

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

REGULAR MEETINGS - THURSDAY, NOVEMBER 8, 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 7:05 p.m., on Thursday, November 8, 1984, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Wayne Rader.

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, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

ABSENT: Page

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

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Thursday, November 8, 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

October 18, 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 October 23, 1984, a copy of NOTICE TO TAXPAYERS of General Ordinance No. 65, 1984.

Respectfully,

s/Beverly S. Rippy
City Clerk

October 23, 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 October 25, 1984, and November 1, 1984, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 549, 568, 569, 570, 571, 572, 573, and 579, 1984, to be held on Thursday, November 8, 1984, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

October 26, 1984

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

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. 77, 1984, appropriates \$3,000 for the Lawrence Township Assessor for temporary help, postage and utilities for the branch office.

FISCAL ORDINANCE NO. 81, 1984, authorizes changes in the personnel schedule of Superior Court - Criminal Division - Room 6.

GENERAL ORDINANCE NO. 66, 1984, changes parking controls on a portion of Lockburn Street.

GENERAL ORDINANCE NO. 67, 1984, amends the Code concerning memberships in various associations.

GENERAL ORDINANCE NO. 68, 1984, change sparking controls on portions of Capitol Avenue, Maryland Street, South Street and English Avenue.

GENERAL ORDINANCE NO. 69, 1984, establishes intersection controls in Quail Ridge, Crooked Creek and Shorewalk subdivisions.

GENERAL ORDINANCE NO. 70, 1984, establishes a loading zone on Walnut Street.

GENERAL ORDINANCE NO. 71, 1984, changes intersection controls at Bellefontaine Street and 10th Street.

GENERAL ORDINANCE NO. 72, 1984, changes intersection controls at Overlook Parkway and 86th Street.

GENERAL ORDINANCE NO. 73, 1984, changes intersection controls at Hearthstone Way and Ivory Way.

GENERAL ORDINANCE NO. 74, 1984, changes speed limit controls on a portion of Wicker Road.

GENERAL ORDINANCE NO. 75, 1984, amends the Code to provide for handicapped access to parking meters.

GENERAL ORDINANCE NO. 76, 1984, establishes a special fund for the relief of anticipated unfunded police and fire pension liability.

SPECIAL ORDINANCE NO. 61, 1984, a final bond ordinance authorizing the issuance of a maximum aggregate principal amount of \$3,000,000 Economic Development Revenue Bonds for H & K Realty and/or E & A Industries, Inc.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF THE AGENDA

Consent was given for the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Special Service District Councils of November 8, 1984.

INTRODUCTION OF PROPOSALS

[Clerk's Note: Proposal No. 599, 1984, was withdrawn prior to the meeting.]

PROPOSAL NO. 589, 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 \$375,000 Economic Development Revenue Bonds for Westside Investors Group, and Indiana limited partnership"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 600, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriat-

ing \$12,000 for the Internal Audit Division for increased personnel salary expenses in 1984"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 601, 1984. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$425,000 for the Central Equipment Management Division for contractual services and overtime for the remainder of 1984"; and the President referred it to the Administration Committee.

PROPOSAL NO. 602, 1984. Introduced by Councillor Stewart. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$3,133 for the Cooperative Extension Service for supplies and office rent for the remainder of 1984"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 603, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$8,763 for the Center Township Assessor to reduce the vacancy factor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 604, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$900 for the Wayne Township Assessor to purchase a microfilm reader"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 605, 1984. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$800 for the Marion County Surveyor for maintenance and repair of surveying equipment"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 606, 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 \$1,600,000 Economic Development Revenue Bonds for the Indianapolis Heliport Corporation"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 607, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$20,000 for the Superior Court, Juvenile Division for the Guardian Ad Litem

Project which will be reimbursed with federal funds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 608, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$31,000 for the Presiding Judge of the Municipal Court to reduce the vacancy factor"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 609, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$59,000 for the Marion County Sheriff to purchase telephones, radios, boat motors and some office furniture and adjusting the personnel schedule"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 610, 1984. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE transferring \$30,000 for the Fire Division for supplies for the remainder of 1984"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 611, 1984. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution for waste disposal development bonds for financing of a solid waste disposal facility in the approximate amount of \$225,000,000"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 612, 1984. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Indianola Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 613, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing weight limit controls on a portion of Hoyt Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 614, 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 Stop 11 Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 615, 1984. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Olin Avenue and 16th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 616, 1984. Introduced by Councillors Durnil, McGrath, and Schneider. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION"; and the President referred it to the Rules and Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 587, 1984. This proposal is a final bond ordinance authorizing the issuance of \$45,000,000 Airport Facility Revenue Bonds for Purolator Courier Corp. Councillor Schneider reviewed the Project as the acquisition, construction, installation and equipping of an approximately 180,000 square foot air package express sorting hub, including efficient state-of-art material handling systems. The Project will be located at the Southeast quadrant of Indianapolis International Airport on approximately 100 acres of land which will be leased from the Airport Authority. The Bond financing contains the following documents: Financing Agreement, Promissory Note, Preliminary Official Statement, Official Statement, Bond Purchase Agreement and Indenture of Trust. The Bonds will be sold to Dillon, Read & Co., Inc. with a single maturity date of November 1, 2014, and will bear an interest rate of approximately 10 3/8%. The Economic Development Committee recommended Proposal No. 587, 1984, Do Pass by a vote of 5-0 on October 31, 1984. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 587, 1984, was adopted on the following roll call vote; viz:

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

Proposal No. 587, 1984, was retitled SPECIAL ORDINANCE NO. 62, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 62, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Airport Facility Revenue Bonds (Purolator Courier Corp. Project) Series 1984" in the aggregate principal amount of \$45,000,000 and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has approved a report concerning the proposed financing of economic development facilities described as the acquisition, construction and equipping of a 180,000 square-foot building for use as an air package express sorting hub at Indianapolis International Airport on approximately 100 acres of land located in the Southeast quadrant of such Airport (approximately 250 feet west of High School Road and approximately 100 feet at its southernmost point north of Seerley Road and approximately 100 feet south of the approach end of general aviation runway 22L) leased from the Indianapolis Airport Authority, including construction of site improvements and the purchase and installation of material handling systems and equipment, ramp equipment and other machinery, furniture and fixtures (the "Project") for Purolator Courier Corp., a New York Corporation, (the "Company") and has submitted such report to the executive director or chairman of the plan commission and the superintendent of the school corporation having jurisdiction over the area where the Project will be located; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 31, 1984, adopted a Resolution on that date, which Resolution has been transmitted to this City-County Council, finding that the financing of the Project for the Company complies with the purposes and provisions of Indiana Code 36-7-12, as supplemented and amended, (the "Act"), 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 by Resolution adopted October 31, 1984, the final forms of the following:

- (1) Indenture of Trust (the "Indenture"), including the form of the bond therein, between the City of Indianapolis and The Indiana National Bank;
- (2) Financing Agreement (the "Loan Agreement") including the form of Promissory Note therein, between the City of Indianapolis and the Company;
- (3) Preliminary Official Statement (including the form of final Official Statement in substantially that form) to be used in connection with the sale of the bonds herein authorized;
- (4) Bond Purchase Agreement between the City of Indianapolis and Dillon, Read & Co., Inc.; and
- (5) This Bond Ordinance;

such documents being hereinafter referred to collectively as the "Financing Agreements" referred to in the act, which Resolution has been transmitted to this City-County Council; and

WHEREAS, pursuant to Special Ordinance No. 11, 1984 adopted by the City-County Council on February 28, 1984, the area in which the Project is located has been designated an "economic development target area" within the meaning of the Act; 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 Project referred to in the Loan Agreement, 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 the Company for the purpose of financing the Project to be acquired, constructed and equipped in the City of Indianapolis, Marion County, Indiana, the use of the Project by the Company and the repayment of said loan by the Company to be evidenced and secured by the Promissory Note of the 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 the Act.

SECTION 2. The forms of the Loan Agreement, Promissory Note, Preliminary Official Statement, Bond Purchase Agreement, Indenture of Trust (including the form of bond therein) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be incorporated herein by reference and 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 Financing Agreements as described herein are on file in the office of the Clerk of this City-County Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Airport Facility Revenue Bonds (Purolator Courier Corp. Project) Series 1984 in the aggregate principal amount of \$45,000,000 (the "Bonds") for the purpose of obtaining funds to loan to the Company in order to finance costs of the Project, as more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of \$45,000,000 which will be executed and delivered by the Company to evidence and secure said loan, and as otherwise provided in the above described Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis, Marion County, Indiana.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell the Bonds to the purchasers thereof at a stated per annum rate of interest on the Bonds not to exceed 15%, and at a price not less than 95% of the principal amount thereof.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement, approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other documents which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. 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 purchasers thereof, payment for which will be made to the Trustee named in the Indenture of Trust. The Mayor and City Clerk may by their execution of the Financing Agreements and imprinting of their facsimile signatures on the Bonds or their manual execution of any thereof approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in Section 27 (a)(1) through (a)(11) of the Act.

SECTION 6. The finding heretofore made by Special Ordinance No. 11, 1984 that the area in which the Project is located is an economic development target area is hereby confirmed; this City-County Council further finds that the Project will not have an adverse competitive impact on other facilities of the same kind already operating in the same market area and that the Project will contribute significantly to the creation of permanent new job opportunities.

SECTION 7. The provisions of this Ordinance and the Indenture of Trust securing the Bonds constitute a contract binding between the City of Indianapolis and the owners of the Bonds, 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 owners so long as any of said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 588, 1984. Councillor Schneider explained that this proposal is a final bond ordinance authorizing the issuance of \$800,000 Economic Development Revenue Bonds for Mikel Ziobrowski to finance Phase I of the Project. The

Project will be the acquisition, construction, installation and equipping of a facility which ultimately will contain approximately 63,200 square feet to be constructed in three phases to be located in Park West on Western Drive, Lot 5, which will be leased to Response Communications, Inc. or a to be formed corporation or division of Response Communications, Inc. Phase I - 28,500 square feet at an approximate amount of \$935,000; Phase II - 22,700 square feet at an approximate amount of \$495,000; and Phase III - 12,000 square feet at an approximate amount of \$270,000. Eighty-four percent (84%) of the first phase will be used to house a new commercial printing and data processing company. Response Communications, Inc. provides direct marketing services to the financial community. A new printing/data processing company is being formed to diversify into new but related markets. Bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement and Guaranty Agreement. The interest rate is 75% of prime rate quoted and announced by The Indiana National Bank. Final maturity is June 1, 1995. The Economic Development Committee on October 31, 1984, recommended Proposal No. 588, 1984, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 588, 1984, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Dowden, Holmes, Page*

Proposal No. 588, 1984, was retitled SPECIAL ORDINANCE NO. 63, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 63, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond (Mikel A. Ziobrowski Project)" in the principal amount of Eight Hundred Thousand Dollars (\$800,000) 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 Mikel A. Ziobrowski and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 31, 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 Mikel A. Ziobrowski (the "Company") consisting of the acquisition, construction, installation and equip-

ping of Phase I of a facility which will ultimately contain approximately 63,000 square feet to be constructed in three phases (Phase I - 28,500 square feet; Phase II - 22,700 square feet; Phase III - 12,000 square feet) and the machinery and equipment to be installed therein plus certain site improvements to be located in Park West on Western Drive, Lot 5, Indianapolis, Indiana, the first phase of which will be used as follows: 84% of the first phase of the project will be used to house a new commercial printing and data processing company. Response Communications, Inc., the other user, will occupy the remaining 16% to provide direct marketing services to the financial community. A new printing/data processing company is being formed to diversify into new but related markets. The targeted markets consist of financial institutions, retail department stores, and the insurance industry. Specific products will be the printing of brochures, statement stuffers, letterhead and applications. Data Processing Services include list maintenance, list segmentation, merge/perge, data entry, analysis and computer printing (the "Project") which will be initially owned by Mikel A. Ziobrowski and operated by Mikel A. Ziobrowski through a lease of the facilities to Response Communications, Inc. and a to be formed division of, or affiliate of, Response Communications or a separate subchapter 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 Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement, Guaranty Agreement and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Mikel A. Ziobrowski 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, construction, installation and equipping of Phase I of a facility which will ultimately contain approximately 63,000 square feet to be constructed in three phases (Phase I - 28,500 square feet; Phase II - 22,700 square feet; Phase III - 12,000 square feet) and the machinery and equipment to be installed therein plus certain site improvements to be located in Park West on Western Drive, Lot 5, Indianapolis, Indiana, the first phase of which will be used as follows: 84% of the first phase of the project will be used to house a new commercial printing and data processing company. Response Communications, Inc., the other user, will occupy the remaining 16% to provide direct marketing services to the financial community. A new printing/data processing company is being formed to diversify into new but related markets. The targeted markets consist of financial institutions, retail department stores, and the insurance industry. Specific products will be the printing of brochures, statement stuffers, letterhead and applications. Data Processing Services include list maintenance, list segmentation, merge/purge, data entry, analysis and computer printing previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Mikel A. Ziobrowski 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 Mikel A. Ziobrowski will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement, Guaranty Agreement and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond (Mikel A. Ziobrowski Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller.

Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Promissory Note, Bond Purchase Agreement, Guaranty Agreement and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bond (Mikel A. Ziobrowski 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 (Mikel A. Ziobrowski Project) in the principal amount of Eight Hundred Thousand Dollars (\$800,000) for the purpose of procuring funds to loan to Mikel A. Ziobrowski 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 Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Mikel A. Ziobrowski on its Promissory Note in the principal amount of Eight Hundred Thousand Dollars (\$800,000), which will be executed and delivered by Mikel A. Ziobrowski to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement and 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 principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seventy-five percent (75%) of the prime rate quoted and announced by The Indiana National Bank, Indianapolis, Indiana, at its principal office from time to time except that (i) the interest rate on the Bond shall in no event exceed 30% per annum, (ii) in the event of a Determination of Taxability (as defined in the Loan Agreement) the Bond shall bear interest at the Taxable Rate (as defined in the Loan Agreement), and (iii) under certain circumstances, the Bond shall bear interest at the Adjusted Tax Exempt Rate as described in the Loan Agreement and (iv) at any time after maturity or default at the Default Rate (as defined in the Loan Agreement).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, Guaranty Agreement, the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond (Mikel A. Ziobrowski 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 Loan Agreement, Mortgage and Security Agreement. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, Guaranty Agreement, 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 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 Economic Development First Mortgage Revenue Bond (Mikel A. Ziobrowski 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. 590, 1984. Chairman Schneider explained that this proposal is a special ordinance giving consent to the issuance by the City of Beech Grove of \$8,000,000 Economic Development Revenue Bonds for Willow Glen Apartments, Phase II. This Project will be the construction of a 220 unit multi-family residential rental housing complex, including site improvements and the purchase of furniture and equipment for use therein at 4880 Willow Glen Drive, on approximately 18 acres of land. The Project is partially located in Beech Grove and partially in Indianapolis. State law and the Internal Revenue Code requires that the municipality where the project is located give consent in ordinance form to the issuance of these bonds by the City of Beech Grove.

The Economic Development Committee on October 31, 1984, recommended Proposal No. 590, 1984, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Howard for adoption. Proposal No. 590, 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, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
NO NAYS

3 NOT VOTING: *Cottingham, Gilmer, Page*

Proposal No. 590, 1984, was retitled SPECIAL ORDINANCE NO. 64, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 64, 1984

A SPECIAL ORDINANCE authorizing the City of Indianapolis to consent pursuant to I.C. 36-7-12 and I.R.C. Section 103 to the issuance by the City of Beech Grove, Indiana of its "Economic Development Mortgage Revenue Bonds (Willow Glen Apartments, Phase II Project)" in the maximum aggregate principal amount of Eight Million Dollars (\$8,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted as required by I.R.C. Section 103 and I.C. 36-7-12 on October 31, 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 Willow Glen Apartments, Phase II, an Indiana limited partnership (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 220 unit multi-family residential rental housing complex, including site improvements and the purchase of furniture and equipment for use therein, to be located at 4880 Willow Glen Drive, partially in the City of Indianapolis, Marion County, Indiana and partially in Beech Grove, Indiana on approximately 18 acres of land (the "Project") which will be initially owned and operated by Willow Glen Apartments, Phase II, an Indiana limited partnership complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has consented pursuant to I.C. 36-7-12 and I.R.C. Section 103 to the issuance by Beech Grove, Indiana of its Economic Development Mortgage Revenue Bonds (Willow Glen Apart-

ments, Phase II Project) in the maximum aggregate principal amount of Eight Million Dollars (\$8,000,000) 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 consisting of the acquisition, construction, installation and equipping of an approximately 220 unit multi-family residential rental housing complex, including site improvements and the purchase of furniture and equipment for use therein, to be located at 4880 Willow Glen Drive, partially in the City of Indianapolis, Marion County, Indiana and partially in Beech Grove, Indiana on approximately 18 acres of land by the City of Beech Grove, Indiana previously consented to pursuant to I.C. 36-7-12 Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Willow Glen Apartments, Phase II, an Indiana limited partnership for the purposes of financing the economic development facilities being acquired, constructed, installed and equipped or to be acquired, constructed, installed and equipped in Indianapolis and Beech Grove, Indiana, and the repayment of said loan by Willow Glen Apartments, Phase II, an Indiana limited partnership will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The City of Indianapolis hereby consents and gives approval pursuant to I.C. 36-7-12 and I.R.C. Section 103 to the issuance by the City of Beech Grove, Indiana of their Economic Development Revenue Bonds (Willow Glen Apartments, Phase II Project) in the maximum aggregate principal amount of Eight Million Dollars (\$8,000,000) for the purpose of procuring funds to loan to Willow Glen Apartments, Phase II, an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project.

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

PROPOSAL NO. 591, 1984. This is a proposal for a special ordinance designating the parcel of land commonly known as 123 South Illinois Street, as an economic development target area. Councillor Schneider explained that prior to May 15, 1983, the Council passed an inducement resolution for a \$5,000,000 bond issue for Fred C. Tucker, Jr. and 123 South Illinois Associates or a partnership to be formed. The Project is the renovation and equipping of the existing twelve story Warren Hotel containing approximately 68,322 square feet. At the September 10, 1984, council meeting the council passed an amendment which increased the amount of the bonds from \$5,000,000 to \$8,000,000. The state law changed on May 15, 1983, which required the renovation of hotels and office buildings to be located within an economic development target area if the Project was not induced prior to May 15, 1983. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 591, 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, Howard, Journey, McGrath,*

Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

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

Proposal No. 591, 1984, was retitled SPECIAL ORDINANCE NO. 65, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 65, 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 reservation 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 October 31, 1984 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 123 South Illinois Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL A

A part of ground in Lots Numbered Ten (10) and Eleven (11) in Square Numbered Seventy-five (75) of the Donation Lands of the Town, now City of Indianapolis, as laid out under direction of the State of Indiana, such parcel being more particularly described as follows, to-wit:

Beginning at the Southwest corner of said Lot Numbered Ten (10) aforesaid, and running thence East, along and with the South lines of said lots 90 feet, to a point in the South line of said Lot numbered Eleven (11); thence North, parallel with Illinois Street in said City of Indianapolis, 71 feet, to a point; thence West, parallel with Maryland Street in said City, 90 feet, to a point in the West line of said Lot Numbered Ten (10), same being the East line of said Illinois Street; thence South, along and with the East line of Illinois Street, 71 feet, to the place of beginning.

PARCEL B

Non-exclusive easement rights set forth in Declaration of Rights and Easements dated January 4, 1980, and recorded February 4, 1980 as Instrument No. 80-6961.

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 123 South Illinois Street, Indianapolis, Indiana, which is more specifically described as:

PARCEL A

A part of ground in Lots Numbered Ten (10) and Eleven (11) in Square Numbered Seventy-five (75) of the Donation Lands of the Town, now City of Indianapolis, as laid out under direction of the State of Indiana, such parcel being more particularly described as follows, to-wit:

Beginning at the Southwest corner of said Lot Numbered Ten (10) aforesaid, and running thence East, along and with the South lines of said lots 90 feet, to a point in the South line of said Lot numbered Eleven (11); thence North, parallel with Illinois Street in said City of Indianapolis, 71 feet, to a point; thence West, parallel with Maryland Street in said City, 90 feet, to a point in the West line of said Lot Numbered Ten (10), same being the East line of said Illinois Street; thence South, along and with the East line of Illinois Street, 71 feet, to the place of beginning.

PARCEL B

Non-exclusive easement rights set forth in Declaration of Rights and Easements dated January 4, 1980, and recorded February 4, 1980 as Instrument No. 80-6961.

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 . . ." and having "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".

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. 592, 1984. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Cornelius Printing Company, Inc. in an amount not to exceed \$3,000,000. Councillor Schneider explained that the Company is located at 2457 East Washington Street and has been in operation since the early 1900's. The existing facility is a full-line printing facility of approximately 120,000 square feet. The Project is the acquisition and installation of additional computerized state-of-the-art printing equipment at their current location. They presently employ between 125 and 150 people with an annual payroll of approximately \$4,000,000. The estimated number of additional employment positions at the end of one year total 15 jobs with \$600,000 in additional payroll to the community. The three-year employment estimate is 30 jobs with \$1,200,000 in additional payroll. The Economic Development Committee on October 31, 1984, recommended Proposal No. 592, 1984, Do Pass by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 592, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Bradley, Page*

Proposal No. 592, 1984, was retitled SPECIAL RESOLUTION NO. 91, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 91, 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, 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, Cornelius Printing Company, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire and install 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 and installation of a facility consisting of additional equipment for the Company's Indianapolis printing facility plus certain site improvements to be located at 2457 East Washington Street, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 15 at the end of one year and a total of 30 at the end of three years) to be achieved by the acquisition and installation of the Project will 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, 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 and installation 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 amount not to exceed Three Million Dollars (\$3,000,000) under the Act to be privately placed for the acquisition and installation of the Project and the sale or leasing of the Project to Cornelius Printing 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 and installation 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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant

to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires May 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

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 and installation 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. 593, 1984. This inducement resolution authorizes certain proceedings with respect to proposed economic development bonds for Builders Transport, Inc. in an approximate amount of \$2,700,000. Proposal No. 593, 1984, reduces the amount of the original inducement resolution (Special Resolution No. 83, 1984) from \$3,450,000 to \$2,700,000. The project location has changed from a site at West Thompson Road to 4949 South Harding Street, and the Company now intends to finance its truck tractor fleet with the bond issue. In addition, the Company will assume a mortgage at 8% interest. The Economic Development Committee on October 31, 1984, recommended Proposal No. 593, 1984, Do Pass by a 5-0 vote. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 593, 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, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Dowden, Page

Proposal No. 593, 1984, was retitled SPECIAL RESOLUTION NO. 92, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 92, 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, 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, Builders Transport, Inc. (the "Company") will be acquiring a truck terminal and distribution center facility in the City of Indianapolis, Indiana, at a location other than that location specified in City-County Resolution No. 83, 1984 but will only be using economic development revenue bond proceeds to acquire equipment including approximately 50 truck tractors to be located and based at the new Project site which is 4949 South Harding Street, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 68 at the end of one year and at the end of three years) to be achieved by the acquisition, 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 will contribute significantly to the creation of permanent new job opportunities; 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, 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 Two Million Seven Hundred Thousand Dollars (\$2,700,000) under the Act to be privately placed for the Project and the sale or leasing of the Project to Builders Transport, 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, 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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires May 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

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 acquisition, underwriting expenses, attorney and bond counsel fees, acquisition 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 NOS. 596 AND 597, 1984. Proposal No. 596 is a special ordinance designating the parcel of land commonly known as 2035 North Meridian Street as an economic development target area. Proposal No. 597, 1984 is an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Taylor-Morley-Simon, Inc. in an approximate amount of \$3,000,000. The Company was founded in 1950 and is located in St. Louis, Missouri. The Project will be the renovation of an existing building containing approximately 73,000 gross square feet including the basement located at 2035 North Meridian Street. Costs for the Project are as follows: \$465,000 land; \$2,937,000 buildings; and \$950,968 for other contingencies. Construction should begin in the Spring of 1985 and be completed in the Spring of 1986. The estimated number of additional employment positions at the end of one year total 50 construction jobs with \$3,500,000 in additional payroll to the community. After that there will be 175 permanent office jobs with an additional payroll of \$4,051,000 to the community. On October 31, 1984, the Economic Development Committee recommended Proposal Nos. 596 and 597, 1984, Do Pass by a 7-0 vote. Councillor Schneider moved, seconded by Councillor Stewart for adoption. Proposal No. 596, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: Clark, Cottingham, Durnil, Page

Proposal No. 596, 1984, was retitled SPECIAL ORDINANCE NO. 66, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 66, 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 October 31, 1984 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 2035 North Meridian Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

Lots 161, 162 and 163 and a strip of ground of the uniform width of 10 feet taken by parallel lines off of the south side of Lot No. 164 in W. H. Morrison's Third Addition to the City of Indianapolis, Marion County, Indiana, as per plat thereof as recorded in Plat Book 3, page 157, in the Office of the Recorder of Marion County, Indiana, except, however, a strip of ground 5 feet in width off of the entire west end thereof, said strip taken from the opening and widening of Meridian Street by proceedings recorded in Mortgage Record 1494, page 116;

Also Lots 49, 50 and 51 in Elizabeth Talbott's Revised Subdivision, an addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 7, page 82, 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 parcels commonly known as 2035 North Meridian Street, Indianapolis, Indiana, which are more specifically described as:

Lots 161, 162 and 163 and a strip of ground of the uniform width of 10 feet taken by parallel lines off of the south side of Lot No. 164 in W. H. Morrison's Third Addition to the City of Indianapolis, Marion County, Indiana, as per plat thereof as recorded in Plat Book 3, page 157, in the Office of the Recorder of Marion County, Indiana, except, however, a strip of ground 5 feet in width off of the entire west end thereof, said strip taken from the opening and widening of Meridian Street by proceedings recorded in Mortgage Record 1494, page 116;

Also Lots 49, 50 and 51 in Elizabeth Talbott's Revised Subdivision, an addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 7, page 82, 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. 597, 1984, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: Cottingham, Hawkins, Page

Proposal No. 597, 1984, was retitled SPECIAL RESOLUTION NO. 93, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 93, 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, 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, Taylor-Morley-Simon, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate, 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, renovation, construction, installation and equipping of an existing building containing approximately 73,000 gross square feet including the basement and the machinery and equipment to be installed therein plus certain site improvements to be located at 2035 North Meridian Street, Indianapolis, Indiana which will be used for general office space, and restaurant space (less than 25%), for lease to the general public (the "and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 50 at the end of one year and a total of 175 at the end of three years) to be achieved by the acquisition, renovation, 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 will contribute significantly to the creation of permanent new job opportunities; 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, 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 Three Million Dollars (\$3,000,000) under the Act to be privately placed for the acquisition, renovation, construction, installation and equipping of the Project and the sale or leasing of the Project to Taylor-Morley-Simon, 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, 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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires May 31, 1985 unless such bonds for Phase I have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter 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. 598, 1984. Councillor Schneider explained that Proposal No. 598, 1984, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bonds for Cloverleaf Properties in an approximate amount of \$400,000. The original bond issue was in the amount of \$1,350,000, and Proposal No. 598 is a supplemental bond issue in the amount of \$400,000. Increased costs are due to increased building construction costs and an increase in the amount of interior finish. Indiana National Bank purchased the original bonds, and the Bank has agreed to purchase these additional bonds when issued. The bonds will be used to complete the construction of a 36,100

square foot building on 2.81 acres of land on Rockville Road just west of Country Club Road for use as central offices and warehouse space. The Economic Development Committee on October 31, 1984, recommended Proposal No. 598, 1984, Do Pass by a 7-0 vote. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 598, 1984, was adopted on the following roll call vote; viz:

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

4 NOT VOTING: *Durnil, Gilmer, Howard, Page*

Proposal No. 598, 1984, was retitled SPECIAL RESOLUTION NO. 94, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 94, 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, 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, Cloverleaf Properties (the "Company") has previously 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 approximately 36,000 square foot building including basement and the machinery and equipment to be installed therein plus certain site improvements to be located at Rockville Road (U.S. Rt. 36) just west of Country Club Road 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"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 5 at the end of one year and 15 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 will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the City has previously issued its Economic Development Revenue Bond, Series 1984 (Cloverleaf Properties Project) in the principal amount of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) to provide funds to finance the Project; and

WHEREAS, it has now been determined that completion of the Project will require additional financing in the approximate amount of Four Hundred Thousand Dollars (\$400,000); and

WHEREAS, it would appear that the supplemental 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 \$400,000 under the Act to be privately placed and the use by any excluded uses as defined in I.C. 36-7-12 as amended to constitute less than twenty-five percent (25%) of the usable space in the Project for the complete acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to Cloverleaf Properties (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 complete 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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires May 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

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

underwriting expenses, attorney and bond counsel fees, acquisition, construction, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance the completion of 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 NOS. 594 and 595, 1984. Proposal No. 594, 1984, is a special ordinance designating the parcels of land commonly known as 101, 107, 111 and 113 South Pennsylvania Street as an economic development target area. Proposal No. 595, 1984, is an inducement resolution increasing a previously approved inducement resolution from \$1,100,000 to an approximate amount of \$1,800,000 and authorizing certain proceedings with respect to proposed economic development bonds for John Ober and Betty Ober. Councillor Schneider explained that there have been additional estimates for renovation costs, and \$700,000 increase will allow more flexibility. The Ober's are proprietors of Business Furniture Corporation, 107 S. Pennsylvania. The Economic Development Committee on October 31, 1984, recommended Proposal Nos. 594 and 595, 1984, Do Pass by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 594, 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, Howard, Journey, McGrath, Miller, Nickell, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

2 NOT VOTING: Page, Rader

Proposal No. 594, 1984, was retitled SPECIAL ORDINANCE NO. 67, 1984, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 67, 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 October 31, 1984 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 101, 107, 111 and 113 South Pennsylvania Street, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL I

That part of lots numbered five (5) and six (6) in Square 77 of the Donation Lands of the Town, now the City of Indianapolis, more particularly described as follows: Beginning at the north west corner of said lot 6 and running thence east along and with the north line of lot 6 and 5, 107 feet 6 inches to a point, thence south parallel with the west line of lot 5, 65 feet to a point; thence west parallel with the north line of lots 5 and 6, 107 feet 6 inches to a point, in the west line of lot 6, thence north along and with said west line 65 feet to the place of beginning.

PARCEL II

Part of Lots 5 and 6 in Square 77 of the Donation Lands of the City of Indianapolis, more particularly described as follows, to-wit:

Part of Lots 5 and 6 in Square 77 in the City of Indianapolis, bounded as follows:

Commencing at a point in the west line of said lot 6, 65 feet south of the north west corner thereof, running thence south along said west line 28 feet to a point; thence east on a line parallel with the north line of said lots, 107 feet 6 inches to a point in said lot 5; thence north on a line parallel to said west line, 28 feet to a point; thence west on a line parallel with the north line of said lots, 107 feet 6 inches to the place of beginning.

PARCEL III

The following described real estate is located in Marion County, Indiana.

Part of lots 5 and 6 in Square 77 of Donation Lands in the City of Indianapolis, more particularly described as follows, to-wit:

Beginning at a point on the west line of said lot 6, 93 feet south of the northwest corner thereof; thence south, in and along said west line of lot 6, 50 feet; thence east, parallel to the south line of said lot 6, 107 feet 6 inches to a point in said lot 5; thence north parallel to said west line of lot 6, 50 feet; thence west, parallel to the north line of said lots 5 and 6, 107 feet 6 inches to the place of beginning.

PARCEL IV

That part of lots numbered five (5) and six (6) in Square 77 of the Donation Lands of the City of Indianapolis, more particularly described as follows:

Beginning at the southwest corner of said lot 6 and running thence east along and with the south line of said lots 6 and 5 one hundred seven (107) feet six (6) inches to a point in the south line of lot 5; thence north parallel with the west line of lot 5 fifty-two (52) to a point; thence west parallel with the south line of lots 5 and 6, one hundred seven (107)

feet six (6) inches to a point in the west line of lot 6; thence south along and with said west line of said lot 6 fifty-two (52) feet to the place of beginning.

now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 101, 107, 111 and 113 South Pennsylvania Street, Indianapolis, Indiana, which are more specifically described as:

PARCEL I That part of lots numbered five (5) and six (6) in Square 77 of the Donation Lands of the Town, now the City of Indianapolis, more particularly described as follows: Beginning at the north west corner of said lot 6 and running thence east along and with the north line of lot 6 and 5, 107 feet 6 inches to a point, thence south parallel with the west line of lot 5, 65 feet to a point; thence west parallel with the north line of lots 5 and 6, 107 feet 6 inches to a point, in the west line of lot 6, thence north along and with said west line 65 feet to the place of beginning.

PARCEL II

Part of Lots 5 and 6 in Square 77 of the Donation Lands of the City of Indianapolis, more particularly described as follows, to-wit:

Part of Lots 5 and 6 in Square 77 in the City of Indianapolis, bounded as follows:

Commencing at a point in the west line of said lot 6, 65 feet south of the north west corner thereof, running thence south along said west line 28 feet to a point; thence east on a line parallel with the north line of said lots, 107 feet 6 inches to a

point in said lot 5; thence north on a line parallel to said west line, 28 feet to a point; thence west on a line parallel with the north line of said lots, 107 feet 6 inches to the place of beginning.

PARCEL III

The following described real estate is located in Marion County, Indiana.

Part of lots 5 and 6 in Square 77 of Donation Lands in the City of Indianapolis, more particularly described as follows, to-wit:

Beginning at a point on the west line of said lot 6, 93 feet south of the northwest corner thereof; thence south, in and along said west line of lot 6, 50 feet; thence east, parallel to the south line of said lot 6, 107 feet 6 inches to a point in said lot 5; thence north parallel to said west line of lot 6, 50 feet; thence west, parallel to the north line of said lots 5 and 6, 107 feet 6 inches to the place of beginning.

PARCEL IV

That part of lots numbered five (5) and six (6) in Square 77 of the Donation Lands of the City of Indianapolis, more particularly described as follows:

Beginning at the southwest corner of said lot 6 and running thence east along and with the south line of said lots 6 and 5 one hundred seven (107) feet six (6) inches to a point in the south line of lot 5; thence north parallel with the west line of lot 5 fifty-two (52) to a point; thence west parallel with the south line of lots 5 and 6, one hundred seven (107) feet six (6) inches to a point in the west line of lot 6; thence south along and with said west line of said lot 6 fifty-two (52) feet to the place of beginning.

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 . . .” and having “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”.

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. 595, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Bradley, Coughenour, Page*

Proposal No. 595, 1984, was retitled SPECIAL RESOLUTION NO. 95, 1984, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 95, 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, 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, John Ober and Betty Ober (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the 1. renovation and equipping of the office building located at 101 South Pennsylvania Street for general office use; 2. acquisition, renovation, installation and equipping of the building located at 107 South Pennsylvania Street for general office use with the first floor of the 107 South Pennsylvania Street building leased as either a food service facility or a retail facility; 3. upgrading of the parking lot located at 111 South Pennsylvania Street; and acquisition and upgrading of the parking lot located at 113 South Pennsylvania Street for use by tenants of the 107 South Pennsylvania Street building all of which locations are in Indianapolis, Indiana and of which a portion will be occupied by Business Furniture Corporation for use in its business of wholesale distribution of furniture (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 2 at the end of one year and 12 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it has been determined that the previously estimated \$1,100,000 amount of revenue bond financing needed for the Project will be insufficient and it has been determined that revenue bond financing in the principal amount of approximately \$1,800,000 will be necessary to finance the Project; and

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

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of One Million Eight Hundred Thousand Dollars (\$1,800,000) under the Act for the acquisition, construction, renovation, installation and equipping of the Project and the sale or leasing of the Project to John Ober and Betty Ober (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, renovation, installation and equipping of the Project, 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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the City of Indianapolis by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires May 31, 1985 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Company, the City by official action extends the terms of this inducement resolution.

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

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 579, 1984. This proposal is for a rezoning ordinance (84-Z-157) for Washington Township. Councilmanic District No. 4, 5030 East 56th Street, Indianapolis. Councillor Dowden explained that the Metropolitan Development Commission approved the rezoning request by a 4-2 vote. President SerVaas called for public testimony at 7:28 p.m. The petitioner, Park Place Associates, was represented by Counsel R. Larry Helmer, who explained that they are

requesting the rezoning of approximately one acre being in the A-2 district, to the C-3 classification, to provide for the construction of a drugstore on the northern point of a triangular shaped site bounded by 56th Street, Kessler Boulevard, and Emerson Way. Mr. Helmer added that the only objection voiced to the rezoning was from a nearby business which stated that the competition would not be favorable and that the rezoning should be to C-1 instead of to C-3. The liquor store objecting to the rezoning is approximately one-quarter mile away from the proposed drugstore and therefore is not contiguous to the proposed development. Mr. David Caswell, Developer, urged passage for the rezoning request because all other land in this triangular-shaped site is already zoned C-3.

Mr. Gordon Harper, Counsel for the remonstrators, explained that the objection to the rezoning was from the proprietor of LOR, Inc., 5500 E. 56th Street. He presented photographs of the proposed site. Mr. Harper stressed that the remonstrators' objection is mainly because the requested C-3 rezoning is not proper land use of the site. He added that the majority of the land in this area is zoned C-1 to serve as a buffer between residential and retail areas. LOR has been established in this area for fifteen years which was before most of the surrounding retail development took place. Mrs. E. D. Leet, representing Devonshire II and IV Residents' Association, testified that the proposed drugstore would be a duplication of other services in the area. She questioned why the residents of the area needed three shopping center areas within 500 feet of each other. Mrs. Leet also stated that there is a turnover problem among retail tenants in the Windridge complex. President SerVaas asked the remaining remonstrators to stand, and eight were recognized.

Councillor Durnil inquired if the photographs were presented at the Commission hearing. Mr. Harper responded that there were no exhibits offered by the remonstrators at the Commission hearing.

Councillor Cottingham requested to hear Staff comments from the Department of Metropolitan Development. There were no Staff members present, but Mr. Helmer, Counsel for the petitioner, read the Staff comments which basically supported the drugstore rezoning request because it would be appropriate and consistent with other development in the immediate area. Councillor Boyd asked if there was a market analysis conducted to determine the need for another drugstore. Counsel Helmer stated that People's Drugstore had conducted a market analysis and that the demographics reveal a need for another drugstore at this location. He clarified that there are no vacancies of retail tenants in the Windridge Shopping Center. It was Councillor Rhodes' opinion that since the

People's Drugstore was proposing to operate the drug store twenty-four hours per day that there would be an undesirable amount of increased traffic in the area. Councillor Dowden stated that the rezoning would be a deviation from the original Master Plan for the area and urged the Council to reject the rezoning request. Proposal No. 579, 1984, was defeated on the following roll call vote; viz:

9 YEAS: *Boyd, Campbell, Cottingham, Gilmer, Hawkins, Holmes, Rader, SerVaas, and West*

18 NAYS: *Borst, Bradley, Clark, Crowe, Curry, Dowden, Durnil, Giffin, Howard, Journey, McGrath, Miller, Nickell, Rhodes, Schneider, Shaw, Stewart, Strader*

2 NOT VOTING: *Coughenour, Page*

PROPOSAL NO. 549, 1984. This proposal appropriates \$101,650 for the Administration Division of the Department of Parks and Recreation for new programs which will be reimbursed by local and federal grants and a transfer of funds. Councillor Durnil reported that on October 17, 1984, the Parks and Recreation Committee recommended Proposal No. 549, 1984, Do Pass As Amended by a vote of 5-0. Since there were substantial amendments, Proposal No. 549 was postponed during the October 22nd Council meeting and readvertised in order to meet legal requirements. President SerVaas called for public testimony at 8:31 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Rhodes for adoption. Proposal No. 549, 1984, was adopted on the following roll call vote; viz:

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

5 NOT VOTING: *Clark, Coughenour, Giffin, Page, Schneider*

Proposal No. 549, 1984, was retitled FISCAL ORDINANCE NO. 82, 1984, As Amended, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Hundred One Thousand Six Hundred Fifty Dollars (\$101,650) in the Park General Fund for purposes of the Department of Parks and Recreation, various divisions and reducing certain other appropriations for that Division and the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for new programs, a tree inventory, playground equipment for Riverside Park and a golf irrigation system which will be funded by local and federal grants and a transfer of funds.

SECTION 2. The sum of One Hundred One Thousand Six Hundred Fifty Dollars (\$101,650) 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:

DEPARTMENT OF PARKS AND RECREATION

ADMINISTRATION DIVISION

PARK GENERAL FUND

1. Personal Services	\$25,000
2. Supplies	2,500
3. Other Services & Charges	11,900
4. Capital Outlay	<u>14,000</u>
	\$53,400

EAGLE CREEK DIVISION

2. Supplies	\$ 4,000
3. Other Services & Charges	2,000
4. Capital Outlay	<u>4,000</u>
	\$10,000

SPORTS AND SPECIAL FACILITIES DIVISION

2. Supplies	\$35,000
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PARKS MANAGEMENT DIVISION

1. Personal Services	<u>\$ 3,250</u>
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TOTAL INCREASE \$101,650

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

DEPARTMENT OF PARKS AND RECREATION

SPORTS AND SPECIAL FACILITIES

PARK GENERAL FUND

4. Capital Outlay	\$20,000
Unappropriated and Unencumbered	
Park General Fund	<u>81,650</u>
TOTAL REDUCTION	\$101,650

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

PROPOSAL NO. 568, 1984. This is a proposal to approve the issuance of temporary tax anticipation time warrants for the use of the Park District Fund, Consolidated County Fund, Consolidated City Police Force Account, Police Pension Fund, Consolidated City Fire force Account, Firemen's Pension Fund and Sanitary Solid Waste General Fund during the period of January 1, 1985, to June 30, 1985. Councillor Coughenour reported that Proposal No. 568 authorizes \$28,550,000 to be borrowed for the first six months of 1985. On October 29,

1984, Proposal No. 568 was recommended Do Pass by the Administration Committee by a vote of 5-0. President SerVaas called for public testimony at 8:32 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Shaw for adoption. Proposal No. 568, 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, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

2 NOT VOTING: *Page, Schneider*

Proposal No. 568, 1984, was retitled FISCAL ORDINANCE NO. 83, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1984

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund, Consolidated County Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund during the period January 1, 1985, to June 30, 1985, in anticipation of current taxes levied in the year 1984 and collectible in the year 1985, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Park District Fund to meet the current expenses of the Department of Parks and Recreation payable from said Fund prior to the June, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the June, 1985, distribution of taxes to be collected for said Park District Fund will amount to more than three million dollars (\$3,000,000) and the interest cost of making a temporary loan for said Park District Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated County Fund to meet the current expenses of the Consolidated County Fund, payable from said Fund prior to June, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the June, 1985, distribution of taxes to be collected for said Consolidated County Fund will amount to more than two million three hundred thousand dollars (\$2,300,000) and the interest cost of making a temporary loan for said Consolidated County Fund; and

WHEREAS, the Controller has represented the Special Service District Council of the Police Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from said Account prior to June, 1985, distribution of taxes levied for said Account; and

WHEREAS, the June, 1985, distribution of taxes to be collected for said Consolidated City Police Force Account will amount to more than nine million dollars (\$9,000,000) and the interest cost of making a temporary loan for said Consolidated City Police Force Account; and

WHEREAS, the Controller has represented and the Special Service District Council of the Police Special Service District now finds that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the June, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the June, 1985, distribution of taxes collected for said Police Pension Fund will amount to more than one million nine hundred fifty thousand dollars (\$1,950,000) and the interest cost of making a temporary loan for said Police Pension Fund; and

WHEREAS, the Controller has represented and the Special Service District Council of the Fire Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from said Account prior to June, 1985, distribution of taxes levied for said Account; and

WHEREAS, the June, 1985, distribution of taxes to be collected for said Consolidated City Fire Force Account will amount to more than seven million three hundred thousand dollars (\$7,300,000) and the interest cost of making a temporary loan for said Consolidated City Fire Force Account; and

WHEREAS, the Controller has represented and the Special Service District Council of the Fire Special Service District now finds that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the June, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the June, 1985, distribution of taxes collected for said Firemen's Pension Fund will amount to more than two million two hundred thousand dollars (\$2,200,000) and the interest cost of making a temporary loan for said Firemen's Pension Fund; and

WHEREAS, the Board of Public Works of the City of Indianapolis has authorized the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund in the amount of two million eight hundred thousand dollars (\$2,800,000) payable from the June, 1985, distribution of taxes levied for said Fund; and

WHEREAS, the Controller has represented and the Solid Waste Special Service District Council now finds that there will be insufficient funds in the Sanitary Solid Waste General Fund to meet the current expenses of the Sanitary Solid Waste Fund payable from said Fund prior to the June, 1985, distribution of taxes levied for said Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Funds and Accounts in anticipation of current revenues for said Funds and Accounts actually levied and in course of collection for the year 1985; now, therefore:

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

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Park District Fund of said City in the amount of three million dollars (\$3,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to

exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Park District Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Park District Fund from the June, 1985, distribution of taxes for said Park District Fund, viz; three million dollars (\$3,000,000) to the Park District Fund, the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Park District Fund, 1985 Budget Fund No. 092, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated County Fund of said City in the amount of two million three hundred thousand dollars (\$2,300,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated County Fund from the June, 1985, distribution of taxes for said Consolidated County Fund, viz; two million three hundred thousand dollars (\$2,300,000) to the Consolidated County Fund, the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Consolidated County Fund, 1985 Budget Fund No. 027, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 3. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Police Force Account of said City in the amount of nine million dollars (\$9,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Consolidated City Police Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Police Force Account from the June, 1985, distribution of taxes for said Consolidated City Police Force Account, viz; nine million dollars (\$9,000,000) to the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1985 Budget Fund No. 084, Character 3,

Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 4. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Police Pension Fund of said City in the amount of one million nine hundred fifty thousand dollars (\$1,950,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Police Pension Fund from the June, 1985, distribution of taxes for said Police Pension Fund, viz; one million nine hundred fifty thousand dollars (\$1,950,000) to the Police Pension 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Police Pension Fund 1985 Budget Fund No. 085, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 5. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Fire Force Account of said City in the amount of seven million three hundred thousand dollars (\$7,300,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Consolidated City Fire Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Fire Force Account from the June, 1985, distribution of taxes for said Consolidated City Fire Force Account, viz; seven million three hundred thousand dollars (\$7,300,000) to the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1985 Budget Fund No. 087, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 6. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Firemen's Pension Fund of said City in the amount of two million two hundred thousand dollars (\$2,200,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature

and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Firemen's Pension Fund from the June, 1985, distribution of taxes for said Firemen's Pension Fund, viz; two million two hundred thousand dollars (\$2,200,000) to the Firemen's Pension 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Firemen's Pension Fund 1985 Budget Fund No. 088, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 7. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Sanitary Solid Waste General Fund of said City in the amount of two million eight hundred thousand dollars (\$2,800,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1985, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent (10%), the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 9. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 27, 1985. Said warrants, including interest shall be payable from the Sanitary Solid Waste General Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Sanitary Solid Waste General Fund from the June, 1985, distribution of taxes for said Sanitary Solid Waste General Fund, viz; two million eight hundred thousand dollars (\$2,800,000) to the 1985 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1985 Budget Fund No. 055, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

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

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

No. _____ Principal and Interest \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT
_____ (FUND)

On the _____ day of _____, 19____, the City of Indianapolis, in Marion County, Indiana, promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer or _____ the paying agent of the City of Indianapolis, the sum of _____ including interest on the principal amount of this warrant from

the date hereof to maturity, payable out of and from taxes levied in the year of 19__, and payable in the year 19__, which said taxes are now in course of collection for the _____ of the City of Indianapolis, with which to pay general, current, operating expenses of the _____.

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

Said temporary loan was authorized "Oby Resolution No. _____ duly adopted by the Board of Public Works of the City of Indianapolis at a meeting thereof duly and legally convened and held on the _____ day of _____, 19__, for the purpose of providing funds for the Sanitary Solid Waste General Fund of said Sanitary District in compliance with the provision of I.C.

36-9-25-32 and] by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 19__, for the purpose of providing funds for the _____ (Fund) of said City of Indianapolis, in compliance with I.C. 36-3-4-22.

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

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

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

Dated this _____ day of _____, 19__.

CITY OF INDIANAPOLIS

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

COUNTERSIGNED:

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

(SEAL)

ATTEST:

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

SECTION 10. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner

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

SECTION 11. The proceedings had and action taken by the Board of Public Works of the City of Indianapolis in authorizing the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund for two million eight hundred thousand dollars (\$2,800,000) payable from the June, 1985, distribution of taxes levied for said funds, are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County council, and are incorporated herein by reference.

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

PROPOSAL NO. 569, 1984. This proposal approves the issuance of temporary tax anticipation time warrants for the County Welfare Fund during the period of January 2, 1985, to December 30, 1985. Councillor Stewart explained that on November 1, 1984, the Community Affairs Committee voted 5-0 to Do Pass Proposal No. 569, 1984. The amount to be borrowed from January 2, 1985, to December 30, 1985, is \$3 million. President SerVaas called for public testimony at 8:33 p.m. There being no one present to testify, Councillor Stewart moved, seconded by Councillor Journey for adoption. Proposal No. 569, 1984, was adopted on the following roll call vote; viz:

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

Proposal No. 569, 1984, was retitled **FISCAL ORDINANCE NO. 84, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 1984

A FISCAL ORDINANCE authorizing Marion County to borrow on a temporary loan for the use of the County Welfare Fund during the period January 2, 1985, to December 30, 1985, in anticipation of current taxes levied in the year 1984 and collectible in the year 1985, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

WHEREAS, the Auditor of Marion County has filed with the Mayor of the Consolidated City an estimate and statement showing the amount of money needed to pay current expenses from the County Welfare Fund pending the receipt of current revenues actually levied and now in process of collection, and the Mayor did make and enter of record a finding, and said Auditor and Mayor have requested the City-County Council to authorize temporary borrowing to procure the funds necessary for use by the County Welfare Fund and to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of Tax Anticipation Warrants; and

WHEREAS, the City-County Council now finds that the request should be granted, and that the City-County Council should authorize the making of a loan and the issuance of Tax Anticipation Warrants of the County to evidence the same; now, therefore:

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

SECTION 1. That the Auditor of Marion County and Mayor of the Consolidated City of Indianapolis are authorized to borrow in the name of Marion County on a temporary loan against current revenues actually levied and in process of collection for the County Welfare Fund, for and on behalf of said County, for the purpose of procuring the funds immediately and temporarily necessary for use for expenditures from the County Welfare Fund to be paid from said County Welfare Fund prior to the actual receipt of taxes required for the payment of incidental expenses incurred in connection with the issuance of the Tax Anticipation Warrants of the County in the manner provided for by the statute.

SECTION 2. That the amount of said loan and the Tax Anticipation Warrants issued to evidence the same shall be three million dollars (\$3,000,000). Said Tax Anticipation Warrants shall be dated as of date or dates of delivery thereof to the purchaser, shall be in such number and denomination or denominations, not less than \$100,000 as shall be requested by the purchaser or purchasers and shall bear interest at a rate or rates determined by bidding, and shall mature and be payable on the 30th day of December, 1985, and the amount of three million dollars (\$3,000,000) of the taxes now in process of collection for the County Welfare Fund in the year 1985, together with such amount of said taxes as is necessary to pay the interest on said warrants, is hereby appropriated and pledged for the purposes of paying said tax anticipation warrants together with the interest thereon when due.

SECTION 3. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amount, dates, statutory citation, and other data, to be properly completed prior to the execution and delivery thereof):

STATE OF INDIANA, COUNTY OF MARION

No. _____ \$ _____

MARION COUNTY WELFARE FUND
TAX ANTICIPATION WARRANT

For value received the Board of Commissioners of the County of Marion, in the State of Indiana, promises to pay to the bearer from the Marion County Welfare Fund the sum of \$ _____ dollars on the _____ day of _____, 19____, with

interest thereon at the rate of _____ percent (____%) per annum from the date hereof to the time of payment of the principal hereof, which interest is payable on the principal payment date hereof.

Both principal and interest of this warrant are payable in lawful money of the United States of America, at the Office of the Treasurer of Marion County, of the City of Indianapolis, Indiana. This warrant is one of an issue aggregating _____ dollars and is issued pursuant to and in accordance with City-County Fiscal Ordinance No. _____, duly adopted by the City-County Council on the ____ day of _____, 19____, and in strict conformity with Title 36, Article 2, Chapter 6 and Title 36, Article 3 of the Indiana Code as amended.

All acts, conditions and things to be done precedent to and in the execution, issuance and delivery of this warrant have been done and performed in regular and due form as provided by law, and this warrant is within every limit of indebtedness prescribed by the constitution and the laws of the State of Indiana. Sufficient receipts from taxation for the County Welfare Fund of Marion County from levies actually made and now in process of collection for the current year as may be necessary are hereby irrevocably pledged to the punctual payment of the principal and interest of this warrant according to its terms.

IN WITNESS WHEREOF, the Board of Commissioners of the County of Marion, has caused this warrant to be issued and signed in its name by its duly elected, qualified and acting Commissioners, countersigned by the Mayor of the City of Indianapolis, attested by its duly elected, qualified and acting County Auditor, and the seal of said Board of Commissioners to be hereunto affixed, as of the _____ day of _____.

SEAL

MARION COUNTY

BY: _____
COMMISSIONERS OF MARION COUNTY
COUNTERSIGNED:

MAYOR, CITY OF INDIANAPOLIS

ATTEST:

AUDITOR OF MARION COUNTY

SECTION 4. The Auditor is hereby authorized and directed to have said Tax Anticipation Warrants prepared and the Board of Commissioners of the County, the Mayor of the City of Indianapolis and the Auditor of the County are hereby authorized and directed to execute said Tax Anticipation Warrants in the manner substantially set out in the form hereinbefore provided. The Auditor shall sell said warrants at public sale. Said warrants may be sold at one sale or in parcels at more than one sale, provided that the total amount of said warrants sold shall not exceed the amount herein authorized. Prior to the sale of said warrants the Auditor shall cause to be published a notice of said sale in accordance with I.C. 5-3-1. The Auditor shall sell said warrants to the highest qualified responsible bidder, offering the lowest net interest cost to the County on all of the warrants bid for to maturity and deducting therefrom the premium bid if any. All bids shall be for not less than the par value of the warrants bid for including accrued interest at the date or dates of delivery of said warrants. The Auditor shall have the right to reject any and all bids. The proper officers of the County are authorized to deliver the warrants to the purchaser or purchasers of said warrants for the agree purchase price. The warrants may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Auditor and the purchaser of the warrants.

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

PROPOSAL NO. 570, 1984. This proposal appropriates \$1,800,000 to the County Welfare Department for Aid to Dependent Children for the remainder of 1984. Councillor Nickell explained that on November 1, 1984, the Community Affairs Committee voted 4-1 to Do Pass Proposal No. 570, 1984. At this hearing Miss Elizabeth Samkowsi, Director of the Marion County Department of Public Welfare, reported that because of federal regulations the Welfare Department had incurred additional costs for Aid to Dependent Children. The appropriation is funded out of 1983 "rollover" funds (\$280,000 being local funds). President SerVaas called for public testimony at 8:38 p.m. There being no one present to testify, Councillor Nickell moved, seconded by Councillor Journey for adoption. Proposal No. 570, 1984, was adopted on the following roll call vote; viz:

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

Proposal No. 570, 1984, was retitled FISCAL ORDINANCE NO. 85, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional One Million Eight Hundred Thousand Dollars (\$1,800,000) in the County Welfare Fund for purposes of the Marion County Welfare Department and reducing the unappropriated and unencumbered balance in the County Welfare Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 3.03 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 Aid for Dependent Children for the remainder of 1984.

SECTION 2. The sum of One Million Eight Hundred Thousand Dollars (\$1,800,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY WELFARE DEPARTMENT	COUNTY WELFARE FUND
3. Other Services & Charges	\$1,800,000
TOTAL INCREASE	\$1,800,000

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

MARION COUNTY WELFARE DEPARTMENT	COUNTY WELFARE FUND
Unappropriated and Unencumbered	
County Welfare Fund	<u>\$1,800,000</u>
TOTAL REDUCTION	\$1,800,000

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

PROPOSAL NO. 571, 1984. This proposal approves the issuance of temporary tax anticipation time warrants for the County General Fund during the period of January 2, 1985, to December 30, 1985. Councillor Cottingham requested that Proposal No. 571, 1984, be postponed in Council until the meeting of November 19, 1984. Consent was given.

PROPOSAL NO. 572, 1984. This proposal appropriates \$5,100 for Superior Court, Criminal Division, Probation Department for supplies, office renovation, mileage and office equipment. Councillor Dowden explained that the appropriation is derived from supervision fees (adult probation fees). On October 24, 1984, Proposal No. 572, 1984, was recommended Do Pass by the Public Safety and Criminal Justice Committee by a vote of 7-0. President SerVaas called for public testimony at 8:40 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 572, 1984, was adopted on the following roll call vote; viz:

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

6 NOT VOTING: *Borst, Durnil, Howard, Journey, Page, Schneider*

Proposal No. 572, 1984, was retitled FISCAL ORDINANCE NO. 86, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Five Thousand One Hundred Dollars (\$5,100) in the Adult Probation Fees Fund for purposes of the Marion County Superior Court, Criminal Division, Probation Department and reducing the unappropriated and unencumbered balance in the Adult Probation Fees Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(b)(1) of the City-County Annual Budget for 1984, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for supplies, office renovation, mileage and office equipment.

SECTION 2. The sum of Five Thousand One Hundred Dollars (\$5,100) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:
 SUPERIOR COURT, CRIMINAL DIVISION ADULT PROBATION FEES FUND
 PROBATION DEPARTMENT

2. Supplies	\$ 500
3. Other Services & Charges	4,262
4. Capital Outlay	338
TOTAL INCREASE	<u>\$5,100</u>

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

	ADULT PROBATION FEES FUND
PROBATION DEPARTMENT	
Unappropriated and Unencumbered	
Adult Probation Fees Fund	<u>\$5,100</u>
TOTAL REDUCTION	<u>\$5,100</u>

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

PROPOSAL NO. 573, 1984. This proposal appropriates \$30,445 for the Prosecutor and Auditor to combine the diversion and screening units of the Juvenile Division and to transfer funds in the Juvenile Habitual Grant. Councillor Dowden explained that the appropriation coordinates various grant programs; it does not involve new personnel. On October 24, 1984, the Public Safety and Criminal Justice Committee recommended Proposal No. 573, 1984, Do Pass by a 6-0 vote. President SerVaas called for public testimony at 8:42 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 573, 1984, was adopted on the following roll call vote; viz:

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

1 NAY: *Durnil*

4 NOT VOTING: *Bradley, Cottingham, Dowden, Page*

Proposal No. 573, 1984, was retitled FISCAL ORDINANCE NO. 87, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 87, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) appropriating an additional Thirty Thousand Four Hundred Forty-five Dollars (\$30,445) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and Marion County Auditor and reducing certain other appropriations for the Prosecutor 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 funds to combine the diversion and screening units of the Juvenile Division which will be reimbursed by a federal grant and transferring funds in the Juvenile Habitual Grant.

SECTION 2. The sum of Thirty Thousand Four Hundred Forty-five Dollars (\$30,445) 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:

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$16,294
35. Operating Expenses	<u>10,405</u>
	\$26,699

MARION COUNTY AUDITOR	
31. Personal Services (Fringes)	<u>3,746</u>
TOTAL INCREASE	\$30,445

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

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
34. Equipment	\$ 7,700
Unappropriated and Unencumbered	
State and Federal Grant Fund	<u>22,745</u>
TOTAL REDUCTION	\$30,445

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
Prosecutor	4	30,000	44,123 <u>48,138</u>
Witness Coordinator	2	18,000	<u>23,606</u>
Paralegal	1	17,870	17,000
Probation Officer	<u>1/0</u>	<u>17,000 0</u>	17,000 0
Investigator	1	21,000	21,000
Project Analyst	1	18,000	18,000
Intern	1	11,500	8,434 <u>9,704</u>
Director	3	20,400	17,885 <u>21,577</u>
Volunteer Coordinator	1	6,000	4,038
Student Jury Coordinator	1	12,000	8,769 <u>11,538</u>
Secretary	2	15,000	17,644 <u>10,114</u>
Counselor	3	14,350	22,390 <u>28,885</u>

<u>Screening Deputy</u>	<u>0 1</u>	<u>10 12,000</u>	<u>0 10,000</u>
<u>Date Entry Clerk</u>	<u>0 1</u>	<u>0 6,500</u>	<u>0 6,500</u>
<u>Vacancy Factor</u>		<u>(22,464)</u>	<u>(26,378)</u>

TOTAL 21/ 22 ~~187,428~~ 203,722

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 574, 1984. This proposal transfers \$31,051 for the Prosecutor to enhance the "PRIME" computer. Councillor Dowden explained that the Public Safety and Criminal Justice Committee voted 6-0 to Do Pass As Amended Proposal No. 574, 1984, on October 24, 1984. Councillor Rhodes stated that the transfer should be postponed until the Information Services Agency Board grants written approval for the computer enhancement. Councillor Borst stated that Mr. Harry Eakin, Marion County Auditor, had testified during the October 24th hearing that the I.S.A. Board had already approved the computer enhancement. After further discussion Councillor Rhodes moved, seconded by Councillor Boyd, to amend Proposal No. 574, 1984, SEC. 6. by inserting the words "and the written endorsement of the Information Services Agency Board" after "compliance with IC-36-3-4-14". Consent was given for the amendment. Councillor Rhodes moved, seconded by Councillor Boyd for adoption. Proposal No. 574, 1984, As Amended, was adopted on the following roll call vote; viz:

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

Proposal No. 574, 1984, As Amended, was retitled FISCAL ORDINANCE NO. 88, 1984, As Amended, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 88, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating Thirty-one Thousand Fifty-one Dollars (\$31,051) in the County General Fund for purposes of the Marion County Prosecutor 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 (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 to enhance the "PRIME" computer.

SECTION 2. The sum of Thirty-one Thousand Fifty-one Dollars (\$31,051) 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 increased appropriation is hereby approved:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
3. Other Services & Charges	\$ 3,000
4. Capital Outlay	<u>28,051</u>
TOTAL INCREASE	\$31,051

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

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
1. Personal Services	\$23,051
2. Supplies	<u>8,000</u>
TOTAL REDUCTION	\$31,051

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

(22) PROSECUTING ATTORNEY - Dept. 25

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	6,318	6,318
Chief Trial Deputy	1	4,739	4,739
Admin. Staff	3	24,727	43,660
Admin. Supervisor	8	22,478	98,489
Admin. Secretary	12	16,535	138,618
General Secretary	11	16,281	132,602
Computer Supervisor	4	14,073	41,046
Investigator	4	38,568	101,567
Law Clerk	13	15,246	119,150
Paralegal	17	18,763	211,203
Chief Counsel	1	38,568	38,568
Supv. of Professionals	8	38,568	172,859
Full & Part-time Deputy Prosecutors	47	34,746	1,019,827
Temporary			20,000
Witness Fees			18,000
Vacancy Factor		(193,811)	<u>(216,362)</u>
TOTAL	130	1,473,383	<u>1,950,284</u>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14 and the written endorsement of the Information Services Agency Board.

PROPOSAL NO. 575, 1984. This proposal transfers \$36,500 for the Prosecutor's Child Support Division for office refurbishing. Councillor Dowden explained that on October 24, 1984, the Public Safety and Criminal Justice Committee

recommended Proposal No. 575, 1984, Do Pass by a 6-0 vote. Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 575, 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, Howard, Journey, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West*
1 NOT VOTING: Page
2 NAY: *Durnil, McGrath*

Proposal No. 575, 1984, was retitled FISCAL ORDINANCE NO. 89, 1984, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 89, 1984

A FISCAL ORDINANCE amending the City-County Annual Budget for 1984 (City-County Fiscal Ordinance No. 72, 1983) transferring and appropriating an additional Thirty-six Thousand Five Hundred Dollars (\$36,500) in the County General Fund or purposes of the Marion County Prosecutor's Child Support Division 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 (b)(23) 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 office refurbishing and replacement of office furniture.

SECTION 2. The sum of Thirty-six Thousand Five Hundred Dollars (\$36,500) 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 increased appropriation is hereby approved:

PROSECUTOR'S CHILD SUPPORT DIV.	COUNTY GENERAL FUND
3. Other Services & Charges	\$28,500
4. Capital Outlay	8,000
TOTAL INCREASE	\$36,500

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

PROSECUTOR'S CHILD SUPPORT DIV.	COUNTY GENERAL FUND
1. Personal Services	\$30,000
2. Supplies	6,500
TOTAL REDUCTION	\$36,500

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

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Supervisor Professional	2	38,568	45,000
Administrative Supervisor	5	22,478	82,700
Deputy Prosecutors	7	34,746	117,410
Paralegals	17 26	18,763	340,130 320,500
Temporary			11,044 51,044
Vacancy Factor	—		(88,524)
TOTAL	65 64	798,040	766,040

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

PROPOSAL NO. 576, 1984. This proposal, sponsored by Councillor Gilmer grants the consent of the City-County Council to the annexation of certain territory within Marion County by the Town of Clermont. On October 31, 1984 the Metropolitan Development Committee voted 6-1 for Proposal No. 576, 1984 To Be Stricken. Councillor Gilmer requested that the Council also "Strike" this proposal for annexation because there has been no communication with representatives from the Town of Clermont. Consent was given to "Strike" Proposal No. 576, 1984.

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

President SerVaas announced that on December 6, 1984, at 5:00 p.m., there will be a joint committee meeting of the Community Affairs and Metropolitan Development Committees to discuss public housing.

There being no further business and upon motion duly made, the meeting of the City-county Council adjourned at 9:02 p.m.

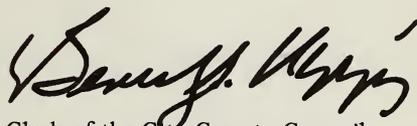
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council

dianapolis-Marion County, Indiana, and the Indianapolis Police, Fire and Solid
e Special Service District Councils on the 8th day of November, 1984.

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



President



Clerk of the City-County Council

TEST:

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