

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

**REGULAR MEETINGS - MONDAY, APRIL 9, 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 7:17 p.m., on Monday, April 9, 1984, Councillor SerVaas presiding.

The meeting was opened with prayer by Councillor Carlton Curry. All joined in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President 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, Curry, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

*ABSENT: Jones*

Twenty-eight members being present, he announced a quorum was present.

**OFFICIAL COMMUNICATIONS**

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

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE,  
FIRE AND SOLID WASTE 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 Monday, April 9, 1984, at 7:00 p.m., the purpose 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

March 26, 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 March 29, 1984, and April 5, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 144, 1984, to be held on Monday, April 9, 1984, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

March 31, 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 ordinance and resolutions.

FISCAL ORDINANCE NO. 18, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Two Hundred Eight Thousand Nine Hundred Sixty-two Dollars (\$208,962) in the Adult Probation Fees Fund for purposes of the Presiding Judge of the Municipal Court and reducing the unappropriated and unencumbered balance in the Adult Probation Fees Fund.

FISCAL ORDINANCE NO. 19, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Six Hundred Thirty-Three Thousand Four Hundred Eighteen Dollars (\$633,418) in the Flood Control General Fund for purposes of the Department of Public Works, Flood Control Division and reducing the unappropriated and unencumbered balance in the Flood Control General Fund.

FISCAL ORDINANCE NO. 20, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating Twelve Thousand Dollars (\$12,000) in the County General Fund for purposes of the Marion County Superior Court - Juvenile Division and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 21, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Ninety-seven Thousand Four Hundred Twenty-three dollars (\$97,423) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for the Marion County Auditor and the Marion County Sheriff.

GENERAL ORDINANCE NO. 15, 1984, amending Chapter 8½ of the "Code of Indianapolis and Marion County, Indiana", to provide for the review and approval of cable television rate increases.

GENERAL ORDINANCE NO. 16, 1984, amending the "Code of Indianapolis and Marion County, Indiana", by amending Chapter 7, dealing with boats, docks and waterways.

SPECIAL ORDINANCE NO. 14, 1984, 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.

SPECIAL ORDINANCE NO. 15, 1984, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1984 (Tube Processing Corporation Project)" in the aggregate principal amount of Three Million Dollars (\$3,000,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 16, 1984, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (C & C Investments, Ltd. Project)" in the aggregate principal amount of Two Million Three Hundred Thousand Dollars (\$2,300,000) superseding and repealing City-County Special Ordinance No. 46, 1983 which approved certain financing documents and authorized the issuance of certain bonds to finance the Project because the financing terms changed before the bonds could be issued and consequently new documents and financing items need to be approved and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 17, 1983, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (American Healthcorp of Indiana, Inc. Project)" Series 1984 in the aggregate principal amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 23, 1984, honoring State Representative Doris Dorbecker.

SPECIAL RESOLUTION NO. 24, 1984, urging continued negotiations with the National Football League Teams.

SPECIAL RESOLUTION NO. 25, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 26, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 27, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 28, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 29, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 30, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

GENERAL RESOLUTION NO. 2, 1984, approving the use of approximately \$2,000,000 of federal funds available from the U.S. Marshals Service Cooperative Agreement Program for the Constitution of the addition to the Marion County Jail.

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

## ADOPTION OF AGENDA

Consent was given to adopt the April 9, 1984 Agenda of the City-County Council and Special Service District Councils of Indianapolis, Marion County, Indiana.

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

PROPOSAL NO. 224, 1984. Introduced by Councillors Borst, Coughenour, Miller and Rhodes, this proposal honors the Perry Meridian High School Basketball Team. Councillor Borst moved, seconded by Councillor Rhodes, for adoption. Proposal No. 224, 1984, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 31, 1984, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 31, 1984**

**A SPECIAL RESOLUTION honoring the Perry Meridian High School Basketball Team.**

**WHEREAS, the Perry Meridian High School Basketball Team were Indiana High School Basketball Regional Champions; and**

**WHEREAS, the team compiled a 22 and 6 record, were runner-up in the Marion County Tournament and Indiana Sectional Champions; and**

**WHEREAS, team members Steve Cox, Jeff Daniel and Tom Heitler were named "All Semi-State"; 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 congratulates Head Coach Bob Hynds, Assistant Coaches Jim Hohlt, Gary Raker, Don Wasson and Jim Kaylor and team members, Craig Carnes, Steve Cox, Jeff Daniel, Chris Fatheree, Tom Heitler, Greg Lindquist, George Chantz, Tom Springer, Kevin Calvert, Mike Mauzy, Steve McCormick and Jeff VanMeter on their 1984 Regional Title.**

**SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.**

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

PROPOSAL NO. 225, 1984. Introduced by Councillor Howard, this proposal honors the Richard I. Blankenbaker family. Councillor Howard moved, seconded by Councillor West, for adoption. Proposal No. 225, 1984, was adopted by unanimous voice vote, and presented to Donnie Harris, Richard and Virginia Blankenbaker. Proposal No. 225, 1984, was retitled SPECIAL RESOLUTION NO. 32, 1984, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1984**

**A SPECIAL RESOLUTION honoring the Richard I. Blankenbaker family.**

**WHEREAS, Richard I. Blankenbaker is the Director of the Department of Public Safety for Indianapolis - Marion County, Indiana; and**

**WHEREAS, Richard I. Blankenbaker and Virginia Blankenbaker have a family consisting of two boys and three girls; and**



WHEREAS, the Richard I. Blankenbaker family met Donnie Harris through their church work at the North United Methodist Church; and

WHEREAS, Donnie Harris is a student at Broad Ripple High School and excels in athletics; and

WHEREAS, Donnie Harris has excelled despite his family hardships to the point that he will graduate with the Broad Ripple Class of 1984 and will enroll in the University of Wisconsin, where he has a full scholarship; and

WHEREAS, the Blankenbaker family has opened their home for the past three years to Donnie Harris to provide him with the comforts and the stability of home life; 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 praises Richard I. Blankenbaker and Virginia Blankenbaker for their outstanding contribution to the citizens of Indianapolis and Donald Harris in particular.

**SECTION 2.** The City-County Council commends Richard I. Blankenbaker and Virginia Blankenbaker for their outstanding example demonstrated by assisting and opening their home to Donald Harris and for being instrumental in obtaining him a scholarship to the University of Wisconsin.

**SECTION 3.** The City-County Council on behalf of the citizens of Indianapolis further commends the Richard I. Blankenbaker family for providing a positive example to all of us.

**SECTION 4.** The Mayor of Indianapolis is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 226, 1984. Introduced by Councillor Howard. This proposal requests the Greater Indianapolis Progress Committee to study accidents involving emergency vehicles. After discussion, the President referred Proposal No. 226, 1984, to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 227, 1984. Introduced and read by Councillor McGrath, this proposal honors the Chicago National Association of Dance Masters. He moved, seconded by Councillor Howard, for adoption. Proposal No. 227, 1984, was adopted by unanimous voice vote and presented to Jean Perry Hund. Proposal No. 227, 1984, was retitled SPECIAL RESOLUTION NO. 33, 1984, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1984**

**A SPECIAL RESOLUTION honoring the Chicago National Association of Dance Masters.**

WHEREAS, the Chicago National Association of Dance Masters has contributed to the cultural and educational atmosphere of our community with classes in jazz, ballet and tap dancing; and

WHEREAS, this seventy-five year old accredited dance association brings dance teachers from all over the United States to provide instruction for students throughout Indiana; and

WHEREAS, the Chicago National Association of Dance Masters has chosen Indianapolis for the past three (3) years to be the site for its annual workshop; the most recent being April 1, 1984 at the Hyatt Regency Hotel; 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 extends its commendation to the Chicago National Association of Dance Masters for their contribution to our community and the improvement of quality of life in Indianapolis.

**SECTION 2.** The City-County Council further extends its appreciation to Ms. Jean Perry Hunt, the Association's Regional Director, for her guidance and leadership in this activity.

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

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

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 181, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Philip Borst to the Audit Committee"; and the President referred it to the Administration Committee.

PROPOSAL NO. 182, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Donald Hargadon to the Cable Franchise Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 183, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing William Miller and Kenneth Giffin to the City-County Administrative Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 184, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$39,868 for the Finance Division to complete the second phase of the computeriza-

tion of Barrett Law Services"; and the President referred it to the Administration Committee.

PROPOSAL NO. 185, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$519,868 of Barrett Law Funds for expenses incurred by the Finance Division"; and the President referred it to the Administration Committee.

PROPOSAL NO. 186, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Edward Buckley, Gary Drook and Harry Eakin to the Information Services Agency Management Board"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 187, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,350 for the Decatur Township Assessor to eliminate the personal services vacancy factor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 188, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$4,869 for the Franklin Township Assessor to eliminate the personal services vacancy factor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 189, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$6,201 for the Lawrence Township Assessor to eliminate the personal services vacancy factor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 190, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$6,900 for the Perry Township Assessor to reduce the personal services vacancy factor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 191, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$6,200 for the Pike Township Assessor to eliminate the personal services vacancy factor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 192, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE authorizing changes in the personnel schedule of the Washington Township Trustee"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 197, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Robert Samuelson, George Bixler and Paul Roland to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 198, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing JoAnna Walker and Richard Hunter to the Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 199, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing John Fuller and Robert O'Brien to the Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 200, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Steve Brizendine to the Board of Zoning Appeals, Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 201, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Richard Lahr and Barbara O'Laughlin to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 202, 1984. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$525,000 for the Department of Parks and Recreation to purchase property near Bush Stadium and adjacent to Mann Road Park property"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 203, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Beverly Mukes-Gaither to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.



PROPOSAL NO. 204, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Dwight Schuster to the Board of Public Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 205, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel schedule of the Marion County Superior Court, Civil Division - Room III"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 206, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,900 for the Roving Court Reporter to purchase a typewriter and a transcriber"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 207, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$6,000 for Superior Court, Criminal Division - Probation Department for travel and supplies required to support Community Work Service, Home Detention and Council of International Programs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 208, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$208,161 for the Marion County Prosecutor and Auditor for the Habitual Serious and Violent Juvenile Offender Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 209, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$151,984 for the Prosecutor's Child Support Agency and the Auditor for the expansion of child support services required by federal regulations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 210, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$22,250 for the Marion County Auditor for the Marion County Prosecutor and Auditor for enforcement and public information strategies for the general deterrence of DWI"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 211, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE transferring and appropriating \$85,083 for the Police Division for federally reimbursed programs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 212, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Dallas Schnitzius to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 213, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Thomas Hale and Donald Hudson to the Board of Public Safety"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 214, 1984. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE reducing the appropriation of the Flood Control Division by \$475,000"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 215, 1984. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$58,500 for the Office of Director for personal service costs"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 216, 1984. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$106,377 for Liquid Waste 24th Floor Administration for Resource Recovery Financial Study and Engineering and a Landfill Site Study"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 217, 1984. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$4,352,413 for Liquid Waste Processing Operations for Lagoon Refurbishment, Thickener Tank Rehabilitation and several other projects"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 218, 1984. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SOLID WASTE SPECIAL SERVICE

DISTRICT FISCAL ORDINANCE appropriating \$475,000 of Community Development Funds for the Solid Waste Division for activities concerning a new Landfill"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 219, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Dwight Cottingham to the Board of Tax Adjustment"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 220, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Bruce Melchert to the Marion County Liquor Board"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 221, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Wayne Burking to the Board of Transportation"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 222, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 223, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE allowing the Department of Transportation to trim trees and cut grass and weeds in or along public streets and alleys"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 228, 1984. Introduced by Councillors Coughenour and SerVaas. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Chapter 16 dealing with Human Relations; Equal Opportunity"; and the President referred it to the Administration Committee.

#### SPECIAL ORDERS, PRIORITY BUSINESS

PROPOSAL NOS. 229-242, 1984. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metro-

politan Development Commission on March 22, 1984". No action was taken by the Council, and the Proposals were deemed adopted. Proposal Nos. 229-242, 1984, were retitled REZONING ORDINANCE NOS. 48-61, 1984, and read as follows:

**REZONING ORDINANCE NO. 48, 1984 83-Z-199 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20**

**4620 SOUTH EAST STREET, INDIANAPOLIS**

Evergreen Development Corporation, by Philip A. Nicely, requests rezoning of 35.0 acres, being in the D-2 district, to the D-3 classification, to provide for single-family residential development.

**REZONING ORDINANCE NO. 49, 1984 83-Z-226A Amended PIKE &  
WAYNE TOWNSHIPS**

**COUNCILMANIC DISTRICT NO. 1  
3751 RACEWAY ROAD, INDIANAPOLIS**

Otto A. Kolditz, by Michael J. Kias, requests rezoning of 4.48 acres, being in the A-2 district, to the C-1 classification, to provide for commercial development.

**REZONING ORDINANCE NO. 50, 1984 83-Z-226B Amended PIKE &  
WAYNE TOWNSHIPS**

**COUNCILMANIC DISTRICT NO. 1  
3751 RACEWAY ROAD, INDIANAPOLIS**

Otto A. Kolditz, by Michael J. Kias, requests rezoning of 1.72 acres, being in A-2 district, to the C-3 classification, to provide for commercial development.

**REZONING ORDINANCE NO. 51, 1984 83-Z-227 (83-CV-31) PIKE &  
WAYNE TOWNSHIPS COUNCILMANIC DISTRICT NO. 1**

**3702 TANSEL ROAD, INDIANAPOLIS**

Otto A. Kolditz, by Michael J. Kias, requests the rezoning of 34.60 acres, being in the A-2 district, to the D-7 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 52, 1984 84-Z-12 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20**

**3101 WEST MORRIS STREET, INDIANAPOLIS**

Metropolitan Development Commission requests rezoning of 4.32 acres, being in the D-5 district, to the I-3-U classification, to correct a mapping error.

**REZONING ORDINANCE NO. 53, 1984 84-Z-16 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12**

**9905 EAST 30TH STREET, INDIANAPOLIS**

Metropolitan Development Commission requests rezoning of 0.92 acre, being in the C-3 and D-6 II districts, to the C-3 classification, to correct a mapping error.

**REZONING ORDINANCE NO. 54, 1984 84-Z-22 (84-CV-4) LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 5**

**6855 EAST 96TH STREET, INDIANAPOLIS**

George Frederick Snyder, et al, by William F. LeMond, requests rezoning of 39.02 acres, being in A-2 district, to the D-6 classification, to provide for platting and construction of detached zero-lotline single-family residences.

**REZONING ORDINANCE NO. 55, 1984 84-Z-25 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 7**

**1114 EAST 46TH STREET, INDIANAPOLIS**

Metropolitan Development Commission requests rezoning of 1.56 acres, being in the D-5 and SU-34 districts, to the SU-34 classification, to correct a mapping error.

**REZONING ORDINANCE NO. 56, 1984 84-Z-26 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 7**

**1118 EAST 46TH STREET, INDIANAPOLIS**

Metropolitan Development Commission requests rezoning of 0.69 acre, being in the SU-34 district, to the D-5 classification, to correct a mapping error.



**REZONING ORDINANCE NO. 57, 1984 84-Z-29 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
1605 COUNTRYSIDE DRIVE, INDIANAPOLIS**

Ivy Homes, by Harold Gibson, request rezoning of 17.78 acres, being in the D-3 district, to the D-4 classification, to provide for residential use by platting of Section IV in the same manner as in Sections II and III.

**REZONING ORDINANCE NO. 58, 1984 84-Z-31 Amended CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 21  
748 KENTUCKY AVENUE, INDIANAPOLIS**

Frank's Brake Service, Inc., by Gustin Raikos, requests rezoning of 0.36 acre, being in the I-4-U district, to the C-4 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 59, 1984 84-Z-32 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 17  
2302 NORTH TIBBS AVENUE, INDIANAPOLIS**

Metropolitan Development Commission requests rezoning of 104.89 acres, being in the DP-SI district, to the D-6 II classification, to conform the zoning to its existing use and future development.

**REZONING ORDINANCE NO. 60, 1984 84-Z-35 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 13  
10225 EAST WASHINGTON STREET, INDIANAPOLIS**

The Skinner and Broadbent Company, by Philip A. Nicely, requests rezoning of 10.60 acres, being in the A-2 district, to the C-4 classification, to permit development of the property for retail commercial use.

**REZONING ORDINANCE NO. 61, 1984 84-Z-47 (84-DP-3) LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 5  
8111 HAGUE ROAD, INDIANAPOLIS**

John H. Holliday, by William F. LeMond, requests rezoning of 41.04 acres, being in the A-2 district, to the D-P classification, to provide for the platting and construction of detached dwellings with a minimum lot size of 6,600 square feet, minimum of ten feet between buildings and an average density of 3.5 living units per acre.

PROPOSAL NOS. 243-252, 1984. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCE certified by the Metropolitan Development Commission on April 5, 1984". No action was taken by the Council, and the Proposals were deemed adopted. Proposal Nos. 243-252, 1984, were re-titled REZONING ORDINANCE NOS. 62-71, 1984, and read as follows:

**REZONING ORDINANCE NO. 62, 1984 84-Z-27 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 7  
1719 EAST 52ND STREET, INDIANAPOLIS**

Unified Capital Investment Corporation, by Louis J. Wildeman, requests rezoning of 0.5 acre, being in the C-1 district, to the C-3 classification, to conform zoning to its use as a neighborhood center.

**REZONING ORDINANCE NO. 63, 1984 84-Z-40 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 20  
460 EAST EPLER AVENUE, INDIANAPOLIS**

Annalee Delk and James S. Denham request the rezoning of 0.58 acre, being in the A-2 district, to the C-1 classification, to permit office use.

**REZONING ORDINANCE NO. 64, 1984 84-Z-41 LAWRENCE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 5  
11425 FOX ROAD, INDIANAPOLIS**

Compucom Development Corporation, by Thomas Michael Quinn, Jr., requests rezoning of 40.17 acres, being in the SU-39 district, to the D-6 II classification, to provide for construction of an apartment complex.

**REZONING ORDINANCE NO. 65, 1984 84-Z-45 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 17**

**3440 WEST 30TH STREET, INDIANAPOLIS**

Carl T. Reis requests the rezoning of 0.33 acre, being in the D-3 district, to the C-1 classification, to permit the use of the existing building for offices.

**REZONING ORDINANCE NO. 66, 1984 84-Z-46 (84-DP-2) PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1**

**8810 COLBY BOULEVARD, INDIANAPOLIS**

College Life Development Corporation, by William F. LeMond, requests rezoning of 6.38 acres, being in the D-P district, to the D-P classification, to permit the construction of a three-story building for retirement apartments.

**REZONING ORDINANCE NO. 67, 1984 84-Z-51 PIKE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 8**

**5055 WEST 52ND STREET, INDIANAPOLIS**

Houston Village, Inc., by David King, requests rezoning of 5.22 acres, being in the A-2 district, to the SU - 6 classification, to conform zoning to its use as a nursing home.

**REZONING ORDINANCE NO. 68, 1984 84-Z-52 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1**

**2290 CUNNINGHAM ROAD, INDIANAPOLIS**

Indiana Properties, Inc., by William F. LeMond, requests rezoning of 1.07 acres, being in the C-3 district, to the C-4 classification, to provide for the construction of a furniture store.

**REZONING ORDINANCE NO. 69, 1984 84-Z-53 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 15**

**30 SOUTH SHORTRIDGE ROAD, INDIANAPOLIS**

David Mondry and Eugene Mondry, by Philip A. Nicely, request the rezoning of 6.35 acres, being in the D-2 district, to the C-S classification, to provide for the construction of an appliance store and warehouse.

**REZONING ORDINANCE NO. 70, 1984 84-Z-56 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19**

**8305 ROCKVILLE ROAD, INDIANAPOLIS**

Cloverleaf Properties, by Herman E. Portwood, requests rezoning of 18.80 acres, being in the A-2 district, to the I-2-S classification, to provide for office and warehouse use.

**REZONING ORDINANCE NO. 71, 1984 84-Z-57 PERRY TOWNSHIP  
COUNCILMANIC DISTRICT NO. 25**

**8202 SOUTH EMERSON AVENUE, INDIANAPOLIS**

R.J. Realty, Inc., by Michael J. Kias, requests rezoning of 40 acres, being in the D-12 district, to the D-4 classification, to provide for residential use by platting.

PROPOSAL NO. 193, 1984. This inducement resolution authorizes proceedings with respect to proposed economic development bonds for Eastside Community Investments, Inc. or a partnership to be formed by Eastside Investments, Inc. in an approximate amount of \$2,600,000. The Economic Development Committee recommended passage by a vote of 4-1-1. Councillor Schneider yielded to Councillor Clark who yielded to Councillor Curry for the Committee report. Councillor Curry stated that this project consists of four multi-use buildings suitable for light manu-

facturing, warehousing, offices and other uses. Costs for the project are as follows: \$206,250 land, \$1,853,000 building and \$540,750 other contingencies. After further testimony from Dennis West, President of Eastside Community Investments, Inc., and Bruce Cordingly, Councillor Curry moved, seconded by Councillor West, for adoption. Proposal No. 193, 1984, was adopted on the following roll call vote; viz:

15 YEAS: *Borst, Bradley, Cottingham, Coughenour, Curry, Gilmer, Hawkins, Holmes, McGrath, Miller, Rader, Rhodes, SerVaas, Shaw, West*

12 NAYS: *Boyd, Clark, Crowe, Dowden, Durnil, Howard, Journey, Nickell, Page, Schneider, Stewart, Strader*

2 NOT VOTING: *Campbell, Jones*

Proposal No. 193, 1984, was retitled SPECIAL RESOLUTION NO. 34, 1984, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 34, 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, Eastside Community Investments, Inc. or a partnership to be formed by Eastside Community Investments, Inc. (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 industrial park consisting of four multi-use buildings containing approximately 19,800 square feet each for a total of approximately 79,000 square feet which will be leased to various users for light manufacturing, warehouses, office space and related uses and the machinery and equipment to be installed therein plus certain site improvements to be located on a tract of land located in Indianapolis, Indiana in the Rural/I-70 Industrial Park which is mutually agreeable to the Company and the City of Indianapolis (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 51 at the end of one year and 195 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 an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:



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

**SECTION 1.** The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said 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 \$2,600,000 under the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Eastside Community Investments, Inc. or a partnership to be formed by Eastside Community Investments, Inc. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

**SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (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 see 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. 194, 1984. This inducement resolution authorizes proceedings with respect to proposed economic development bonds for Health Quest Realty XXIII, an Indiana General Partnership and/or Health Quest Corporation in an approximate amount of \$6,500,000. Councillor Curry reported that the Economic Development Committee recommended passage by a vote of 3-2 on April 4, 1984. This project is to construct and equip a 54,000 square foot building for a 160 bed skilled and intermediate nursing care facility located near 82nd Street and Allisonville Road. Estimated costs for the project are as follows: \$900,000 land, building \$2,700,000, equipment \$440,000 and \$760,000 other contingencies. After discussion, Councillor Curry moved, seconded by Councillor Miller, for adoption. Proposal No. 194, 1984, was adopted on the following roll call vote; viz:



21 YEAS: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Strader, West

5 NAYS: Clark, Durnil, Holmes, Shaw, Stewart

3 NOT VOTING: Dowden, Howard, Jones

Proposal No. 194, 1984, was retitled SPECIAL RESOLUTION NO. 35, 1984, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 35, 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, Health Quest Realty XXIII, an Indiana General Partnership and/or Health Quest Corporation (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 54,000 square foot building and the machinery and equipment to be installed therein plus certain site improvements to be located at the northwestern quadrant of the intersection of 82nd Street and Allisonville Road on approximately 9 acres of land, Indianapolis, Indiana, which will be used by the Company as a 160 bed skilled and intermediate nursing care facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of full-time equivalent jobs of approximately 75 at the end of one year and 105 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 an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said 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 \$6,500,000 under the Act, however, not to exceed the costs of the Project including costs of issuance and any reasonably required debt service reserve fund for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Health Quest Realty XXIII, an Indiana General Partnership and/or Health Quest 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, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (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 see 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. 195, 1984. This final bond ordinance authorizes the issuance of \$1,750,000 Pollution Control Revenue Bonds for General Motors Corporation. Councillor Clark reported that the Economic Development Committee recommended passage by a vote of 4-0-1 on April 4, 1984. Councillor Clark moved, seconded by Councillor Howard, to technically amend Proposal No. 195, 1984, as follows:

#### CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 195, 1984, which is an economic development bond ordinance for the General Motors Corporation by changing the amount of the bond from \$1,750,000 to \$1,400,000 in the first paragraph of the ordinance and again in Section 3.

Councillor Clark

Consent was given. Since this bond ordinance involves General Motors Corporation, and Mr. Carlton Curry is an employee of General Motors and a City-County Councillor, such interest is disclosed and Mr. Curry did not participate in any of the

Council proceedings involving this proposal. Councillor Clark explained that this project is to build a pollution control facility consisting of approximately 2,880 square foot containing two 350,000 gallon tanks and one 50,000 gallon tank, to be located north of the company's existing plant at 340 White River Parkway. Councillor Clark moved, seconded by Councillor Howard, for adoption. Proposal No. 195, 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, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Curry, Jones*

Proposals No. 195, 1984, was retitled SPECIAL ORDINANCE NO. 18, 1984, and read as follows:

#### CITY-COUNTY SPECIAL ORDINANCE NO. 18, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Pollution Control Revenue Bonds (General Motors Corporation Project) Series 1984" in the aggregate principal amount of One Million Four Hundred Thousand Dollars (\$1,400,000) 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 pollution control facilities for General Motors Corporation and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 30, 1984, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain pollution control facilities to be developed by General Motors Corporation (the "Company") consisting of the acquisition construction, installation and equipping of a pollution control facility consisting of an approximately 2,880 consisting of an approximately 2,880 square foot building, two approximately 350,000 gallon tanks and one approximately 50,000 gallon tank and the machinery and equipment to be installed therein plus certain site improvements to be located north of the existing plant at 340 White River Parkway, Indianapolis, Indiana, on approximately 2 acres of land which will be used for treating process effluent from the Company's paint/washer system from which lead, nickel and zinc will be precipitated to comply with Federal regulations (the "Project") which will be initially owned and operated by General Motors Corporation will contribute to the abatement, reduction or prevention of pollution and the removal or treatment of substances in materials being processed that would otherwise cause pollution 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, Trust Indenture, Bond Purchase Agreement, Indexing Agent Agreement, and the form of the City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 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 pollution control facilities referred to in the Loan Agreement consisting of the acquisition, construction, installation and equipping of a pollution control facility consisting of an approximately 2,880 square foot building, two approximately 350,000 gallon tanks and one approximately 50,000 gallon tank and the machinery and equipment to be installed therein plus certain site improvements to be located north of the existing plant at 340 White River Parkway, Indianapolis, Indiana, on approximately 2 acres of land which will be used for treating process effluent from the Company's paint/washer system from which lead, nickel and zinc will be precipitated to comply with Federal regulations 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 General Motors Corporation for the purposes of financing the pollution control facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by General Motors Corporation will contribute to the abatement, reduction or prevention of pollution and the removal or treatment of substances in materials being processed that would otherwise cause pollution 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, Trust Indenture, Bond Purchase Agreement, Indexing Agent Agreement, and the form of the City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 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, Trust Indenture, Indexing Agent Agreement, Bond Purchase Agreement, and the form of the City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 are on file in the office of the Clerk of the Council for public inspection.

**SECTION 3.** The City of Indianapolis shall issue its Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 in the aggregate principal amount of One Million Four Hundred Thousand Dollars (\$1,400,000) for the purpose of procuring funds to loan to General Motors Corporation in order to finance the pollution control 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 General Motors Corporation under the Loan Agreement as is otherwise provided in the above described 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 named in the Bond Purchase Agreement at a price not less than 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest provided for in the Trust Indenture however in no event shall the per annum rate of interest exceed thirty percent (30%).

**SECTION 5.** The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Trust Indenture, Bond Purchase Agreement, the City of Indianapolis, Indiana Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction including but not limited to the approval of the appointment of the Initial Indexing Agent and the Remarketing Agent under the above described Trust Indenture. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the Trustee named in the Trust Indenture, payment for which will be



made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Trust Indenture, Bond Purchase Agreement, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Indexing Agent Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission is 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 holders of the Pollution Control Revenue Bonds (General Motors Corporation Project), Series 1984 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. 196, 1984. This final bond ordinance authorizes the issuance of \$2,200,000 Economic Development Revenue Bonds for Maryland Development Co., Inc., and repealing and superceding Special Ordinance No. 6, 1984. The Economic Development Committee recommended passage on April 4, 1984, by a vote of 5-0. Councillor Clark stated that this proposal reflects a difference in the interest rate than Special Ordinance No. 6, 1984. He moved, seconded by Councillor Rader, for adoption. Proposal No. 196, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Gilmer, Jones*

Proposal No. 196, 1984, was retitled SPECIAL ORDINANCE NO. 19, 1984, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 19, 1984**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1984 (Maryland Development Co., Incorporated Project)" in the aggregate principal amount of Two Million Two Hundred Thousand Dollars (\$2,200,000) superseding and repealing City-County Special Ordinance No. 6, 1984 which approved certain financing documents and authorized the issuance of certain bonds to finance the Project because the financing terms changed before the bonds could be issued and consequently new documents and financing items need to be approved and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed

financing of economic development facilities for Maryland Development Co., Incorporated and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, it is necessary to supersede and repeal City-County Special Ordinance No. 6, 1984 which approved certain financing documents and authorized the issuance of certain bonds to finance the Project because the financing terms changed before the bonds could be issued and consequently new documents and financing terms need to be approved; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 30, 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 Maryland Development Co., Incorporated (the "Company") consisting of the acquisition, renovation, expansion, construction, installation and equipping of an existing building by the addition of approximately 28,330 square feet of building to provide a total of approximately 224,000 square feet of building and the machinery and equipment to be installed therein plus certain site improvements located at 2021 South Denniston Street in the Stout Field Industrial Park, Indianapolis, Indiana, on approximately 4.7 acres of land approximately 144,000 square feet of which will be leased by the Company to Grocers Supply Company, Inc. for use as a wholesale food distribution facility and approximately 80,000 square feet of which will be leased to Springs Industries, Inc. for its use as a distribution facility for textile fabrics (the "Project") which will be initially owned and operated by Maryland Development Co., Incorporated through a lease of the facilities to Grocers Supply Company, Inc. and to Springs Industries, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Guaranty and Security Agreement, Lease Agreements, Collateral Assignments of Lease and Rentals, Lessees' Consent and Agreement to Lease Assignment, First Mortgage Note, Series 1984, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1984 (Maryland Development Co., Incorporated 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, expansion, construction, installation and equipping of an existing building by the addition of approximately 28,330 square feet of building to provide a total of approximately 224,000 square feet of building and the machinery and equipment to be installed therein plus certain site improvements located at 2021 South Denniston Street in the Stout Field Industrial Park, Indianapolis, Indiana, on approximately 4.7 acres of land approximately 144,000 square feet of which will be leased by the Company to Grocers Supply Company, Inc. for use as a wholesale food distribution facility and approximately 80,000 square feet of which will be leased to Springs Industries, Inc. for its use as a distribution facility for textile fabrics (the "Project") 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 Maryland Development Co., Incorporated for the purposes of financing the economic development facilities being acquired, renovated, constructed, expanded, installed and equipped or to be acquired, renovated, constructed, expanded, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Maryland Development Co., Incorporated 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, Trust Indenture, Guaranty and Security Agreement, Lease Agreements, Collateral Assignments of Lease and Rentals, Lessees' Consent and Agreement to Lease Assignment, First Mortgage Note, Series 1984, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1984 (Maryland Development Co., Incorporated Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Guaranty and Security Agreement, Lease Agreements, Collateral Assignments of Lease and Rentals, Lessees' Consent and Agreement to Lease Assignment, First Mortgage Note, Series 1984 and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1984 (Maryland Development Co., Incorporated 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 (Maryland Development Co., Incorporated Project) in the aggregate principal amount of Two Million Two Hundred Thousand Dollars (\$2,200,000) for the purposes of procuring funds to loan to Maryland Development Co., Incorporated 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 Maryland Development Co., Incorporated on its First Mortgage Note, Series 1984 in the principal amount of Two Million Two Hundred Thousand Dollars (\$2,200,000), which will be executed and delivered by Maryland Development Co., Incorporated to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Guaranty and Security Agreement and Collateral Assignments of Lease and Rentals. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest initially equal to seventy-six percent (76%) of the prime lending rate announced by The Indiana National Bank at its principal office from time to time, or such other rate which may be higher as provided in the Trust Indenture however in no event shall the per annum interest rate exceed thirty percent (30%).

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 (Maryland Development Co., Incorporated Project), and the Endorsement to the First Mortgage Note, Series 1984 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to the First Mortgage Note, Series 1984, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note, Series 1984, Guaranty and Security Agreement, Collateral Assignment of Lease and Rentals, Lease Agreements and the Lessees' Consent and Agreement to Lease Assignment without further approval of this City-County Council or the Indianapolis Economic Development Commission is 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 (Maryland Development Co., Incorporated Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

**SECTION 7.** City-County Special Ordinance No. 6, 1984 is repealed and superseded by this ordinance and shall be void and of no effect upon the adoption of this ordinance.

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

## SPECIAL ORDERS, PUBLIC HEARING

**PROPOSAL NO. 144, 1984.** This proposal appropriates \$24,357 for the Marion County Guardian Home to employ a licensed practical nurse and two nurses aides to staff the new Infant Care Unit. Councillor Stewart reported that the Community Affairs Committee recommended passage by a vote of 5-0 on March 29, 1984. She added that this proposal is funded by the County Welfare Fund. The President called for public testimony at 8:28 p.m. There being no one present to testify, Councillor Stewart moved, seconded by Councillor Rhodes, for adoption. Proposal No. 144, 1984, was adopted on the following roll call vote; viz:

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

*NO NAYS*

*1 NOT VOTING: Jones*

Proposal No. 144, 1984, was retitled **FISCAL ORDINANCE NO. 22, 1984**, and reads as follows:

### **CITY-COUNTY FISCAL ORDINANCE NO. 22, 1984**

**A FISCAL ORDINANCE** amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Twenty-four Thousand Three Hundred Fifty-seven Dollars (\$24,357) in the County Welfare Fund for purposes of the Marion County Guardian Home and reducing the unappropriated and unencumbered balance in the County Welfare 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 3.02 and 3.03 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 to employ a licensed practical nurse and two nurses aides to staff the new Infant Care Unit.



SECTION 2. The sum of Twenty-four Thousand Three Hundred Fifty-seven Dollars (\$24,357) 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 GUARDIAN HOME	COUNTY WELFARE FUND
1. Personal Services	<u>\$24,357</u>
TOTAL INCREASE	\$24,357

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

MARION COUNTY GUARDIAN HOME	COUNTY WELFARE FUND
Unappropriated and Unencumbered County Welfare Fund	<u>\$24,357</u>
TOTAL REDUCTION	\$24,357

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

MARION COUNTY GUARDIAN HOME - Dept. 85

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrative Personnel	4	29,335	76,070
Professional Staff	<u>7 8</u>	15,471	<del>88,193</del> <u>101,193</u>
Maintenance & Food Service	13	13,342	126,528
Clerical	2	11,740	22,287
Attendants	<del>23</del> <u>25</u>	11,830	<del>2,08,173</del> <u>225,407</u>
Workman's Comp			<del>2,048</del> <u>2,124</u>
Pension			<del>27,397</del> <u>28,414</u>
FICA			<del>36,529</del> <u>37,886</u>
Group Insurance			<del>37,020</del> <u>39,435</u>
Employment Comp.			<del>8,010</del> <u>3,122</u>
<u>Vacancy Factor</u>			<u>0 (10,260)</u>
<b>TOTAL</b>	<b><u>49 52</u></b>	<b><u>1627,849</u></b>	<b><u>652,206</u></b>

SECTION 6. 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. 48, 1984. This final bond ordinance authorizes the issuance of \$2,800,000 Economic Development Revenue Bonds for Mayfair Partnership 2. The Economic Development Committee recommended to strike this proposal on April 4, 1984, by a vote of 5-0. Councillor Clark moved, seconded by Councillor Miller, to Strike Proposal No. 48, 1984. Council consent was given.

PROPOSAL NO. 79, 1984. This proposal amends the Code, Chapter 10½ to include certain construction material specifications. Councillor Coughenour reported that the Public Works and Transportation Committees jointly considered

Proposal No. 79, 1984, on April 5, 1984, and recommended to strike the proposal by a vote of 4-3 after almost four hours of deliberation. Councillor Coughenour said the choice of what type of pipe used should be left up to the engineers and she moved, seconded by Councillor Howard, to strike Proposal No. 48, 1984. Councillor Boyd moved that the City-County Council, thru its President, instruct appropriate staff to try to determine the circumstances concerning the penciled in inclusion of "storm sewers" in Section 28-5 of the specifications drawn from the Huntington Wade Report and those findings be brought back to the Council, seconded by Councillor Journey. Councillor Miller moved, for previous question. The President then called for a vote on Councillor Boyd's motion and it failed on the following roll call vote; viz:

17 YEAS: *Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Dowden, Durnil, Hawkins, Howard, Journey, McGrath, Rhodes, Shaw, Stewart, Strader, West*

10 NAYS: *Clark, Cottingham, Curry, Gilmer, Holmes, Miller, Nickell, Rader, Schneider, SerVaas*

2 NOT VOTING: *Jones, Page*

The President then called for the vote on Councillor Coughenour's motion. Proposal No. 79, 1984, was stricken by voice vote.

PROPOSAL NO. 155, 1984. This final bond ordinance authorizes the issuance of \$400,000 Economic Development Revenue Bonds for Custom Cabinets of Indianapolis by Jim Good, Inc. Councillor Clark reported that the Economic Development Committee recommended to amend and pass Proposal No. 155, 1984, by a vote of 5-0 on April 4, 1984. Councillor Clark moved, seconded by Councillor Rader, for adoption. Proposal No. 155, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Gilmer, Jones, Page*

Proposal No. 155, 1984, was retitled SPECIAL ORDINANCE NO. 20, 1984, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 20, 1984**

**A SPECIAL ORDINANCE authorizing the issuance of \$400,000 aggregate principal amount of Economic Development First Mortgage Revenue Bonds (Custom Cabinets of Indianapolis by Jim Good, Inc. Project) of the City of Indianapolis, Indiana, the proceeds of which shall be loaned to Custom Cabinets of Indianapolis by Jim Good, Inc. to**

assist in the financing of an economic development facility; providing for the pledge of revenues for the payment of such bonds; authorizing a loan agreement, trust indenture, bond purchase agreement and assignments appropriate for the protection and disposition of such revenues and to further secure such bonds; and authorizing other actions in connection with the issuance of such bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer"), is a municipal corporation and political subdivision in and of the State of Indiana, and by virtue of the laws of the State of Indiana, including Indiana Code, Title 18, Article 6, Chapter 4.5, as recodified and amended at I.C. 36-7-12 is authorized and empowered among other things (a) to make a loan for the acquisition, construction, installation and equipping of an economic development facility within the boundaries of the Issuer, and/or portions of Marion County, Indiana outside the boundaries of the issuer with the consent of the governing body having jurisdiction over the location of the economic development facility, (b) to issue and sell its revenue bonds to provide moneys for such loan, and (c) to enact this Bond Legislation and execute and deliver the assignments and agreements hereinafter identified; and

WHEREAS, this City-County Council has determined and does hereby confirm that the acquisition, construction, installation and equipping of the Project, as herein-after defined, will promote the welfare of the people of the Issuer, create or preserve jobs and employment opportunities, and assist in the development of economic, manufacturing and industrial activities to the benefit of the people of the Issuer, and that the Issuer, by assisting with the financing of the Project through the issuance of revenue bonds in the aggregate principal amount of \$400,000, will be acting in a manner consistent with and in furtherance of the provisions of Indiana Code, Title 18, Article 6, Chapter 4.5, as recodified and amended at I.C. 36-7-12; now, therefore:

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

SECTION 1. Definitions. In addition to the words and terms defined in the recitals and elsewhere in this Bond Legislation and in the Indenture, the words and terms defined in this Section shall have the meanings herein specified unless the context or use clearly indicates another or different meaning or intent. Those words and terms not expressly defined herein and used herein with initial capitalization where rules of grammar do not otherwise require capitalization shall have the meanings assigned to them in the Agreement, as hereinafter defined.

"Act" means Indiana Code, title 18, Article 6, Chapter 4.5, as recodified and amended at I.C. 36-7-12 and amendments and supplements thereto such as are hereafter adopted.

"Agreement" or "Loan Agreement" means the Loan Agreement dated as of April 1, 1984 between the Issuer and the Borrower, and any permitted amendments or supplements thereto.

"Bonds" means the Bonds authorized in Section 3 hereof, including any Bond issued in exchange therefor as provided in the Indenture.

"Bond Fund" means the Bond principal, premium and interest fund created by Section 8 hereof.

"Bondholder" or "Holder" means, initially, the Original Purchaser, or the person in whose name a Bond is registered; provided that, solely as used in the definitions of "Determination of Taxability" and "Event of Taxability", the term "Bondholder" also includes the owner of an undivided participation interest in any Bond.

"Bond Legislation" means this ordinance.

"Bond Purchase Agreement" means the Bond Purchase Agreement dated as of April 1, 1984 among the Issuer, the Trustee, the Borrower and the Original Purchaser, and any permitted amendments or supplements thereto.

"Bond Service Charges" for any time period means the principal, including any amortization or redemption requirements, interest, and redemption premium, if any, required to be paid by the Issuer on the Bonds for such time period. Any "late charge" and any payment required to be made on the Bonds with interest at the Interest Rate for Advances shall also constitute a Bond Service Charge.



"Code" means the Internal Revenue Code of 1954, as amended, and regulations promulgated thereunder.

"Borrower" means Custom Cabinets of Indianapolis by Jim Good, Inc., an Indiana corporation.

"Completion Date" means the date of completion of the acquisition, construction, installation and equipping of the Project as that date shall be certified as provided in Section 3.5 of the Agreement.

"Construction Fund" means the fund created by Section 7 hereof.

"Determination of Taxability" means (i) the filing by the Borrower of any other person or entity of any statement, supplemental statement or other tax schedule, return or document (whether pursuant to Treasury Regulations 11.103-10 (b)(2)(vi)(c) or otherwise) which discloses that an Event of Taxability has occurred, or (ii) the final assertion by the Internal Revenue Service or any agent thereof to the effect that interest on the Bonds is includable in the gross income for federal income tax purposes of any Holder (other than a Holder who is a "substantial user" of the Project or a "related person", as those terms are used in Section 103 of the Code) or (iii) the final adoption of legislation or regulations or a final determination, decision, decree or ruling of any judicial or administrative authority which has the effect of requiring interest on the Bond to be included in the gross income for Federal income tax purposes of any Holder (other than a Holder who is a "substantial user" of the Project or a "related person", as those terms are used in Section 103 of the Code). For purposes of clause (iii) in the preceding sentence, a decision, decree or ruling by any judicial or administrative authority shall be considered final upon the expiration or waiver of all periods for judicial review or appeal, as the case may be.

"Eligible Investments" means (i) any bonds or other direct obligations of the United States of America; (ii) obligations of the Federal National Mortgage Association or the Government National Mortgage Association; (iii) obligations of the Federal Intermediate Credit Banks; (iv) obligations of Federal Banks for Cooperatives; (v) obligations of Federal Land Banks; (vi) obligations of the Federal Financing Bank; (vii) bank repurchase agreements issued by a Federal Reserve member bank, including the Trustee, fully secured by obligations of any of the kinds specified in clauses (i) through (vi) above; (viii) time deposits, certificates of deposits, documented discount notes secured by stand-by letters of credit, bank reverse repurchase agreements or bankers acceptances of banks or trust companies, including the Trustee, organized under the laws of the United States of America or any state thereof, which have combined capital and earned and unearned surplus of at least \$25,000,000 in dollars of the United States of America; (ix) commercial paper or finance company paper which is rated not less than prime-one or A-1 or their equivalents by Moody's Investors Service, Inc., or Standard & Poor's Corporation, respectively, or their successors, or both, if rated by both; (x) obligations, of any state of the United States of America or of any political subdivision or other instrumentality of any such state, which are rated at least "A" or its equivalent by either Moody's Investors Service, Inc., or Standard & Poor's Corporation, or their successors, or both, if rated by both.

"Event of Taxability" means the occurrence of circumstances which a Determination of Taxability shall have found to have occurred, or which shall constitute a Determination of Taxability, and which results in the interest payable on the Bond becoming includable in the gross income for Federal income tax purposes of any Bondholder (other than a Bondholder who is a "substantial user" of the Project or a "related person" as those terms are used in Section 103 of the Code), such occurrence of circumstances relating to a specific point in time.

"Executive" means the Mayor of the Issuer.

"Final Maturity Date" means May 1, 2004.

"Fiscal Officer" means the Controller of the Issuer.

"Indenture" means the Trust Indenture dated as of April 1, 1984, between the Issuer and the Trustee, including this Bond Legislation as a part thereof, and any permitted amendments or supplements thereto.

"Issuing Authority" means the City-County Council of the Issuer.

"Interest Payment Date" means the first day of each May and November, commencing November 1, 1984 and continuing semi-annually thereafter.

"Interest Rate for Advances" means the annual rate of interest which is equal to twenty-one percent (21%); provided that in no event shall the Interest Rate for Advances exceed the rate permitted by law.

"Legal Officer" means the City Attorney of the Issuer.

"Mortgage" means the Mortgage and Security Agreement dated as of April 1, 1984, whereby the Borrower has granted to the Trustee, as security for payment of the Note and the Bonds, a mortgage on and security interest in the Project and the Project Site, and any permitted amendments or supplements thereto.

"Note" means the Promissory Note, in the form attached as Exhibit C to the Loan Agreement, issued by the Borrower to the Issuer concurrent with the delivery of the Loan Agreement.

"Note Payments" means any and all payments of principal of and interest, and prepayment premiums or Additional Payments, if any, on the Note.

"Original Principal Sum" means \$400,000, the aggregate original face amount of the Bonds.

"Original Purchaser" means The Cincinnati Insurance Company, an Ohio corporation.

"Outstanding Bond" or "Bond outstanding" or "outstanding" as applied to the Bonds, means, as of any date, any Bond which has been authenticated and delivered, or is then being delivered, by the Trustee under the Indenture except:

(a) Any Bond surrendered and replaced upon exchange or transfer, or cancelled because of payment or redemption, at or prior to such date;

(b) Any Bond for the payment, redemption or purchase for cancellation of which sufficient moneys have been deposited prior to such date with the Trustee (whether upon or prior to the Final Maturity Date or the redemption date of any such Bond), or which is deemed to have been paid and discharged pursuant to the provisions of Section 8.02 of the Indenture; provided that if such Bond is to be redeemed prior to the Final Maturity Date, notice of such redemption shall have been given or arrangements satisfactory to the Trustee shall have been made therefor, or waiver of such notice satisfactory in form to the Trustee shall have been filed with the Trustee; and

(c) Any Bond in lieu of which another has been authenticated (or payment, when due, of which is made without replacement) under Section 2.04 of the Indenture;

and also except that

(d) For the purpose of determining whether the holders of the requisite principal amount of Bonds have made or concurred in any notice, request, demand, direction, consent, approval, order, waiver, acceptance, appointment or other instrument or communication under or pursuant to this Indenture, Bonds owned by or for the account of the Borrower or any person owned, controlled by, under common control with or controlling the Borrower shall be disregarded and deemed to be not outstanding. The term "control" (including the terms "controlling", "controlled by" and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise. Beneficial ownership of 5% or more of a class of securities having general voting power to elect a majority of the board of directors of a corporation shall be conclusive evidence of control of such corporation.

"Payment in Full of the Bonds" means the first date when the Bonds are no longer deemed to be outstanding pursuant to Section 8.02 of the Indenture.

"Person" means natural persons, firms, associations, corporations and public bodies.

"Pledged Receipts" means (a) the Note Payments, (b) subject to the provisions of Sections 3.04, 4.02 and 8.02 of the Indenture with respect to the Trustee holding moneys for the benefit of any Bondholder, all other moneys received by the Issuer, or the Trustee for the account of the Issuer, in respect of the Agreement or the Project, except certain expense, reimbursement and indemnity payments which are, pursuant to the provisions of the Agreement, to be made by the Borrower directly to the Issuer or the Trustee, (c) any moneys on deposit in the Construction Fund, the Bond Fund or the Reserve Fund and (d) the income and profit from the investment of any moneys while held in the Construction Fund, the Bond Fund or the Reserve Fund.

"Project" means the Project Site and the real personal, or real and personal property, including undivided interests or other interests therein, identified in Exhibit A to the Agreement, or acquired, constructed or installed as a replacement or substitution therefor or an addition thereto, or as may result from a



revision of the plans and specifications therefor in accordance with the provision of the Loan Agreement or Mortgage.

"Project Site" means the real estate and interests in real estate constituting the site of and part of the Project, as described in Exhibit B to the Agreement.

"Reserve Fund" means the Reserve Fund created in Section 8(a) hereof.

"Reserve Fund Payment" means as to the Bonds, the amount payable by the Borrower to the Trustee, as determined by Section 4.1(d) of the Loan Agreement, which amount shall be deposited in the Reserve Fund and used by the Trustee as provided herein.

"State" means the State of Indiana.

"Taxable Rate of Interest" means the Interest Rate for Advances, provided that in the event that the Event of Taxability is due solely to the enactment of H.R. 4170, 98th Cong., 1st Sess. (1983) or any successor legislation, with an effective date prior to the date of enactment of such legislation and on or prior to the date of delivery of the Bonds, i.e., in the event of a retroactive effective date for such legislation, the Taxable Rate of Interest shall be equal to 14% per annum.

"Trustee" means the Trustee at the time acting as such under the Indenture, originally The Fidelity Bank of Indiana, as Trustee, and any successor Trustee as determined or designated under or pursuant to the Indenture.

Any reference herein to the Issuer, the Issuing Authority, the Indianapolis Economic Development Commission, or to any officer or official thereof, shall include those succeeding to their respective functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing such functions. Any reference herein to any other person or entity shall include his or its respective successors and assigns. Any reference to a section or provision of the Code, the Act or to a section, provision or chapter of the Indiana Code shall include such section or provision or chapter as from time to time amended, modified, revised, supplemented, or superseded; provided, however, that no such change shall alter the obligation to pay the Bond Service Charges in the amounts and manner, at the times, and from the sources provided in this Bond Legislation and the Indenture, except as otherwise herein permitted, or shall be deemed applicable by reason of this provision if such change would in any way constitute an impairment of the rights of the Issuer or the Borrower under the Agreement.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, any pronoun shall be deemed to cover all genders, and the terms "herein", "hereof", "hereby", "hereto", "hereunder", and similar terms, mean this Bond Legislation and the Indenture and not solely the portion hereof in which any such word is used.

**SECTION 2. Determination of Issuing Authority.** Pursuant to the Act, the Issuing Authority hereby finds and determines that the Project is an "economic development facility" as defined in the Act and that all actions required under the Act to be taken by the Issuer, the City-County Government of Indianapolis, Indiana, the Trustee and the Borrower prior to the issuance of the Bonds have been duly authorized and completed.

**SECTION 3. Authorization of Bonds.** It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided herein and pursuant to the authority of the Act, the Bonds in the aggregate principal amount of \$400,000 for the purpose of financing costs of acquiring, constructing and installing the Project, including costs incidental thereto and of the financing thereof, all in accordance with the provisions of the Loan Agreement and the Bond Purchase Agreement. The Bonds shall be designated "Economic Development First Mortgage Revenue Bonds (Custom Cabinets of Indianapolis by Jim Good, Inc. Project)".

**SECTION 4. Terms of Bonds.** The Bonds shall initially be issued registered form, as may be requested by the Original Purchaser thereof, shall be exchangeable for Bonds in the manner and on the terms provided in the Indenture, shall be numbered from R-1 upwards, and shall be in substantially the forms set forth therefor in the Indenture.

The Bonds shall be issued in the denominations of \$5,000 and any multiple thereof, and shall be of a single maturity of the same series; provided that the Fiscal Officer with the approval of the Trustee may authorize issuance of one or more Bonds representing more than one maturity of the same series with appropriate changes in the form of such a Bond to cover more than one maturity, such approval and authorization to be evidenced as provided in the Indenture.



Each Bond shall bear interest from its date and shall be dated as of the interest payment date next preceding its date of authentication, unless authenticated upon an interest payment date in which case it shall be dated as of the date of its authentication; provided that if at the time of authentication of Bond interest is in default thereon, such Bond shall be dated as of the date to which interest has been paid.

The Bonds being delivered to The Cincinnati Insurance Company, as Original Purchaser, aggregating \$400,000 in principal amount, mature May 1, 2004 and shall bear interest from their respective dates at a fixed rate of eleven and one-half percent (11.5%) per annum on the outstanding principal amount thereof. Interest on the Bonds shall be payable semi-annually on November 1 and May 1 of each year, beginning November 1, 1984. Interest shall be calculated on a 360 day year 30 day month basis. Upon any transfer and surrender of the Bond in accordance with the provisions of the Indenture, the Issuer shall execute and deliver a new Bond in exchange therefor as provided in the Indenture.

Principal on the Bonds shall be payable annually on May 1, 1986, and on each May 1 thereafter to and including May 1, 2004, in the following amounts:

<u>Principal Payment Date</u>	<u>Principal Payment Amount</u>
May 1, 1986	\$15,000
May 1, 1987	\$15,000
May 1, 1988	\$15,000
May 1, 1989	\$20,000
May 1, 1990	\$20,000
May 1, 1991	\$20,000
May 1, 1992	\$20,000
May 1, 1993	\$20,000
May 1, 1994	\$20,000
May 1, 1995	\$20,000
May 1, 1996	\$20,000
May 1, 1997	\$20,000
May 1, 1998	\$20,000
May 1, 1999	\$20,000
May 1, 2000	\$20,000
May 1, 2001	\$20,000
May 1, 2002	\$25,000
May 1, 2003	\$35,000
May 1, 2004	\$35,000

The principal payable on any outstanding Bond in accordance with the foregoing paragraph shall be an amount which bears the same ratio to the aggregate amount of principal payable on all outstanding Bonds as the outstanding principal amount of such Bond bears to the aggregate outstanding principal amount of all Bonds.

The Bonds are subject to operational redemption, in whole or in part by lot, prior to maturity by the Issuer at the direction of the Borrower on May 1, 1984, or on any Interest Payment Date thereafter, in the event of exercise by the Borrower of its option to prepay the Note in full or in part as provided by the first paragraph of Section 6.1 of the Loan Agreement at the redemption prices (expressed as percentages of the principal amounts thereof) set forth below, plus accrued interest to the redemption date. The redemption date in any such event shall be the date set by the Borrower for prepayment of the Note in accordance with the provisions of such paragraph:

<u>If Prepaid (dates inclusive)</u>	<u>The redemption price shall be the following percentage of the Principal Amount of Bonds to be Redeemed</u>
May 1, 1994 and November 1, 1994	105-3/4%
May 1, 1995 and November 1, 1995	104-3/4%
May 1, 1996 and November 1, 1996	103-3/4%
May 1, 1997 and November 1, 1997	102-3/4%
May 1, 1998 and November 1, 1998	101-3/4%
May 1, 1999 and November 1, 1999	100-3/4%
May 1, 2000 and thereafter	100%

The Bonds are also subject to optional redemption, in whole, but not in part, in the event of the exercise by the Borrower of its options to prepay the Note in whole or in part as provided by the fifty paragraph of Section 6.1 of the Loan Agreement, at a redemption price of 100% of principal balance of the Bonds to be redeemed on the date of redemption, plus accrued interest to the redemption date.

The Bonds shall also be callable for redemption in whole or in part by lot, upon occurrence of any of the circumstances which operate to require prepayment of the Note in whole or in part by the Borrower in accordance with the provisions of Section 6.2 of the Loan Agreement. The redemption date in any of such events shall be the date set by the Borrower, (or in default thereof, by the Trustee) for the prepayment of the Note in whole or in part in accordance with the provisions of the Loan Agreement. The redemption price in any of such events shall be 100% of the principal balance of the Bonds to be redeemed on the date of redemption, plus accrued interest to the redemption date; provided that upon any call for redemption of the Bonds due to a Determination of Taxability, the redemption price shall be increased by an amount equal to the difference between (a)(i) the aggregate amount of interest which would have been payable on the Bonds if the interest rate on the Bonds, commencing on the date of the Event of Taxability, had been the Taxable Rate of Interest, plus (ii) any penalties and interest payable by the Holders to any taxing authority as a result of the loss of the tax-exempt status of interest on the Bonds, plus (iii) all attorneys fees and other costs incurred by the Holders in contesting or resisting the loss of the tax-exempt status of interest on the Bonds, and (b) the aggregate amount of interest actually paid on the Bonds to the redemption date.

The obligation of the Issuer to make semi-annual payments of principal and interest on the principal amount of the Bonds which remains outstanding after any partial redemption shall not be affected by such partial redemption, such partial redemption operating instead to pay and redeem the principal of the Bonds at dates earlier than the originally scheduled principal amortization dates, in inverse chronological order.

Notice from the Borrower to the Trustee that the Note is to be prepaid in whole or in part pursuant to the Agreement shall constitute the direction of the Issuer to the Trustee to call some or all, as the case may be, of the then outstanding Bonds, and no separate notice from the Issuer to the Trustee shall be required.

When less than the entire unmatured portion of the Bonds shall be called for redemption at any time or from time to time the selection of such Bonds or portions of Bonds to be called shall be made by lot by the Trustee in such manner as the Trustee may determine.

Notice of the call for any redemption of Bonds, identifying by designation, letters, numbers, or other distinguishing marks, the Bonds (in amounts of \$5,000 or any multiple thereof) or portions of Bonds to be redeemed, the redemption price to be paid, the date fixed for redemption and the place or places where the amounts due upon such redemption are payable, shall be given by the Trustee, by mailing a copy of the redemption notice by first class mail at least thirty days prior to the date fixed for redemption to the owner of each such Bond to be redeemed at the address shown on the registration books kept by the Trustee; provided, however, that failure to give such notice by mailing, or any defect in such notice, shall not affect the validity of any proceedings for the redemption of the Bonds. The holder or holders of Bonds may waive any notice of redemption in writing, and in such event, no notice of any kind need be given with respect to the Bonds of such holder or holders to be so redeemed.

All Bond Service Charges on Bonds shall be payable by check or draft drawn upon the Trustee and mailed or delivered to the Bondholder at its address as shown on the Bond registration books to be kept by the Trustee; provided however that the final Bond Service Charges shall be payable at the corporate trust office of the Trustee upon presentation and surrender of the Bond at such office. All payments of Bond Service Charges shall be made in lawful money of the United States of America, without deduction for services as paying agent. If any Bond Service Charges are not paid when due, the Issuer shall also pay to the Trustee, for distribution to the Bondholder, a "late charge" equal to 4% of such Bond Service Charges to cover the extra expenses involved in handling delinquent payments. In addition, upon acceleration of the Bond, the amounts payable upon such acceleration, together with interest thereon at the Interest Rate for Advances from the date of acceleration, shall continue as an obligation of the Issuer until paid. All payments from the Issuer referred to herein shall be payable solely from the Pledged Receipts.

All Bonds shall bear such designation as may be necessary to distinguish them from Bonds of any other series. All Bonds shall be negotiable instruments, subject to applicable provisions for registration, and shall express on their faces the purpose for which they are issued and such other statements or legends as may be required by law.

If Bonds or portions of Bonds are duly called for redemption and if on such redemption date moneys for the redemption of all the Bonds to be redeemed, together with accrued interest to the redemption date, shall be held by the Trustee so as to be available therefore, then from and after such redemption date such Bonds or portions of Bonds shall cease to bear interest maturing subsequent to the redemption date shall be void.

The Bonds shall be executed on behalf of the Issuer by the Executive and by the Clerk of the Issuer, provided that any or all of such signatures may be facsimiles, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on any Bond, shall cease to be such officer before the issuance, authentication or delivery of the Bond, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until after that time.

**SECTION 5. Security for the Bonds.** As provided herein, the Bonds shall be payable solely from the Bond Fund and the Pledged Receipts and secured by a pledge of and lien on the Pledged Receipts and the Bond Fund, and shall be further secured by the Mortgage, the Guaranty Agreement (as defined in the Loan Agreement) and the Indenture. Neither the Bond Legislation, the Bonds, the Indenture, the Loan Agreement, nor the Bond Purchase Agreement shall represent or constitute a debt or pledge of the faith and credit or the taxing power of the Issuer, and each Bond shall contain on the face thereof a statement to that effect.

**SECTION 6. Sale of Bonds.** The Bonds are hereby sold and awarded to each Original Purchaser, in accordance with its offer therefor in the Bond Purchase Agreement, at a purchase price of 100% of the principal amount of the Bonds to be purchased by it, aggregating \$400,000, plus accrued interest, if any, from the date of the Bonds. The Executive and the Fiscal Officer are authorized and directed to make on behalf of the Issuer the necessary arrangements with the Original Purchaser to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchaser, and to take all steps necessary to effect due execution, authentication and delivery to the Original Purchaser of the Bonds purchased by it under the terms of this Bond Legislation, the Indenture and the Bond Purchase Agreement. It is hereby determined that the price for and the terms of the Bonds, and the sale thereof, all as provided in this Bond Legislation and the Bond Purchase Agreement, are in the best interest of the Issuer and consistent with all legal requirements.

**SECTION 7. Allocation of Proceeds of Bond - Construction Fund.** There is hereby created by the Issuer and ordered maintained, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, a trust fund in the name of the Issuer to be designated "City of Indianapolis - Custom Cabinets of Indianapolis by Jim Good, Inc. Construction Fund". All of the sums from the sale of the Bonds, except accrued interest on the Bonds, shall be deposited in the Construction Fund and disbursed by the Trustee in accordance with the Loan Agreement. The Trustee is authorized and directed to issue its check for each such disbursement. The moneys to the credit of the Construction Fund (including the proceeds from the sale of investments thereof) shall, pending applications thereof as above set forth, be subject to a lien and charge in favor of the Holder.

**SECTION 8. Source of Payment - Bond Fund.** As provided in the Agreement, Note Payments, sufficient in time and amount to pay the Bond Service Charges as they come due, are to be paid by the Borrower directly to the Trustee for the account of the Issuer and deposited in the Bond Fund.

There is hereby created by the Issuer and ordered maintained, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, a trust fund to be designated "City of Indianapolis - Custom Cabinets of Indianapolis by



Jim Good, Inc. Bond Fund". There is also hereby created two separate subaccounts in the Bond Fund, to be designated the "Principal Account" and the "Interest Account". Subject to the provisions of the Mortgage, the Bond Fund and the moneys therein are hereby pledged to and shall be used solely and exclusively for the payment of Bond Service Charges as they fall due at stated maturity or by amortization or redemption, all as provided herein and in the Indenture and the Agreement, with Bond Service Charges representing repayment of principal on the Bonds, whether at maturity, or by mandatory or optional redemption, being paid only from the Principal Account and with Bond Service Charges representing all other amounts being paid only from the Interest Account, except as provided in Section 8.02 of the Trust Indenture relating to defeasance of the Bonds.

Except as otherwise provided in this Bond Legislation or in the Mortgage, and except for payments to be deposited into the Reserve Fund, there shall be deposited into the Bond Fund, as and when received, all Pledged Receipts, as follows: All portions of the Note Payments representing a payment of principal on the outstanding balance of the Note, all moneys from the Reserve Fund or investment of Reserve Fund moneys transferred from the Reserve Fund or otherwise credited to the Bond Fund and with other payments received by the Trustee to be used to repay principal on the Bonds, shall be deposited into the Principal Account, and all other Pledged Receipts shall be deposited into the Interest Account.

The Issuer covenants and agrees that, until Payment in Full of the Bonds, it will deposit or cause to be deposited in the Bond Fund Pledged Receipts sufficient in time and amount to pay the Bond Service Charges as the same become due and payable, and to this end the Issuer covenants and agrees that it will diligently and promptly proceed in good faith and use its best efforts to enforce the Agreement and that, should there be an event of default under the Agreement, the Issuer shall fully cooperate with the Trustee and with the Bondholder to fully protect the rights and security of the Bondholder hereunder. Nothing herein shall be construed as requiring the Issuer to use or apply to the payment of Bond Service Charges any funds other than the Bond Fund and the Construction Fund or revenues from any source other than Pledged Receipts.

The Issuer covenants and agrees, whenever the moneys and investments in the Bond Fund (or otherwise held by the Trustee for such purpose) are sufficient in amount to redeem the entire principal amount of the Bonds then outstanding and to pay interest to accrue thereon to the date or dates of such redemption, and any applicable premiums, to take and cause to be taken, upon notification by the Borrower or the Trustee, the necessary steps to redeem the Bonds on the next succeeding redemption date or dates for which the required notice of call for redemption may be given.

**SECTION 8(a).** Reserve Fund. There is hereby created by the Issuer and ordered maintained, as a separate deposit account (except when invested as hereinafter provided) in the custody of the Trustee, a trust fund to be designated "City of Indianapolis - Custom Cabinets of Indianapolis by Jim Good, Inc. Reserve Fund" (hereinafter called the "Reserve Fund"). As provided in Section 4.1(d) of the Agreement, Reserve Fund Payments are to be paid by the Borrower directly to the Trustee for the account of the Issuer and deposited in the Reserve Fund. There shall be deposited or credited to the Reserve Fund from the Reserve Fund Payments and from all other sources, including from income earned on the investment of monies credited to such Reserve Fund, an amount equal to not more than \$60,000, which is 15% of the Original Principal Sum and the reserve reasonably required by the Original Purchaser. Until the principal amount of the Reserve Fund shall have totaled \$60,000, the Trustee shall invest the monies in such Reserve Fund as provided in Section 10 hereof and shall accumulate such income in the Reserve Fund and add such income to the principal thereof. When the amount of the Reserve Fund shall have aggregated \$60,000, the Trustee shall credit all further income received from the investment thereof to the Principal Account of the Bond Fund to pay Bond Service Charges representing repayment of principal on the Bonds, whether at maturity, or by optional redemption, to the fullest extent possible, on the next succeeding Interest Payment Date or maturity date.

If, on any Interest Payment Date, the balance in the Bond Fund is insufficient to pay the required Bond Service Charges, then the Trustee shall immediately transfer from the Reserve Fund to the Bond an amount sufficient to make up such deficiency in the Bond Fund. With the approval of the Borrower, which approval shall not be

unreasonably withheld, the Trustee may also make withdrawals from the Reserve Fund to pay the fees and expenses of the Trustee. After any such transfer as aforesaid, the Trustee may again receive and credit Reserve Fund Payments to the Reserve Fund until the amount thereof shall again total \$60,000.

**SECTION 9. Covenants of Issuer.** In addition to other covenants of the Issuer in the Bond Legislation and the Indenture, the Issuer further covenants and agrees as follows:

(a) **Payment of Bond Service Charges.** The Issuer will, solely from the sources herein provided, pay or cause to be paid the Bond Service Charges on the Bonds on the dates, at the places and in the manner provided herein and in the Bonds.

(b) **Performance of Covenants, Authority and Actions.** The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Bond Legislation, the Agreement, Bond Purchase Agreement, the Indenture and the Bonds, and required therein to be observed and performed by the Issuer. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the Constitution and laws of the State, including particularly and without limitation the Act, to issue the Bonds, to execute the Indenture, the Bond Purchase Agreement, the Agreement and the assignment of the Note, and to provide the security for payment of the Bond Service Charges in the manner and to the extent herein and in the Indenture set forth; that all actions on its part for the issuance of the Bonds, and the execution and delivery of the Indenture, the Bond Purchase Agreement, the Agreement and the assignment of the Note, have been or will be duly and effectively taken; and that the Bonds will be valid, binding and enforceable special obligations of the Issuer according to the terms thereof except that enforceability may be limited by bankruptcy, insolvency, reorganization or other laws effecting creditors' rights generally. Each provision of the Bond Legislation, Indenture, the Bond Purchase Agreement, the Agreement and the Bonds is binding upon each such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duties required by such provision. However, no such covenant, stipulation, obligation or agreement shall be deemed to be a covenant, stipulation, obligation or agreement of any present or future member, officer, agent or employee of the Issuer, the Indianapolis Economic Development Commission or the Issuing Authority in his individual capacity, and neither the members of the Issuing Authority, the Indianapolis Economic Development Commission nor any official executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

(c) **Pledged Receipts.** Except as otherwise provided in the Bond Legislation, Indenture, Bond Purchase Agreement and Agreement, the Issuer will not make any pledge or assignment of or create any lien or encumbrance upon the Construction Fund, the Bond Fund, the Reserve Fund or the Pledged Receipts, other than the pledge and assignment thereof under the Bond Legislation, Indenture and Agreement.

(d) **Recordings and Filings.** The Issuer will cooperate in causing all necessary financing statements, amendments thereto, continuation statements and instruments of similar character relating to the pledges and assignments made by the Issuer to secure the Bonds, to be recorded or filed in such manner and in such places as and to the extent required by law in order to fully preserve and protect the security of the Holder and the rights of the Trustee under the Indenture; and in pursuance thereof the Borrower has covenanted to cause to be delivered to the Trustee certain opinions of counsel, all as set forth in Section 5.10 of the Agreement.

(e) **Inspection of Project Books.** All books and documents in the Issuer's possession relating to the Project or to the Pledged Receipts shall at all reasonable times be open to inspection by such employees, accountants or other agents of the Trustee as the Trustee may from time to time designate.

(f) **Maintenance of Agreement.** The Issuer shall do all things and take all actions on its part necessary to comply with the obligations, duties and responsibilities on the part of the Issuer under the Agreement, and will take all actions within its authority to maintain the Agreement in effect in accordance with the terms thereof and to enforce and protect the rights of the Issuer thereunder, including actions at law and in equity, as may be appropriate.



(g) List of Bondholders. To the extent that such information shall be made known to the Issuer under the terms of this paragraph, the Issuer will keep or arrange to have kept on file at the corporate trust office of the Trustee a list of names and addresses of the last known holders of Bonds payable to bearer. Any Bondholder may in a writing addressed to the Issuer or Trustee request that his name and address be placed on said list, which request shall include a statement of the principal amount of Bonds held by such holder and shall identify, by number and series designation, such Bonds. Neither the Issuer nor the Trustee shall be under any responsibility with regard to the accuracy of said list. At reasonable times and under reasonable regulations established by the Trustee, said list may be inspected and copied by the Borrower, or by the holders (or a designated representative thereof) of twenty-five percent or more in principal amount of Bonds then outstanding, such holding and the authority of any such designated representative to be evidenced to the satisfaction of the Trustee.

(h) Rights under Agreement. The Trustee, in its name or in the name of the Issuer, may, for and on behalf of the Bondholder, enforce all rights of the Issuer and all obligations of the Borrower under and pursuant to the Agreement, whether or not the Issuer is in default of the pursuit or enforcement of such rights and obligations.

(i) Arbitrage Provisions. The Issuer will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are delivered to the Original Purchaser, so that they will not constitute arbitrage bonds under Section 103(c) of the Code and the applicable regulations prescribed under that section. The Fiscal Officer or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed, along or in conjunction with any of the foregoing or with any other officer, employee, consultant or agent of the Issuer, or any officer of the Borrower, and upon receipt of satisfactory indemnities from the Borrower, to give an appropriate certificate on behalf of the Issuer, for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to such Section 103(c) and regulations thereunder.

**SECTION 10. Investment of Bond Fund, Construction Fund and Reserve Fund Money.** Moneys in the Bond Fund, the Reserve Fund and the Construction Fund shall be invested and reinvested by the Trustee in any Eligible Investments, in accordance with and subject to any written orders, or oral orders confirmed promptly in writing, of the Authorized Borrower Representative with respect thereto, provided that investments of moneys in the Bond Fund shall mature or be redeemable at the option of the Trustee at the times and in the amounts necessary to provide moneys hereunder to pay Bond Service Charges as they fall due at stated maturity or by amortization or redemption, and that each investment of moneys in the Construction Fund shall in any event mature or be redeemable at the option of the Trustee at such time as may be necessary to make timely payments from such Fund. Subject to any such orders with respect thereto, the Trustee may from time to time sell such investments and reinvest the proceeds therefrom in Eligible Investments maturing or redeemable as aforesaid. Any such investments may be purchased from the Trustee. The Trustee shall sell or redeem investments standing to the credit of the Bond Fund to produce sufficient moneys hereunder at the times required for the purposes of paying Bond Service Charges when due as aforesaid. An investment made from moneys credited to the Bond Fund, the Reserve Fund or Construction Fund shall constitute part of that respective Fund and such respective Fund shall be credited with all proceeds of sale and income or loss from such investment, provided further that all investments of any moneys credited to the Principal Account or Interest Account of the Bond Fund shall constitute part of that respective Account, and such respective Account shall be credited with all proceeds of sale and income or loss from such investment, subject to the restrictions set forth in Section 8(a) hereof with respect to the Reserve Fund. The Borrower has covenanted in the Agreement to restrict the use of the proceeds of the Bonds so that they will not constitute arbitrage bonds under the Code.

**SECTION 11. Authorization of Agreement, Bond Purchase Agreement, Indenture and Assignment.** In order to better secure the payment of the Bond Service Charges as the same shall become due and payable, the Executive and the Clerk of the Issuer are hereby authorized and directed to execute, acknowledge and deliver, on behalf of the Issuer, the Agreement, the Bond Purchase Agreement, the Indenture and the assignment



of the Note, in substantially the forms submitted to this Issuing Authority, which are hereby approved, with such changes therein not inconsistent with this Bond Legislation and not substantially adverse to the Issuer as may be permitted by the Act and approved by the Legal Officer and by the persons executing the same. The approval of such changes by the Legal Officer and such members, and that such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution of the Agreement, the Bond Purchase Agreement, the Indenture and such assignment by such persons.

The Executive and Fiscal Officer and the Clerk of the Issuer are each hereby separately authorized to take any and all actions and to execute such financing statements, election statement, certificates and other instruments that may be necessary or appropriate in the opinion of the Legal Officer and bond counsel, in order to effect the issuance of the Bond and the intent of this Bond Legislation. The Clerk of the Issuer, or other appropriate officer of the Issuer, shall certify a true transcript of all proceedings had with respect to the issuance of the Bonds, along with such information from the records of the Issuer as is necessary to determine the regularity and validity of the issuance of the Bonds.

This Bond Legislation shall constitute a part of the Indenture as therein provided and for all purposes of the Indenture, including, without limitation, application to this Bond Legislation of the provisions in the Indenture relating to amendment, modification and supplementation, and provisions for severability.

**SECTION 12. Public Inspection of Documents.** Two (2) copies of the Loan Agreement, Trust Indenture, Bond Purchase Agreement, Open-End Mortgage and Security Agreement, Guaranty Agreement and form of the Economic Development First Mortgage Revenue Bonds (Custom Cabinets of Indianapolis by Jim Good, Inc. Project) are on file in the office of the Clerk of the City-County Council for public inspection.

**SECTION 13. Effective Date.** This Bond Legislation shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 158, 1984. This proposal appoints Bill Locey to the Metropolitan Board of Zoning Appeals - Division III. Councillor Borst reported that the Metropolitan Development Committee recommended passage by a vote of 6-0 on March 21, 1984. He moved, seconded by Councillor Cottingham, for adoption. Proposal No. 158, 1984, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Howard, Jones, Page*

Proposal No. 158, 1984, was retitled COUNCIL RESOLUTION NO. 17, 1984, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 17, 1984**

**A COUNCIL RESOLUTION** appointing Mr. Bill Locey to the Metropolitan Board of Zoning Appeals - Division III.

**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 Metropolitan Board of Zoning Appeals - Division III the Council appoints:

**BILL LOCEY**

**SECTION 2.** The appointee shall serve, at the pleasure of the Council, for a one (1) year term, commencing upon the passage of this resolution and ending December 31, 1984, and until a successor is duly appointed.

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

PROPOSAL NO. 159, 1984. This proposal authorizes the establishment of a fire department petty cash fund. Councillor Dowden reported that the Public Safety and Criminal Justice Committee recommended passage on March 21, 1984, by a vote of 6-0. He moved, seconded by Councillor Borst, for adoption. Proposal No. 159, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Cottingham, Jones, Page, Schneider*

Proposal No. 159, 1984, was retitled SPECIAL RESOLUTION NO. 36, 1984, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1984**

A SPECIAL RESOLUTION authorizing the establishment of a fire department petty cash fund.

WHEREAS, the Indianapolis Fire Department must from time to time make expenditures for small or emergency items; and

WHEREAS, Indiana Code Section 36-1-8-3 authorizes the fiscal body of a political subdivision to establish petty cash funds for any of its offices; now, therefore:

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

**SECTION 1.** The City-County Council authorizes the establishment of a fire department petty cash fund.

**SECTION 2.** The amount of the fire department petty cash fund shall be Two Hundred and No/100 Dollars (\$200.00).

**SECTION 3.** At such time as the fund is no longer needed, any remaining funds will be returned to the fire general fund.

**SECTION 4.** The fire department petty cash fund shall be established and administered in accordance with I.C. 36-1-8-2 and I.C. 36-1-8-3.

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

PROPOSAL NO. 161, 1984. This proposal renews the Marion County Community Corrections Program for fiscal year 1984-1985 and approves the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1984-1985 grant application to the State of Indiana, Department of Corrections. Councillor Dowden reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 6-1 on March 21, 1984. He moved, seconded by Councillor Howard, for adoption. Proposal No. 161, 1984, was adopted on the following roll call vote; viz:

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

1 NAY: *Durnil*

3 NOT VOTING: *Jones, Page, Borst*

Proposal No. 161, 1984, was retitled COUNCIL RESOLUTION NO. 18, 1984, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 18, 1984**

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1984-1985 and approving the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1984-1985 grant application to the State of Indiana, Department of Corrections.

WHEREAS, the Marion County Community Corrections Advisory Board was established by City-County Special Resolution No. 103, 1981, pursuant to I.C. 11-12-2; and

WHEREAS, the term of the Community Corrections Program was limited by City-County General Resolution No. 4, 1984, which provided that the Program will dissolve on July 1, 1984, unless the City-County Council takes affirmative action to renew the program; and

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1983-1984; and

WHEREAS, the Marion County Community Corrections Advisory Board is currently operating a Community Corrections Program funded by the grant from the State of Indiana; and

WHEREAS, the Marion County Community Corrections Advisory Board must submit a grant application to the State of Indiana, Department of Corrections before March 5, 1984, in order to be eligible for state funding for fiscal year 1984-1985; and

WHEREAS, the Marion County Community Corrections Advisory has approved the grant application for fiscal year 1984-1985, a copy of which is attached hereto and incorporated herein, and has submitted said grant application to the State of Indiana, Department of Corrections for its consideration; now, therefore:



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

**SECTION 1.** The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the State of Indiana, Department of Corrections are hereby approved and the Board is authorized to proceed in accordance with I.C. 11-12-2 and the terms of said application.

**SECTION 2.** In the event that the State of Indiana, Department of Corrections approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community Corrections Program for a period of one year beginning on July 1, 1984.

**SECTION 3.** This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by use of revenues from any local tax regardless of source. At any time that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor or both are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received.

**SECTION 4.** Notwithstanding IC 11-12-1-3 any agreement or other contract contemplating the lease, purchase or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

**SECTION 5.** 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. 163, 164, 165, 166, 167 and 168, 1984, together. All of the aforementioned proposals are routine traffic ordinances recommended unanimously by the Transportation Committee on March 28, 1984.]

PROPOSAL NO. 163, 1984, changes intersection controls at Rural and 19th Streets and converts 19th Street to eastbound from Rural Street to Oxford Street. PROPOSAL NO. 164, 1984, changes parking controls on a portion of Massachusetts Avenue. PROPOSAL NO. 165, 1984, changes parking controls on a portion of Pennsylvania Street. PROPOSAL NO. 166, 1984, changes Laverock Road to westbound from Carrolton Avenue to College Avenue. PROPOSAL NO. 167, 1984, changes weight limit controls on a portion of Nelson Avenue. PROPOSAL NO. 168, 1984, changes parking controls on a portion of Kealing Avenue. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 163 through 168, 1984, were adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: Dowden, Jones, Page, Schneider

Proposal Nos. 163, 164, 165, 166, 167 and 168, 1984, were retitled GENERAL ORDINANCE NOS. 17-22, 1984, respectively, and read as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 17, 1984**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated and Section 29-92, Schedule of intersection controls.

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

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

**EASTBOUND**

**Nineteenth Street, from Rural Street to Oxford Street**

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 25	N. Rural St. & E. 19th St.	N. Rural St.	STOP

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
25, Pg. 25	Rural St. & 19th St.	None	NONE

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

**CITY-COUNTY GENERAL ORDINANCE NO. 18, 1984**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, and Section 29-283, Parking meter zones designated.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

**Massachusetts Avenue, on the northwest side, from College Avenue to Park Avenue**

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY  
From 7:00 a.m. to 9:00 a.m.

Massachusetts Avenue, on the northeast side, from Pennsylvania Street to Lewis Street

ON ANY DAY EXCEPT  
SATURDAYS AND SUNDAYS  
From 6:00 a.m. to 9:00 a.m.

Massachusetts Avenue, on the southeast side, from Pennsylvania Street to Lewis Street

From 6:00 a.m. to 9:00 p.m.

Massachusetts Avenue, on the southeast side, from Alabama Street to College Avenue

From 3:00 p.m. to 6:00 p.m.

Massachusetts Avenue, on the northwest side, from College Avenue to Alabama Street

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

ONE HOUR

Massachusetts Avenue, on both sides, from Delaware Street to New Jersey Street, except the portion thereof on the northwest side of Massachusetts Avenue between the east curblane of the alley between Delaware Street and Alabama Street and a point 132 feet northeast of the east curblane;

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Massachusetts Avenue, on both sides, from Delaware Street to Alabama Street

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

#### CITY-COUNTY GENERAL ORDINANCE NO. 19, 1984

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, Section 29-267, Parking prohibited at all times on certain streets, Section 29-283, Parking meter zones established and Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:



Pennsylvania Street, on both sides, from Eleventh Street to Twelfth Street;

Pennsylvania Street, on both sides, from Twelfth Street to Thirteenth Street;

Pennsylvania Street, on the east side, from Eleventh Street south for a distance of 395 feet.

**SECTION 2.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Pennsylvania Street, on the east side, from Thirteenth Street to a point 395 feet south of Eleventh Street; and

Pennsylvania Street, on the west side, from Eleventh Street to Twelfth Street.

**SECTION 3.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

Pennsylvania Street, on the east side, from a point 177 feet south of Thirteenth Street to a point 236 feet south of Thirteen Street;

Pennsylvania Street, on the east side, from the south curblin of Fourteenth Street, south for a distance of 82 feet;

Pennsylvania Street, on the east side, from the south curblin of Sixteenth Street, south for a distance of 62 feet; and

Pennsylvania Street, on the west side, from Sixteenth Street to a point 120 feet south of Sixteenth Street.

**SECTION 4.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Pennsylvania Street, on the west side, from Sixteenth Street to a point 95 feet south of Sixteenth Street;

Pennsylvania Street, on the west side, from Fourteenth Street to a point 121 feet north of Fourteenth Street;

Pennsylvania Street, on the east side, from a point 60 feet north of the north curblin of Fourteenth Street to a point 128 feet south of the south curblin of Fourteenth Street; and

Pennsylvania Street, on the east side, from Thirteenth Street to a point 72 feet north of Thirteenth Street.

**SECTION 5.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones established, be and the same is hereby amended by the addition of the following, to wit:

#### TWO HOURS

Pennsylvania Street, on the west side, from St. Clair Street to Eleventh Street; and

Pennsylvania Street, on the east side, from St. Clair Street to a point 395 feet south of Eleventh Street.

**SECTION 6.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days, and hours, be and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT  
SATURDAYS AND SUNDAYS  
From 6:00 a.m. to 9:00 a.m.**

Pennsylvania Street, on the west side, from Eleventh Street to Sixteenth Street; and  
Pennsylvania Street, on the east side, from Thirteenth Street to Sixteenth Street.

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

**CITY-COUNTY GENERAL ORDINANCE NO. 20, 1984**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

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

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

**WESTBOUND**

Laverock Road, from Carrolton Avenue to College Avenue

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

**CITY-COUNTY GENERAL ORDINANCE NO. 21, 1984**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

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

**SECTION 1.** The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-224, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

**11,000 POUNDS GROSS WEIGHT**

Nelson Avenue, from Allen Avenue to Shelby Street

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

**CITY-COUNTY GENERAL ORDINANCE NO. 22, 1984**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-271, No stopping, standing or parking prohibited at designated locations on certain days and hours.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-271, No stopping, standing or parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY  
EXCEPT SATURDAYS, SUNDAYS OR HOLIDAYS  
From 8:00 a.m. to 9:00 a.m.

Kealing Avenue, on both sides, from New York Street to Michigan Street;

From 3:00 p.m. to 4:00 p.m.

Kealing Avenue, on both sides, from New York Street to Michigan Street.

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

PROPOSAL NO. 176, 1984. This proposal amends the Code, Section 12-212, Exit sign illumination. Councillor Dowden reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-3 on March 21, 1984. He said this proposal allows for exit signs to be illuminated externally or internally. Councillor Dowden moved, seconded by Councillor Miller, for adoption. Proposal No. 176, 1984, was adopted on the following roll call vote; viz:

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

4 NAYS: *Campbell, Coughenour, Curry, Journey*

2 NOT VOTING: *Jones, Page*

Proposal No. 176, 1984, was retitled GENERAL ORDINANCE NO. 23, 1984, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1984

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by amending Chapter 12 which deals with fire prevention and protection.

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

SECTION 1. Article I of Chapter 12 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the words underlined and deleting the words crosshatched as follows:

Sec. 12-212. Exit sign illumination.

All required exit signs shall be illuminated in accordance with Section 5-10.3 of the Life Safety Code, NFPA No. 101, 1981 edition.



**SECTION 2.** (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

**SECTION 3.** Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 177, 1984. This proposal authorizes the leasing of surplus property by the Department of Parks and Recreation. Councillor Durnil reported that the Parks and Recreation Committee recommended passage by a vote of 7-0 on April 5, 1984. Councillor Durnil moved, seconded by Councillor Howard, for adoption. Proposal No. 177, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Jones, Page*

Proposal No. 177, 1984, was retitled SPECIAL RESOLUTION NO. 37, 1984, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1984**

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

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

**SECTION 1.** The City-County Council approves, pursuant to I.C. 36-1-11-3 the leasing of the following property by the Department of Parks and Recreation:

<u>Location</u>	<u>Lease Value</u>	<u>Public Hearing Date</u>
1501 W. 16th Street	\$20,000 annual guaranteed rent plus percentage rent	November 3, 1983

SECTION 2. This resolution 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 before any of the special service district councils, none of the special service district councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:09 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 9th day of April, 1984.

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

*Brent SerVaas*  
President

*Samuel W. King*  
Clerk of the City-County Council

ATTEST:

(SEAL)