

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

REGULAR MEETINGS - THURSDAY, MAY 10, 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 7:18 p.m., on Thursday, May 10, 1984, with Councillor SerVaas presiding.

The meeting was opened with prayer by Councillor David P. McGrath. All joined in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

All twenty-nine members being present, he announced a quorum was present.

OFFICIAL COMMUNICATIONS

**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 Thursday, May 10, 1984, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

April 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 April 30, 1984, and May 7, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 253, 255, 256, 257, 258, 259 and 266, 1984, to be held on Thursday, May 10, 1984, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

May 2, 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 May 4, 1984, a copy of NOTICE TO TAXPAYERS of General Ordinance No. 24, 1984.

Respectfully,

s/Beverly S. Rippy
City Clerk

May 1, 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 ordinances and resolutions.

FISCAL ORDINANCE NO. 23, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Five Hundred Twenty-five Thousand Dollars (\$525,000) in the Park Land Fund for purposes of the Department of Parks and Recreation, Administration Division and reducing the unappropriated and unencumbered balance in the Park Land Fund.

FISCAL ORDINANCE NO. 25, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Two Hundred Eight Thousand One Hundred Sixty-one Dollars (\$208,161) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and Marion County Auditor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 26, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Hundred Thirty-two Thousand Eight Hundred Dollars (\$132,800) in the County General Fund for purposes of the Prosecutor's Child Support Agency and Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 27, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Twenty-two Thousand Two Hundred Fifty Dollars (\$22,250) in the County General Fund for purposes of the Marion County Prosecutor and Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

FISCAL ORDINANCE NO. 28, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Hundred Six Thousand Three Hundred Seventy-seven Dollars (\$106,377) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste 24th Floor Administration and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

FISCAL ORDINANCE NO. 29, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Four Million Three Hundred Fifty-two Thousand Four Hundred Thirteen Dollars (\$4,352,413) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

FISCAL ORDINANCE NO. 31, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating Four Thousand Three Hundred Fifty Dollars (\$4,350) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing certain other appropriations for that division.

FISCAL ORDINANCE NO. 34, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) by reducing the appropriation Four Hundred Seventy-five Thousand Dollars (\$475,000) in the Flood Control General Fund for purposes of the Department of Public Works, Flood Control Division.

FISCAL ORDINANCE NO. 35, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating Fifty-eight Thousand Five Hundred Dollars (\$58,500) in the City General Fund for purposes of the Department of Public Works, Office of the Director and reducing certain other appropriations for that division.

GENERAL ORDINANCE NO. 24, 1984, amending the "Code of Indianapolis and Marion County, Indiana", by amending Chapter 16, Human Relations; Equal Opportunity.

GENERAL ORDINANCE NO. 25, 1984, amending City-County General Ordinance No. 78, 1983, authorizing changes in the personnel schedule of the Washington Township Trustee.

GENERAL ORDINANCE NO. 26, 1984, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 27, 1984, amending the "Code of Indianapolis and Marion County, Indiana", by increasing the authority of the Department of Transportation.

SPECIAL RESOLUTION NO. 39, 1984, honoring the Young Ambassadors.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

May 1, 1984

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
POLICE SPECIAL SERVICE DISTRICT 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 Police Special Service District Council, Mrs. Beverly S. Rippy, the following ordinance:

FISCAL ORDINANCE NO. 1, 1984, amending the Police Special Service District Annual Budget for 1984 (P.S.S.D. Fiscal Ordinance No. 4, 1983) transferring and appropriating an additional Eighty-five Thousand Eighty-three Dollars (\$85,083) in the Police General Fund for purposes of the Department of Public Safety, Police Division and reducing certain other appropriations for that Division and the unappropriated and unencumbered balance in the Police General Fund.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

May 1, 1984

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
SOLID WASTE SPECIAL SERVICE DISTRICT 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 Solid Waste Special Service District Council, Mrs. Beverly S. Rippy, the following ordinance:

FISCAL ORDINANCE NO. 1, 1984, amending the Solid Waste Special Service District Annual Budget for 1984 (S.W.S.S.D. Fiscal Ordinance No. 3, 1983) appropriating and additional Four Hundred Seventy-five Thousand Dollars (\$475,000) in the Solid Waste Service District Fund for purposes of the Department of Public Works, Solid Waste Division and reducing the unappropriated and unencumbered balance in the Solid Waste Service District Fund.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

ADOPTION OF AGENDA

Consent was given for the adoption of the Agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Special Service District Councils for May 10, 1984.

APPROVAL OF THE JOURNALS

Dr. SerVaas called for additions or corrections to the Journals of February 28, 1984 and March 19, 1984. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 263, 1984. Introduced by Councillor Strader, in memory of Reverend Robert L. Horsely. Councillor Strader read the resolution and moved its adoption, seconded by Councillor Journey. Proposal No. 263, 1984, was adopted by unanimous voice vote and retitled SPECIAL RESOLUTION NO. 38, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1984

A SPECIAL RESOLUTION in memoriam: Reverend Robert L. Horsley.

WHEREAS, the Reverend Robert L. Horsley was a pastor at Mount Paran Church and New Garfield Church; and

WHEREAS, Reverend Horsley received a master's degree from Indiana University specializing in education, studied music at the University of Florence, Italy, and at Lillian Leman Cosmopolitan School of Music, and was an Army Veteran of World War II; and

WHEREAS, Reverend Horsley was a lifelong resident of Indianapolis, an elementary teacher for Indianapolis Public Schools and a teacher at Central Baptist Theological Seminary; and

WHEREAS, Reverend Horsley dedicated his life to helping people in need, bettering his community in all of its aspects, and sharing his message of strength and hope through faith to all of his brothers and sisters; 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 deepest sympathy to the family of Reverend Robert L. Horsley for their loss.

SECTION 2. The City-County Council memorializes Reverend Robert L. Horsley for his outstanding service to the community and in appreciation for the benefits which he brought to all men.

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.

PROPOSAL NO. 288, 1984. Councillor Borst explained that the Metropolitan Development Committee had held several meetings on Proposal No. 179, 1984, which questioned the decision of the Metropolitan Development Commission concerning a particular block being labeled as blighted. During the public hearings, Councillor Borst had noticed and drafted a resolution recommending changes in the operating procedures of the Commission. Proposal No. 288, 1984, outlines these recommendations and urges the Commission to adopt them. Councillor Borst moved, seconded by Councillor Schneider, for adoption. Proposal No. 288, 1984, was adopted by unanimous voice vote and retitled COUNCIL RESOLUTION NO. 37, 1984, as reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 37, 1984

A COUNCIL RESOLUTION to request the Metropolitan Development Commission to establish certain operating policies.

WHEREAS, the Metropolitan Development Commission is responsible for the redevelopment in the downtown area; and

WHEREAS, the City-County Council is indirectly responsible for the actions of this commission; now, therefore:

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

SECTION 1. The Metropolitan Development Commission is hereby requested to review and establish policies calling for reasonable individual written notice to be given to property owners within redevelopment areas. This is a requirement above the State law but it is within the power of the Commission to adopt rules governing its own procedures. These procedures can be implemented more quickly than waiting for potential revision of the State legislation.

SECTION 2. The Metropolitan Development Commission is requested to re-examine its State legislation to find a way to accomplish its purposes without declaring an area "blighted". The term "blight" raises strong emotion and does not contribute to the project to provide a readily acceptable public standard for understanding the Commis-

sion's actions. Although this does require State law change so the Commission and City Legal staff should begin work on this in order to introduce legislation in the 1985 session of the Indiana General Assembly.

SECTION 3. The Metropolitan Development Commission should restudy the siting or design of the hotel to see if they can avoid taking private property. Can the project be designed to use currently owned public property and street rights-of-way? The Commission already has a design contract for the mall block study which could be used for this design rethinking.

SECTION 4. The Metropolitan Development Commission should restudy whether it is necessary to include all of the area now designated in order to achieve its objectives. The inclusion of the area south of South Street raises a great deal of concern that may be unnecessary and can be delayed until more specific plans are available.

SECTION 5. The Metropolitan Development Commission should adopt a resolution clearly stating that it is not their intent to acquire property other than that currently identified. The property owners in the redevelopment district need assurance that more acquisition is not foreseen at this time.

SECTION 6. The Metropolitan Development Commission is requested to report to this Committee of the Council within 60 days regarding actions on the points stated above.

SECTION 7. 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 move Proposal No. 179, 1984, forward on the agenda.] O

PROPOSAL NO. 179, 1984. Councillor Durnil, a co-sponsor of the proposal, stated that with the passage of Proposal No. 288, 1984, recommending changes to the Metropolitan Development Commission there was no reason for Proposal No. 179, to remain on the agenda. Councillor Durnil moved, seconded by Councillor Rader, to "Strike" Proposal No. 179, 1984. Proposal No. 179, 1984, was stricken by unanimous voice vote.

PROPOSAL NO. 290, 1984. Introduced by Councillor Howard, Proposal No. 290, honors Viola Carson. Councillor Howard read the resolution and moved for its adoption, seconded by Councillor Journey. Proposal No. 290, 1984, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 40, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1984

A SPECIAL RESOLUTION honoring Viola Carson.

WHEREAS, Viola Carson will be age eighty on May 19, 1984 and is currently recuperating from a recent illness; and

WHEREAS, Viola Carson has worked in the State Revenue Department, the Center Township Trustee's Office and has worked and still works occasionally in the Center Township's Assessor's Office; and

WHEREAS, Viola Carson has worked continuously in democrat politics for more than sixty-three (63) years and has the distinct honor of having served continuously as a vice precinct and precinct committee person for more than thirty (30) years; now, therefore:

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

SECTION 1. The Indianapolis - Marion County City-County Council commends Viola Carson for her government service and contributions to Indianapolis and Marion County politics and wishes her continued good wishes.

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

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

INTRODUCTION OF PROPOSALS

[Clerk's Note: Proposal Nos. 280, 285, 286 and 287, 1984, were Withdrawn on May 10, 1984.]

PROPOSAL NO. 273, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Chapter 6 concerning dog licenses"; and the President referred it to the Administration Committee.

PROPOSAL NO. 274, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel schedule of the Pike Township Assessor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 278, 1984. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE for a final bond ordinance authorizing the issuance of \$4,500,000 Economic Development Revenue Bonds for Overland Express, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 281, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$586 for the Marion County Prosecutor to allow a person to attend a seminar on Serious and Repetitive Juvenile Offenders"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 282, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$21,322 to improve the Juvenile Justice Information Management System"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 283, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$722,974 for the Division of Employment and Training for the Job Training Program"; and the President referred it to the Administration Committee.

PROPOSAL NO. 284, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,318,294 for the Division of Employment and Training to be transferred to the City General Fund to consolidate the Division into one fund"; the President referred it to the Administration Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

[Clerk's Note: Council consent was given to consider Proposal Nos. 258 and 259, 1984, at the same time and to move them forward on the agenda.]

PROPOSAL NO. 258 and 259, 1984. Councillor McGrath explained that Proposal No. 258, 1984, proposes an ordinance of the Marion County Income Tax Council that would increase the percentage credit allowed for homesteads and Proposal No. 259, 1984, proposes an ordinance of the Marion County Income Tax Council that would impose a County Option Income Tax on the taxpayers of Marion County. The Rules and Policy Committee on May 1, held a five hour public hearing on both proposals and chose to postpone the proposals until May 9. On May 9, 1984, by a vote of 3-2-1, the committee amended and tabled the proposals. Councillor McGrath moved, seconded by Councillor Cottingham to discharge Proposal Nos. 258 and 259, 1984, from committee to the full Council for public hearing. The motion passed on the following roll call vote; viz:

20 YEAS: *Boyd, Bradley, Campbell, Cottingham, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

9 NAYS: *Borst, Clark, Coughenour, Dowden, Durnil, Giffin, Miller, Nickell, Schneider*

Councillor Borst moved, seconded by Councillor Gilmer to convene as the Committee of the Whole for a public hearing. The motion passed by unanimous voice vote. The President called for public testimony at 7:53 p.m.

Mayor William H. Hudnut, III and County Auditor, Harry E. Eakin spoke in favor of Proposal Nos. 258 and 259, 1984. Martin Lyles, Steve Lucas and County Assessor, Harold E. Bean spoke in opposition to the proposals.

Councillor McGrath moved, seconded by Councillor Rhodes, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal Nos. 258 and 259, 1984, by deleting the introduced version and substituting therefor the proposals entitled, "Proposal Nos. 258 and 259, 1984, Committee Amended".

Councillor McGrath

Councillor Clark moved, seconded by Councillor Dowden, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 259, 1984, by deleting subsection (b) of Section 4.

Councillor Clark

The motion failed on the following vote; viz:

8 YEAS: Bradley, Clark, Coughenour, Dowden, Durnil, Giffin, Nickell, Schneider

21 NAYS: Borst, Boyd, Campbell, Cottingham, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

President SerVaas called for the vote to substitute the committee amended versions of Proposal Nos. 258 and 259, 1984. The motion passed on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West

6 NAYS: Clark, Dowden, Durnil, Giffin, Nickell, Schneider

Councillor Borst moved, seconded by Councillor Schneider, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 258, 1984, as follows:

1. In the fourth "Whereas" clause of the proposal delete "two percent (2%) and insert in lieu thereof "eight percent (8%)"
2. In the fourth "Whereas" clause of the Ordinance attached to the proposal delete "two percent (2%) and insert in lieu thereof "eight percent (8%)"
3. In Section 1 of the Ordinance attached to the proposal delete the schedule and insert the following:

<u>Calendar Year</u>	<u>Percentage Credit</u>
1985	10% (8% local, 2% state)
1986	4% (0% local, 4% state)
1987	4% (0% local, 4% state)
1988	4% (0% local, 4% state)
1989	4% (0% local, 4% state)

Councillor Borst

The motion failed on the following roll call vote; viz:

12 YEAS: Borst, Bradley, Clark, Coughenour, Dowden, Durnil, Giffin, Miller, Nickell, Rhodes, Schneider, Strader

17 NAYS: Boyd, Campbell, Cottingham, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, SerVaas, Shaw, Stewart, West

Councillor Rhodes moved, seconded by Councillor Coughenour, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 258, 1984, as follows:

1. In the fourth "Whereas" clause of the proposal delete "two percent (2%) and insert in lieu thereof "four percent (4%)"
2. In the fourth "Whereas" clause of the Ordinance attached to the proposal delete "two percent (2%) and insert in lieu thereof "four percent (4%)"
3. In Section 1 of the Ordinance attached to the proposal delete the schedule and insert the following:

<u>Calendar Year</u>	<u>Percentage Credit</u>
1985	6% (4% local, 2% state)
1986	8% (4% local, 4% state)

1987	8% (4% local, 4% state)
1988	8% (4% local, 4% state)
1989	8% (4% local, 4% state)

Councillor Rhodes

The motion failed on the following roll call vote; viz:

12 YEAS: *Borst, Bradley, Clark, Coughenour, Dowden, Durnil, Giffin, Miller, Nickell, Rhodes, Schneider, Strader*

17 NAYS: *Boyd, Campbell, Cottingham, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, SerVaas, Shaw, Stewart, West*

[Clerk's Note: Councillor SerVaas asked for consent to move Proposal No. 289, 1984, forward on the agenda at this time. Consent was given.]

PROPOSAL NO. 289, 1984. Councillor SerVaas handed the gavel to Councillor Miller and explained that Proposal No. 289, requests the Marion County Income Tax Council to freeze the local option income tax rate at four-tenths of one percent (.4%) on or before April 1, 1987. Proposal No. 289, is an effort to restrict this tax at a lower level until Council determines the amount of money that will be generated by Proposal Nos. 258 and 259, 1984. Councillor SerVaas moved, seconded by Councillor Howard, for adoption. Proposal No. 289, 1984, was adopted on the following roll call vote; viz:

21 YEAS: *Boyd, Campbell, Cottingham, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

2 NAYS: *Borst, Holmes*

6 NOT VOTING: *Bradley, Clark, Coughenour, Dowden, Nickell, Schneider*

Proposal No. 289, 1984, was retitled SPECIAL RESOLUTION NO. 41, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 1984

A SPECIAL RESOLUTION requesting the Marion County Income Tax Council to freeze the local option income tax rate at four tenths of one percent (.4%) on or before April 1, 1987.

WHEREAS, the Indiana General Assembly established the County Option Income Tax as I.C. 6-3.5-6; and

WHEREAS, according to the provisions of I.C. 6-3.5-6 the City-County Council of the City of Indianapolis and of Marion County, as the fiscal body of a civil taxing unit, is a member of the Marion County Income Tax Council; and

WHEREAS, according to the provisions of I.C. 6-3.5-6, the Marion County Income Tax Council has the authority to permanently freeze the local option income tax rate; and

WHEREAS, the City-County Council is seriously concerned with future funding needs of the consolidated city; and

WHEREAS, the City-County Council is firmly committed to the goal of sound fiscal responsibility; and

WHEREAS, the City-County Council is concerned about the implications of imposing a local option income tax; and

WHEREAS, the City-County Council desires to place limits on the local option income tax rate; 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 hereby requests the Marion County Income Tax Council to vote to freeze the local option income tax rate at four tenths of one percent (.4%) on or before April 1, 1987.

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

Councillor Cottingham moved, seconded by Councillor Howard, for adoption of Proposal Nos. 258 and 259, 1984. Proposal Nos. 258 and 259, 1984, as amended, were adopted on the following roll call vote; viz:

19 YEAS: *Boyd, Bradley, Campbell, Cottingham, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, SerVaas, Shaw, Stewart, Strader, West*

10 NAYS: *Borst, Clark, Coughenour, Dowden, Durnil, Giffin, Miller, Nickell, Rhodes, Schneider*

Proposal Nos. 258 and 259, 1984, as amended, were retitled SPECIAL RESOLUTION NOS. 42 and 43, 1984, consecutively and read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1984

A SPECIAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana proposing an Ordinance of the Marion County Income Tax Council increasing the percentage credit allowed for homesteads and casting votes of the City-County Council on said Ordinance.

WHEREAS, I.C. 6-3.5-6-2 established the Marion County Income Tax Council; and

WHEREAS, the members of the Marion County Income Tax Council are the City-County Council of the City of Indianapolis and of Marion County, the City Council of Beech Grove, the City Council of the City of Lawrence, the Town Board of the Town of Speedway; and the City Council of the City of Southport; and

WHEREAS, during the 1984 General Assembly the law governing percentage credits allowed for homestead exemptions was amended to allow a two percent (2%) credit during 1985 and a four percent (4%) credit during 1986 and thereafter unless said credits are increased by Ordinance of the County Income Tax Council; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County wishes to increase the percentage credit allowed for homesteads two percent (2%); now, therefore:

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

SECTION 1. That the City-County Council proposes an Ordinance of the Marion County Income Tax Council increasing the percentage credit allowed for homesteads, a copy of which proposed Ordinance is attached hereto.

SECTION 2. That the City-County Council casts its 92.99 votes for the proposed Ordinance of the Marion County Income Tax Council which Ordinance is attached hereto.

SECTION 3. That the City Clerk of the City of Indianapolis is hereby ordered to deliver an original executed copy of this Resolution and the proposed Ordinance of the Marion County Income Tax Council to the Auditor of Marion County forthwith so that the County Auditor shall deliver copies of said proposed Ordinance to other members of the County Income Tax Council, namely, the City Council of the City of Beech Grove, City Council of City of Lawrence, Town Board of Town of Speedway and the City Council of the City of Southport, after receipt from the City Clerk and so that the other members of the Marion County Income Tax Council shall, after receipt from the County Auditor, vote on said proposed Ordinance.

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

**AN ORDINANCE OF THE MARION COUNTY INCOME
TAX COUNCIL INCREASING THE PERCENTAGE CREDIT
ALLOWED FOR HOMESTEADS**

WHEREAS, I.C. 6-3.5-6-2 established the County Income Tax Council; and

WHEREAS, the members of the Marion County Income Tax Council are the City-County Council of the City of Indianapolis and of Marion County, the City Council of the City of Beech Grove, the City Council of the City of Lawrence, the Town Board of the Town of Speedway, and the City Council of the City of Southport; and

WHEREAS, during the 1984 General Assembly the law governing percentage credits allowed for homestead exemptions was amended to allow a two percent (2%) credit during 1985 and a four percent (4%) credit during 1986 and thereafter unless said credits are increased by Ordinance of the County Income Tax Council; and

WHEREAS, the Marion County Income Tax Council wishes to increase the percentage credit allowed for homestead exemptions two percent (2%); and

WHEREAS, such an Ordinance of the Marion County Income Tax Council must be passed on or before June 1, 1984;

**NOW, THEREFORE, BE IT ORDAINED BY THE MARION COUNTY INCOME
TAX COUNCIL:**

SECTION 1. The percentage credit for homesteads, as provided by I.C. 6-1.1-20.9-2 is increased by the Marion County Income Tax Council for all eligible homesteads in the county, according to the following schedule:

<u>CALENDAR YEAR</u>	<u>PERCENTAGE CREDIT</u>
1985	4% (2% local, 2% state)
1986	6% (2% local, 4% state)
1987	6% (2% local, 4% state)
1988	6% (2% local, 4% state)
1989	6% (2% local, 4% state)

SECTION 2. The percentage credit allowed for homesteads under the schedule in Section 1 of this Ordinance is the sum of the percentage credit allowed by I.C. 6-1.1-20.9 plus the additional percentage credit authorized by the Marion County Income Tax Council. This Ordinance shall be in full force and effect on and after the 1st day of January, 1985.

SECTION 3. This ordinance expires on December 31, 1989.

CITY-COUNTY COUNCIL OF THE CITY
OF INDIANAPOLIS AND OF MARION
COUNTY, INDIANA

President, casting 92.99% of the vote

ATTEST:

Clerk, City of Indianapolis

CITY COUNCIL OF CITY OF
BEECH GROVE, INDIANA

President, casting 1.72% of the vote

ATTEST:

Clerk, City of Beech Grove

CITY COUNCIL OF LAWRENCE,
INDIANA

President, casting 3.34% of the vote

ATTEST:

Clerk, City of Lawrence

TOWN BOARD OF TOWN OF SPEED-
WAY, INDIANA

President, casting 1.65% of the vote

ATTEST:

Clerk, Town of Speedway

CITY COUNCIL OF THE CITY OF
SOUTHPORT, INDIANA

President, casting .30% of the vote

ATTEST:

Clerk, City of Southport

CITY-COUNTY SPECIAL RESOLUTION NO. 43, 1984

A SPECIAL RESOLUTION proposing an Ordinance of the Marion County Income Tax Council concerning the imposition of the County Option Income Tax on the taxpayers of Marion County, Indiana and casting votes of the City-County Council of the City of Indianapolis and of Marion County on said Ordinance.

WHEREAS, the Indiana General Assembly established the County Option Income Tax as I.C. 6-3.5-6; and

WHEREAS, under the provisions of I.C. 6-3.5-6 the City-County Council of the City of Indianapolis and of Marion County, Indiana, as the fiscal body of a civil taxing unit, is a member of the Marion County Income Tax Council; and

WHEREAS, the County Auditor has certified to the City-County Council the number of votes it has for the current year; and

WHEREAS, that number of votes is ninety-two and ninety-nine hundredths (92.99) out of a possible one hundred (100) votes; and

WHEREAS, a public hearing has been held on said Resolution to propose an Ordinance and cast the votes of the City-County Council on said Ordinance; and

WHEREAS, by passing this Resolution, the City-County Council intends to propose to the Marion County Income Tax Council an Ordinance imposing the County Option Income Tax in Marion County; and

WHEREAS, by passing this Resolution, the City-County Council intends to cast its 92.99 votes in favor of the proposed Ordinance; now, therefore:

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

SECTION 1. That the City-County Council casts its 92.99 votes for the proposed Ordinance of the Marion County Income Tax Council which reads as follows:

SECTION 2. That the Marion County Income Tax Council imposes the County Option Income Tax on the County Taxpayers of Marion County. The County Option Income Tax is imposed at a rate of two tenths of one percent (0.2%) on the resident county taxpayers of the county and at a rate of five-hundredths of one percent (0.05%) on all other county taxpayers. This tax takes effect on July 1 of this year.

SECTION 3. The tax rate for subsequent years is as follows:

	<u>Resident Co. Taxpayers</u>	<u>Other County Taxpayers</u>
July 1, 1985 to June 30, 1986	0.3%	0.075%
July 1, 1986 to June 30, 1987	0.4%	0.1%
	<u>Resident Co. Taxpayers</u>	<u>Other County Taxpayers</u>
July 1, 1987 to June 30, 1988	0.5%	0.125%
July 1, 1988 to June 30, 1989	0.6%	0.15%

And subsequent years.

SECTION 4. (a) The City's distribution of the two-tenths of one percent (.2%) local option income tax shall be dedicated to a special account established to reduce the unfunded liabilities in the police and fire pension funds.

(b) Any additional distribution to the City over and above the two-tenths of one percent (.2%) local option income tax shall be utilized to fund prioritized liabilities of the City of Indianapolis.

SECTION 5. That the City Clerk of the City of Indianapolis is hereby ordered to deliver an original executed copy of this Resolution and the proposed Ordinance of the Marion County Income Tax Council to the Auditor of Marion County forthwith so that the County Auditor shall deliver copies of said proposed Ordinance to other members of the County Income Tax Council, namely, the City Councils of Beech Grove, Lawrence and Southport and the Town Board of Speedway, within ten (10) days after receipt from the City Clerk and so that the other members of the Marion County Income Tax Council shall, within thirty (30) days after receipt from the County Auditor, vote on said proposed Ordinance.

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

AN ORDINANCE OF THE MARION COUNTY INCOME TAX COUNCIL
TO IMPOSE A LOCAL OPTION INCOME TAX ON THE
TAXPAYERS OF MARION COUNTY, INDIANA

WHEREAS, I.C. 6-3.5-6-2 established the County Income Tax Council, the members of which are the City-County Council of the City of Indianapolis and of Marion County, the City Council of Beech Grove, the City Council of Lawrence, the Town Board of Speedway, and the City Council of Southport; and

WHEREAS, the 1984 General Assembly in I.C. 6-3.5-6 enabled and authorized said Council pursuant to certain procedures to impose a County Option Income Tax; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County proposed the County Option Income Tax on the taxpayers of Marion County and cast its votes in favor of said Ordinance by passing Resolution No. S.R. 43, on May 10, 1984, after a Public Hearing was held on May 10, 1984; and

WHEREAS, the City Council of Beech Grove cast its votes _____ the County Option Income Tax; and

WHEREAS, the City Council of Lawrence cast its votes _____ the County Option Income Tax; and

WHEREAS, the City Council of Southport cast its votes _____ the County Option Income Tax; and

WHEREAS, the Town Board of Speedway cast its votes _____ the County Option Income Tax; and

WHEREAS, these actions were taken after the County Auditor certified to each body the number of votes it has for the current year and after the Auditor received the proposed Ordinance from the Clerk of the City of Indianapolis and distributed it within ten (10) days to the other members of the Marion County Income Tax Council; and

WHEREAS, said votes were taken within thirty (30) days from the receipt of said Ordinance from the Auditor;

NOW, THEREFORE, BE IT ORDAINED BY THE MARION COUNTY INCOME TAX COUNCIL:

SECTION 1. That the Marion County Income Tax Council imposes the County Option Income Tax on the County Taxpayers of Marion County. The County Option Income Tax is imposed at a rate of two tenths of one percent (0.2%) on the resident county taxpayers of the County and at a rate of five hundredths of one percent (0.05%) for all other county taxpayers. This tax takes effect July 1 of this year.

SECTION 2. The tax rate for subsequent years is as follows:

	<u>Resident Co. Taxpayers</u>	<u>Other County Taxpayers</u>
July 1, 1985 to June 30, 1986	0.3%	0.075%
July 1, 1986 to June 30, 1987	0.4%	0.1%
July 1, 1987 to June 30, 1988	0.5%	0.125%
July 1, 1988 to June 30, 1989	0.6%	0.15%

And subsequent years.

Passed by the Marion County Income Tax Council this _____ day of _____, 1984.

CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

President, casting 92.99% of the vote

ATTEST:

Clerk, City of Indianapolis

CITY COUNCIL OF CITY OF
BEECH GROVE, INDIANA

President, casting 1.72% of the vote

ATTEST:

Clerk, City of Beech Grove

CITY COUNCIL OF LAWRENCE, INDIANA

President, casting 3.34% of the vote

ATTEST:

Clerk, City of Lawrence

CITY COUNCIL OF THE CITY OF
SOUTHPORT, INDIANA

President, casting .30% of the vote

ATTEST:

Clerk, City of Southport

TOWN BOARD OF TOWN OF SPEEDWAY,
INDIANA

President, casting 1.65% of the vote

ATTEST:

Clerk, Town of Speedway

PROPOSAL NO. 49, 1984. Councillor Borst presented to the Council a petition signed by approximately seventeen families in opposition of Proposal No. 49, 1984, that would be affected by the renaming of their street. Councillor Borst moved, seconded by Councillor Clark, to table Proposal No. 49, 1984, until May 21, 1984. Consent was given. The President recognized Mr. James Sutherland, who explained to the Council that Sutherland Avenue had been named as a memorial to his family and he understands that Dr. King was a great man, but he opposes the renaming of Sutherland Avenue.

PROPOSAL NOS. 291-297, 1984. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on May 3, 1984". No action was taken by the

Council, and the proposals were deemed adopted. Proposal Nos. 291-297, 1984, were retitled REZONING ORDINANCE NOS. 78-84, 1984, and reads as follows:

REZONING ORDINANCE NO. 78, 1984 83-Z-158 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 22

1050 EAST OHIO STREET, INDIANAPOLIS

The Holy Cross/Westminister Advisory Council of Neighborhood Housing Services and The Holy Cross/Westminister Advisory Council to the Near East Side Community Organization, by Dennis J. West, requests rezoning of 3.46 acres, being in the I-3-U district, to the D-8 classification, to conform zoning to existing residential use and preserve the historic character of the neighborhood.

REZONING ORDINANCE NO. 79, 1984 84-Z-59 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13

3923 SOUTH POST ROAD, INDIANAPOLIS

Mahoney Realty requests rezoning of 10.94 acres, being in the C-3 and A-2 districts, to the C-5 classification, to permit the sale and repair of new and used cars.

REZONING ORDINANCE NO. 80, 1984 84-Z-68 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 14

3739 EAST WASHINGTON STREET, INDIANAPOLIS

Patel Food Services, Inc., by S. James Fishman, requests rezoning of 0.94 acre, being in the I-2-U district, to the C-4 classification, to provide for the construction and operation of a Popeye's Famous Fried Chicken restaurant, including a drive-through window.

REZONING ORDINANCE NO. 81, 1984 84-Z-69 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8

4250 LAFAYETTE ROAD, INDIANAPOLIS

Richard E. Bussell, by Lawrence E. Lawhead, requests rezoning of 1.73 acres, being in the A-2 district, to the C-5 classification, to provide for commercial development.

REZONING ORDINANCE NO. 82, 1984 84-Z-71 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13

4251 SOUTH EMERSON AVENUE, BEECH GROVE, INDIANA

Texaco USA, by Joseph Claypool, requests rezoning of 1.16 acres, being in the D-3 district, to the C-4 classification, to conform zoning to its use as a gas station and to permit the remodeling of the building exterior and the erection of a canopy.

REZONING ORDINANCE NO. 83, 1984 84-Z-72 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 2 4603 NORTH KNOLLTON ROAD, INDIANAPOLIS First Mennonite Church, by Judith A. Sauder, requests rezoning of 10 acres, being in the D-2 district, to the SU-1 classification, to provide for construction of a church.

REZONING ORDINANCE NO. 84, 1984 84-Z-73 WARREN TOWNSHIP COUNCILMANIC DISTRICT NO. 13 519 NORTH MUESSING STREET, INDIANAPOLIS Cumberland United Methodist Church, by Gary Hunt, requests rezoning of 4.06 acres, being in the D-5 district, to the SU-1 classification, to conform zoning to its use as a church and to permit expansion of facilities.

[Clerk's Note: Council consent was given to discuss Proposal Nos. 275 and 276, 1984, together. Both proposals were introduced by Councillor Schneider and recommended for passage by a vote of 8-0 on May 2, 1984.]

PROPOSAL NO. 275, 1984, a special ordinance designating the parcels of land located in the 600 block of South Meridian Street as an Economic Development Target Area. PROPOSAL NO. 276, 1984, an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Brougher Agency, Inc. in an approximate amount of \$2,500,000. Proposal Nos. 275 and 276, were recommended Do Pass by a vote of 8-0 on May 2, 1984, by the Economic Development Committee. Councillor Schneider reported that the project is to relocate the company's present location, 2528 U.S. 31 South, Greenwood, to the former Wood High School, located in the 600 block of South Meridian Street. Estimated costs for the Project are as follows: \$1,900,000 building renovation, \$350,000 equipment and \$250,000 other contingencies. The company already owns the facility and land. The estimated number of additional employment positions at the end of one year total 29 jobs with \$365,000 in additional payroll to the community. The three-year employment estimate is 62 jobs with \$930,000 in additional payroll. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 275, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Shaw*

Proposal No. 275, 1984, was retitled SPECIAL ORDINANCE NO. 21, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 21, 1984

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, at its meeting on May 2, 1984 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels located in the 600 block of South Meri-

dian Street at Indianapolis, Indiana, as an Economic Development Target Areas which parcels are more specifically described as:

Lot 11 in John B. Stumph and John Stumph's Subdivision of the West half of Out Lot 16 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 45 and re-recorded in Plat Book 2 page 75 in the Office of the Recorder of Marion County, Indiana, together with that part of vacated Meridian Street and Madison Avenue, being vacated by Declaratory Resolution 15232 recorded in Deed Record 960 page 368 being more particularly described as follows:

Beginning at a point being the northeast corner of Lot No. 11 in Stumph's Sub., a subdivision of Out Lot No. 16 of Original Indianapolis, as recorded in Plat Book 2, page 75, in the Office of the Recorder of Marion County, Indiana; thence west on and along the north line of the aforescribed Lot No. 11 a distance of sixteen (16') feet to a point on the east property line of Meridian Street, as said street is now located in the City of Indianapolis, said point being also the northwest corner of the aforescribed Lot No. 11; thence north on and along the east property line of Meridian Street, extended north, a distance of forty-six (46') feet to a point; thence southeastwardly on and along the southwest property line of Madison Avenue, extended northwest, to the point or place of beginning.

Also: All of that part of Out Lot 25 in the City of Indianapolis, lying North of Merrill Street, east of Meridian Street and West of Madison Avenue and Union Street.

now, therefore:

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

SECTION 1. It is hereby found that the parcels located in the 600 block of South Meridian Street, Indianapolis, Indiana, which is more specifically described as:

Lot 11 in John B. Stumph and John Stumph's Subdivision of the West half of Out Lot 16 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 45 and re-recorded in Plat Book 2 page 75 in the Office of the Recorder of Marion County, Indiana, together with that part of vacated Meridian Street and Madison Avenue, being vacated by Declaratory Resolution 15232 recorded in Deed Record 960 page 368 being more particularly described as follows:

Beginning at a point being the northeast corner of Lot No. 11 in Stumph's Sub., a subdivision of Out Lot No. 16 of Original Indianapolis, as recorded in Plat Book 2, page 75, in the Office of the Recorder of Marion County, Indiana; thence west on and along the north line of the aforescribed Lot No. 11 a distance of sixteen (16') feet to a point on the east property line of Meridian Street, as said street is now located in the City of Indianapolis, said point being also the northwest corner of the aforescribed Lot No. 11; thence north on and along the east property line of Meridian Street, extended north, a distance of forty-six (46') feet to a point; thence southeastwardly on and along the southwest property line of Madison Avenue, extended northwest, to the point or place of beginning.

Also: All of that part of Out Lot 25 in the City of Indianapolis, lying North of Merrill Street, east of Meridian Street and West of Madison Avenue and Union Street.

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

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

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

PROPOSAL NO. 276, 1984. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 276, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Clark, Dowden, Rader, Shaw*

Proposal No. 276, 1984, was retitled SPECIAL RESOLUTION NO. 44, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 44, 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, Brougner Agency, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, renovation, installation and equipping of the former Wood High School building which contains approximately 165,000 square feet (i) which approximately 65,000 square feet will be initially renovated for use as the Company's corporate offices in its business as an insurance wholesaler providing sales, underwriting, claims paying and other administrative services to a world-wide network of insurance organizations and also for writing stop-loss medical insurance directly for certain underwriters and will include a corporate athletic facility and licensed public day care center and (ii) of which the remaining 60% of the usable space in the facility will remain unfinished and unoccupied until needed by the Company for expansion and/or leased to third parties for office use and the machinery and equipment to be installed therein plus certain site improvements to be located in the 600 block of South Meridian Street, Indianapolis, Indiana, on approximately 1.6 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 29 at the end of one year and 62 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have 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 \$2,500,000 under the Act to be privately placed and to be subject to the Project being located in an Economic Development Target Area designated pursuant to I.C. 36-7-12 as amended for the acquisition, construction, renovation, installation and equipping of the Project and the sale of leasing of the Project to Brougner Agency, 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, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

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

[Clerk's Note: Council consent was given to move Proposal No. 265, 1984, forward on the agenda.]

PROPOSAL NO. 265, 1984. Councillor Clark explained that Proposal No. 265, 1984, increases the budget of the Capital Improvements Board of Managers by approximately \$2.8 million. The Board estimates that there will be over \$3,000,000 of new revenue in 1984. The Municipal Corporations Committee on May 3, 1984, recommended Proposal No. 265, Do Pass by a vote of 4-0. Councillor Clark moved, seconded by Councillor Schneider, for adoption. Proposal No. 265, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Shaw

Proposal No. 265, 1984, was retitled GENERAL RESOLUTION NO. 3, 1984, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1984

A GENERAL RESOLUTION modifying the operating budget of the Capital Improvements Board of Managers of Marion County, Indiana, by amending City-County General Resolution No. 10, 1983.

WHEREAS, I.C. 1971, 36-3-6-9 empowers the City-County Council to amend the budget of the Capital Improvements Board of Managers of Marion County; and

WHEREAS, the Capital Improvements Board of Managers of Marion County has requested an approval for an additional expenditure of 1984 in the General Operating Fund for the payment of expenses and contractual agreements which will be funded by increased revenues from the Indianapolis Colts; now, therefore:

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

SECTION 1. City-County General Resolution No. 10, 1983, is amended by allowing the following additional expenditure:

100	Personal Services	\$ 798,900
200	Supplies	178,500
300	Other Services & Charges	1,382,500
400	Capital Outlay	<u>451,650</u>

TOTAL ADDITIONAL EXPENDITURE **\$2,811,550**

SECTION 2. The said additional expenditure is funded by the following reduction:

Unappropriated and Unencumbered General Operating Fund	<u>\$2,811,550</u>
TOTAL DECREASE EXPENDITURE	\$2,811,550

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

PROPOSAL NO. 277, 1984. This final bond ordinance authorizes the issuance of \$2,000,000 Economic Development Revenue Bonds for Indianapolis Hotel, Inc. Councillor Schneider reported that the Economic Development Committee recommended the proposal Do Pass by a vote of 7-0-1 on May 2, 1984. Councillor Rader, an employee of Merchants National Bank, disclosed his interest and did not participate in any of the Council proceedings involving Proposal No. 277, 1984. The project is renovation of the existing 164-room North Meridian Inn by Principals Samuel W. Smulyan and Herbert B. Melrose. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 277, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Dowden, Rader, Shaw*

Proposal No. 277, 1984, was retitled SPECIAL ORDINANCE NO. 22, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 22, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series A (Indianapolis Hotel, Inc. Project)" in the aggregate principal amount of Two Million Dollars (\$2,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Indianapolis Hotel, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on May 2, 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 Indianapolis Hotel, Inc. (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing motel structure containing 164 sleeping rooms, meeting rooms, a restaurant, bar and common areas and the machinery and equipment to be installed therein plus certain site improvements located at 1530 North Meridian Street, Indianapolis, Indiana, on approximately 4.25 acres of land (the "Project") which will be initially owned and operated by Indianapolis Hotel, Inc. complies with the purposes and pro-

visions 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, First Mortgage Note, Series A and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series A (Indianapolis Hotel, Inc. 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, installation and equipping of an existing motel structure containing 164 sleeping rooms, meeting rooms, a restaurant, bar and common areas and the machinery and equipment to be installed therein plus certain site improvements located at 1530 North Meridian Street, Indianapolis, Indiana, on approximately 4.25 acres of land previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Indianapolis Hotel, Inc. for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Indianapolis Hotel, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series A, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series A (Indianapolis Hotel, Inc. 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, First Mortgage Note, Series A, and the form of the City of Indianapolis Economic Development Revenue Bonds, Series A (Indianapolis Hotel, Inc. 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 A (Indianapolis Hotel, Inc. Project) in the aggregate principal amount of Two Million Dollars (\$2,000,000) for the purpose of procuring funds to loan to Indianapolis Hotel, Inc. 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 Indianapolis Hotel, Inc. on its First Mortgage Note, Series A in the principal amount of Two Million Dollars (\$2,000,000), which will be executed and delivered by Indianapolis Hotel, Inc. to evidence and secure said loan, and as otherwise

provided in the above described Loan Agreement, Mortgage and Security Agreement, Trust Indenture, and a Letter of Credit. 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 not to exceed ten and three-quarters percent (10 3/4%).

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 A (Indianapolis Hotel, Inc. Project), and the Endorsement to the First Mortgage Note, Series A 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 be their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the Endorsement to the First Mortgage Note, Series A, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

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

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

PROPOSAL NO. 279, 1984. This final bond ordinance authorizes the issuance of \$1,480,000 Economic Development Revenue Bonds for T & L Enterprises, an Indiana General Partnership. Councillor Schneider stated that the Economic Development Committee recommended Proposal No. 279, 1984, Do Pass by a vote of 8-0 on May 2, 1984. The project is the construction of a new manufacturing, warehousing, and office/administrative/sales facility on 11.89 acres at the northeast corner of West 10th Street and Country Club Road to be used for the manufacturing of specialized woodworking equipment. Sole partners in the project are Donald R. Laskowski and Daniel R. Tekulve. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 279, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Shaw*

Proposal No. 279, 1984, was retitled SPECIAL ORDINANCE NO. 23, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 23, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1984 (T & L Enterprises Project)" in the aggregate principal amount of One Million Four Hundred Eighty Thousand Dollars (\$1,480,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Donald R. Laskowski and Daniel R. Tekulve, sole partners of an Indiana General Partnership to be formed and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, such partnership has been formed and is known as T & L Enterprises, an Indiana General Partnership; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on May 2, 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 T & L Enterprises, an Indiana General Partnership (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 42,000 square foot building which will be leased to Laskowski Enterprises, Inc. of which approximately 12,000 square feet will be used for Laskowski Enterprises, Inc.'s office, administration and sales and approximately 30,000 square feet will be used for Laskowski Enterprises, Inc.'s manufacturing and marketing woodworking equipment including portable lumbermills, wood drying kilns, bandsaws, and woodcarving machines plus lumber milling for wholesale distribution and the machinery and equipment to be installed therein plus certain site improvements to be located at 8180 West 10th Street, Indianapolis, Indiana on approximately 11.89 acres of land (the "Project") which will be initially owned by T & L Enterprises, an Indiana General Partnership and operated through a lease of the Project to Laskowski Enterprises, 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 Indenture of Trust, Promissory Note, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement to Lease Assignment, and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1984 (T & L Enterprises Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, construction, installation and equipping of an approximately 42,000 square foot building which will be leased to Laskowski Enterprises, Inc. of which approximately 12,000 square feet will be used for Laskowski Enterprises, Inc.'s office, administration and sales and approximately 30,000 square feet will be used for Laskowski Enterprises, Inc.'s manufacturing and marketing woodworking equipment including portable lumbermills, wood drying kilns, bandsaws, and woodcarving machines plus lumber milling for wholesale distribution and the machinery and equipment to be installed therein plus certain site improvements to be located at 8180 West 10th Street, Indianapolis, Indiana on approximately 11.89 acres of land previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to T & L Enterprises, an Indiana General Partnership for the purposes of financing the economic development 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 T & L Enterprises, an Indiana General Partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Indenture of Trust, Promissory Note, Collateral Assignment of Lease and Rentals, Lessee' Consent and Agreement to Lease Assignment, and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1984 (T & L Enterprises Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Indenture of Trust, Promissory Note, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement to Lease Assignment, and the form of the City of Indianapolis Economic First Mortgage Development Revenue Bonds, Series 1984 (T & L Enterprises 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 First Mortgage Revenue Bonds, Series 1984 (T & L Enterprises Project) in the aggregate principal amount of One Million Four Hundred Eighty Thousand Dollars (\$1,480,000) for the purpose of procuring funds to loan to T & L Enterprises, an Indiana General Partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by T & L Enterprises, an Indiana General Partnership on its Promissory Note in the principal amount of One Million Four Hundred Eighty Thousand Dollars (\$1,480,000) which will be executed and delivered by T & L Enterprises, an Indiana General Partnership to evidence and secure said loan, and as otherwise provided in the above described Mortgage and Indenture of Trust and Collateral Assignment 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 equal to seventy-five percent (75%) of the per annum rate of interest which is established from time to time and quoted by First Bank and Trust Company at principal office as its prime rate of interest for loans, such interest rate to be adjusted on each interest payment date and to be effective for the following quarter (provided that in no event shall the interest rate thereon exceed 30% per annum) or such higher rate as provided for in the bonds resulting from a Determination of Taxability.

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

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1984 (T & L Enterprises Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 266, 1984. Councillor Borst explained that the Metropolitan Development Committee on May 3, discussed Proposal No. 266, which amends the Flood Control District Zoning Ordinance for Marion County. The Metropolitan Development Committee recommended the proposal Do Pass As Amended by a vote of 7-0. The new regulations will provide better guidelines to development inside the flood district zones and also permit continued insurance coverage for owners already in the flood district zones. President SerVaas called for

public testimony at 9:54 p.m. There being no one present to testify, Councillor Borst moved, seconded by Councillor Rhodes, for adoption. Proposal No. 266, 1984, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 266, 1984, as amended, was retitled GENERAL ORDINANCE NO. 28, 1984, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 1984

AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, Indiana, and fixing a time when the same shall take effect.

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

Section 1. That Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957, and the Flood Control Districts Zoning Ordinance of Marion County, Indiana (Ordinance 71-AO-3, as amended by 82-AO-2), adopted as an amendment thereto, as amended, pursuant to I.C. 36-7-4, be amended as follows:

A. That Sections 1.00 and 1.01 of the Flood Control Districts Zoning Ordinance of Marion County be amended to read as follows:

SECTION 1.00 ESTABLISHMENT OF DISTRICTS

The following secondary FLOOD CONTROL DISTRICTS for Marion County, Indiana, are hereby established, and land within said County is hereby classified, divided and zoned into said districts as designated on the FLOOD CONTROL DISTRICTS ZONING MAPS, which maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

<u>FLOOD CONTROL ZONING DISTRICTS</u>	<u>ZONING DISTRICT SYMBOLS</u>
FLOODWAY (secondary)	FW
FLOOD PLAIN (secondary)	FP

The District boundaries have been established from hydrological data provided by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Indianapolis, Indiana" dated November 15, 1983. Detailed hydrological data are not available for certain portions of the FLOODWAY and FLOOD PLAIN DISTRICTS, in which case an owner of land or applicant for an Improvement Location Permit shall be advised to request a determination of district boundaries and appropriate building grade from the Indiana Natural Resources Commission ("INRC"), and

the appropriate DISTRICT regulations shall apply. In the event INRC lacks sufficient data, the Flood Control Division of the Department of Public Works of the City of Indianapolis ("DPW") shall determine building grade. The circumstances in which specific determinations of DISTRICT boundaries are to be made are set forth in Section 2.00 of this amendatory ordinance, which Section amends the Flood Control District Zoning Maps.

SECTION 1.01 DISTRICT BOUNDARIES, CHANGES THERETO

The boundary of any District established by this ordinance may be relocated by zoning amendment of the Flood Control Districts Zoning Maps or by the Metropolitan Development Commission of Marion County, Indiana, upon receipt of a written statement of approval of such boundary relocation and description thereof from (1) DPW or (2) INRC.

An owner of land or applicant for an Improvement Location Permit for a building or structure in the FLOODWAY or FLOOD PLAIN Districts may submit a request to the DPW or INRC for approval of relocation of District boundary upon an engineering determination that the land involved is not subject to flooding and should be excluded from such District due to: original mapping error; availability of more recent or refined hydrological data; or construction of flood control measures.

The applicant for such relocation of District boundary shall file with the Metropolitan Development Commission said written approval DPW or INRC, as a prerequisite to boundary relocation by the Metropolitan Development Commission.

B. That the Flood Control Districts Zoning Ordinance of Marion County be amended by renumbered Section 3.00 as Section 4.00 and by adding a new Section 3.00 to read as follows:

SECTION 3.00 NATIONAL FLOOD INSURANCE PROGRAM REGULATION

The Administrator of the Division of Development Services, during his review of Improvement Location Permits, shall assure that all National Flood Insurance Program regulations (contained in 44 CFR Sec. 160.3(d)) pertaining to state and federal permits, subdivision review, building permit review, flood proofing non-residential structures, mobile home tie-downs standards, utility construction, record keeping (including lowest floor elevations), and water course alteration and maintenance have been met.

Section 2. That the Flood Control District Zoning Maps are hereby amended in the manner and to the extent set forth below to conform to the Flood Boundary and Floodway Map ("FBFM") and the Flood Insurance Rate Map ("FIRM") prepared by the Federal Emergency Management Agency dated May 15, 1984, which maps are incorporated herein by reference.

1. The FLOODWAY DISTRICT boundaries as shown on the Flood Control District Zoning Maps are amended to conform to the Floodway boundaries as shown on the FBFM.
2. The FLOOD PLAIN DISTRICT boundaries as shown on the Flood Control District Zoning Maps are amended to conform to the 100-Year Flood boundaries and the approximate 100-Year Flood boundaries on the FBFM.

3. Within the approximate 100-Year Flood boundaries on the FBFM, the determination of FLOODWAY and FLOOD PLAIN DISTRICT boundaries and appropriate building grade shall be made as provided in Section 1.00.
4. The FLOOD PLAIN DISTRICT boundaries as shown on the Flood Control District Zoning Maps in areas of Marion County not included in the FBFM are amended to conform to the 100-Year Flood boundaries as shown on the FIRM, and in such areas the determination of the FLOODWAY DISTRICT boundaries and appropriate building grade shall be made as provided in Section 1.00.
5. Upon and after the adoption of this Ordinance the Administrator shall undertake the preparation of amended Flood Control District Zoning Maps to reflect the amendments made herein, and shall certify said maps to the Metropolitan Development Commission upon the completion of such maps. Pending such certification the Administrator shall use the Flood Control District Zoning Maps, the FBFM and the FIRM in the manner and to the extent specified above in the administration of the regulations contained in this ordinance. Upon said certification, the Commission shall take all necessary action to adopt said maps, as amended, as the Flood Control District Zoning Maps.

Section 3. That an emergency exists for the passage of this ordinance and the same shall be in full force and effect from and after its passage.

PROPOSAL NO. 184, 1984. Councillor Coughenour explained that Proposal No. 184, 1984, appropriates \$39,868 to complete the second phase of computerization of the Barrett Law Division. The Administration Committee recommends Proposal No. 184, Do Pass by a vote of 4-0 on April 30, 1984. President SerVaas called for public testimony at 9:55 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Bradley, for adoption. Proposal No. 184, 1984, was adopted on the following roll call vote; viz:

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

Proposal No. 184, 1984, was retitled FISCAL ORDINANCE NO. 36, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Thirty-nine Thousand Eight Hundred Sixty-eight Dollars (\$39,868) in the City General Fund for purposes of the Department of Administration, Finance Division and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to complete the second phase of the computerization of Barrett Law Services.

SECTION 2. The sum of Thirty-nine Thousand Eight Hundred Sixty-eight Dollars (\$39,868) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION	
FINANCE DIVISION	CITY GENERAL FUND
4. Capital Outlay	<u>\$39,868</u>
TOTAL INCREASE	\$39,868

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

DEPARTMENT OF ADMINISTRATION	
FINANCE DIVISION	CITY GENERAL FUND
Unappropriated and Unencumbered	
City General Fund	<u>\$39,868</u>
TOTAL REDUCTION	\$39,868

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

PROPOSAL NO. 185, 1984. Councillor Coughenour accounted that the Barrett Law Division collects money from taxpayers financing the installation of sewers and pay it to the contractor when the work is complete. During this interim period, the money earns interest to pay for the costs to operate the Barrett Law Division. Proposal No. 185, appropriates \$519,868 for operation of the Barrett Law Division. The Administration Committee recommends Proposal No. 185, Do Pass by a vote of 4-0 on April 30, 1984. President SerVaas called for public testimony at 9:56 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Hawkins, for adoption. Proposal No. 185, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Boyd, Dowden, Durnil, Schneider*

Proposal No. 185, 1984, was retitled FISCAL ORDINANCE NO. 37, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Five Hundred Nineteen Thousand Eight Hundred Sixty-eight Dollars (\$519,868) in the Barrett Law Fund for purposes of the Department of Administration, Finance Division and reducing the unappropriated and unencumbered balance in the Barrett Law Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating Barrett Law Funds for expenses incurred by the Finance Division.

SECTION 2. The sum of Five Hundred Nineteen Thousand Eight Hundred Sixty-eight Dollars (\$519,868) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION	
FINANCE DIVISION	BARRETT LAW FUND
3. Other Services & Charges	\$519,868
TOTAL INCREASE	\$519,868

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

DEPARTMENT OF ADMINISTRATION	
FINANCE DIVISION	BARRETT LAW FUND
Unappropriated and Unencumbered	
Barrett Law Fund	\$519,868
TOTAL REDUCTION	\$519,868

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

PROPOSAL NO. 253, 1984. Councillor Coughenour reported that the Administration Committee recommended Proposal No. 253, Do Pass by a vote of 4-0 on April 30. Proposal No. 253, approves temporary tax anticipation borrowing for the last six months of 1984. President SerVaas called for public testimony at 9:58 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Borst, for adoption. Proposal No. 253, 1984, was adopted on the following roll call vote; viz:

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

Proposal No. 253, 1984, was retitled FISCAL ORDINANCE NO. 38, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 1984

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund, Consolidated County Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund during the period July 1, 1984, to December 31, 1984, in anticipation of current taxes levied in the year 1983 and collectible in the year 1984, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Park District Fund to meet the current expenses of the Department of Parks and Recreation payable from said Fund prior to the December, 1984, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1984, distribution of taxes to be collected from said Park District Fund will amount to more than two million nine hundred thousand dollars (\$2,900,000) and the interest cost of making a temporary loan for said Park District Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated County Fund to meet the current expenses of the Consolidated County Fund, payable from said Fund prior to December, 1984, distribution of taxes levied for said Fund; and

WHEREAS, the December, 1984, distribution of taxes to be collected for said Consolidated County Fund will amount to more than two million three hundred thousand dollars (\$2,300,000) and the interest cost of making a temporary loan for said Consolidated County Fund; and

WHEREAS, the Controller has represented the Special Service District Council of the Police Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from said Account prior to December, 1984, distribution of taxes levied for said Account; and

WHEREAS, the December, 1984, distribution of taxes to be collected for said Consolidated City Police Force Account will amount to more than eight million seven hundred thousand dollars (\$8,700,000) and the interest cost of making a temporary loan for said Consolidated City Police Force Account; and

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

WHEREAS, the December, 1984, distribution of taxes collected for said Police Pension Fund will amount to more than one million nine hundred thousand dollars (\$1,900,000) and the interest cost of making a temporary loan for said Police Pension Fund; and

WHEREAS, the Controller has represented the Special Service District Council of the Fire Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from said Account prior to December, 1984, distribution of taxes levied for said Account; and

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

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

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

WHEREAS, the Board of Public Works of the City of Indianapolis has authorized the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund in the amount of two million seven hundred thousand dollars (\$2,700,000) payable from the December, 1984, distribution of taxes levied for said Fund; and

WHEREAS, the Controller has represented and the Solid Waste Special Service District Council now finds that there will be insufficient funds in the Sanitary Solid Waste General Fund to meet the current expenses of the Sanitary Solid Waste Fund payable from said Fund prior to the December, 1984, distribution of taxes levied for said Fund; and

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

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

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Park District Fund of said City in the amount of two million nine hundred thousand dollars (\$2,900,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Park District Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Park District Fund from the December, 1984, distribution of taxes for said Park District Fund, viz; two million nine hundred thousand dollars (\$2,900,000) to the Park District Fund, the 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Park District Fund, 1984 Budget Fund No. 092, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated County Fund of said City in the amount of two million three hundred thousand dollars (\$2,300,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated County Fund from the December, 1984, distribution of taxes for said Consolidated County Fund, viz; two million three hundred thousand dollars (\$2,300,000) to the Consolidated County Fund, the 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Consolidated County Fund, 1984 Budget Fund No. 027, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 3. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Police Force Account of said City in the amount of eight million seven hundred thousand dollars (\$8,700,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Consolidated City Police Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Police Force Account from the December, 1984, distribution of taxes for said Consolidated City Police Force Account, viz; eight million seven hundred thousand dollars (\$8,700,000) to the 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1984 Budget Fund No. 084, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 4. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Police Pension Fund of said City in the amount of one million nine hundred thousand dollars (\$1,900,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to

the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Police Pension Fund from the December, 1984, distribution of taxes for said Police Pension Fund, viz; one million nine hundred thousand dollars (\$1,900,000) to the Police Pension 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Police Pension Fund 1984 Budget Fund No. 085, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 5. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Fire Force Account of said City in the amount of seven million dollars (\$7,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Consolidated City Fire Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Fire Force Account from the December, 1984, distribution of taxes for said Consolidated City Fire Force Account, viz; seven million dollars (\$7,000,000) to the 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1984 Budget Fund No. 087, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 6. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Firemen's Pension Fund of said City in the amount of two million dollars (\$2,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Firemen's Pension Fund from the December, 1984, distribution of taxes for said Firemen's Pension Fund, viz; two million dollars (\$2,000,000) to the Firemen's Pension 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Firemen's Pension Fund 1984 Budget Fund No. 088, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 7. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Sanitary Solid Waste General Fund of said City in the amount of two million seven hundred thousand dollars (\$2,700,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1984, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent

(10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on December 28, 1984. Said warrants, including interest shall be payable from the Sanitary Solid Waste General Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Sanitary Solid Waste General Fund from the December, 1984, distribution of taxes for said Sanitary Solid Waste General Fund, viz; two million seven hundred thousand dollars (\$2,700,000) to the 1984 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1984 Budget Fund No. 055, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 8. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the facsimile signature of the Mayor of said City, countersigned by the Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the Council. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer or the paying agent of the City of Indianapolis.

SECTION 9. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal and Interest \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT

(FUND)

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

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

Said temporary loan was authorized [by Resolution No. _____ duly adopted by the Board of Public Works of the City of Indianapolis at a meeting thereof duly and legally convened and held on the ____ day of _____, 19____, for the purpose of providing funds for the Sanitary Solid Waste General Fund of said Sanitary District in compliance with the provision of I.C. 36-9-25-32 and] by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the ____ day of _____, 19____, for the purpose of providing funds for the _____, 19____, for the purpose of providing funds for the _____.

_____ (Fund) of said City of Indianapolis, in compliance with I.C. 36-3-4-22.

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

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

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

Dated this _____ day of _____, 19____.

CITY OF INDIANAPOLIS

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

COUNTERSIGNED:

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

(SEAL)

ATTEST:

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

SECTION 10. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner substantially set out in the form hereinbefore provided. The Controller shall sell said warrants at public sale. Prior to the sale of said warrants, the Controller shall cause to be published a notice of sale at least ten days before the date of sale in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids for said warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for said warrants, or portion thereof bid for. Said warrants, or portion thereof bid for, shall be awarded to the bidder or bidders therefore submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants, such warrants

shall be awarded to the bidder submitting the greatest premium. Any premium bid shall be used solely for the repayment of the principal of and interest on the warrants. No bid for less than par shall be considered, and the Controller shall have the right to reject any and all bids. The proper officers of the City are authorized to deliver the time warrants to the purchaser or purchasers of said warrants at the agreed purchase price. The warrants may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Controller and the purchaser of the warrants.

SECTION 11. The proceedings had and action taken by the Board of Public Works of the City of Indianapolis in authorizing the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund for two million seven hundred thousand dollars (\$2,700,000) payable from the December, 1984, distribution of taxes levied for said funds, are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County council, and are incorporated herein by reference.

SECTION 12. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 255, 1984. This proposal appropriates \$2,040 for the Marion County Surveyor to employ corner laborers during the summer months. Councillor Cottingham explained that Proposal No. 255, has not been heard in Committee and he asked for consent to postpone this proposal until May 21, 1984. Consent was given.

PROPOSAL NO. 256, 1984. Councillor Dowden reported that the Public Safety and Criminal Justice Committee met on April 25, and recommends Proposal No. 256, Do Pass by a vote of 8-0. This proposal appropriates \$31,325 for eight agencies to employ college students for the summer months. The county agencies are: Prosecutor's Child Support Agency, Center Township Assessor, Law Library, County Clerk, Warren Township Assessor, Presiding Judge of the Municipal Court, Juvenile Court and Cooperative Extension Service. The President called for public testimony at 10:00 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 256, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

Proposal No. 256, 1984, was retitled FISCAL ORDINANCE NO. 39, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Thirty-one Thousand Three Hundred Twenty-five Dollars (\$31,325) in the County General Fund for purposes of various county agencies and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 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 which will be reimbursed by the State of Indiana Work-Study Program to hire college students during the summer. The local 50% share of the costs will be paid from existing approved 1984 budgets.

SECTION 2. The sum of Thirty-one Thousand Three Hundred Twenty-five Dollars (\$31,325) 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:

PROSECUTOR'S CHILD SUPPORT AGENCY	COUNTY GENERAL FUND
1. Personal Services	\$13,500
CENTER TOWNSHIP ASSESSOR	
1. Personal Services	3,000
LAW LIBRARY	
1. Personal Services	850
CLERK OF THE CIRCUIT COURT	
1. Personal Services	3,375
WARREN TOWNSHIP ASSESSOR	
1. Personal Services	2,700
PRESIDING JUDGE OF THE MUNICIPAL COURT	
1. Personal Services	4,000
SUPERIOR COURT - JUVENILE DIVISION	
1. Personal Services	1,500
COOPERATIVE EXTENSION SERVICE	
3. Other Services & Charges	2,400
TOTAL INCREASE	\$31,325

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

MARION COUNTY AGENCIES
 Unappropriated and Unencumbered
 County General Fund
TOTAL REDUCTION

COUNTY GENERAL FUND
\$31,325
\$31,325

SECTION 5. The personnel schedules are hereby amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(b)(23) PROSECUTOR'S CHILD SUPPORT IV-D AGENCY - Dept. 04

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Supervisor Professional	2	38,568	45,000
Administrative Supervisor	5	22,478	82,700
Deputy Prosecutors	7	34,746	117,410
Paralegals	26	18,763	324,500
Secretaries	24	16,275	237,910
Temporary			47,654 61,044
Vacancy Factor			<u>(76,217)</u>
TOTAL	64		1778,847 <u>792,347</u>

(d)(1) CENTER TOWNSHIP ASSESSOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	34,361	34,361
Real Estate Deputies	11	24,633	181,379
Personal Prop. Deputies	9	23,562	145,644
Deputies II	27	14,994	260,411
Temporaries			137,200 <u>40,200</u>
Vacancy Factor			<u>(37,892)</u>
TOTAL	48		624,103 <u>624,103</u>

(c)(6) MARION COUNTY LAW LIBRARY

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Librarian	1	18,714	18,714
Assistant Librarian	1	14,470	14,470
Library Clerk	<u>1</u> 2	4,100	14,100 <u>4,950</u>
TOTAL	<u>3</u> 4		137,284 <u>38,134</u>

(a)(3) CLERK OF THE CIRCUIT COURT

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	33,995	33,995
Chief Deputy	1	26,250	25,043
Chief Clerk	1	23,625	23,570
Sr. Admin. Asst.	3	20,000	59,214
Admin. Asst.	3	18,375	44,668
Supervisor	10	18,375	116,200
Asst. Supervisor	6	15,500	61,400

Clerk Specialist I	8	14,175	83,700
Clerk Specialist II	45	13,125	449,274
Clerk Specialist III	50	11,025	425,237
Temporary			125,000 28,375
Vacancy Factor			(11,605)
TOTAL	128		1,135,696 1,339,071

(d)(7) WARREN TOWNSHIP ASSESSOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	33,337	33,337
Chief Deputy	1	25,000	25,000
Deputies	12	21,000	173,459
Temporary			117,747 19,941
Vacancy Factor			(14,617)
TOTAL	14		234,420 237,120

(b)(24) PRESIDING JUDGE OF THE MUNICIPAL COURT

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judges	15	16,484	232,908
Court Reporters	16	17,914	276,666
Bailiffs	45	16,874	636,532
Managers	3	28,600	83,737
Court Specialists	37	14,976	496,794
Professional	76	24,850	761,033
Bail Commissioners	16	13,780	98,280
Temporary			114,073 18,073
Vacancy Factor			(124,279)
TOTAL	208		2,475,744 2,479,744

(b)(4) SUPERIOR COURT - JUVENILE DIVISION

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	16,493	16,493
Administrators	2	35,287	64,162
Asst. Administrators	3	22,575	63,920
Managers	8	24,657	168,752
Asst. Managers	3	15,175	42,103
Secretaries	4	13,206	45,086
Clerk-Typists	20	12,181	173,096
Full-time Referees	2	32,249	64,498
Part-time Referees	2	16,179	32,358
Court Reporters	6	20,874	122,228
Bailiffs	8	15,408	105,628
Probation	61	22,600	867,365
Professional Staff	4	28,102	100,369
Maintenance Staff	8	12,509	65,676
Jury Per Diem			8,160
Temporary Help			14,852 14,352
Vacancy Factor			(163,414)
TOTAL	132		1,782,382 1,790,832

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

PROPOSAL NO. 257, 1984. Councillor Dowden explained that Proposal No. 257, transfers \$35,450 to create a Court Services Agency. The Court Services Agency would include the jury per diem, currently budgeted under Jury Pool and also the jury pool's two employees. This proposal also adds an additional administrative assistant to assist the other employees. The Public Safety and Criminal Justice Committee recommended Proposal No. 257, Do Pass As Amended by a vote of 8-0 on April 25, 1984. President SerVaas called for public testimony at 10:01 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Schneider, for adoption. Proposal No. 257, 1984, as amended, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Clark, Durnil*

Proposal No. 257, 1984, as amended, was retitled FISCAL ORDINANCE NO. 40, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating an additional Thirty-five Thousand Four Hundred Fifty Dollars (\$35,450) in the County General Fund for purposes of the Court Services Agency and reducing certain other appropriations for the Clerk of the Circuit Court and the Presiding Judge of the Municipal Court.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (b)(13) 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 establish a separate personnel schedule and operating costs for the Court Services Agency which was previously entitled Jury Pool.

SECTION 2. The sum of Thirty-five Thousand Four Hundred Fifty Dollars (\$35,450) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COURT SERVICES AGENCY	COUNTY GENERAL FUND
1. Personal Services	\$28,450
2. Supplies	3,500
4. Capital Outlay	3,500
TOTAL INCREASE	\$35,450

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

COURT SERVICES AGENCY	COUNTY GENERAL FUND
3. Other Services & Charges	\$7,000
CLERK OF THE CIRCUIT COURT	
1. Personal Services	20,274
PRESIDING JUDGE OF THE MUN. COURT	
1. Personal Services	8,176
TOTAL REDUCTION	\$35,450

SECTION 5. The personnel schedule is hereby established for the Court Services Agency and hereby amended by deleting the crosshatched portions and adding the new amounts as underlined for the Clerk of the Circuit Court and Presiding Judge of the Municipal Court as follows:

COURT SERVICES AGENCY

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sr. Admin. Assistant	1	18,360	18,360
Admin. Assistant	2	14,586	27,872
Vacancy Factor			<u>(17,782)</u>
TOTAL	3		28,450

CLERK OF THE CIRCUIT COURT

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	33,995	33,995
Chief Deputy	1	26,250	25,043
Chief Clerk	1	23,625	23,570
Sr. Admin. Asst.	8 2	20,000	130,214 47,916
Admin. Asst.	8 2	18,375	144,868 35,692
Supervisor	10	18,375	116,200
Asst. Supervisor	6	15,500	61,400
Clerk Specialist I	8	14,175	83,700
Clerk Specialist II	45	13,125	449,274
Clerk Specialist III	50	11,025	425,237
Temporary			28,375
Vacancy Factor			<u>(11,605)</u>
TOTAL	128 126	1,339,071	<u>1,318,797</u>

PRESIDING JUDGE OF THE MUNICIPAL COURT

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judges	15	16,484	232,908
Court Reporters	16	17,914	276,666
Bailiffs	45	16,874	636,532
Managers	3	28,600	83,737
Court Specialists	37	14,976	496,794 488,618
Professional	76	24,850	761,033

Bail Commissioners	16	13,780	98,280
Temporary			18,073
Vacancy Factor			(124,279)
TOTAL	208	117,791	<u>2,471,568</u>

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. 178, 1984. Councillor McGrath reported that the Rules and Policy Committee recommended Proposal No. 178, Do Pass As Amended by a vote of 7-0 on May 1, 1984. This proposal requests that the State Alcoholic Beverage Commission hold all applications for a license until proper zoning has been obtained. Councillor McGrath moved, seconded by Councillor Coughenour, for adoption. Proposal No. 178, 1984, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 178, 1984, as amended, was retitled SPECIAL RESOLUTION NO. 45, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 45, 1984

A SPECIAL RESOLUTION requiring that permits for alcoholic beverage sales not be granted unless the proposed premises is properly zoned.

WHEREAS, the zoning ordinances of Marion County restrict the sale of alcoholic beverages to certain zoning classifications; and

WHEREAS, applications for alcoholic beverage permits and transfers of locations are reviewed by the Alcoholic Beverage Board of Marion County; and

WHEREAS, the City-County Council is aware of several instances wherein licenses have been granted or transferred for the sale of alcoholic beverages from premises not properly zoned for such uses; and

WHEREAS, it appears that the Alcoholic Beverage Board has not been requesting proof of proper zoning prior to recommendation of alcoholic beverage permits and locations; now, therefore:

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

SECTION 1. The City reaffirms its position that alcoholic beverages not be sold from any premises not properly zoned for such use.

SECTION 2. Unless the premises proposed for the sale of alcoholic beverages is properly zoned for such use, the applicant shall be requested to execute the following form authorizing withholding of the permit until the proper zoning is obtained:

AGREED TO CONDITIONS FOR APPROVAL OF PERMIT No.
TO BE LOCATED AT

Permittee agrees that in the event the _____ County Liquor Board and the Indiana Alcoholic Beverage Commission approve the above permit, that the permittee will be bound by the following agreed conditions:

It is understood by the permittee that if the above permit is issued subject to the above conditions, that it will be issued and held by the Indiana Alcoholic Beverage Commission until all conditions are met that are required to be met prior to the release of said permit to the permittee; and then once it is released to the permittee, in the event any of the above conditions are violated, it will be grounds for revocation of the permit.

It is further understood by the permittee that once the permit is issued and held by the Indiana Alcoholic Beverage Commission that the fees for said permit are committed and shall not be refunded to him even if he is not able to meet any of the conditions that he is required to meet. However, he will still be able to make attempts to do something else with the permit which he has paid for.

Witness _____ Permittee's Signature _____

Subscribed and sworn to before me this _____ day of _____, 198____, in the County of _____, State of Indiana.

My County of Residence: _____
My Commission Expires: _____

Notary Public _____
(Printed)

The _____ County Local Board does hereby approve the above permit subject to the aboveagreed conditions. The Local Board agrees to notify the State A.B.C. in writing when the conditions have been met by the permittee to authorize release of the permit by the State A.B.C. to the permittee.

Date _____

President of Local Board _____

Secretary of Local Board _____

Local Board Member _____

Designated Local Board Member _____

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

PROPOSAL NO. 226, 1984. This proposal requests the Greater Indianapolis Progress Committee to study accidents involving emergency vehicles. Councillor Dowden stated that currently the Department of Public Safety has established a committee to study this problem and they will report back to the Public Safety

and Criminal Justice Committee with their findings. The Public Safety and Criminal Justice Committee amended and approved this proposal Do Pass As Amended by a vote of 8-0 on April 25, 1984. Councillor Dowden moved, seconded by Councillor Howard, for adoption. Proposal No. 226, 1984, as amended, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Clark,

Proposal No. 226, 1984, as amended, was retitled SPECIAL RESOLUTION NO. 46, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1984

A SPECIAL RESOLUTION requesting the Department of Public Safety to continue studying accidents involving emergency vehicles.

WHEREAS, emergency vehicles have collided with other vehicles while making emergency runs; and

WHEREAS, loss of life has resulted from citizens not hearing emergency vehicles at intersections as a result of stereo radios and air conditioning; and

WHEREAS, downtown development has grown greatly in recent years and continues to grow at an ever increasing pace creating more and more congestion; and

WHEREAS, the Department of Public Safety has studied other situations and made their recommendations; now, therefore:

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

SECTION 1. The Department of Public Safety is requested to continue studying accidents involving emergency vehicles and report back to the Public Safety Committee.

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

[Clerk's Note: Proposal Nos. 260 and 262, 1984, consent was given to consider them at the same time. The Transportation Committee approved both proposals Do Pass by a vote of 7-0 on April 24, 1984.]

PROPOSAL NO. 260, 1984. This proposal will remove approximately four parking spaces on the east side of Ritter Avenue just north of 13th Street. This was requested by Community Hospital and will improve sight distance for west-bound motorists. PROPOSAL NO. 262, 1984, establishes a loading zone on the

ast side of Meridian Street, from a point 25 feet south of the south curblin of Court Street to a point 85 feet south of the south curblin of Court Street. This was requested by the King Cole Restaurant. Previously an alley was used for loading purposes, but it has been closed due to the renovation of the Circle Theatre. Councillor Gilmer moved, seconded by Councillor Rader, for adoption. Proposal Nos. 260 and 262, 1984, were adopted on the following roll call vote; iz:

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

3 NOT VOTING: *Clark, Howard, Strader*

Proposal Nos. 260 and 262, 1984, were retitled GENERAL ORDINANCE NOS. 29 and 30, 1984, consecutively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 1984

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

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 addition of the following, to wit:

Ritter Avenue, on the east side, from a point 140 feet north of 13th Street to a point 240 feet north of 13th 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. 30, 1984

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

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

SECTION 1. Chapter 29 of the "Code of Indianapolis and Marion County, Indiana", specifically Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the east side, from a point 25 feet south of the south curblin of Court Street to a point 85 feet south of the south curblin of Court Street.

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

SPECIAL SERVICE DISTRICT COUNCILS

There being no business pending before any of the Special Service District Councils, none of these convened separately.

ANNOUNCEMENTS AND ADJOURNMENT

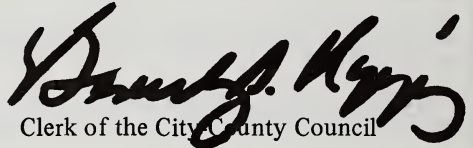
There being no further business, upon motion duly made and seconded, the meeting adjourned at 10:21 p.m.

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 10th day of May, 1984.

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



President



Clerk of the City-County Council

ATTEST:

(SEAL)