

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

REGULAR MEETINGS - MONDAY, JUNE 11, 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 7:16 p.m., on Monday, June 11, 1984, with President SerVaas presiding.

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

ROLL CALL

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

PRESENT: Borst, Boyd, Bradley, Campbell, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, 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 the presence of a quorum.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Dowden introduced Madge Garriott, Metha McBride, Hazel Miller and Margaret Scott, who are close friends of Mrs. Edna Morton. Councillor Howard introduced Bill West the first Afro-American to pass a CPA Test in Indianapolis. Councillor Giffin introduced Sue and Robert Collins and their son and daughter Miles and Corrine, also Jack Butler, Jean Mills and Mary Ellen Rink, who are the family and friends of the late Fred O. Butler. Councillor Shaw introduced Mr. Donald Franklin, Dr. David E. Smith and Mr. Byron Buhner of the Central Indiana Regional Blood Center.

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 Monday, June 11, 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

May 25, 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 31, 1984, and June 7, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 299, 300, 301, 302, 305, and 314, 1984, to be held on Monday, June 11, 1984, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

May 22, 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. 36, 1984, 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.

FISCAL ORDINANCE NO. 37, 1984, 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.

FISCAL ORDINANCE NO. 38, 1984, 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.

FISCAL ORDINANCE NO. 39, 1984, 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.

GENERAL ORDINANCE NO. 29, 1984, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 30, 1984, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

SPECIAL ORDINANCE NO. 21, 1984, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 22, 1984, 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.

SPECIAL ORDINANCE NO. 23, 1984, 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.

SPECIAL RESOLUTION NO. 38, 1984, in memoriam: Reverend Robert L. Horsley.

SPECIAL RESOLUTION NO. 40, 1984, honoring Viola Carson.

SPECIAL RESOLUTION NO. 41, 1984, 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.

SPECIAL RESOLUTION NO. 42, 1984, 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.

SPECIAL RESOLUTION NO. 43, 1984, 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.

SPECIAL RESOLUTION NO. 44, 1984, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 45, 1984, requiring that permits for alcoholic beverage sales not be granted unless the proposed premises is properly zoned.

SPECIAL RESOLUTION NO. 46, 1984, requesting the Department of Public Safety to continue studying accidents involving emergency vehicles.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

May 30, 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. 41, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Two Thousand Forty Dollars (\$2,040) in the Surveyor's Corner Perpetuation Fund for purposes of the Marion County Surveyor and reducing the unappropriated and unencumbered balance in the Surveyor's Corner Perpetuation Fund.

FISCAL ORDINANCE NO. 42, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Five Hundred Eighty-six Dollars (\$586) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

FISCAL ORDINANCE NO. 43, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating an additional Seven Hundred Twenty-two Thousand Nine Hundred Seventy-four Dollars (\$722,974) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Employment and Training Division and reducing certain other appropriations for that Division and the unappropriated and unencumbered balance in the Manpower Federal Programs Fund.

FISCAL ORDINANCE NO. 44, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Million Three Hundred Eighteen Thousand Two Hundred Ninety-four Dollars (\$1,318,294) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Employment and Training Division and reducing certain other appropriations for that Division in the City General Fund.

FISCAL ORDINANCE NO. 45, 1984, amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) authorizing changes in the personnel compensation schedule (Section 2.03) of the Pike Township Assessor.

GENERAL ORDINANCE NO. 31, 1984, establishing the rules and procedures for the preparation of the 1985 Annual Budget for City and County Government. (Amends Code Sec. 2-403)

GENERAL ORDINANCE NO. 32, 1984, amending City-County General Ordinance No. 78, 1983, authorizing changes in the personnel schedule of the Warren Township Trustee.

GENERAL ORDINANCE NO. 33, 1984, amending the "Code of Indianapolis and Marion County, Indiana", by amending Division 2, Article II, Chapter 6, concerning dog licenses.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

May 30, 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, Mrs. Beverly S. Rippy, the following ordinances:

FISCAL ORDINANCE NO. 2, 1984, a fiscal ordinance for the Police Special Service District appropriating \$21,322 to improve the Juvenile Justice Information Management System.

Respectfully submitted,

s/William H. Hudnut, III
MAYOR

ADOPTION OF AGENDA

Councillor Dowden requested that Proposal No. 303, 1984, be moved forward on the Agenda due to Sheriff Wells having another commitment at 8:00 p.m. and his desire to be present for this Proposal No. 303. Consent was given. Consent was also given to adopt the June 11, 1984, Agenda of the City-County Council and Special Service District Councils of Indianapolis, Marion County, Indiana.

APPROVAL OF JOURNAL

President SerVaas called for additions or corrections to the Journal of April 9, 1984. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 347, 1984. Introduced by Councillors Dowden and Rhodes, this proposal honors Mrs. Edna Morton for her years of service to the Marion County Welfare Department. Councillor Dowden moved, seconded by Councillor Rhodes, for adoption. Proposal No. 347, 1984, was adopted by unanimous voice vote, retitled **SPECIAL RESOLUTION NO. 47, 1984**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 47, 1984

A SPECIAL RESOLUTION honoring Ms. Edna Morton.

WHEREAS, Ms. Edna Morton is the director of Child Protection Services of the Marion County Welfare Department; and

WHEREAS, Ms. Morton is retiring in July after forty-four (44) years with the department; and

WHEREAS, Edna Morton has dedicated many years of her life to making this city, county and state a better place to live for countless children; 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 expresses its appreciation for the dedication and service Ms. Edna Morton has shown as the director of Child Protection Services.

SECTION 2. The Council further wishes Ms. Morton to enjoy a long and healthy retirement.

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. 348, 1984. Introduced by Councillor Giffin, this proposal is in memoriam of Mr. Fred O. Butler. Councillor Giffin moved, seconded by Councillor Howard, for adoption. Proposal No. 348, 1984, was adopted by unanimous voice vote, and presented to Jack Butler and Sue Collins, the son and daughter of Mr. Butler. Proposal No. 348, 1984, was retitled SPECIAL RESOLUTION NO. 48, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 48, 1984

A SPECIAL RESOLUTION in memoriam of Fred Butler.

WHEREAS, Fred Butler served on the Decatur Township Advisory Board from 1942 to 1950, and was serving in that capacity at the time of his death; and

WHEREAS, Mr. Butler was a retired Assistant Vice President of Indiana National Bank and served as Decatur Township Trustee from 1950 to 1958; and

WHEREAS, Fred Butler was a former President of the Marion County Board of Education, a former member of the Marion County Sheriff's Department Merit Board, on the Board of Directors of Legore Boy's Club and the Greater Indianapolis Housing Development Corporation, a charter member of the Decatur Township Volunteer Fire Department, and as a member of the Decatur Township Republican Club; and

WHEREAS, Mr. Butler was a member and treasurer of Camby Community Church, former President of Decatur Township Lions Club, a Treasurer of Decatur Township Historical Society, and a member of West Newton Masonic Lodge, West Newton Chapter of Eastern Star, Scottish Rite and 40 West Professional and Businessman's Club; and

WHEREAS, Fred Butler passed away May 9, 1984; 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 conveys its condolences to the family of Fred Butler.

SECTION 2. The City-County Council expresses its gratitude for Mr. Butler's service to his community.

SECTION 3. The Mayor is invited to join in this memorial 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. 349, 1984. Introduced by Councillor Shaw, this proposal supports the development of a Tissue Bank at the Central Indiana Regional Blood Center. Councillor Shaw moved, seconded by Councillor Hawkins, for adoption. Proposal No. 349, 1984, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 49, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 1984

A SPECIAL RESOLUTION supporting the development of a Tissue Bank at the Central Indiana Regional Blood Center.

WHEREAS, one of the most meaningful gifts that a human being can bestow upon another is the precious gift of life; and

WHEREAS, the Central Indiana Regional Blood Center will begin operation of a Tissue Bank in July; and

WHEREAS, the Tissue Bank will supply bone, bone marrow, skin, nerve, tendon, fascia, corneas and sperm storage; and

WHEREAS, organ and tissue donation does provide for a better quality of life on behalf of recipients; now, therefore:

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

SECTION 1. The City-County Council recognizes the importance of establishing a Tissue Bank and applauds the Central Indiana Regional Blood Center in its efforts to establish such a facility.

SECTION 2. The Council encourages all people in Central Indiana concerned with organ donation and transplantation to join in supporting the Tissue Bank.

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

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 323, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$13,500 for the County Recorder for increased postage and supply costs"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 324, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appro-

priating \$3,897 for the Clerk of the Circuit Court to adjust the personnel schedule"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 336, 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 \$3,900,000 Economic Development Revenue Bonds for Printed Wiring, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 337, 1984. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Dave McNamar to the Indianapolis-Marion County Library Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 338, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$40,000 for the County Prosecutor to purchase work processing equipment"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 339, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in Crooked Creek and The Pines Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 340, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on portions of 38th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 341, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on various streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 342, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on a portion of Harding Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 343, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of English Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 344, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Center Run Road and 82nd Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 345, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Cental Avenue and 13th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 346, 1984. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on portions of Northwestern Avenue"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 303, 1984. This proposal transfers \$25,363 for the Sheriff's Department to achieve salary parity with the Police Department for all majors and above. Councillor Dowden reported that the Public Safety and Criminal Justice Committee heard this proposal on May 23, 1984, and voted 7-1 with a Do Pass recommendation. The transfer is derived from a reduction of \$15,363 in the gasoline budget and \$10,000 in the food budget. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 303, 1984, was adopted on the following roll call vote; viz:

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

2 NAYS: *Bradley, Durnil*

3 NOT VOTING: *Borst, Clark, Cottingham*

Proposal No. 303, 1984, was retitled FISCAL ORDINANCE NO. 46, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 46, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating Twenty-five Thousand Three Hundred Sixty-three Dollars (\$25,363) in the County General Fund for purposes of the Marion County Sheriff and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (a)(7) of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of funds to achieve salary parity with the Indianapolis Police Department for all the majors and above within the Sheriff's Office.

SECTION 2. The sum of Twenty-five Thousand Three Hundred Sixty-three Dollars (\$25,363) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
1. Personal Services	\$25,363
TOTAL INCREASE	\$25,363

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
2. Supplies	\$15,363
3. Other Services & Charges	10,000
TOTAL REDUCTION	\$25,363

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

(7) COUNTY SHERIFF - Dept. 18

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
MERIT PERSONNEL:			
Sheriff	1	20,750	20,750
Executive Officer	1	33,095 36,500	33,095 36,500
Deputy Chief	5	31,275 34,500	33,637.5 172,500
Major	5	25,184.2 29,500	34,060 147,500
Captain	9	24,828	223,452
Lieutenant	29	23,175	672,017
Sergeant	98	22,015	2,157,470
Corporal	51	21,104	1,076,304
Deputy 3rd Year	258	20,610	5,311,659
Deputy 2nd Year	-0-	18,956	-0-
Deputy 1st Year	-0-	15,602	-0-

CIVILIAN EMPLOYEES:

First Deputy	1	30,759	30,759
Admin. Assistant	1	23,497	23,497
Major (Spec. Deputy)	1	20,860	20,860
Captain (Spec. Deputy)	1	18,642	18,642
Lieutenant (Spec. Deputy)	2	17,123	34,246
Sergeant (Spec. Deputy)	9	15,115	136,035
Deputy (Spec. Deputy)	34	13,441	456,994
Correctional Officers	35	15,500	542,500
Executive Secretary	2	16,800	28,489
Division Secretary	5	10,578	52,890
Clerk/Typist	35	13,663	345,619
Mechanic	9	18,642	153,603
Attendant	7	10,805	75,635
Chaplain	2	17,850	34,728
Crime Watch Coord.	1	16,113	16,113

MISCELLANEOUS SALARIES:

Clothing Allowance	300	36,000
Longevity	1,200	305,520

Temporary Salaries		47,945
Overtime & Shift Differential	250,000	272,031
Professional Salaries		62,976
Educational Bonus		104,010
Merit Board		1,050
Reserve Salaries		700
C.A.R.E. Program		-0-
Vacancy Factor	(205,000)	(212,607)

OTHER EMPLOYEE BENEFITS:

M.C.L.E. Pension		1,978,785
Health Insurance		452,160
Life Insurance		38,462
TOTAL	602	14,850,431 14,875,794

SECTION 6. This ordinance shall be in full force and effect retroactive to April 1, 1984.

PROPOSAL NOS. 350-355, 1984. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on June 8, 1984". No action was taken by the Council, and the Proposals were deemed adopted. Proposal Nos. 350-355, 1984, were retitled REZONING ORDINANCE NOS. 97-102, 1984, and read as follows:

REZONING ORDINANCE NO. 97, 1984 84-Z-75 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 2

9305 NORTH KEYSTONE AVENUE, INDIANAPOLIS

John P. Tyner, by Zeff A. Weiss, requests rezoning of 15.91 acres, being in the A-2 district, to the C-6 classification, to provide for hotel facilities and/or restaurants.

REZONING ORDINANCE NO. 98, 1984 84-Z-78 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 2

5225 EAST 96TH STREET, INDIANAPOLIS

American Aggregates Corporation, by Mark W. Gray, requests rezoning of 23.80 acres, being in the A-2 and GSB districts, to the SU-25 classification, to provide for asphalt handling plants.

REZONING ORDINANCE NO. 99, 1984 84-Z-84 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 2

8551 BAZAAR DRIVE, INDIANAPOLIS

Keystone Crossing Joint Venture, by Philip A Nicely, requests rezoning of 5.42 acres, being in the C-4 and A-2 districts, to the C-4 classification, to provide for construction of a four story, 87,360 square foot office building.

REZONING ORDINANCE NO. 100, 1984 84-Z86 PIKE TOWNSHIP COUNCILMANIC DISTRICT NO. 1

7507 NORTH MICHIGAN ROAD, INDIANAPOLIS

Edward J. Strange, by Stephen D. Mears, requests rezoning of approximately one acre, being in the D-5 district, to the C-3 classification, to provide for the continued operation of a decorating studio with furniture sales and other permitted uses.

REZONING ORDINANCE NO. 101, 1984 84-Z-100 CENTER TOWNSHIP COUNCILMANIC DISTRICT NO. 16

2226 NORTH ILLINOIS STREET, INDIANAPOLIS

Metropolitan Development Commission requests rezoning of 2.24 acres, being in the C-1 district, to the D-8 classification, to provide for an elderly housing project.

**REZONING ORDINANCE NO. 102, 1984 84-Z-103 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

4350 NORTH HIGH SCHOOL ROAD, INDIANAPOLIS

The Salvation Army, by Stephen A. Backer, requests rezoning of 5.1 acres, being in the SU-1 district, to the SU-7 classification, to provide for the operation of a neighborhood community center which would include a chapel, educational and recreational facilities.

PROPOSAL NO. 325, 1984. Introduced by Councillor Schneider, this inducement resolution authorizes proceedings with respect to proposed economic development bonds for Mays Chemical Company in an approximate amount of \$1,000,000. Councillor Schneider reported that the Economic Development Committee on June 6, 1984, recommended Proposal No. 325, Do Pass by a vote of 7-0. The Mays Chemical Company is a full service distributor of industrial and laboratory chemicals and instruments. The Project is to acquire, renovate and equip a 30,280 square foot building located at 7760 East 89th Street on 2.3 acres. The Company is currently located at 6852 Hawthorn Park Drive. The estimated costs for the \$1,000,000 Project are as follows: \$57,500 land, \$467,500 buildings, \$450,000 equipment, and \$25,000 other contingencies. The Company currently employs 20 persons with an annual payroll of \$403,000. The estimated number of additional employment positions at the end of one year total 4 jobs with \$53,400 in additional payroll. The three-year employment estimate is 9 jobs with \$210,600 in additional payroll. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 325, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Borst, Cottingham, Holmes

Proposal No. 325, 1984, was retitled SPECIAL RESOLUTION NO. 50, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 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, Mays Chemical Company, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that

the City either acquire, 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, renovation, installation and equipping of a building containing approximately 30,280 square feet and the machinery and equipment to be located at 7760 East 89th Street, Indianapolis, Indiana, on approximately 2.3 acres of land, which will be used by the Company, as a wholesale distribution of industrial and laboratory chemicals and instruments (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 4 at the end of one year and approximately 9 at the end of three years) to be achieved by the acquisition, 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, 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 \$1,000,000 under the Act for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to Mays Chemical Company, 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, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, 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 see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

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

PROPOSAL NO. 326, 1984. Introduced by Councillor Schneider, this proposal for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for C. H. Ellis Realty Corp. in an approximate amount of \$650,000. Councillor Schneider reported that the Economic Development Commission on June 6, 1984, recommended Proposal No. 326, Do Pass by a vote of 7-0. The Project will be leased to C. H. Ellis Co., Inc. which is a manufacturer of attache, attache tool cases, and custom industrial carrying cases. The Project is to construct a 25,000 square foot addition to the current facility, located at 2432 Southeastern Avenue. The estimated costs for the \$650,000 Project are as follows: \$50,000 land, \$500,000 buildings, \$75,000 equipment, and \$25,000 other contingencies. The Company currently employs 90 persons with an annual payroll of approximately \$1 million. The estimated number of additional employment positions at the end of one year total 18 jobs with \$178,000 in additional payroll. The three-year employment estimate is 37 jobs with \$424,820 in additional payroll. Councillor Schneider moved, seconded by Councillor Dowden, for adoption. Proposal No. 326, 1984, was adopted on the following roll call vote; viz:

28 YEAS: 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

1 NOT VOTING: Borst

Proposal No. 326, 1984, was retitled SPECIAL RESOLUTION NO. 51, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 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, C. H. Ellis Realty Corp. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an approxi-

mately 25,000 square foot expansion of the existing manufacturing facility of C. H. Ellis Co., Inc. and the machinery and equipment to be located at 2432 Southeastern Avenue, Indianapolis, Indiana, on 1.25 acres of land, which will be used by C. H. Ellis Co., Inc. in its business of manufacturing attache, attache tool cases, and custom industrial carrying cases (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 18 at the end of one year and approximately 37 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$650,000 under the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to C. H. Ellis Realty Corp. (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

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

PROPOSAL NO. 327, 1984. Introduced by Councillor Schneider, this proposal for an inducement resolution authorizing proceedings with respect to proposed economic development bonds for Paul A. Hamm in an approximate amount of \$750,000. Councillor Schneider reported that the Economic Development Committee on June 6, 1984, recommended Proposal No. 327, Do Pass by a vote of 7-0. Mr. Paul Hamm is the principal in Hession Plumbing, Co., Inc. which is a contractor of plumbing, heating, and air conditioning systems. The Project is to construct a new facility containing approximately 23,500 square feet at 9010 Corporation Drive on 2 acres. The estimated costs for the \$750,000 Project are as follows: \$150,000 land and \$600,000 buildings. The Company currently employs 65 persons with an annual payroll of \$1,040,000. The estimated number of additional employment positions at the end of one year total 3 jobs with \$60,000 in additional payroll. The three-year employment estimate is 12 jobs with \$215,000 in additional payroll. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 327, 1984, was adopted on the following roll call vote; viz:

28 YEAS: *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

1 NOT VOTING: *Borst*

Proposal No. 327, 1984, was retitled SPECIAL RESOLUTION NO. 52, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 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, Paul A. Hamm (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 23,500 square feet, and the machinery and equipment to be located at 9010 Corporation Drive, Indianapolis, Indiana, on approximately 2.0 acres of land, which will be used by Hession Plumbing Co., Inc. in its business of plumbing, heating and air conditioning contracting and service (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 3 at the end of one year and approxi-

mately 12 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$750,000 under the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Paul A. Hamm (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

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

[Clerk's Note: Councillor Howard was excused at 7:54 p.m. to attend another meeting.]

PROPOSAL NO. 328, 1984. This proposal designates the parcel of land commonly known as the southeast corner of Illinois and Georgia Streets as an economic development target area. The Economic Development Committee on June 6, 1984 voted 7-0 for a Do Pass recommendation. This proposal is a companion ordinance to Proposal No. 329, 1984. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 328, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Clark, Durnil, Howard, Strader*

Proposal No. 328, 1984, was retitled SPECIAL ORDINANCE NO. 24, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 24, 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 June 6, 1984 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as the southeast corner of Illinois and Georgia Streets, Indianapolis, Indiana, as an Economic Development Target Area which parcel is more specifically described as:

PARCEL I:

Lot Twelve (12) in Square Eighty-seven (87) of the Donation Lands of the City of Indianapolis, Indiana, except 35 feet off the entire East end taken from the opening of McCrea Street. Also, part of Lot Eleven (11) in Square Eighty-seven (87) of the Donation Lands of the City of Indianapolis, more particularly described as follows: Beginning at the Northwest corner of said Lot Eleven (11); thence East, on and along the North line of said Lot, 38 feet 7-1/4 inches, thence South 3 feet 5-1/4 inches, thence West 38 feet 7-1/4 inches to the East property line of Illinois Street; thence North, on and along said East property line of Illinois Street, 3 feet 5-1/4 inches to the place of beginning.

PARCEL II:

The North Half (1/2) of Lot Ten (10) and 6-1/2 inches by parallel lines off the South side of Lot Eleven (11), said Lots being in Square Eighty-seven (87) of the Donation Lands of the City of Indianapolis, except 35 feet off the entire East end taken for the opening of McCrea Street, all more particularly described as follows: Beginning on the West line of said Square Eighty-seven (87) at a point that is 135 feet 5-1/2 inches South of the Northwest corner of said Square; thence South, on and along said West line, 33 feet 6-1/2 inches to a point; thence East, parallel to the North line of said Square, 167-1/2 feet to the West line of McCrea Street; thence North, on and along said West line, 33 feet 6-1/2 inches to a point; thence West, parallel to the North line of said Square, 167-1/2 feet to the place of beginning.

PARCEL III:

Lot Numbered Eleven (11) in Square 87 of the donation Lands of the City of Indianapolis, more particularly described as follows: Beginning at a point in the East line of Illinois Street 66 feet South of the Northwest corner of said Square 87; thence South on the East line of said street 70 feet to a point; thence East parallel to the North line of said Square 87 to a point in the West line of an alley, now part of McCrea Street; thence North on the West line of said alley 70 feet to a point; thence West to the place of beginning. Except, beginning at the Northwest corner of said Lot Numbered Eleven (11); thence South 3 feet 5-1/4 inches to a point; thence East 38 feet 7-1/4 inches to a point; thence North 3 feet 5-1/4 inches to a point in the North line of said Lot Numbered Eleven (11), thence West on said North line to the place of beginning, conveyed by Volney T. Malott et us and Simon Yandes, unmarried, to Henry Saverin by deed dated May 7, 1887, and recorded May 11, 1887, in Deed Record 191, page 24. Also, except a strip of the uniform width of 6-1/2 inches off the South side of said Lot Numbered Eleven (11), conveyed by Volney T. Malott et us and Simon Yandes, unmarried, to William H. English by

deed dated December 1, 1887, and recorded December 7, 1887, in Deed Record 196, page 190. Also except 35 feet off the East end of said Lot Number Eleven (11) taken for the opening and widening of McCrea Street.

PARCEL IV:

The South Half (1/2) of Lot Number Ten (10) in Square 87 of the Donation Lands of the City of Indianapolis, more particularly described as follows: Commencing at a point in the East line of Illinois Street 202 feet South of the Northwest corner of said Square 87; thence East 202 feet and 6 inches to a point; thence North 33 feet to a point; thence West 202 feet and 6 inches to the East line of South Illinois Street; thence South 33 feet to the place of beginning; except 35 feet off the East end of said tract taken for the opening and widening of McCrea Street.

PARCEL V:

Lots 4, 5, and 6 and 12.5 feet by parallel lines off the entire South side of Lot 3 in George H. Bicking and George M. Hollenbeck's Subdivision of Lots 7, 8 and 9 in Square 75 of the Donations Lands of the City of Indianapolis, as per plat thereof recorded in Plat Book 1, page 150, in the Office of the Recorder of Marion County, Indiana.

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 parcel commonly known as the southeast corner of Illinois and Georgia Streets, Indianapolis, Indiana, which is more specifically described as:

PARCEL I:

Lot Twelve (12) in Square Eighty-seven (87) of the Donation Lands of the City of Indianapolis, Indiana, except 35 feet off the entire East end taken from the opening of McCrea Street. Also, part of Lot Eleven (11) in Square Eighty-seven (87) of the Donation Lands of the City of Indianapolis, more particularly described as follows: Beginning at the Northwest corner of said Lot Eleven (11); thence East, on and along the North line of said Lot, 38 feet 7-1/4 inches, thence South 3 feet 5-1/4 inches, thence West 38 feet 7-1/4 inches to the East property line of Illinois Street; thence North, on and along said East property line of Illinois Street, 3 feet 5-1/4 inches to the place of beginning.

PARCEL II:

The North Half (1/2) of Lot Ten (10) and 6-1/2 inches by parallel lines off the South side of Lot Eleven (11), said Lots being in Square Eighty-seven (87) of the Donation Lands of the City of Indianapolis, except 35 feet off the entire East end taken for the opening of McCrea Street, all more particularly described as follows: Beginning on the West line of said Square Eighty-seven (87) at a point that is 135 feet 5-1/2 inches South of the Northwest corner of said Square; thence South, on and along said West line, 33 feet 6-1/2 inches to a point; thence East, parallel to the North line of said Square, 167-1/2 feet to the West line of McCrea Street; thence North, on and along said West line, 33 feet 6-1/2 inches to a point; thence West, parallel to the North line of said Square, 167-1/2 feet to the place of beginning.

PARCEL III:

Lot Numbered Eleven (11) in Square 87 of the donation Lands of the City of Indianapolis, more particularly described as follows: Beginning at a point in the East line of Illinois Street 66 feet South of the Northwest corner of said Square 87; thence South on the East line of said street 70 feet to a point; thence East parallel to the North line of said Square 87 to a point in the West line of an alley, now part of McCrea Street; thence North on the West line of said alley 70 feet to a point; thence West to the place of beginning. Except, beginning at the Northwest corner of said Lot Numbered Eleven (11); thence South 3 feet 5-1/4 inches to a point; thence East 38 feet 7-1/4 inches to a

point; thence North 3 feet 5-1/4 inches to a point in the North line of said Lot Numbered Eleven (11), thence West on said North line to the place of beginning, conveyed by Volney T. Malott et us and Simon Yandes, unmarried, to Henry Saverin by deed dated May 7, 1887, and recorded May 11, 1887, in Deed Record 191, page 24. Also, except a strip of the uniform width of 6-1/2 inches off the South side of said Lot Numbered Eleven (11), conveyed by Volney T. Malott et us and Simon Yandes, unmarried, to William H. English by deed dated December 1, 1887, and recorded December 7, 1887, in Deed Record 196, page 190. Also except 35 feet off the East end of said Lot Number Eleven (11) taken for the opening and widening of McCrea Street.

PARCEL IV:

The South Half (1/2) of Lot Number Ten (10) in Square 87 of the Donation Lands of the City of Indianapolis, more particularly described as follows: Commencing at a point in the East line of Illinois Street 202 feet South of the Northwest corner of said Square 87; thence East 202 feet and 6 inches to a point; thence North 33 feet to a point; thence West 202 feet and 6 inches to the East line of South Illinois Street; thence South 33 feet to the place of beginning; except 35 feet off the East end of said tract taken for the opening and widening of McCrea Street.

PARCEL V:

Lots 4, 5, and 6 and 12.5 feet by parallel lines off the entire South side of Lot 3 in George H. Bicking and George M. Hollenbeck's Subdivision of Lots 7, 8 and 9 in Square 75 of the Donations Lands of the City of Indianapolis, as per plat thereof recorded in Plat Book 1, page 150, in the Office of the Recorder of Marion County, Indiana.

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. 329, 1984. This inducement resolution authorizes proceedings with respect to proposed economic development bonds for James P. Revel, Ben A. Gatch, James D. Bremner, Donald D. Wools for a partnership to be formed in an amount not to exceed \$10,000,000. Councillor Schneider reported that the Economic Development Committee on June 6, 1984, recommended Proposal No. 329, Do Pass by a vote of 7-0. This Project is to acquire and renovate the existing Atkinson Hotel. The estimated costs for the \$11,313,745 Project are as follows: \$726,000 land (includes adjacent parking lots), \$9,287,745 building (acquisition and improvements) and \$1,300,000 equipment. The estimated number of additional employment positions at the end of one year total 25 jobs with \$1,105,000 in additional payroll. The three-year employment estimate is 35 jobs with \$1,580,040 in additional payroll. Councillor Schneider moved, seconded by

Councillor Rader, for adoption. Proposal No. 329, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

6 NOT VOTING: *Clark, Giffin, Gilmer, Howard, Page, Strader*

Proposal No. 329, 1984, was retitled SPECIAL RESOLUTION NO. 53, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 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, a partnership to be formed the principals of which will include James P. Revel, Ben A. Gatch, James D. Bremner and Donald D. Woods (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, 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, renovation, installation and equipping of the existing Atkinson Hotel containing approximately 163,508 square feet and 233 guest rooms and the machinery and equipment to be installed therein located at the southeast corner of Illinois and Georgia Streets, Indianapolis, Indiana, plus certain site improvements including adjacent parking which will continue to be operated as a hotel facility complete with restaurants, meeting rooms and ballrooms (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 25 at the end of one year and approximately 35 at the end of three years) to be achieved by the acquisition, 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, 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 \$10,000,000 under the Act subject to the Project being located in an Economic Development Target Area designated pursuant to I.C. 36-7-12 as amended and subject to the Project receiving an Urban Development Action Grant under section 119 of the Housing and Community Development Act of 1974 and subject to the project being approved by the Department of Metropolitan Development and receiving any required Regional Center and Historic Preservation approvals for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to a partnership to be formed the principals of which will include James P. Revel, Ben A. Gatch, James D. Bremner and Donald D. Wools (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, 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 see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

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

PROPOSAL NO. 330, 1984. This inducement resolution authorizes proceedings with respect to proposed economic development bonds for Congregate Housing Partnership in an approximate amount of \$4,000,000. Councillor Schneider reported that the Economic Development Committee on June 6, 1984, recommended Proposal No. 326, Do Pass by a vote of 7-0. The Project is to construct and equip a 124-unit multi-family residential rental unit facility for the elderly to be located on Crawfordsville Road at Eagle Valley Pass on 4.5 acres. The estimated costs for the \$4,201,000 Project are as follows: \$310,000 land, \$3,071,000 buildings, \$150,000 equipment, and \$670,000 other contingencies. The estimated number of additional employment positions at the end of one year total 25 jobs with \$304,200 in additional payroll. The three-year employment estimate is 30 jobs with \$325,000 in additional payroll. Councillor Schneider

moved, seconded by Councillor Gilmer, for adoption. Proposal No. 330, 1984, was adopted on the following roll call vote; viz:

27 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, Strader, West*

NO NAYS

2 NOT VOTING: *Clark, Howard,*

Proposal No. 330, 1984, was retitled SPECIAL RESOLUTION NO. 54, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 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, Congregate Housing Partnership (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an approximately 118,500 square foot 124 unit multi-family residential rental facility for the elderly and the machinery and equipment to be located therein plus certain site improvements to be located at Crawfordsville Road at Eagle Valley Pass, just east of Salt Lake Road, Indianapolis, Indiana, on approximately 4.5 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 25 at the end of one year and approximately 30 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health,

safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$4,000,000 under the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Congregate Housing Partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

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

PROPOSAL NO. 331, 1984. This inducement resolution authorizes proceedings with respect to proposed economic development bonds for Morningside, an Indiana Limited Partnership in an approximate amount of \$8,850,000. Councillor Schneider reported that the Economic Development Committee on June 6, 1984, recommended Proposal No. 331, Do Pass by a vote of 7-0. The Project is to construct and equip a 128 unit (three-story and basement) 158,470 square foot residential multi-family rental housing unit facility for the elderly to be located near the southeast corner of the lake at College Park on 6.386 acres. The estimated costs for the \$8,850,000 Project are as follows: \$180,000 land, \$6,350,000 buildings, \$300,000 equipment, and \$2,020,000 other contingencies. The estimated number of additional employment positions at the end of one year total 17 jobs with \$211,200 in additional payroll. The three-year employment estimate is 17 jobs with \$253,400 in additional payroll. Councillor Schneider moved, seconded by Councillor Hawkins, for adoption. Proposal No. 331, 1984, was adopted on the following roll call vote; viz:

27 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, Strader, West

1 NAY: Clark

1 NOT VOTING: Howard

Proposal No. 331, 1984, was retitled SPECIAL RESOLUTION NO. 55, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 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, Morningside, an Indiana Limited Partnership (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction, installation and equipping of an approximately 158,470 square foot 128 unit multi-family residential rental facility for the elderly and the machinery and equipment to be installed therein plus certain site improvements to be located in College Park, Indianapolis, Indiana, on approximately 6.386 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 19 at the end of one year and at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$8,850,000 under the Act for the acquisition, construction, installation and

equipping of the Project and the sale or leasing of the Project to Morningside, an Indiana Limited Partnership (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

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

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

PROPOSAL NO. 332, 1984. This inducement resolution authorizes proceedings with respect to proposed economic development bonds for Delaware Court Associates in an approximate amount of \$750,000. Councillor Schneider reported that the Economic Development Committee on June 6, 1984, recommended Proposal No. 332, Do Pass by a vote of 7-0. The Project is to acquire and rehabilitate an existing apartment building located at 1001-1015 North Delaware Street. Estimated costs for the \$1,200,000 Project are as follows: \$250,000 land and building, and \$950,000 renovation. The estimated number of additional employment positions at the end of one and three years total 3 jobs with \$15,000 to \$18,000 in additional payroll. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 332, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Cottingham, Gilmer, Howard

Proposal No. 332, 1984, was retitled SPECIAL RESOLUTION NO. 56, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 56, 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, renovation, 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, Delaware Court Associates and Its Assignees and Its Individual Rental Partnership To Be Formed (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, 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, renovation, installation and equipping of the existing Delaware Court Apartments containing approximately 24,000 square feet and the machinery and equipment to be located therein plus certain site improvements to be located at 1001-1015 North Delaware Street (northwest corner of East 10th Street and Delaware Street), Indianapolis, Indiana, on approximately 0.75 acres of land which will be used for 38 multi-family residential rental units for Goodwill Industries - clients in training (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 3 at the end of one year and at the end of three years) to be achieved by the acquisition, 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, 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 \$750,000 under the Act for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to Delaware Court Associates and Its Assignees and Its Individual Rental Partnership To Be Formed (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation, installation and equipping of the Project, this City-County Council hereby finds, determines, ratifies and confirms that (1) 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, 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 see the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project, and the City will thereafter lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

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

PROPOSAL NO. 333, 1984. This final bond issue authorizes the issuance of \$980,000 Economic Development Revenue Bonds for Bowers Envelope Company. The Economic Development Committee on June 6, 1984, recommended Proposal 333, Do Pass by a vote of 7-0. Councillor Schneider reported the project as the purchase of equipment to enable the company to make jackets for floppy disks and other equipment to add additional envelope capacity. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. The motion passed on the following roll call vote; viz:

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

Proposal No. 333, 1984, was retitled SPECIAL ORDINANCE NO. 25, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 25, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1984 (Bowers Envelope Company Project)" in the principal amount of Nine Hundred Eighty Thousand Dollars (\$980,000) 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 Bowers Envelope Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 6, 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 Bowers Envelope Company (the "Company") consisting of the acquisition and installation of equipment to be installed at 5331 North Tacoma Avenue, Indianapolis, Indiana plus certain site improvements which will be used by the Company in the manufacturing of envelopes, sleeves and floppy disk jackets (the "Project") which will be initially owned and operated by Bowers Envelope Company 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 Bond Purchase and Loan Agreement, Security Agreement, Assignment of Security Agreement, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984 (Bowers Envelope Company 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 Bond Purchase and Loan Agreement consisting of the acquisition and installation of equipment to be installed at 5331 North Tacoma Avenue, Indianapolis, Indiana plus certain site improvements which will be used by the Company in the manufacturing of envelopes, sleeves and floppy disk jackets previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bond, the loan of the net proceeds thereof to Bowers Envelope Company for the purposes of financing the economic development facilities being acquired and installed or to be acquired and installed in Indianapolis, Indiana, and the repayment of said loan by Bowers Envelope Company 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 Bond Purchase and Loan Agreement, Security Agreement, Assignment of Security Agreement, Promissory Note, and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1984 (Bowers Envelope Company 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 Bond Purchase and Loan Agreement, Security Agreement, Assignment of Security Agreement, Promissory Note, and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1984 (Bowers Envelope Company 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 Bond, Series 1984 (Bowers Envelope Company Project) in the principal amount of Nine Hundred Eighty Thousand Dollars (\$980,000) for the purpose of procuring funds to loan to Bowers Envelope Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and Loan Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Bowers Envelope Company on its Promissory Note in the principal amount of Nine Hundred Eighty Thousand Dollars (\$980,000), which will be executed and delivered by Bowers Envelope Company to evidence and secure said loan, and as otherwise provided in the above described Security Agreement, Assignment of Security Agreement. The Bond 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 Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to the Tax Exempt Rate (as defined in the Bond Purchase and Loan Agreement) until maturity or such higher rate as provided for in the Bond Purchase and Loan Agreement resulting from a Determination of Taxability (as defined in the

Bond Purchase and Loan Agreement) or Default (as defined in the Bond Purchase and Loan Agreement) provided however that in no event shall the interest rate on the bond exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984 (Bowers Envelope Company Project), Assignment of Security Agreement, 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 Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, the Endorsement to the Promissory Note, Assignment of Security Agreement, and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note and Security Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1984 (Bowers Envelope Company Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond 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. 334, 1984. This final bond issue authorizes the issuance of \$1,350,000 Economic Development Revenue Bonds for Cloverleaf Properties. The Economic Development Committee on June 6, 1984, recommended Proposal 334, Do Pass by a vote of 7-0. Councillor Schneider reported the project as the construction of a 36,100 square foot building on Rockville Road, for use as central offices and warehouse space for Cloverleaf Properties and several related companies. Councillor Schneider moved, seconded by Councillor Rader, for adoption. The motion passed on the following roll call vote; viz:

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

NO NAYS:

2 NOT VOTING: *Clark, Howard*

Proposal No. 334, 1984, was retitled SPECIAL ORDINANCE NO. 26, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 26, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond, Series 1984 (Cloverleaf Properties Project)" in the principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) 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 Cloverleaf Properties and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 6, 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 Cloverleaf Properties, an Indiana General partnership (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 36,100 square foot building including basement and the machinery and equipment to be installed therein plus certain site improvements to be located at 8305 Rockville Road (U.S. Rt. 36) on approximately 2.81 acres of land, Indianapolis, Indiana, which will be used by the Company for its central office and warehouse in its real estate development and construction business and for lease to several related companies of the Company, namely Cloverleaf Properties, Inc., Dominion Realty, Inc., BDA Corporation, Classic Insurance Company, First American Mortgage Corporation, and Foundation Investments, Inc. (the "Project") which will be initially owned and operated by Cloverleaf Properties through a lease of the proposed Project to Cloverleaf Properties, Inc. and other related companies 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 Bond Purchase and Loan Agreement, Assignment of Real Estate Mortgage and Security Agreement, Collateral Assignment of Leases and Rents, Assignment of Collateral Assignment of Rents and Leases, Servicing and Disbursement Agreement, Real Estate Mortgage and Security Agreement, Bond Guaranty Agreement, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1984 (Cloverleaf Properties 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 Bond Purchase and Loan Agreement consisting of the acquisition, construction, installation and equipping of an approximately 36,100 square foot building including basement and the machinery and equipment to be installed therein plus certain site improvements to be located at 8305 Rockville Road (U.S. Rt. 36) on approximately 2.81 acres of land, Indianapolis, Indiana, which will be used by the Company for its central office and warehouse in its real estate development and construction business and for lease to several related companies of the Company, namely Cloverleaf Properties, Inc., Dominion Realty, Inc., BDA Corporation, Classic Insurance Company, First American Mortgage Corporation, and Foundation Investments, Inc. previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bond, the loan of the net proceeds thereof to Cloverleaf Properties 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 Cloverleaf Properties 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 Bond Purchase and Loan Agreement, Assignment of Real Estate Mortgage and Security Agreement, Collateral Assignment of Leases and Rents, Assignment of Collateral Assignment of Rents and Leases, Servicing and Disbursement Agreement, Real Estate Mortgage and Security Agreement, Bond Guaranty Agreement, Promissory Note and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond, Series 1984 (Cloverleaf Properties 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 Bond Purchase and Loan Agreement, Assignment of Real Estate Mortgage and Security Agreement, Collateral Assignment of Leases and Rents, Assignment of Collateral Assignment of Rents and Leases, Servicing and Disbursement Agreement, Real Estate Mortgage and Security Agreement, Bond Guaranty Agreement, Promissory Note and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond, Series 1984 (Cloverleaf Properties 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 Bond, Series 1984 (Cloverleaf Properties Project) in the principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) for the purpose of procuring funds to loan to Cloverleaf Properties in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and Loan Agreement incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Cloverleaf Properties on its Promissory Note in the principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000), which will be executed and delivered by Cloverleaf Properties to evidence and secure said loan, and as otherwise provided in the above described Assignment of Real Estate Mortgage and Security Agreement, Collateral Assignment of Leases and Rents, Assignment of Collateral Assignment of Rents and Lease, Servicing and Disbursement Agreement, Real Estate Mortgage and Security Agreement, Bond Guaranty Agreement. The Bond 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 Bond 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 the Interim Tax Exempt Rate from the date of the bond to and including the Amortization Date, and thereafter, until maturity at the Permanent Tax Exempt Rate or such higher rate as provided for in the Bond Purchase and Loan Agreement resulting from a Determination of Taxability or Default provided however that in no event shall the interest rate on the bond exceed 30% per annum. As used herein the terms "Amortization Date", "Permanent Tax Exempt Rate", "Interim Tax Exempt Rate", "Determination of Taxability", and "Default", shall have the meanings assigned to them in the Bond Purchase and Loan Agreement.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Real Estate Mortgage and Security Agreement, Assignment of Real Estate Mortgage and Security Agreement, Assignment of Collateral Assignment of Rents and Leases, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1984 (Cloverleaf Properties 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 Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, Real Estate Mortgage and

Security Agreement, Assignment of Real Estate Mortgage and Security Agreement, Assignment of Collateral Assignment of Rents and Leases, the Endorsement to the Promissory Note, and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the Promissory Note, Bond Guaranty Agreement, Collateral Assignment of Leases and Rents and Servicing and Disbursement Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bond, Series 1984 (Cloverleaf Properties Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond 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. 335, 1984. This final bond issue authorizes the issuance of \$600,000 Economic Development Revenue Bonds for Mitchell Hurst Pinkus Jacobs & Dick Development Co. The Economic Development Committee on June 6, 1984, recommended Proposal 335, Do Pass by a vote of 7-0. Councillor Schneider reported the project as the acquisition and renovation of the former "Fifth amendment Restaurant Bar" at 152 East Washington Street. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. The motion passed on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Bradley, Campbell, Coughenour, Crowe, Curry, Gilmer, Hawkins, Miller, McGrath, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West*

8 NAYS: *Clark, Cottingham, Dowden, Durnil, Giffin, Holmes, Journey, Strader*

1 NOT VOTING: *Howard*

Proposal No. 335, 1984, was retitled SPECIAL ORDINANCE NO. 27, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 27, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project)" in the principal amount of Four Hundred Fifty Thousand Dollars (\$450,000) and its "Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project)" in the principal amount of One Hundred Fifty Thousand Dollars (\$150,000) and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. and the Metropolitan Development Commission of

Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 6, 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 Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co., an Indiana general partnership (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of an approximately 9,437 square foot existing building and the machinery and equipment to be installed therein located at 152 East Washington Street, Indianapolis, Indiana, which will be used for general office space and possibly some commercial space for lease to the general public including Mitchell, Hurst, Pinkus, Jacobs & Dick, an Indiana partnership who will use a portion of the renovated building to relocate and expand their law offices (the "Project") which will be initially owned and operated by Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. 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 Bond Purchase and Loan Agreement, Collateral Assignment of Leases and Rents, Bond Guaranty Agreement, Mortgage and Security Agreement, Promissory Notes and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) and the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. 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 Bond Purchase and Loan Agreement, consisting of the acquisition, construction, renovation, installation and equipping of an approximately 9,437 square foot existing building and the machinery and equipment to be installed therein located at 152 East Washington Street, Indianapolis, Indiana, which will be used for general office space, and possibly some commercial space for lease to the general public including Mitchell, Hurst, Pinkus, Jacobs & Dick, an Indiana partnership who will use a portion of the renovated building to relocate and expand their law offices 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 Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. for the purposes of financing the economic development facilities being acquired, constructed, renovated, installed and equipped or to be acquired, constructed, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. 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 Bond Purchase and Loan Agreement, Collateral Assignment of Leases and Rents, Bond Guaranty Agreement, Mortgage and Security Agreement, Promissory Notes and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) and the City of Indianapolis Economic Development Revenue Bonds, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. 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 Bond Purchase and Loan Agreement, Collateral Assignment of Leases and Rents, Bond Guaranty Agreement, Mortgage and Security Agreement, Promissory Notes and the form of the City of Indianapolis Economic Development Revenue Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) and City of Indianapolis Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. 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 Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) in the principal amount of Four Hundred Fifty Thousand Dollars (\$450,000) and its Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) in the principal amount of One Hundred Fifty Thousand Dollars (\$150,000) for the purpose of procuring funds to loan to Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and 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 Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. on its Series A Promissory Note and Series B Promissory Note in the principal amounts of Four Hundred Fifty Thousand Dollars (\$450,000) and One Hundred Fifty Thousand Dollars (\$150,000) respectively which will be executed and delivered by Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. to evidence and secure said loan, and as otherwise provided in the above described Collateral Assignment of Leases and Rents, Bond Guaranty Agreement and Mortgage and Security Agreement. 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 the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) and the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest prior to maturity or the occurrence of an event of default, and while and so long as the income from the Bonds is exempt from any State and Federal taxation, equal to the Tax-Exempt Rate; provided, however, on or after the Amortization Date, Company shall have the option to convert all or a portion of the outstanding principal balance of the Bonds bearing interest at the Tax-Exempt Rate to a Tax-Exempt Fixed Rate, for a period of five (5) years (the initial five (5) year period and each successive five (5) year period thereafter, or part thereof, being sometimes referred to hereafter as the "Fixed Rate Period"). At the expiration of the Fixed Rate Period, Company shall have the option (i) to continue to convert all or a portion of the outstanding principal balance of the bonds to a fixed rate for an additional period of five (5) years or the remainder of the term, whichever is less, at the Tax-Exempt Fixed Rate; or (ii) to pay interest on any or all of the outstanding principal balance at the Tax-Exempt Rate. In the event the income from the Bonds is not exempt from State and Federal taxation, the Bonds shall bear interest at the Taxable Rate. On or after the Amortization Date, Company shall have the option to convert all or a portion of the outstanding principal balance of the Bonds bearing interest at the Taxable Rate to a Taxable-Fixed Rate, as hereinafter defined, for a period of five (5) years (the initial five (5) year period and each successive five (5) year period thereafter, or part thereof, being sometimes referred to hereafter as the "Taxable-Fixed Rate Period"). At the expiration of the Taxable-Fixed Rate Period, Company shall have the option (i) to continue to convert all or a portion of the outstanding principal balance of the Bonds to a fixed rate for an additional period of five (5) years or the remainder of the term, whichever is less, at the Taxable-Fixed Rate; or (ii) to pay interest on any or all of the outstanding principal balance at the Taxable Rate. Provided, however, in no event shall the rate of interest on the Bonds exceed 30% per annum. As used herein, the terms "Tax-Exempt Rate", "Amortization Date", "Company", "Tax-Exempt Fixed Rate", "Taxable Rate", and "Taxable-Fixed Rate" shall have the meanings assigned to them in the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Mortgage and Security Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project), City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project), the Endorsement to the Series A Promissory Note, and the Endorsement to the Series B 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 Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, Mortgage and Security Agreement, the Endorsement to the Series A Promissory Note, the Endorsement to the Series B Promissory Note, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Series A Promissory Note and Series B Promissory Note and the Collateral Assignment of Leases and Rents, and Bond Guaranty Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Bond Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1984-A (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. Project) and City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1984-B (Mitchell, Hurst, Pinkus, Jacobs & Dick Development Co. 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. 119, 1984. This final bond issue authorizes the issuance of \$550,000 Economic Development Revenue Bonds, Series 1984 for Pakway Container Corporation Project. The Economic Development Committee on June 6, 1984, recommended Proposal 119, Do Pass As Amended by a vote of 7-0. Councillor Schneider reported that Proposal No. 119, 1984, As Amended, has been reduced to \$550,000 from \$1,900,000. Also, the bonds were reduced to one issue rather than multiple bonds with the interest rate changed from a fixed rate of 13% to 77% of American Fletcher National Bank's prime rate. The project is the construction and equipping of a 6,000 square foot addition to the company's location at 2051 Sherbrook Avenue. Pakway Container Corporation manufactures and distributes corrugated boxes and packaging materials. Councillor Schneider moved, seconded by Councillor Rader, for adoption. The motion passed on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Howard*

Proposal No. 119, 1984, as amended, was retitled SPECIAL ORDINANCE NO. 28, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 28, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Pakway Container Corporation Project)" in the principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) 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 Pakway Container Corporation and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on June 6, 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 Pakway Container Corporation (the "Company") consisting of the acquisition and installation of project equipment generally consisting of a scrap removal system, two 1-color Flexographic Printing Units, testing laboratory, truck tractor, straight truck, three semi-trailers programmable molding machine control box, molding machine steam system air drier, plastic strapping conversion machinery, automatic laminated sheet feeder, block foam cutting machinery, molder foam waste removal machinery, foam molding machine, label laminator and doubleheaded stitcher plus certain site improvements to be located at 2051 Sherbrook Avenue, Indianapolis, Indiana, on an approximately 1.0 acre of land which will be used for the manufacturing and distribution of corrugated boxes and packaging materials (the "Project") which will be initially owned and operated by Pakway Container Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Pakway Container Corporation 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 and installation of project equipment generally consisting of a scrap removal system, two 1-color Flexographic Printing Units, testing laboratory, truck tractor, straight truck, three semi-trailers, programmable molding machine control box, molding machine steam system air drier, plastic strapping conversion machinery, automatic laminated sheet feeder, block foam cutting machinery, molder foam waste removal machinery, foam molding machine, label laminator and double-headed stitcher plus certain site improvements to be located at 2051 Sherbrook Avenue, Indianapolis, Indiana, on approximately 1.0 acre of land which will be used for the manufacturing and distribution of corrugated boxes and packaging materials 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 Pakway Container Corporation for the purposes of financing the economic development facilities being acquired and installed or to be acquired and installed in Indianapolis, Indiana, and the repayment of said loan by Pakway Container Corporation will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Pakway Container Corporation Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, Promissory Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Pakway Container Corporation 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 Bond (Pakway Container Corporation Project) in the principal amount of Five Hundred Fifty Thousand Dollars (\$550,000) for the purpose of procuring funds to loan to Pakway Container Corporation 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 Pakway Container Corporation on its Promissory Note in the principal amount of Five Hundred Fifty Thousand Dollars (\$550,000), which will be executed and delivered by Pakway Container Corporation to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement. The Bond 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 Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest equal to seventy-seven percent (77%) of the prime lending rate established by American Fletcher National Bank and Trust Company at its principal office from time to time, such rate to change effective contemporaneously with each change in such bank's prime lending rate, but in no case to exceed thirty percent (30%) per annum, and provided further that the interest rate may increase to the Taxable Rate (as defined in the Loan Agreement, Mortgage and Security Agreement) if there occurs a Determination of Taxability (as defined in the Loan Agreement, Mortgage and Security Agreement).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, the City of Indianapolis, Indiana Economic Development Revenue Bond (Pakway Container Corporation 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 Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, the Endorsement to the Promissory Note, and imprinting of their facsimile signatures on the Bond, or their manual execution 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 Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the City of Indianapolis, Indiana Economic Development Revenue Bond (Pakway Container Corporation Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond 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. 147 and 148, 1984. Proposal No. 147, authorizes proceedings with respect to proposed economic development bonds for Indianapolis Heliport Corporation in an approximate amount of \$3,200,000. Proposal No. 148, designated the parcel of land commonly known as the southeast corner of the intersection of South New Jersey Street and Pearl Street as an economic development target area. Councillor Schneider explained that the company had originally wanted the Indianapolis Airport Authority to guarantee the bonds; however, the Authority is not able to do so, and the company is seeking a different method of financing. Councillor Schneider moved, seconded by Councillor Gilmer, to strike Proposal No. 147 and 148, 1984. The motion passed by consent.

PROPOSAL NO. 278, 1984. This final bond ordinance authorizes the issuance of \$4,500,000 Economic Development Revenue Bonds for Overland Express, Inc. This proposal was not heard by the Economic Development Commission and so the Economic Development Committee did not take any action. Councillor Schneider moved, seconded by Councillor Rhodes, to Postpone Proposal No. 278, 1984, until July 9, 1984. Consent was given.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 314, 1984. This proposal is for a rezoning ordinance (84-Z-66) for Lawrence Township, Councilmanic District No. 3, at 7501 East 82nd Street. Proposal No. 314, was reviewed by the neighborhood organization that originally requested the public hearing and they reached an agreement not to oppose the rezoning for commercial development. President SerVaas called for public testimony at 8:14 p.m. There being no one present to testify, Councillor Nickell moved, seconded by Councillor Schneider, for adoption. Proposal No. 314, 1984, was adopted on the following roll call vote; viz:

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

4 NOT VOTING: Clark, Howard, Miller, Strader

Proposal No. 314, 1984, was retitled REZONING ORDINANCE NO. 103, 1984, and reads as follows:

REZONING ORDINANCE NO. 103, 1984 84-Z-66 LAWRENCE TONWSHIP
COUNCILMANIC DISTRICT NO. 3
7501 EAST 82ND STREET, INDIANAPOLIS

Virgil Shockley, et. al., by Stephen D. Mears, requests rezoning of 2.33 acres, being in the D-2 district, to the C-1 classification, to provide for commercial development.

PROPOSAL NO. 299, 1984. Councillor Coughenour reported that the Administration Committee on June 4, 1984, recommended Proposal No. 299, Do Pass by a vote of 3-0. This fiscal ordinance appropriates \$96,750 for the Records Division for increased microfilming of county court files. Approximately \$10,000 will be spent on equipment rental; \$13,000 on additional supplies and approximately \$73,000 for personal services on a contractual basis. President SerVaas called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Bradley for adoption. Proposal No. 299, 1984, was adopted on the following roll call vote, viz:

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

3 NOT VOTING: *Howard, Rhodes, Shaw*

Proposal No. 299, 1984, was retitled FISCAL ORDINANCE NO. 47, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Ninety-six Thousand Seven Hundred Fifty Dollars (\$96,750) in the Consolidated County Fund for purposes of the Department of Administration, Records Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for increased microfilming of county court files which will be reimbursed by the County Clerk and Prosecuting Attorney.

SECTION 2. The sum of Ninety-six Thousand Seven Hundred Fifty Dollars (\$96,750) 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 RECORDS DIVISION	CONSOLIDATED COUNTY FUND
2. Supplies	\$10,000
3. Other Services & Charges	86,750
TOTAL INCREASE	\$96,750

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

DEPARTMENT OF ADMINISTRATION
RECORDS DIVISION

CONSOLIDATED COUNTY FUND

Unappropriated and Unencumbered

Consolidated County Fund

\$96,750

TOTAL REDUCTION

\$96,750

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

PROPOSAL NO. 300, 1984. Councillor Coughenour reported that the Administration Committee on June 4, 1984, recommended Proposal No. 300, Do Pass by a vote of 3-0. Proposal No. 300, appropriates \$1,100,000 for the Division of Employment and Training for the Summer Youth Program. Funds for the Summer Youth Program are included in a bill that also contains money for Aid to Central America. The bill is now in conference committee, however all indications are that the Program will receive these additional funds. President SerVaas called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Hawkins for adoption. Proposal No. 300, 1984, was adopted on the following roll call vote; viz:

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

2 NOT VOTING: *Dowden, Howard*

Proposal No. 300, 1984, was retitled FISCAL ORDINANCE NO. 48, 1984, and reads as follows:

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Million One Hundred Thousand Dollars (\$1,100,000) in the Manpower Federal Programs Fund for purposes of the Department of Administration, Employment and Training Division and reducing the unappropriated and unencumbered balance in the Manpower Federal Programs 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 additional funds for the Summer Youth Program.

SECTION 2. The sum of One Million One Hundred Thousand Dollars (\$1,100,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
DEPARTMENT OF ADMINISTRATION
EMPLOYMENT AND TRAINING DIV.

MANPOWER FEDERAL PROGRAMS FUND

1. Personal Services	\$800,000
3. Other Services & Charges	300,000
TOTAL INCREASE	<u>\$1,100,000</u>

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

DEPARTMENT OF ADMINISTRATION
EMPLOYMENT AND TRAINING DIV.

MANPOWER FEDERAL PROGRAMS FUND

Unappropriated and Unencumbered Manpower Federal Programs Fund	\$1,100,000
TOTAL REDUCTION	<u>\$1,100,000</u>

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

PROPOSAL NO. 301, 1984. This proposal appropriates \$3,900 for the Domestic Relations Counseling Bureau for the purchase of a personal computer and related software. Councillor Dowden reported that the Public Safety and Criminal Justice Committee on May 23, 1984, recommended passage of Proposal No. 301, by a vote of 7-0. The Bureau received a monetary gift of \$4,200 which will be combined with the appropriation of \$3,900 to purchase IBM equipment. This has been approved by the Information Services Agency Board. President SerVaas called for public testimony at 8:18 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 301, 1984, 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, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

2 NOT VOTING: *Howard, Rader*

Proposal No. 301, 1984, was retitled FISCAL ORDINANCE NO. 49, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Three Thousand Nine Hundred Dollars (\$3,900) in the County General Fund for purposes of the Domestic Relations Counseling Bureau and reducing certain other appropriations for the Marion County Auditor.

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)(3) 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 a transfer of funds for the County share of the purchase of a personal computer and related software.

SECTION 2. The sum of Three Thousand Nine Hundred Dollars (\$3,900) 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:	
DOMESTIC RELATIONS COUNSELING BUR.	COUNTY GENERAL FUND
4. Capital Outlay	\$3,900
TOTAL INCREASE	\$3,900

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

MARION COUNTY AUDITOR	
COUNTY GENERAL FUND	
3. Other Services & Charges	\$3,900
TOTAL REDUCTION	\$3,900

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

PROPOSAL NO. 302, 1984. Councillor Dowden explained that Proposal No. 302, 1984, is a companion ordinance with Proposal No. 299, 1984. This proposal appropriates \$96,750 for the Clerk of the Circuit Court for the microfilming of court files and records. Councillor Dowden reported that the Public Safety and Criminal Justice Committee on May 23, 1984, recommended passage of Proposal No. 302, as amended, by a vote of 8-0. President SerVaas called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 302, 1984, as amended, 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, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Howard*

Proposal No. 302, 1984, was retitled FISCAL ORDINANCE NO. 50, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Ninety-six Thousand Seven Hundred Fifty Dollars (\$96,750) in the County General Fund for purposes of the Marion County Clerk of the Circuit Court and reducing certain other appropriations for the Marion County Auditor.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (a)(3) and (b)(22) 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 a transfer of funds for the microfilming of court files and records.

SECTION 2. The sum of Ninety-six Thousand Seven Hundred Fifty Dollars (\$96,750) 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:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$96,750</u>
TOTAL INCREASE	\$96,750

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

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$96,750</u>
TOTAL REDUCTION	\$96,750

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

PROPOSAL NO. 305, 1984. This proposal appropriates \$62,780 for the Community Corrections Advisory Board for the last six months of 1984 and to adjust the appropriation to a calendar year basis. Councillor Dowden reported that the Public Safety and Criminal Justice Committee on May 23, 1984, recommended Proposal No. 305, Do Pass As Amended by a vote of 7-0. The President called for public testimony at 8:21 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 305, 1984, as amended, was adopted on the following roll call vote; viz:

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

1 NAY: Durnil

4 NOT VOTING: Clark, Gilmer, Howard, Rader

Proposal No. 305, 1984, was retitled FISCAL ORDINANCE NO. 51, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Sixty-two Thousand Seven Hundred Eighty Dollars (\$62,780) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing certain other appropriations for that Division and the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03 (e) of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing the appropriation of Community Correction Funds for the last six months of 1984 and adjust the appropriation to a calendar year basis.

SECTION 2. The sum of Sixty-two Thousand Seven Hundred Eighty Dollars (\$62,780) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
COMMUNITY CORRECTIONS ADVISORY BD.

STATE AND FEDERAL GRANT FUND	
31. Personal Services	\$ 15,542
33. Travel	3,250
35. Operating Expenses	37,387
	<u>\$56,179</u>
MARION COUNTY AUDITOR	
31. Personal Services	\$ 6,601
TOTAL INCREASE	<u>\$ 62,780</u>

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

STATE AND FEDERAL GRANT FUND	
34. Equipment	\$ 6,564
Unappropriated and Unencumbered State and Federal Grant Fund	<u>56,216</u>
TOTAL REDUCTION	<u>\$62,780</u>

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Community Corr. Officer			
Program Director	1	20,181 <u>21,190</u>	20,181 <u>21,190</u>
Asst. Program Director	1 <u>1</u>	0 <u>17,000</u>	0 <u>17,000</u>
Home Detention Coord.	1 <u>1</u>	15,000 <u>15,750</u>	15,000 <u>15,750</u>
Jail Community Corr. Coord.	1	18,600 <u>19,530</u>	18,600 <u>19,530</u>
Assistant Jail Coord.	1	12,000 <u>12,600</u>	12,000 <u>12,600</u>
<u>Office Manager</u>			
Secretary /Bookkeeper	1	11,500 <u>12,075</u>	11,500 <u>12,075</u>
Legal & Criminal			
Justice Interns	2 <u>0</u>		7,500
Interns			12,500 <u>0</u>
Vacancy Factor	—		(17,570) <u>(10,432)</u>
TOTAL	<u>11</u> <u>6</u>	<u>179,671</u>	<u>95,213</u>

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

PROPOSAL NO. 304, 1984. Councillor Dowden explained that Proposal No. 304, 1984, allows the Community Corrections Advisory Board to contract for residential facilities and programs. The Community Corrections Advisory Board

has decided to retain the two residential facilities used in the current contract: J. P. Craine House for female offenders and The Volunteers of America for male offenders. The Public Safety and Criminal Justice Committee on May 23, 1984, by a vote of 7-0 recommended Proposal No. 304, 1984, Do Pass to the full Council. Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 304, 1984, was adopted on the following roll call vote; viz:

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

Proposal No. 304, 1984, was retitled GENERAL RESOLUTION NO. 4, 1984, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 1984

A GENERAL RESOLUTION authorizing the Marion County Community Corrections Advisory Board to contract with the Volunteers of America and J.P. Craine House to provide residential facilities and services for a community corrections program.

WHEREAS, the Marion County Community Corrections Advisory Board was established pursuant to I.C. 11-12-1-2 and City-County Special Resolution No. 103, 1981; and

WHEREAS, any agreement entered into by the Advisory Board to provide residential space for a community corrections program must be approved by the City-County Council; and

WHEREAS, the Marion County Community Corrections Advisory Board desires to contract with the Volunteers of America and J.P. Craine House to provide residential facilities and services for a community corrections program; now, therefore:

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

SECTION 1. The City-County Council of Indianapolis and Marion County, as the legislative body of Marion County, hereby authorizes the Marion County Community Corrections Advisory Board to contract with the Volunteers of America and J.P. Craine House to provide residential facilities and services for a community corrections program.

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

PROPOSAL NO. 261, 1984. Councillor Gilmer reported that the Transportation Committee on May 30, 1984, voted 6-0 for passage of Proposal No. 261. This proposal converts Julian Avenue to one-way from Audubon Road to Arlington Avenue. Julian Avenue is very narrow between Ritter and Arlington Avenues and also it is currently one-way eastbound from Ritter Avenue to Audubon Road. Councillor Gilmer moved, seconded by Councillor Rader, for adoption. Proposal No. 261, 1984, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: Clark, Dowden, Howard

Proposal No. 261, 1984, was retitled GENERAL ORDINANCE NO. 34, 1984, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 1984

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

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

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

EASTBOUND

Julian Avenue, from Audubon Road to Arlington Avenue.

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

PROPOSAL NO. 298, 1984. Councillor Coughenour reported that the Administration Committee on June 4, 1984, voted 4-0 to recommend Proposal No. 298, 1984, to the full Council with a Do Pass As Amended recommendation. These amendments to the anti-pornography ordinance were suggestions from some of the foremost attorneys across the country at no expense to the taxpayers of Marion County and should make the ordinance even better and more defensible in court. Councillor Coughenour explained the amendments and moved, seconded by Councillor Schneider, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 298, 1984, Administration Committee, As Amended, Section 16-3, Definitions, subsection (q)(6) to read as follows:

(6) Women are presented as sexual objects for domination, conquest, violation, exploitation, possession, or use, or through postures or positions of servility or submission or display.

The use of men, children, or transsexuals in the place of women in paragraphs (1) through (5) (6) above shall also constitute pornography under this section.

Councillor Coughenour

Consent was given to these technical amendments. After considerable discussion Councillor Coughenour moved, seconded by Councillor Bradley, for adoption. Proposal No. 298, 1984, As Amended, was adopted on the following roll call vote; viz:

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

3 NAYS: *Gilmer, Journey, Page*

2 NOT VOTING: *Boyd, Howard*

Proposal No. 298, 1984, As Amended, was retitled GENERAL ORDINANCE NO. 35, 1984, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 1984

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 16, Human Relations; Equal Opportunity.

**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", Section 16-1, Findings, policies and purposes, is hereby amended, by deleting the words crosshatched and adding the words underlined, to read as follows:

Sec. 16-1. Findings, policies and purposes.

(a) Findings. The City-County Council hereby makes the following findings:

- (1) The Council finds that the practice of denying equal opportunities in employment, education, access to and use of public accommodations, and acquisition of real estate based on race, color, religion, ancestry, national origin, handicap, or sex is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the policies contained herein and shall be considered discriminatory practices.
- (2) Pornography is a discriminatory practice based on sex / ~~which~~ / which / ~~denies~~ / denies / ~~women~~ / women / ~~equal~~ / equal / ~~opportunities~~ / opportunities / ~~in~~ / in / ~~society~~ / society / ~~.~~ / . Pornography is central in creating and maintaining sex as a basis for discrimination. Pornography is a systematic practice of exploitation and subordination based on sex which differentially harms women. The bigotry and contempt it promotes, with the acts of aggression it fosters, harm women's opportunities for equality of rights in employment, education, access to and use of public accommodations, and acquisition of real property / ; promote rape, battery, child abuse, kidnapping and prostitution and inhibit just enforcement of laws against such acts; and contribute significantly to restricting women in particular from full exercise of citizenship and participation in public life, including in neighborhoods.

(b) It is the purpose of this ordinance to carry out the following policies of the City of Indianapolis and Marion County:

- (1) To provide equal employment opportunity in all city and county jobs without regard to race, color, religion, handicap, national origin, ancestry, age, sex, disabled veteran, or Vietnam era veteran status;
- (2) To encourage the hiring of the handicapped in both the public and the private

sectors and to provide equal access to the handicapped to public accommodations;

- (3) To utilize minority-owned businesses, securing goods and services for the city and county in a dollar amount equal to at least ten (10) percent of monies spent by the City of Indianapolis and Marion County;
- (4) To utilize women-owned businesses and encourage the utilization of women in construction and industry;
- (5) To protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders, lending institutions, governmental and educational agencies and other persons from unfounded charges of discrimination;
- (6) To provide all citizens of the City of Indianapolis and Marion County equal opportunity for education, employment, access to public accommodations without regard to race, religion, color, handicap, sex, national origin, ancestry, age, or disabled veteran or Vietnam era veteran status;
- (7) To provide all citizens of the City of Indianapolis and Marion County equal opportunity for acquisition through purchase or rental of real property including, but not limited to housing without regard to race, sex, religion or national origin; and
- (8) To prevent and prohibit all discriminatory practices of sexual subordination or inequality through pornography.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", Chapter 16, Section 16-3, Definitions, is hereby amended by deleting the words crosshatched and adding the words underlined to read as follows:

Sec. 16-3. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

(a) Acquisition of real estate shall mean the sale, rental, lease, sublease, construction or financing, including negotiations and any other activities or procedures incident thereto, of:

- (1) Any building, structure, apartment, single room or suite of rooms or other portion of a building, occupied as or designed or intended for occupancy as living quarters by one or more families or single individuals;
- (2) Any building, structure or portion thereof, or any improved or unimproved land utilized or designed or intended for utilization, for business, commercial, industrial or agricultural purposes;
- (3) Any vacant or unimproved land offered for sale or lease for any purpose whatsoever.

(b) Appointing authorities shall mean and include the mayor, city-county council and such other person or agency as may be entitled to appoint any member of the equal opportunity advisory board created in this chapter.

(c) Appraiser shall mean any person who, for a fee or in relation to his/her employment or usual occupation, establishes a value for any kind of real estate, the acquisition of which is defined in this section.

(d) Board shall mean the equal opportunity advisory board.

(e) Complainant shall mean any person who signs a complaint on his/her own behalf alleging that he/she has been aggrieved by a discriminatory practice.

(f) Complaint shall mean a written grievance filed with the office of equal opportunity, either by a complainant or by the board of office, which meets all the requirements of section 16-18 and 16-19.

(g) Discriminatory practice shall mean and include the following:

- (1) The exclusion from or failure or refusal to extend to any person equal oppor-

tunities or any difference in the treatment of any person by reason of race, sex, religion, color, national origin or ancestry, handicap, age, disabled veteran or Vietnam era veteran status.

- (2) The exclusion from or failure or refusal to extend to any person equal opportunities or any difference in the treatment of any person, because the person filed a complaint alleging a violation of this chapter, testified in a hearing before any members of the board or otherwise cooperated with the office or board in the performance of its duties and functions under this chapter, or requested assistance from the board in connection with any alleged discriminatory practice, whether or not such discriminatory practice was in violation of this chapter;
- (3) In the case of a real estate broker or real estate salesperson or agent, acting in such a capacity in the ordinary course of his/her business or occupation, who does any of the following:
 - (A) Any attempt to prevent, dissuade or discourage any prospective purchaser, lessee or tenant of real estate from viewing, buying, leasing or renting the real estate because of the race, sex, religion or national origin of:

I. Students, pupils or faculty of any school or school district;

- II. Owners or occupants, or prospective owners or occupants, of real estate in any neighborhood or on any street or block; provided, however, this clause shall not be construed to prohibit disclosure in response to inquiry by any prospective purchaser, lessee or tenant of:
 - (i) Information reasonably believed to be accurate regarding such race, sex, religion or national origin; or
 - (ii) The honest professional opinion or belief of the broker, salesperson or agent regarding factors which may affect the value or desirability of property available for purchase or lease.
- (B) Any solicitation, promotion or attempt to influence or induce any owner to see, lease or list for sale or lease any real estate, which solicitation, promotion or attempted inducement includes representations concerning:

- I. Race, sex, religion or national origin or present, prospective or possible purchasers or occupants of real estate in any area, neighborhood or particular street or block;
- II. Present, prospective or possible neighborhood unrest, tension or change in the race, sex, religion or national origin of occupants or prospective occupants of real estate in any neighborhood or any street or block;
- III. Present, prospective or possible decline in market value of any real estate by reason of the present, prospective or possible entry into any neighborhood, street or block of persons of a particular race, sex, religion or national origin;
- IV. Present, prospective or possible decline in the quality of education offered in any school or school district by reason of any change in the race, sex, religion or national origin of the students, pupils or faculty of such school or district.

(4) Trafficking in pornography: The production, sale, exhibition, or distribution of pornography.

- (A) City, state, and federally funded public libraries or private and public university and college libraries in which pornography is available for study, including on open shelves, shall not be construed to be trafficking in pornography, but special display presentations of pornography in said places is sex discrimination.
- (B) The formation of private clubs or associations for purposes of trafficking in pornography is illegal and shall be considered a conspiracy to violate the civil rights of women.
- (C) This paragraph (4) shall not be construed to

seller, exhibitor or distributor under paragraph (g)(7) of Section 16-3, no damages or compensation for losses shall be recoverable unless the complainant proves that the respondent knew or had reason to know that the materials were pornography. Provided, further, that it shall be a defense to a complaint under paragraph (g)(4) of Section 16-3 that the materials complained of are those covered only by paragraph (q)(6) of Section 16-3.

(h) (h) Education shall mean the construction, maintenance or operation of any school or educational facility utilized or intended to be utilized for the education or training of persons residing within the territorial jurisdiction of the office and controlled by a public governmental board or agency which operates one or more elementary or secondary schools.

(i) (h) Employer shall mean:

- (1) Any political subdivision within the county, not represented by the corporation counsel, pursuant to IC 18-4-7-5, and any separate municipal corporation which has territorial jurisdiction primarily within the county; and
- (2) Any person who employs at the time of any alleged violation six (6) or more employees within the territorial jurisdiction of the office.

(j) (h) Employment shall mean a service performed by an individual for compensation on behalf of an employer, except that such services shall not include the following:

- (1) Services performed by an individual who in fact is engaged in an independently established trade, occupation, business or profession, and who has been and will continue to be free from direction or control over the manner of performance of such services;
- (2) Services performed by an agent who received compensation solely upon a commission basis and who controls his/her own time and efforts; or
- (3) Services performed by an individual in the employ of his/her spouse, child or parent.

(k) (p) Employment agency shall mean and include any person undertaking, with or without compensation, to procure, recruit, refer or place any individual for employment.

(l) (h) Labor organization shall mean and include any organization which exists for the purpose, in whole or in part, of collective bargaining or dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.

(m) (t) Lending institution shall mean any bank, building and loan association, insurance company or other corporation, association, firm or enterprise, the business of which consists in whole or in part in making or guaranteeing loans, secured by real estate or any interest therein.

(n) (s) Office shall mean the office of equal opportunity created by this chapter.

(o) (t) Owner shall mean and include the titleholder of record, a contract purchaser, lessee, sublessee, managing agent or other person having rights of ownership or possession, or the right to sell, rent or lease real estate.

(p) (h) Person shall mean and include one or more individuals, partnerships, associations, organizations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, governmental agencies and other organized groups of persons.

(q) (v) Pornography shall mean the graphic sexually explicit subordination of women, ~~graphically depicted~~, whether in pictures or in words, that also includes one or more of the following:

- (1) Women are presented as sexual objects who enjoy pain or humiliation; or

- (2) Women are presented as sexual objects who experience sexual pleasure in being raped; or
- (3) Women are presented as sexual objects tied up or cut up or mutilated or bruised or physically hurt, or as dismembered or truncated or fragmented or severed into body parts; or
- (4) Women are presented being penetrated by objects or animals; or
- (5) Women are presented in scenarios of degradation, injury, abasement, torture, shown as filthy or inferior, bleeding, bruised, or hurt in a context that makes these conditions sexual. ;
- (6) Women are presented as sexual objects for domination, conquest, violation, exploitation, possession, or use, or through postures or positions of servility or submission or display.

(A) The use of men, children, or transsexuals in the place of women in paragraphs (1) through (5) (6) above shall also constitute pornography under this section.

(r) (w) Public accommodation shall mean an establishment which caters to or offers its services, facilities or goods to the general public.

(s) (x) Public facility shall mean any facility or establishment, other than an educational institution, which is owned, operated or managed by or on behalf of a governmental agency.

(t) (y) Real estate broker shall mean any person who, for a fee or other valuable consideration, sells, purchases, rents, leases or exchanges, or negotiates or offers or attempts to negotiate the sale, purchase, rental, lease or exchange of real property owned by another person; or a person who is licensed and holds himself/herself out to be engaged in the business of selling, purchasing, renting, leasing or exchanging real property for other persons, or who manages and collects rents for the real property of another.

(u) (z) Real estate salesperson or agent shall mean any person employed by a real estate broker to perform or assist in performing any or all of the functions of the real estate broker.

(v) (aa) Respondent shall mean one or more persons against whom a complaint is filed under this chapter, and who the complaint alleges has committed or is committing a discriminatory practice.

- (1) ~~§ 16-14. The provisions of section 16-3 (g)(4) shall not apply to employment performed for the consolidated city and department or agency thereof, or any employment performed for the county or agency thereof which is represented by the corporation counsel pursuant to IC 18-4-7-5.~~
- (2) ~~§ 16-15. Subject to the provisions of section 16-3 (g)(4), the provisions of sections 16-14 and 16-15 shall not include any not-for-profit corporation or association organized exclusively for fraternal or religious purposes, nor any school, education, charitable or religious institution owned or conducted by, or affiliated with, a church or religious institution, nor any exclusively social club, corporation or association that is not organized for profit and is not in fact open to the general public.~~

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", Chapter 16, Section 16-16, Persons and activities to which sections 16-14 and 16-15 do not apply, is hereby amended by deleting the words crosshatched and adding the words underlined to read as follows:

Sec. 16-16. Persons and activities to which sections 16-14 and 16-15 do not apply.

(a) Sections 16-14 and 16-15 shall not apply to employment performed for the consolidated city and department or agency thereof, or any employment performed for the county or agency thereof which is represented by the corporation counsel pursuant to IC 18-4-7-5.

(b) Subject to the provisions of section 16-3 (g)(4), ~~the~~ the provisions of sections 16-14 and 16-15 shall not include any not-for-profit corporation or association organized exclusively for fraternal or religious purposes, nor any school, education, charitable or religious institution owned or conducted by, or affiliated with, a church or religious institution, nor any exclusively social club, corporation or association that is not organized for profit and is not in fact open to the general public.

(c) Sections 16-14 and 16-15 shall not apply to the rental of rooms in a boardinghouse or rooming house or single-family residential unit; provided, however, the owner of the building or unit actually maintains and occupies a unit or room in the building as her/his residence and, at the time of the rental owner intends to continue to so occupy the unit or room therein for an indefinite period subsequent to the rental.

(d) The following shall not be discrimination on the basis of sex:

- (1) For any person to maintain separate restrooms or dressing rooms for the exclusive use of either sex;
- (2) For an employer to hire and employ employees; for an employment agency to classify or refer for employment any individual; for a labor organization to classify its membership or to classify or refer for employment any individual; or for an employer, labor organization or joint labor-management committee, controlling apprenticeship or other training or retraining programs, to admit or employ any individual in any such program; on the basis of sex in those certain instances where sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", Chapter 16, Section 16-17, Grounds for complaint; persons who may file; persons against whom complaint may be made, is hereby amended by deleting the words crosshatched and adding the words underlined to read as follows:

Sec. 16-17. Grounds for complaint; persons who may file; persons against whom complaint may be made.

(a) A complaint charging that any person has engaged in or is engaging in a discriminatory practice prohibited by sections 16-14 and/or 16-15 may be filed with the office by any person claiming to be aggrieved by the practice, or by one or more members of the board or employees of the office who have reasonable cause to believe that a violation of sections 16-14 and 16-15 has occurred, in any of the following circumstances:

- (1) In the case of the acquisition of real estate, against the owner of the real estate, a real estate broker, real estate ~~salesperson~~ salesperson or agent, or a lending institution or appraiser;
- (2) In the case of education, against the governing board of any public school district which operates schools within the territorial limits of the consolidated city or of the county;
- (3) In the case of a public accommodation, against the owner or person in charge of any such establishment, or both;
- (4) In the case of a public facility, against the governmental body which operates or has jurisdiction over the facility;
- (5) In the case of employment, against any employer, employment agency or labor organization;
- (6) In the cases of trafficking in pornography, coercion into pornographic performances, and assault or physical attack due to pornography (as provided in Section 16-3 (g)(7)) against the perpetrator(s), maker(s), seller(s), exhibitor(s), or distributor(s).
- (7) In the case of forcing pornography on a person, against the perpetrator(s) and/or institution.

(b) In the case of trafficking in pornography, any woman may file a complaint as a woman acting against the subordination of women and any man, child, or transsexual may file a complaint but must prove injury in the same way that a woman is injured in order to obtain relief under this chapter.

(c) In the case of assault or physical attack due to pornography, compensation for losses or an award of damages shall not be assessed against (1) maker(s), for pornography made, (2) distributor(s), for pornography distributed, (3) seller(s), for pornography sold, or (4) exhibitor(s) for pornography exhibited, prior to the effective date of this act.

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", Chapter 16, Section 16-26, Hearing, findings and recommendations when conciliation not effected, is hereby amended by deleting the words crosshatched and adding the words underlined to read as follows:

Sec. 16-26. Hearings, findings and recommendations when conciliation not effected.

(a) Hearing to be held; notice. If a complaint filed pursuant to this article has not been satisfactorily resolved within a reasonable time through informal proceedings pursuant to section 16-24, or if the panel investigating the complaint determines that a conciliation conference is inappropriate under the circumstances surrounding the complaint, the complaint adjudication committee may hold a public hearing thereon upon not less than ten (10) working days' written notice to the complainant or other aggrieved person, and to the respondent. If the respondent has not previously filed a written response to the complaint, he may file such response and serve a copy thereof upon the complainant and the office not later than five (5) working days prior to the date of the hearing.

(b) Powers; rights of parties at hearing. In connection with a hearing held pursuant to subsection (1), the complaint adjudication committee shall have power upon any matter pertinent to the complaint or response thereto, to subpoena witnesses and compel their attendance; to require the production of pertinent books, papers or other documents; and to administer oaths. The complainant shall have the right to be represented by the chief officer or any attorney of his/her choice. The respondent shall have the right to be represented by an attorney or any other person of his/her choice. The complainant and respondent shall have the right to appear in person at the hearing, to be represented by an attorney or any other person, to subpoena and compel the attendance of witnesses, and to examine and cross-examine witnesses. The complaint adjudication committee may adopt appropriate rules for the issuance of subpoenas and the conduct of hearings under this section. The complaint adjudication committee and the board shall have the power to enforce discovery and subpoenas by appropriate petition to the Marion County Circuit or superior courts.

(c) Statement of evidence; exceptions; arguments. Within thirty (30) working days from the close of the hearing, the complaint adjudication committee shall prepare a report containing written recommended findings of fact and conclusions and file such report with the office. A copy of the report shall be furnished to the complainant and respondent, each of whom shall have an opportunity to submit written exceptions within such time as the rules of the complaint adjudication committee shall permit. The complaint adjudication committee may, in its discretion, upon notice to each interested party hear further evidence or argument upon the issues presented by the report and exceptions, if any.

(d) Findings of fact; sustaining or dismissing complaint. If, upon the preponderance of the evidence, the committee shall be of the opinion that any respondent has engaged or is engaging in a discriminatory practice in violation of the chapter, it shall state its findings of fact and conclusions and serve a copy thereof upon the complainant and the respondent. In addition, the ~~board~~ committee may cause to be served on the respondent an order requiring the respondent ~~to cease and desist~~ from the unlawful discriminatory practice and requiring such person to take further affirmative action as will effectuate the purposes of this chapter, including but not limited to the power to restore complainant's losses incurred as a result of discriminatory treatment, as the ~~board~~ committee may deem necessary to assure justice; to require the posting of notice setting forth the public policy of Marion County concerning equal opportunity and respondent's compliance with said policy in places of public accommodations; to require proof of compliance to be filed by respondent at periodic intervals; to require a person who has been found to be in violation of this ordinance, and who is licensed by a city or county agency authorized to grant a license, to show cause to the licensing agency why his license should not be revoked or suspended. If, upon the preponderance of the evidence, the committee shall be of the opinion that any respondent has not engaged in a discriminatory practice in violation of this chapter it shall state its findings of fact and conclusions and serve a copy thereof upon the complainant and the respondent, and dismiss the complaint. Findings and conclusions made by the

committee shall be based solely upon the record of the evidence presented at the hearing.

(e) Appeal to the board. Within thirty (30) working days after the issuance of findings and conclusions by the committee, either the complainant or the respondent may file a written appeal of the decision of the committee to the board; however, in the event that the committee requires a respondent to correct or eliminate a discriminatory practice within a time period less than thirty (30) working days, then that respondent must file his/her appeal within that time period. After considering the record of the evidence presented at the hearing and the findings and conclusions of the committee, the board may affirm the decision of the committee and adopt the findings and conclusions of the committee, or it may affirm the decision of the committee and make supplemental findings and conclusions of its own, or it may reverse the decision of the committee and make findings of fact and conclusions to support its decision. The board may also adopt, modify or reverse any relief ordered by the committee. The board must take any of the above actions within thirty (30) working days after the appeal is filed.

(f) Members of board who are ineligible to participate. No member of the board who initiated a complaint under this chapter or who participated in the investigation thereof shall participate in any hearing or determination under this section as a member of either a hearing panel, the complaint adjudication committee or of the board.

(g) Applicability of state law; judicial review. Except as otherwise specifically provided in this section or in rules adopted by the board of the complaint adjudication committee under this chapter, the applicable provisions of the Administrative Adjudication Act, IC 4-22-1, shall govern the conduct of hearings and determinations under this section, and findings of the board hereunder shall be subject to judicial review as provided in that act.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", Chapter 16, Section 16-27, Court enforcement, is hereby amended by deleting the words cross-hatched and adding the words underlined to read as follows:

Sec. 16-27. Court enforcement.

(a) Institution of action. In any case where the board or the committee has found that a respondent has engaged in or is engaging in a discriminatory practice in violation of sections 16-14 and/or 16-15, and such respondent has failed to correct or eliminate such discriminatory practice within the time limit prescribed by the board or the committee and the time limit for appeal to the board has elapsed, the board ~~shall~~ may file in its own name in the Marion County circuit or superior courts a ~~complaint~~ complaint against the respondent or the enforcement of section 16-26. Such complaint may request such temporary or permanent injunctive relief as may be appropriate and such additional affirmative relief or orders as will effectuate the purposes of this chapter and as may be equitable, within the powers and jurisdiction of the court.

(b) Record of hearing; evidentiary value. In any action filed pursuant to this section, the board may file with the court a record of the hearing held by the complaint adjudication committee pursuant to section 16-26, which record shall be certified by the secretary of the board as a true, correct and complete record of the proceedings upon which the findings of the complaint adjudication committee and/or the board were based. The court may, in its discretion, admit any evidence contained in the record as evidence in the action filed under subsection (1), to the extent such evidence would be admissible in court under the rules of evidence if the witness or witnesses were present in court, without limitation upon the right of any part to offer such additional evidence as may be pertinent to the issues and as the court shall, in its discretion, permit.

(c) Temporary judicial relief upon filing of complaint. Upon the filing of a complaint pursuant to section 16-17 by a person claiming to be aggrieved, the chief

officer, in the name of the board and in accordance with such procedures as the board shall establish by rule, may seek temporary orders for injunctions in the Marion County circuit or superior courts to prevent irreparable harm to the complainant, pending resolution of the complaint by the office, complaint adjudication committee and the board.

(d) Enforcement of conciliating agreements. If the board determines that any party to a conciliation agreement approved by the chief officer under section 16-24 has filed or refused to comply with the terms of the agreement, it may file a complaint in the name of the board in the Marion County circuit or superior courts seeking an appropriate decree for the enforcement of the agreement.

(e) Trial de novo upon finding of sex discrimination related to pornography. In complaints involving discrimination through pornography, judicial review shall be de novo. Notwithstanding any other provision to the contrary, whenever the board or committee has found that a respondent has engaged in or is engaging in one of the discriminatory practices set forth in paragraph (g)(4) of Section 16-3 or against a seller, exhibitor or distributor under paragraph (g)(7) of Section 16-3, the board shall, within ten (10) days after making such finding, file in its own name in the Marion County circuit or superior court an action for declaratory and/or injunctive relief. The board shall have the burden of proving that the actions of the respondent were in violation of this chapter.

Provided, however, that in any complaint under paragraph (g)(4) of Section 16-3 or against a seller, exhibitor or distributor under paragraph (g)(7) of Section 16-3 no temporary or permanent injunction shall issue prior to a final judicial determination that said activities of respondent do constitute a discriminatory practice under this chapter.

Provided further, that in any complaint under paragraph (g)(4) of Section 16-3 or against a seller, exhibitor or distributor under paragraph (g)(7) of Section 16-3 shall extend beyond such material(s) that, having been described with reasonable specificity by the injunction, have been determined to be validly proscribed under the ordinance.

SECTION 7. (a) Because this ordinance amends certain provisions adopted in General Ordinance No. 24, 1984, the effective date of that ordinance is postponed until the effective date of this ordinance. (b) The expressed or implied repeal or amendment, by General Ordinance No. 24, 1984, or by this ordinance, of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance or General Ordinance No. 24, 1984, had not been adopted. (c) An offense, committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 8. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected unless such remaining provisions clearly cannot, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. It is further declared to be the intent of the City-County Council that the ordinance be upheld as applied to the graphic depiction of actual sexual subordination whether or not upheld as applied to material produced without the participation of human subjects nor shall a judicial declaration that any provision (section, paragraph, sentence, clause or any other portion) of this ordinance cannot validly be applied in a particular manner or to a

particular case or category of cases affect the validity of that provision (section, paragraph, sentence, clause or any other portion) as applied in other ways or to other categories of cases unless such remaining application would clearly frustrate the Council's intent in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 9. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 307 and 308, 1984. Councillor Gilmer reported that the Transportation Committee on May 30, 1984, discussed both Proposal No. 307 and 308, 1984, and recommends both Do Pass by a vote of 6-0. Proposal No. 307, establishes a loading zone on Ohio Street. This was requested by the New Hooks Drug Store at the southeast corner of the intersection of Ohio and Pennsylvania Streets. Proposal No. 308, 1984, establishes a loading zone on 10th Street. This was requested by the Near Eastside Senior Citizen Center to ensure the safety of elderly persons loaded and unloaded by the Center's bus. Councillor Gilmer moved, seconded by Councillor Rader, for adoption. Proposal No. 307 and 308, 1984, were adopted on the following roll call vote; viz:

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

NO NAYS

5 NOT VOTING: *Boyd, Coughenour, Dowden, Gilmer, Howard*

Proposal No. 307 and 308, 1984, were retitled GENERAL ORDINANCE NOS. 36 and 37, 1984, consecutively and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 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:

Ohio Street, on the south side, from a point 69 feet east of Pennsylvania Street to a point 93 feet east of Pennsylvania 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. 37, 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:

Tenth Street, on the north side, from a point 124 feet west of Beville Avenue to a point 164 feet west of Beville Avenue.

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 before any of the special service district councils, none of the special service district councils convened.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Borst explained that the next Council meeting would be Monday, July 9, which is also the date that the NBA Olympic Basketball Game is scheduled in the Hoosier Dome. Councillor Borst moved, seconded by Councillor Clark, to convene the next Council meeting at 5:00 p.m., on July 9, 1984. The motion passed by a unanimous voice vote.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:47 p.m.

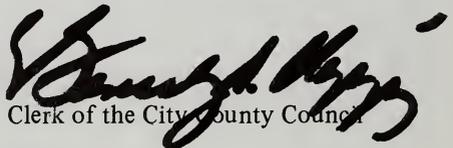
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis, Police, Fire and Solid Waste Special Service District Councils on the 11th day of June, 1984.

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



President

ATTEST:



Clerk of the City-County Council

(SEAL)