-county council and each special service district council and shall be prepared and kept in the following manner:

(1) Contents. The clerk shall enter in the journal at least the following information:

- (a) The complete text of all correspondence from the mayor;
- (b) The numbers and titles of all proposed ordinances and resolutions when introduced;
- (c) A brief statement of the contents of any petition or other paper presented for consideration;
- (d) The complete text of each ordinance, resolution or other proposal when before the council for adoption and each amendment proposed thereto;
- (e) Every vote of the council, including the yeas and nays;
- (f) Such other matters as are necessary to keep an accurate record of the proceedings of the councils.

(2) Publication. After the journal is approved, the clerk shall have one hundred (100) copies of the journal of each meeting printed. One (1) copy shall be delivered to each member of the city-county council as soon as possible. At least fifty (50) copies shall be preserved to be bound with a proper index after the end of each year as the permanent official journal of the councils; one (1) bound copy shall be delivered to each councilman who served during that year.

Sec. 2-104. Calendar and agenda.

The clerk shall prepare a calendar of pending matters and agendas for each meeting of a council, as follows:

(a) A current calendar shall be available to members of the council within three (3) days after each meeting indicating the status of each matter pending before the council.

(b) (1) The council staff will prepare in advance of each council meeting a preliminary agenda.

(2) The preliminary agenda shall list all items of business on which action is anticipated as of the date of such preliminary agenda, but might not contain:

- a. Economic development bond proposals not yet heard by the economic development committee;

- b. Rezoning proposals not then certified by the administrator of zoning;
- c. Resolutions not then submitted to the clerk; and
- d. Items which may be added to the agenda by suspension of the rules or other lawful procedures.

(3) The preliminary agenda shall be available to the public by 2:00 p.m. on the last business day prior to the date of the meeting and shall be mailed to the councilors requesting the same that afternoon.

(c) The clerk shall prepare an agenda prior to each meeting of the council showing all matters eligible for consideration under each order of business.

Sec. 2-105. General duties of the assistant clerk.

The assistant clerk shall, in the absence of the clerk, be authorized to perform all of the duties prescribed by these rules for the clerk including signing any documents which may require the signature of the clerk.

Sec. 2-106. Appointment and supervision of the general counsel.

The general counsel shall be appointed by the president of the council upon recommendation by the committee on rules and public policy, with the concurrence of the corporation counsel and subject to approval by the council. The general counsel shall be responsible to the corporation counsel for the performance of those duties which by statute the legal division is to perform for the council.

Sec. 2-107. Duties of the general counsel generally.

The general counsel shall be responsible to see that all ordinances and resolutions requested by members of the council are drafted, shall review and approve all proposed ordinances and resolutions as to form and legality, shall advise the clerk as to all matters regarding publication and codification of ordinances and shall give legal advice as requested by the councils, their committees and their members.

The general counsel shall be responsible for editing and supervising of the codification of the ordinances and is authorized to renumber and rearrange sections of ordinances or the codification as deemed appropriate.

Sec. 2-108. Assistant attorney.

The assistant attorney shall be appointed by the council upon nomination by the minority leader and with the recommendation by the committee on rules and public policy. The assistant attorney shall serve at the pleasure of the minority council members. The assistant attorney shall be subject to the supervision of the general counsel who shall report periodically to the committee on rules and public policy with respect to the job assignments and time devoted to the position by the assistant attorney. The assistant attorney shall be available to minority council members to render assistance and legal counsel at the direction of the minority leader upon matters pertaining to council business. The assistant attorney shall also assist the general counsel in the preparation of proposals and other matters pertaining to the routine business of the council under the supervision and direction of the general counsel. The assistant attorney shall not be authorized to perform any function by statute delegated to the corporation counsel nor any function by these rules pertaining to the office of general counsel except with the permission of the general counsel, and shall not institute or represent any councilman with respect to any litigation.

Sec. 2-109. Appointment and general duties of the research director.

The research director shall be employed by the clerk upon the recommendation of the committee on rules and public policy, subject to approval by the council. The

research director shall be responsible to the president and the general counsel for conducting all research relating to council business, as requested by the president, the general counsel or any member of the councils.

SECTION 2. This ordinance superceeds and repeals the rules of the Police, Fire and Solid Waste Special Service Districts now found in Appendices A, B & F to the "Code of Indianapolis and Marion County, Indiana".

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

SPECIAL SERVICE DISTRICT COUNCIL

There being no business pending before any of the special service district councils, none of these convened seperately.

NEW BUSINESS


Due to the Sullivan Awards, Councillor Borst moved, seconded by Councillor Howard, to change the Council meeting date from February 27 to February 28, 1984. The motion carried by voice vote.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:46 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Special Service District Councils on the 17th day of January, 1984.

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


President


Clerk of the City-County Council

ATTEST:

(SEAL)