

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

REGULAR MEETINGS - MONDAY, FEBRUARY 11, 1985

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 Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m., on Monday, February 11, 1985, with Councillor SerVaas presiding.

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

ROLL CALL

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

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

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

INTRODUCTION OF GUESTS AND VISITORS

Councillor West introduced Girl Scout Troup No. 4 and their leaders. Also, present were fifty children and their teacher Ms. Lois Petit from Northview School in Councillor Dowden's district.

OFFICIAL COMMUNICATIONS

President SerVaas introduced Mayor William H. Hudnut, III, Mayor of the City of Indianapolis, who gave the following statement:

“President, Ladies and Gentlemen of the Council:

“I appear before you again to discuss the issues of landfill and resource recovery. They were very much at the top of your agenda two weeks ago and have caused great concern to many of our constituents, particularly in Warren, Decatur and Franklin townships. During the last several weeks, I have listened to many people discuss these problems. I have encouraged them to share with me their viewpoints. And I have tried to think these matters through as best I am capable.

“We consciously decided to go public and involve the people in the decision making process. We solicited public comment and input. We have learned from all that and are grateful for it. We gave the people a chance to speak, and they did! What they have let us know, loud and clear, is that more landfill to dispose of our trash in Marion County ground is not a good answer to our trash disposal problems. Therefore, we will not proceed to site a new landfill in Marion County. Neither the four locations picked by the landfill evaluation committee, nor any others, will be considered as potential sites for a new Marion County landfill.

“But the problem of how to handle trash in Marion County still exists. You and I as elected officials have a responsibility to protect the health and environment of this Community. We must do something now to avert a crisis in the future. Our situation has not changed. We must develop a long-range plan to solve our problem.

“Since the Community has made it clear that the traditional solution of more landfill in our county is not acceptable, I propose that we go another way. When lack of land in Europe forced other answers, they looked to new technology for a solution. We must now choose this realistic alternative. We must proceed to build on the present Belmont Sewage Treatment Plant site a mass burn facility, financed and constructed by the private sector, to handle our solid waste.

“We must proceed carefully and cautiously, seeking to answer many questions that are being asked and trying to learn from legitimate concerns that are being expressed about the financing and operation of the Plant. We will make this an open process so that the public will be informed and have input during the entire process. But the idea of incinerating trash and turning it into steam and ash makes economic and environmental sense. On the basis of what we know about this technology and in light of discussions we have had with EPA and other

knowledgeable Congressional people, we believe we must proceed immediately to implement these plans. We cannot allow ourselves to be left with no practical options farther down the road. And I ask tonight for your support in choosing to follow this path.

“When the mass burn plant is finally built several years down the road, it is my understanding that the volume of solid waste that we have to dispose of will be reduced by possibly 90% to 95% and that what is left will be ash. Until such time as that plant is built, we will continue the present methods of trash disposal, using existing landfill capacity, assuming its continuing availability. After the new plant comes on line, I assume that we will continue to dispose of the ash in the same manner, unless we can sell it or somehow recycle it.

“No plan is perfect, but I hope the solid waste disposal strategy I have outlined makes sense, given the public’s resistance to a new city owned landfill. This plan should allay the fears people have a new landfill in their back yard. It should decrease our need for landfill capacity. It should make more economic sense than continuing reliance solely on landfill. And it should help us protect the quality of the environment in our Community.

“The Advanced Wastewater Treatment Plant was the large environmental project that our Community undertook in the 1970’s and successfully completed. Now in the 1980’s, this resource recovery project gives us a magnificent opportunity to take more strides forward in a positive direction, remembering that environmental security is the keystone of our economic growth potential.

“So let us proceed together as a Community, rationally and responsibly, to find a solution to the long-range problem we have of disposing of our trash here in Marion County. Thank you.

Councillor Borst asked if the meeting being hosted by the civic organizations at the Howard Johnsons scheduled for Wednesday, February 13, 1985, was still being held. Mr. Mike Mahoney of the Franklin Township Civic Association stated it was still on.

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 COLLECTION 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 Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, February 11, 1985, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

January 29, 1985

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on January 31, 1985, and February 7, 1985, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal No. 51, 1985, and on January 31, 1985, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal Nos. 32, 34, 36, 37, 38, 1985, to be held on Monday, February 11, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

February 5, 1985

**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:

GENERAL ORDINANCE NO. 7, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 8, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 9, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 10, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 2, 1985, amending and supplementing City-County Special Resolution No. 70, 1984, and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (123 South Illinois Associates Project)" in the aggregate principal amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 3, 1985, designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

SPECIAL ORDINANCE NO. 4, 1985, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1985 (Westside Investors Group Project)" in the principal amount of Three Hundred Seventy-five Thousand Dollars (\$375,000) and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 3, 1985, in memory of Elmo G. Coney.

SPECIAL RESOLUTION NO. 4, 1985, memorializing Mary Lindsay.

SPECIAL RESOLUTION NO. 5, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 6, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 7, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 8, 1985, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 9, 1985, approving the leasing of certain real estate of the Department of Parks and Recreation.

Respectfully submitted,

s/William H. Hudnut, III

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

PROPOSAL NO. 72, 1985. This proposal extends certain services to the Acting Director of the Housing Authority. President SerVaas, sponsor of this proposal, stated that he was going to assign Proposal No. 72, to the Metropolitan Development Committee for hearing.

PROPOSAL NO. 73, 1985. This proposal amends and approves cart regulations promulgated by the City Controller. Councillor Coughenour reported that the Administration Committee heard almost three hours of public testimony and is recommending to this Council the approval of the Controller's regulations except that the next drawing to occur will not be until January 1, 1988. This date will give everyone operating a cart four full years of operation before the drawing for new districts. Councillor Coughenour moved, seconded by Councillor Curry for adoption. Proposal No. 73, 1985, was adopted by voice vote and retitled GENERAL RESOLUTION NO. 2, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 1985

A GENERAL RESOLUTION amending and approving cart regulations promulgated by the City Controller.

WHEREAS, the City Controller promulgated certain regulations concerning the operation of cart vendors on December 12, 1984; and

WHEREAS, the City-County Council has suspended the effective date of such regulations until February 15, 1985; and

WHEREAS, the Council's Administration Committee has conducted a public hearing on such proposed regulations; and

WHEREAS, the Committee has recommended certain actions with respect to such regulations; now, therefore:

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

SECTION 1. Paragraph B. 1. of the Regulations are amended and superceded by changing the date for reassignment of zones to businesses from January 1, 1985 to January 1, 1988.

SECTION 2. The regulations as amended shall be effective upon adoption of this resolution and amendment of the regulations by the City Controller to conform to this resolution.

SECTION 3. The General Counsel is directed to prepare for introduction a proposal to amend the Code provisions relating to cart vendors to provide for four-year licenses for fixed zone assignments and quadrennial reassignments of zones based on random selection or bidding by qualified applicants.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 55, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appro-

appropriating \$50,000 for the Central Equipment Management Division to purchase land for the new garage facility"; and the President referred it to the Administration Committee.

PROPOSAL NO. 56, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,622 for the Clerk of the Circuit Court for salary expenses to be reimbursed by the Federal IV-D Program"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 57, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$78,696 for Superior Court, Criminal Divisions to retain certain public defenders as employees not on a contractual basis"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 58, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel compensation schedule of Superior Court, Juvenile Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 59, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$500,000 for the County Sheriff to purchase patrol vehicles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 60, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$28,375 for the County Sheriff to employ a chemist in the Crime Laboratory"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 61, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for the fiscal year 1985-1986 and approves the actions of the Board concerning the 1985-1986 grant application to the State of Indiana, Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 62, 1985. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION establishing the allocation priorities for cumulative capital development funds"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 63, 1985. Introduced by Councillors Hawkins and Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting parking on a portion of Illinois Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 64, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Pleasant and Shelby Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 65, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Country Club Road and West 10th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 66, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Emerson Avenue and Victory Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 67, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 68, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in various subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 69, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Tuxedo Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 70, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on portions of Fall Creek Boulevard and Fall Creek Parkway"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 71, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of McCarty Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 72, 1985. Introduced by Councillors Miller and McGrath. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Robert Sare to the Community Centers of Indianapolis Board"; and the President referred it to the Community Affairs Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 75-81, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 7, 1985". No action was taken on Proposal Nos. 75-81, 1985 by the Council and the proposals were deemed adopted. Proposal Nos. 75-81, 1985, were retitled REZONING ORDINANCE NOS. 17-23, 1985, and read as follows:

**REZONING ORDINANCE NO. 17, 1985 84-Z-180 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
6150 THOMAS ROAD, INDIANAPOLIS**

Steven R. Hall requests the rezoning of approximately 34 acres, being in the A-2 district, to the SU-1 classification, to provide for the construction of a church.

**REZONING ORDINANCE NO. 18, 1985 84-Z-204 FRANKLIN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
7802 EAST SOUTHPORT ROAD, INDIANAPOLIS**

Robert E. Smith, by Michael J. Kias, requests the rezoning of 20.63 acres, being in the A-2 district, to the SU-5 classification, to provide for the construction and maintenance of a radio broadcasting tower, accessory building and facilities.

**REZONING ORDINANCE NO. 19, 1985 84-Z-214 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
7607 SOUTH MERIDIAN STREET, INDIANAPOLIS**

Alig and Associates, Inc., requests the rezoning of 0.75 acre, being in the A-2 district, to the C-1 classification, to provide for the construction and operation of a 5,000 square foot day care center.

**REZONING ORDINANCE NO. 20, 1985 85-Z-7 AMENDED WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
5957 CRAWFORDSVILLE ROAD, SPEEDWAY, INDIANA**

Leonard E. Wardlow, by Thomas Deal, requests the rezoning of 0.61 acre, being in the D-5 district, to the C-4 classification, to conform zoning to its use as a self-serve car wash and to permit a photo processing shop in an existing structure.

**REZONING ORDINANCE NO. 21, 1985 85-Z-9 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
8811 MASTERS ROAD, INDIANAPOLIS**

Mark III Development Group, by Raymond Good, requests the rezoning of approximately 41 acres, being in the A-2 district, to the D-6 II classification, to provide for the construction of apartments with a maximum density of 12 units per acre.

**REZONING ORDINANCE NO. 22, 1985 85-Z-11 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
4550 SOUTH HARDING STREET, INDIANAPOLIS**

Russell P. Wilson and George D. Wilson, by Thomas Michael Quinn, Jr., request rezoning of 0.86 acre, being in the I-4-S and C-6 district, to the C-5 classification, to provide for open air auto sales.

**REZONING ORDINANCE NO. 23, 1985 85-Z-15 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
519 EAST MCCARTY STREET, INDIANAPOLIS**

Frank T. and Antonia S. Short request the rezoning of 0.19 acre, being in the I-3-U district, to the D-8 classification to provide for the restoration of residential structure.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 51, 1985. This proposal is for a rezoning ordinance for Pike Township, Councilmanic District 1, 8302 Township Line Road. Mr. Zeff Weiss, attorney for the petitioner, explained that the reason for the delay was additional paper work and all has been completed and there were no technical amendments made. The President called for public testimony at 7:58 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Cottingham for adoption. Proposal No. 51, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Campbell, Clark, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Holmes, Howard, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

4 NOT VOTING: Bradley, Coughenour, Gilmer, Journey

Proposal No. 51, 1985, was retitled REZONING ORDINANCE NO. 24, 1985, and reads as follows:

**REZONING ORDINANCE NO. 24, 1985 84-Z-220 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8302 TOWNSHIP LINE ROAD, INDIANAPOLIS**

Joseph F. Sexton Company, by Zeff A. Weiss, requests the rezoning of approximately 56 acres, being in the A-2, SU-2 and HD-II districts, to the HD-II classification, to provide for the construction of 43 apartment buildings containing a total of 714 living units.

PROPOSAL NO. 32, 1985. This proposal appropriates \$500,000 for the Marion County Auditor from the Cumulative Building Fund for renovation of the Juvenile Center. President SerVaas noted that this proposal had not been heard in committee yet and asked for consent to postpone Proposal No. 32, 1985, until the next meeting on February 25, 1985. Consent was given.

PROPOSAL NO. 34, 1985. This proposal appropriates \$274,503 for the Community Corrections Advisory Board to fund the program for the first six months of 1985. Councillor Dowden explained that these funds will be reimbursed by the State. The Public Safety and Criminal Justice Committee at its meeting on January 30, 1985, amended Proposal No. 34, 1985, to be retroactive to January 1, 1985, and then recommended it Do Pass As Amended by a vote of 9-0. The President called for public testimony at 8:00 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Borst for adoption. Proposal No. 34, 1985, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 34, 1985, as amended, was retitled FISCAL ORDINANCE NO. 3, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Seventy-four Thousand Five Hundred Three Dollars (\$274,503) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(25) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for January 1 to June 30, 1985 to continue the Community Corrections Program which will be reimbursed by the State.

SECTION 2. The sum of Two Hundred Seventy-four Thousand Five Hundred Three Dollars (\$274,503) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

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

STATE AND FEDERAL GRANT FUND	
31. Personal Services	\$105,645
33. Travel	3,251
34. Equipment	2,352
35. Operating Expenses	158,374
	\$269,622
MARION COUNTY AUDITOR	
31. Personal Services (Fringes)	<u>4,881</u>
TOTAL INCREASE	\$274,503

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

STATE AND FEDERAL GRANT FUND	
Unappropriated and Unencumbered State and Federal Grant Fund	<u>\$274,503</u>
TOTAL REDUCTION	\$274,503

SECTION 5. The personnel schedule is hereby established as follows herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	5	21,190	\$86,070
Admin./Clerical	1	12,075	12,075
Temporary/Interns	<u>—</u>		<u>7,500</u>
TOTAL	6		\$105,645

SECTION 6. This ordinance shall be in full force and effect retroactive to January 1, 1985, and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 36, 1985. This proposal appropriates \$58,794 for the Marion County Prosecutor these are remaining funds from Deterrence of DWI's and the Diversion Program Revenues. Councillor Dowden explained Proposal No. 36 in two parts: \$8,794 is the remaining portion of a DWI grant sponsored by the University of North Carolina; and \$50,000 is requested for additional staff to work with the diversion programs. The Prosecutor's Office anticipates revenues in excess of \$400,000 to be collected through diversion programs in 1985. The Public Safety and Criminal Justice Committee at the January 30, 1985, meeting recommended Proposal No. 36, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 36, 1985, was adopted on the following roll call vote; viz:

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

Stewart, Strader, West
1 NAY: Howard

Proposal No. 36, 1985, was retitled FISCAL ORDINANCE NO. 4, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Fifty-eight Thousand Seven Hundred Ninety-four Dollars (\$58,794) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing the appropriation of the remaining funds from the "Enforcement & Public Information Strategies for General Deterrence of DWI's" and \$50,000 from the Diversion Program Revenues.

SECTION 2. The sum of Fifty-eight Thousand Seven Hundred Ninety-four Dollars (\$58,794) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
1. Personal Services	\$55,294
3. Other Services & Charges	3,500
TOTAL INCREASE	<u>\$58,794</u>

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

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$58,794
TOTAL REDUCTION	<u>\$58,794</u>

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	7,245	7,245
Chief Trial Deputy	1	4,928	4,928
Admin. Staff	3	25,716	62,700
Admin. Supervisor	8	26,000	87,868
Admin. Secretary	12	17,196	145,050
General Secretary	11	16,932	133,101
Computer Staff	4	14,635	40,000

Investigator	4	40,110	90,000
Law Clerk	13	15,855	91,000
Paralegal	17	19,513	215,218
Chief Counsel	1	42,110	42,110
Supv. of Professionals	8	40,110	277,819
Full & Part-time Deputy Prosecutors	47	36,135	1,060,620
Temporary			20,000
Vacancy Factor	—	(1785789)	(130,475)
TOTAL	130	2,091,890	<u>2,147,184</u>

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

PROPOSAL NO. 37, 1985. This proposal appropriates \$342,270 for the Marion County Prosecutor for three continuing grants in 1985. Councillor Dowden reported that these are Crime Control Funds being appropriated to the Witness Coordination and Diversion Grant, the Serious and Violent Juvenile Habitual Offender Grant and the Youth Resource Center Grant. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 37, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 8:12 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 37, 1985, was adopted on the following roll call vote; viz:

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

Proposal No. 37, 1985, was retitled FISCAL ORDINANCE NO. 5, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Forty-two Thousand Two Hundred Seventy Dollars (\$342,270) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(22) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated

for the purposes of appropriating Crime Control Funds for three continuing grants in 1985.

SECTION 2. The sum of Three Hundred Forty-two Thousand Two Hundred Seventy Dollars (\$342,270) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$222,475
32. Contractual Services	49,065
33. Travel	3,008
34. Equipment	5,000
35. Operating Expenses	<u>14,028</u>
	\$293,576

<u>MARION COUNTY AUDITOR</u>	
31. Personal Services (Fringes)	<u>48,694</u>
TOTAL INCREASE	\$342,270

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

MARION COUNTY PROSECUTOR	STATE AND FEDERAL GRANT FUND
Unappropriated and Unencumbered	
State and Federal Grant Fund	<u>\$342,270</u>
TOTAL REDUCTION	\$342,270

SECTION 5. The personnel schedule is hereby established as follows herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	4	32,000	62,000
Witness Coordinator	1	18,000	18,000
Paralegal	1	17,000	17,000
Investigator	1	21,000	21,000
Project Analyst	1	11,000	11,000
Director	4	25,500	58,000
Volunteer Coordinator	1	15,000	15,000
Secretary	3	14,500	25,000
Counselor	2	15,000	29,000
Screening Deputy	1	12,000	10,000
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	6,500
Vacancy Factor			<u>(56,525)</u>
TOTAL	21		\$222,475

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

PROPOSAL NO. 38, 1985. This proposal appropriates \$292,822 for the Marion County Prosecutor to fund the Alternative Challenge Program. Councillor Dowden noted that Councillor Giffin requested to be a co-sponsor of Proposal No. 38, because of his work with the Private Industry Council on this project. He explained that these funds are for "Project Breakthrough". Approximately 300

non-violent repeat juvenile offenders will be screened and 72 yearly will be selected to participate in the Project. Twelve selected offenders will attend the Project Breakthrough facility in Jackson County for seven weeks. They will have a structured environment including: remedial reading, other educational classes, psychological testing and job skill training. After the seven-week session, the 12 juveniles will return to their homes and obtain further job training through the Prosecutor's Office. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 38, 1985, Do Pass by a vote of 9-0. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 38, 1985, was adopted on the following roll call vote; viz:

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

Proposal No. 38, 1985, was retitled FISCAL ORDINANCE NO. 6, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Two Hundred Ninety-two Thousand Eight Hundred Twenty-two Dollars (\$292,822) in the State and Federal Grant Fund for purposes of the Marion County Prosecutor - Alternative Challenge Program and reducing certain other appropriations for the Marion County Auditor in the County General Fund 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 2.02 (b)(22) and (a)(2) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Alternative Challenge Program and reducing the residents in state institutions expense in the Auditor's budget.

SECTION 2. The sum of Two Hundred Ninety-two Thousand Eight Hundred Twenty-two Dollars (\$292,822) 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 and by reducing the appropriation the sum of One Hundred Forty-six Thousand One Hundred Seventy-one Dollars (\$146,171) in Section 4 for the County General Fund.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR
ALTERNATIVE CHALLENGE PROGRAM

STATE AND FEDERAL GRANT FUND

35. Operating Expenses \$292,822
TOTAL INCREASE \$292,822

MARION COUNTY AUDITOR
Unappropriated and Unencumbered
County General Fund
TOTAL INCREASE

COUNTY GENERAL FUND
\$146,171
\$146,171

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

MARION COUNTY PROSECUTOR
ALTERNATIVE CHALLENGE PROGRAM

STATE AND FEDERAL GRANT FUND

Unappropriated and Unencumbered
State and Federal Grant Fund
TOTAL REDUCTION

\$292,822
\$292,822

MARION COUNTY AUDITOR
3. Other Services & Charges
TOTAL REDUCTION

COUNTY GENERAL FUND
\$146,171
\$146,171

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

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 660, 1984. This proposal authorizes changes in the personnel schedule of the Lawrence Township Assessor. Councillor Cottingham stated that this proposal sets a vacancy factor of \$3,734 for the Lawrence Township Assessor, which allows the Deputies a 4% increase for 1985. The County and Townships Committee on February 5, 1985, recommended Proposal No. 660, 1984, Do Pass by a vote of 5-0. Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. Proposal No. 660, 1984, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Howard*

Proposal No. 660, 1984, was retitled FISCAL ORDINANCE NO. 7, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Lawrence Township Assessor.

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

SECTION 1. Section 2.02 (d)(4) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(4) LAWRENCE TOWNSHIP ASSESSOR - Dept. 20

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	31,202	31,202
Chief Deputy	1	23,397	23,397
Deputies	9	22,684	19,319 <u>22,684</u>
Temporary			<u>3,700</u>
<u>Vacancy Factor</u>	—		<u>(3.734)</u>
TOTAL	11		151,650

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

Proposal NO. 1, 1985. This proposal approves certain projects for funding from Community Development Grant Funds. Councillor Borst explained that the Metropolitan Development Committee held another hearing on Proposal No. 1, 1985, on February 6, 1985, and amended the proposal as follows: \$50,000 toward the Neighborhood Commercial Revitalization project, increasing it to \$350,000; \$50,000 toward the Paint-up/Fix-up Program, increasing it to \$300,000; and \$337,000 in the Department of Public Safety, Fire Department, which can be used for various equipment needs. The Committee recommends Proposal No. 1, 1985, to the Council Do Pass As Amended by a vote of 5-1. Councillor Borst moved, seconded by Councillor Howard for adoption. Councillor Cottingham made the following amendment, which was seconded by Councillor Journey:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend SECTION 2. of Proposal No. 1, 1985, by deleting all expenditures for a downtown daycare center by reducing "Division of Economic and Housing Develop-

ment" \$250,000 from \$825,000 to \$575,000 for "Downtown Development" and the Division Subtotal from \$4,765,000 to \$4,515,000 and the total Community Development Program Agency Budget from \$10,723,000 to \$10,473,000.

s/Councillor Cottingham

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

14 AYES: Bradley, Cottingham, Coughenour, Curry, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, SerVaas, Stewart, West

15 NAYS: Borst, Boyd, Campbell, Clark, Crowe, Dowden, Durnil, McGrath, Nickell, Page, Rader, Rhodes, Schneider, Shaw, Strader

Proposal No. 1, 1985, as amended, was adopted on the following roll call vote; viz:

18 AYES: Borst, Boyd, Campbell, Crowe, Curry, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Page, Rader, Rhodes, SerVaas, Shaw, Strader, West

11 NAYS: Bradley, Clark, Cottingham, Coughenour, Dowden, Durnil, Giffin, Holmes, Nickell, Schneider, Stewart

Proposal No. 1, 1985, as amended, was retitled SPECIAL RESOLUTION NO. 10, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 1985

A SPECIAL RESOLUTION approving certain projects for funds from Community Development Grant Funds.

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

SECTION 1. Pursuant to Section 4.02 of the 1985 Annual Budget (Fiscal Ordinance No. 65, 1984) the City-County Council hereby approves the amounts, locations and programmatic operation of each of the projects listed in Section 2 to be funded from the Community Development Grant Fund appropriated in the 1985 Annual Budget.

SECTION 2. The projects are generally approved as contained in the pamphlet "CDBG 1985 Community Development Program", dated December 1, 1984 and summarized as follows:

1985 COMMUNITY DEVELOPMENT PROGRAM AGENCY BUDGET

DEPARTMENT OF ADMINISTRATION

Division of Employment and Training
Health Services Network
Multi-Service Center Network

\$390,000.00
450,000.00

Senior Service Network	142,000.00
Youth Services	118,000.00
SUBTOTAL	\$1,100,000.00
DEPARTMENT OF METROPOLITAN DEVELOPMENT	
Community Development Administration	\$421,000.00
Division of Development Services	
Unsafe Building Program	375,000.00
Division of Economic and Housing Development	
Downtown Development	825,000.00
Federal Property Management	75,000.00
Emergency Home Repair Assistance Program	100,000.00
Housing Assistance	450,000.00
Housing Leveraging	750,000.00
Industrial Park	400,000.00
International Harvester E.D. Loan	265,000.00
Midtown/Northwest Redevelopment Area	700,000.00
Neighborhood Commercial Revitalization	300,000.00
Neighborhood Housing Assistance	350,000.00
Paint-up/Fix-up	350,000.00
Special Projects (38th Street)	200,000.00
SUBTOTAL	\$4,765,000.00
Division of Planning	
Community, Economic, and Public Facilities Planning	\$600,000.00
Indianapolis Historic Preservation Commission	
Historic Preservation Planning	\$150,000.00
DEPARTMENT OF PARKS AND RECREATION	
Neighborhood Park Improvements	\$275,000.00
DEPARTMENT OF PUBLIC SAFETY	
Fire Department	\$337,000.00
DEPARTMENT OF PUBLIC WORKS	
Barrington Heights Drainage Improvement	\$300,000.00
Fall Creek Improvement	250,000.00
SUBTOTAL	\$550,000.00
DEPARTMENT OF TRANSPORTATION	
Agnes Street Improvement Curbs, Sidewalks, and Alley Paving	\$1,300,000.00
HEALTH AND HOSPITAL CORPORATION	
Environmental Control	\$ 12,000.00
Housing and Sanitation Code Enforcement	338,000.00
SUBTOTAL	\$350,000.00
INDIANAPOLIS HOUSING AUTHORITY	
Public Housing Improvements	\$500,000.00
TOTAL	\$10,723,000.00

SECTION 3. This resolution shall be in full force and effect retroactive to January 1, 1985 and upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 23, 1985. This proposal is a final bond ordinance authorizing the issuance of \$6,000,000 Economic Development Refunding Revenue Bonds for Yellow Freight System, Inc. (refunds previously issued Series 1982 Revenue Bonds). Councillor Schneider explained that "the \$6,000,000 refunding bonds will retire Series 1982 bonds and replace the financing of the project with bonds at a lower interest rate." Bond financing contains the following documents: Trust Indenture with Indiana National Bank; Bond Purchase Agreement with Thornton, Farish & Gauntt, Inc; Letter of Credit with Chase Manhattan Bank; Remarketing and Indexing Agency Agreement; Depository Agreement; Refunding Agreement; and Loan Agreement. The Bonds will be dated January 15, 1985, and will mature January 15, 2010. The interest is payable each July 15 and January 15 commencing July 15, 1985. The interest rate will initially be 7%, but there are provisions for adjustments to certain indexes. The Economic Development Committee on January 23, 1985, recommended Proposal No. 23, 1985, Do Pass by a vote of 5-0. Since that time there have been technical changes by the City's attorney and Councillor Schneider made the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to substitute the proposal entitled Proposal No. 23, 1985, As Amended, for the original Proposal No. 23, 1985.

s/Councillor Schneider

Consent was given to this motion. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 23, 1985, as amended, was adopted on the following roll call vote; viz:

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

2 NOT VOTING: Borst, Cottingham

Proposal No. 23, 1985, as amended, was retitled **SPECIAL ORDINANCE NO. 5, 1985**, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1985

A SPECIAL ORDINANCE authorizing the issuance and sale of \$6,000,000 of the City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project) for the purpose of making a loan to provide funds to

Yellow Freight System, Inc. for the permanent financing of costs of an "Economic Development Facility" within the meaning of Title 36, Article 7, Chapter 12 of the Indiana Code as amended, and authorizing the execution and delivery of a Loan Agreement pertaining to the Project, a Trust Indenture securing the payment of the Bonds, a Refunding Agreement relating to such Bonds and the Issuer's Outstanding Bonds, a Bond Purchase Agreement pertaining to the sale of the Bonds and such other documents and instruments as are necessary or desirable in connection with the issuance and sale of such Bonds.

WHEREAS, the City of Indianapolis, Indiana a municipal corporation and political subdivision duly organized and validly existing under the laws of the State of Indiana is authorized and empowered, by virtue of the laws of the State of Indiana, including without limitation, the Act, as hereinafter defined, to (a) issue its revenue bonds for the purpose of defraying the cost of acquiring, constructing, improving and equipping a facility which constitutes an "economic development facility" within the meaning of the Act, (b) enter into a loan agreement and thereby provide for revenues sufficient to pay the principal of an interest and any premium on such revenue bonds, (c) refund the Series 1982 Bonds as hereinafter defined, (d) secure such revenue bonds by a trust indenture, as provided herein, (e) enter into a bond purchase agreement and to provide for the terms and conditions for the sale of such revenue bonds, and (f) pass this ordinance to authorize the execution and delivery of the Purchase Agreement, the Agreement, the Indenture and the Refunding Agreement (all as hereinafter defined) as well as such other documents and instruments as are necessary or desirable to effect the issuance and sale of the Refunding Bonds (as hereinafter defined); now, therefore:

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

SECTION 1. Definitions. In addition to the words and terms defined elsewhere in this Ordinance, including without limitation, the form Refunding Bond attached hereto as Exhibit A, unless the context or use clearly indicates another meaning or intent:

"Act" means Title 36, Article 7, Chapter 12 of the Indiana Code, as amended.

"Administrative and Expense Fund" means the Expense Fund created in Section 5.01 of the Indenture.

"Agreement" means the Loan Agreement, dated as of even date with the Indenture, between the Issuer and the Company, as amended or supplemented from time to time.

"Authorized Official" means the Mayor of the Issuer.

"Bond Fund" means the Bond Fund created in Section 5.04 of the Indenture.

"Bond Legislation" means this ordinance providing for their issuance and approving the Agreement, the Indenture, the Refunding Agreement and related matters as amended or supplemented from time to time.

"Bonds" means the Refunding Bonds.

"Clerk" means the Clerk of the Issuer.

"Code" means the Internal Revenue Code of 1954, as amended. References to the Code and Sections thereof include relevant applicable regulations and proposed regulations thereunder and any successor provisions to those Sections, regulations or proposed regulations.

"Company" means Yellow Freight System, Inc., a corporation duly organized existing and qualified to transact business in the State, and its lawful successors and assigns, to the extent permitted by the Agreement.

"Holder" or "Holder of a Bond" means the person in whose name a Bond is registered on the Bond Register for which provision is made in Section 3.06 of the Indenture.

"Indenture" means the Trust Indenture, dated as of January 15, 1985, between the Issuer and the Trustee, as amended or supplemented from time to time.

"Interest Payment Date" means each date set forth as such in the Indenture and in the form of Refunding Bond attached as Exhibit A to this Bond Legislation and the Indenture.

"Issuer" means the City of Indianapolis, Indiana, a municipal corporation and political subdivision of the State.

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

"Letter of Credit" means the irrevocable Letter of Credit issued by the Letter of Credit Bank contemporaneously with the issuance of the Refunding Bonds, any renewal thereof or any Alternate Letter of Credit as defined in the Agreement.

"Letter of Credit Agreement" means the Letter of Credit Reimbursement Agreement dated as of January 15, 1985, between the Letter of Credit Bank and the Company.

"Letter of Credit Bank" means The Chase Manhattan Bank, N.A., and any successors as Letter of Credit Bank under the Letter of Credit Agreement as from time to time approved by the Trustee in accordance with Section 3.7 of the Agreement.

"Loan" means the loan by the Issuer to the Company of the proceeds received from the sale of the Bonds.

"Loan Payments" means the amounts required to be paid by the Company in repayment of the Loan pursuant to Section 4.1 of the Agreement.

"Notes" means the Refunding Note.

"Original Purchaser" means as to the Refunding Bonds, Thornton, Farish & Gauntt, Inc., Montgomery, Alabama.

"Person" or words importing persons mean firms, associations, partnerships (including without limitation, general and limited partnerships), joint ventures, societies, estates, trusts, corporations, public or governmental bodies, other legal entities and natural persons.

"Project" means, collectively, the real estate at the time comprising the Project Site, and the real and personal property at the time comprising the Project Facilities, each as defined in the Agreement, together comprising a facility to be used for the Project Purposes.

"Project Purposes" means acquiring and constructing real and personal property comprising a motor freight terminal and related purposes, or any other use which may be permitted under the Agreement.

"Purchase Agreement" means the Bond Purchase Agreement, dated the date of passage of this Bond Legislation, among the Issuer, the Company and the Original Purchaser.

"Refunding Account" means the trust fund created as a separate account by Section 5.01 of the Indenture for the deposit of the Refunding Account Payment.

"Refunding Account Payment" means an amount equal to the principal of the Series 1982 Bonds as of the date of delivery of the Refunding Bonds to the Original Purchaser.

"Refunding Agreement" means the Refunding Agreement by and among the Issuer, the Company and the Trustee, pursuant to which the moneys, including the earnings from any investment thereof, in the Refunding Account will be invested and applied.

"Refunding Bonds" means the \$6,000,000 Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project) of the Issuer authorized in Section 3 hereof and Section 2.02 of the Indenture.

"Refunding Note" means the non-negotiable promissory note of the Company, dated as of even date with the Refunding Bonds initially issued, in the form attached to the Agreement as Exhibit A and in the principal amount of \$6,000,000 evidencing the obligation of the Company to make Loan Payments.

"Revenues" means (a) the Loan Payments, (b) all other moneys received or to be received by the Issuer or the Trustee in respect of repayment of the Loan, including without limitation, moneys and investments in the Bond Fund (other than amounts which represent payments made with respect to the purchase of the Bonds

pursuant to Section 4.02 of the Indenture and any other payments to the extent they are made by drawings under the Letter of Credit and any income or proceeds from the investment of any thereof) (c) any moneys and investments in the Administrative and Expense Fund, and (d) all income and profit from the investment of the foregoing moneys.

"Series 1982 Bonds" means the Issuer's Economic Development First Mortgage Revenue Bonds, Series 1982 (Yellow Freight System, Inc. Project), dated March 1, 1982 in the aggregate principal amount of \$6,000,000.

"State" means the State of Indiana.

"Supplemental Indenture" means any indenture supplemental to the Indenture entered into between the Issuer and the Trustee in accordance with Article VIII of the Indenture.

"Thornton" shall mean Thornton, Farish, & Gauntt, Inc., Montgomery, Alabama and its successors and assigns.

"Trustee" means The Indiana National Bank, Indianapolis, Indiana, until a successor Trustee shall have become such pursuant to the applicable provisions of the Indenture, and thereafter "Trustee" shall mean the successor Trustee.

The captions and headings in this Bond Legislation are solely for convenience of reference and do not define, limit or describe the scope or intent of any provisions or Sections of this Bond Legislation.

SECTION 2. Determinations by Legislative Authority. This Legislative Authority determined that (a) the promotion of diversification of economic development and job opportunities in and near the Issuer, and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; (b) it is in the public interest that the Indianapolis Economic Development Commission and the Issuer take such action as they lawfully may to encourage diversification of industry and promotion of job opportunities in and near the Issuer; (c) the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$6,000,000 under the Act for the purpose of lending the proceeds of such financing to the Company for the refunding of the Series 1982 Bonds will serve the public purposes referred to above, will be of benefit to the Issuer and will be in accordance with the Act; (d) the refunding of the Series 1982 Bonds and the provision of permanent financing of such costs will require the issuance, sale and delivery of the Bonds in the aggregate principal amount of \$6,000,000 which shall be payable and secured as provided herein and in the Agreement and the Indenture; and (e) following reasonable notice, and prior to the adoption of this Bond Legislation, a public hearing was held by the Indianapolis Economic Development Commission with respect to the issuance of the Refunding Bonds, as required by Section 103(k) of the Code.

SECTION 3. Authorization of Refunding Bonds. This Legislative Authority determines it to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and in the Indenture and pursuant to the authority of the Act, \$6,000,000 principal amount of Refunding Bonds for the purpose of making a loan to assist the Company in refunding the Series 1982 Bonds, the proceeds of which were used in the financing of costs of the Project for the Project Purposes. The Refunding Bonds shall be designated "Economic Development Refunding Revenue Bonds (Yellow Freight System, Inc. Project)".

SECTION 4. Terms and Provisions of Refunding Bonds.

(a) **Generally.** The Refunding Bonds (i) shall be issued, unless a Supplemental Indenture shall have been executed and delivered pursuant to Section 8.02(h) of the Indenture, only in fully registered form, substantially as set forth in Exhibit A to this Bond Legislation and the Indenture; (ii) shall be exchangeable for Refunding Bonds of authorized denominations, as provided in the Indenture; (iii) shall be numbered in such manner as determined by the Trustee as to distinguish each Refunding Bond from any other Refunding Bond; (iv) prior to the Conversion Date shall be in the denominations of \$150,000 and any integral multiple of \$5,000 in excess of \$150,000 and on or after

the Conversion Date shall be in the denominations of \$5,000 and any integral multiple thereof; (v) shall be subject to optional and mandatory redemption in the amounts, upon the conditions, and at the times and prices set forth in the Indenture; and (vi) shall be dated as of January 15, 1985. Each Refunding Bond shall bear interest, in accordance with the Indenture, from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from its date.

(b) Interest Rate and Principal Maturities. The form of the Refunding Bond attached to this Bond Legislation is incorporated herein by reference and made a part hereof as fully as if set forth in full herein. The Refunding Bonds shall bear interest at the rate or rates set forth in Exhibit A attached to this Bond Legislation and provided for in the Indenture, payable on each Interest Payment Date and shall mature on January 15, 2010.

Principal of and interest and any premium on the Refunding Bonds shall be payable as provided in the Indenture, in each instance, without deduction for the services of any paying agent. In addition, prior to the Conversion Date (as defined in Exhibit A attached hereto), the Letter of Credit Bank has issued the Letter of Credit or replacement letter in favor of the Trustee, for the account of the Company, obligating the Letter of Credit Bank to pay to the Trustee during the periods described therein and upon the terms set forth therein, the amounts described therein for the purposes of making certain payments on or with respect to the Bonds.

(c) Execution. The Refunding Bonds shall be executed in their official capacities by the Mayor and attested by the Clerk of the Legislative Authority (provided that either or both of such signatures may be a facsimiles) and shall bear the seal or a facsimile of the seal of the Issuer; the Refunding Bonds shall be executed and delivered on or about February 25, 1985, and in any event within 120 days after passage of this Bond Legislation.

(d) Medium and Place of Payment. The Bonds are payable in law of the United States of America at, subject to variation by Agreement with any Bondholder, the principal corporate trust office of the Trustee in Indianapolis, Indiana, except that, unless otherwise agreed to as permitted by Section 3.09 of the Indenture, interest on Bonds shall be paid by check or draft mailed to each registered owner thereof at his address as it appears on the registration books of the Issuer.

SECTION 5. Sale of Refunding Bonds. The Refunding Bonds are sold and awarded to the Original Purchaser, in accordance with the Purchase Agreement, at the purchase price stated in paragraph 1 of the Purchase Agreement. The Issuer approves the use and distribution of an official statement, a copy of which has been provided to the Legislative Authority; provided, however, that the Issuer has not confirmed, and makes no representation about and assumes no responsibility for, the accuracy or completeness of any information contained in the Official Statement.

The Authorized Official and the Clerk, as appropriate, are authorized and directed to make the necessary arrangements with the Original Purchaser to establish the date, location, procedure and conditions for the delivery of the Refunding Bonds to the Original Purchaser and to take all steps necessary to effect due execution, authentication and delivery to the Original Purchaser of the Refunding Bonds under the terms of this Bond Legislation, the Indenture and the Purchase Agreement.

It is determined by this Legislative Authority that the price for and the terms of the Refunding Bonds and the sale thereof, all as provided in this Bond Legislation, the Purchase Agreement and the Indenture, are in the best interests of the Issuer and are in compliance with all legal requirements.

SECTION 6. Allocation of Proceeds of Refunding Bonds. The proceeds from the sale of the Refunding Bonds (including without limitation, any accrued interest thereon) shall be allocated, deposited and credited as follows:

- (i) to the Bond Fund created by the Indenture, an accrued interest paid by the Original Purchaser; and
- (ii) to the Refunding Account created by the Indenture, the Refunding Account Payment; and
- (iii) to the Administrative and Expense Fund created by the Indenture, the balance of the proceeds of the Refunding Bonds.

SECTION 7. Security for the Bonds. To the extent provided in, and except as otherwise permitted under the Indenture, the Bonds shall be limited obligations of the Issuer and shall be equally and ratably payable solely from the Revenues and shall be secured by an assignment of the Revenues and by the Indenture and prior to the Conversion Date to the extent provided therein, from moneys drawn on the Letter of Credit. In addition, the Bonds shall be secured by the Notes given by the Company to the Trustee pursuant to the Agreement.

Anything in this Ordinance, the Indenture, the Refunding Purchase Agreement or the Refunding Bonds to the contrary notwithstanding, neither this Ordinance, the Refunding Bonds, the Indenture, the Purchase Agreement nor the Agreement shall constitute an indebtedness or a charge against the general credit of the Issuer, and the Refunding Bonds shall contain on the face thereof a statement to that effect and that the Refunding Bonds are not in any respect general obligations of the Issuer or payable in any manner from taxes; provided, that nothing herein shall be deemed to prohibit the Issuer, on its own volition, from using to the extent lawfully authorized to do so any other resources from the fulfillment of any of the terms, conditions or obligations of the Indenture, this Ordinance or any of the Refunding Bonds but it may not be compelled to do so by any means or in any manner.

SECTION 8. Federal Tax Election. This Legislative Authority elects to have the limitation on capital expenditures specified in Section 103(b)(6)(D) of the Code applied to the Refunding Bonds. The execution and filing by the Authorized Official with the Internal Revenue Service of a statement regarding that election, as provided in the Code and the applicable rules and regulations of the Internal Revenue Service, is authorized, directed and approved.

SECTION 9. Covenants and Agreements of Issuer. In addition to the other covenants and agreements of the Issuer in this Bond Legislation, the Purchase Agreement and the Indenture, the Issuer covenants and agrees that:

(a) Arbitrage Provisions and Issuer Information Return. This Issuer will restrict the use of the proceeds of the Refunding Bonds in the manner and to the extent, if any, which may be necessary so that the Refunding Bonds will not constitute arbitrage bonds under Section 103(c) of the Code, after taking into account reasonable expectations at the time of the delivery of and payment for the Refunding Bonds.

To those ends, the Authorized Official and any other officer having responsibility for issuing the Refunding Bonds is authorized and directed, alone or in conjunction with any other officer, employee or agent of or consultant to the Issuer, or with the Company or any officer, employee or agent of or consultant to the Company, to give:

- (i) an appropriate certificate of the Issuer, for inclusion in the transcript of proceedings for the Project Bonds, setting forth the reasonable expectations of the Issuer regarding the amount and use of the proceeds of the Refunding Bonds and the facts, estimates and circumstances on which those expectations are based, that certificate to be premised on the reasonable expectations and the facts, estimates and circumstances on which those expectations are based, as provided by the Company, all as of the date of delivery of and payment for the Refunding Bonds; and
- (ii) the statement setting forth the information required by Section 103(l) of the Code, which shall be based on the relevant information provided by the Company.

(b) Transcript of Proceedings. The Clerk, or other appropriate officer of the Issuer, shall furnish to the Original Purchaser a true transcript of proceedings, certified by the Clerk or other officer, of (i) all proceedings had with reference to the issuance of the Refunding Bonds and (ii) any other information from the records of the Issuer which may be necessary or appropriate to determine the regularity and validity of the issuance of the Refunding Bonds.

SECTION 10. Indenture, Agreement, Refunding Agreement and Purchase Agreement.

To provide for the issuance and sale of the Refunding Bonds and the consummation of the transactions contemplated therein, the Authorized Official and the Clerk are authorized and directed, for and in the name and on behalf of the Issuer, to execute and attest, respectively, and deliver the Indenture, the Agreement, the Refunding Agreement and the Purchase Agreement in substantially the forms submitted to this Legislative Authority. Those instruments are approved with changes therein not inconsistent with this Bond Legislation and not substantially adverse to the Issuer and which are permitted by the Act and shall be approved by the officers executing the Indenture, the Agreement and the Purchase Agreement without further approval of the Indianapolis Economic Development Commission or this Legislative Authority if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11); provided, that the approval of those changes by those officers, and their character as not being substantially adverse to the Issuer, shall be evidenced conclusively by their execution of those instruments. Two copies of the Trust Indenture, Official Statement, Remarketing and Indexing Agency Agreement, Bond Purchase Agreement, Depository Agreement, Refunding Agreement and form of the Bonds are on file in the office of the Clerk of the Legislative Authority for public inspection.

SECTION 11. Other Documents. The Authorized Official and the Clerk, as may be appropriate or requested by the Original Purchaser, are authorized and directed to execute any certifications, financing statements, assignments and instruments which are necessary or appropriate to perfect the assignments set forth in the Indenture and to consummate the transactions contemplated in this Bond Legislation, the Indenture, the Agreement, the Refunding Agreement and the Purchase Agreement.

SECTION 12. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Legislative Authority concerning and relating to the passage of this Ordinance were taken in an open meeting of this Legislative Authority, and that all deliberations of this Legislative Authority and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Title 5, Article 14, Chapter 1.5 of the Indiana Code.

SECTION 13. Severability. If any paragraph, clause, or provision of this Ordinance, except Section 7 hereof, is judicially adjudged invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining paragraphs, clauses or provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

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

PROPOSAL NO. 30, 1985. This proposal amends the Code concerning the Mayor's authority to appoint a designee to serve on the pension boards. Councillor Coughenour explained that due to conflicting schedules of the Mayor and the Deputy Mayors it has been difficult to get either the Mayor or a Deputy Mayor to attend the pension board hearings. The Administration Committee

amended the proposal to add the language "or other qualified person" and deleted the additional language of subsection (b). The Committee recommended Proposal No. 30, 1985, Do Pass As Amended by a vote of 5-0. Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 30, 1985, as amended, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Cottingham, Durnil, Schneider*

Proposal No. 30, 1985, as amended, was retitled GENERAL ORDINANCE NO. 11, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 1985

A GENERAL ORDINANCE concerning the Mayor's authority to appoint a designee to serve on the pension boards.

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

SECTION 1. Section 2-223 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored to read as follows:

Sec. 2-223. Authority to delegate deputy mayor to serve on boards of trustees of police and fire pension funds.

The mayor is hereby authorized to delegate to a deputy mayor or other qualified person his power to serve as president of the board of trustees of the police pension fund and as a member of the board of trustees of the fire pension fund, in any instance in which the mayor is unable to attend a meeting or is unable to serve for any other reason.

SECTION 2. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 33, 1985. This proposal changes the personnel compensation schedule of Superior Court - Civil Division - Room 1. Councillor Dowden stated that Proposal No. 33, increases the position of the Court's Legal Research Assistant. This person supervises the bailiffs and it will bring this position more in

line with similar positions in other courts. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 33, 1985, Do Pass by a vote of 9-0. Councillor Dowden moved, seconded by Councillor Hawkins for adoption. Proposal No. 33, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Cottingham*

Proposal No. 33, 1985, was retitled FISCAL ORDINANCE NO. 8, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 8, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court, Civil Division - Room 1.

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

SECTION 1. Section 2.02 (b)(14) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(14) SUPERIOR COURT - CIVIL DIVISION - ROOM ONE - Dept. 66

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Court Reporter	1	20,032	20,032
Bailiffs	2	15,225	30,450 <u>29,115</u>
Legal Research Assistant	1	15,135 <u>16,693</u>	15,135 <u>16,693</u>
Court Commissioner	1	13,923	13,923
Temporary			<u>-0-</u>
TOTAL	6		96,916

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

PROPOSAL NO. 35, 1985. This proposal changes the personnel compensation schedule of Superior Court - Juvenile Division. Councillor Dowden stated that this proposal will increase the salaries of two full-time referees of the Juvenile

Court from \$31,648 to \$36,193 to comply with a recently changed state law. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 35, 1985, Do Pass by a vote of 9-0. Councillor Dowden moved, seconded by Councillor Giffin for adoption. Proposal No. 35, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Cottingham*

Proposal No. 35, 1985, was retitled FISCAL ORDINANCE NO. 9, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 9, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) authorizing changes in the personnel compensation schedule (Section 2.02) of the Marion County Superior Court - Juvenile Division.

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

SECTION 1. Section 2.02 (b)(4) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	17,153	17,153
Administrators	3	36,698	87,231
Managers	14	25,643	295,580
Secretaries	4	13,734	49,730
Computer Operators	4	15,000	52,087
Clerk-Typists	15	12,668	109,923
Referees	4	21,648 36,193	86,948 106,038
Court Reporters	6	21,708	125,181
Bailiffs	7	16,024	92,245
Probation	61	23,504	909,337
Professional Staff	5	29,226	104,932
Maintenance Staff	8	13,009	69,798
Jury Per Diem			8,160
Temporary Help			12,852
Vacancy Factor		(1170,251)	<u>(179,341)</u>
TOTAL	132		1,860,906

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

PROPOSAL NO. 39, 1985. This proposal increases the fee of the Municipal Court Alcohol and Drug Services Program. Councillor Dowden stated that Proposal No. 39, 1985, actually changes the allocation of costs within the total by increasing the Alcohol and Drug Services court cost from \$3.00 to \$5.00. This will allow the Municipal Court to keep \$2.00 more dollars, which was going to the State, for this program. The Public Safety and Criminal Justice Committee on January 30, 1985, recommended Proposal No. 39, 1985, Do Pass by a vote of 8-0. Councillor Dowden moved, seconded by Councillor Howard for adoption. Proposal No. 39, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Cottingham*

Proposal No. 39, 1985, was retitled GENERAL RESOLUTION NO. 3, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 1985

A GENERAL RESOLUTION authorizing the continued operation of the Municipal Court Alcohol and Drug Services Program.

WHEREAS, the Municipal Court of Marion County has long recognized that the consequences of alcohol and drug abuse are interrelated with antisocial behavior and that early intervention in the form of treatment is likely to decrease an abuser's tendency to engage in antisocial behavior; and

WHEREAS, the State of Indiana by I.C. 16-13-6.1-30 authorizes a court having misdemeanor jurisdiction to establish an alcohol and drug services program if approved by the legislative and appropriating body from which the court derives its funds; and

WHEREAS, the Municipal Court of Marion County has established and is operating such a program; and

WHEREAS, the State of Indiana by I.C. 16-13-6.1-31 authorizes a court which establishes an alcohol and drug services program to set an additional fee of not less than One Dollar (\$1) or more than Five Dollars (\$5) which shall be added as a part of the costs in all cases involving violations of state law or city ordinances filed in the county; and

WHEREAS, the Municipal Court of Marion County petitions this Council for approval to operate an Alcohol and Drug Services Program and to set a fee of Five Dollars (\$5) which shall be added as a part of the costs in all cases involving violations of state law or city ordinances filed in Marion County and will be used to pay the costs of the Alcohol and Drug Services Program; now, therefore:

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

SECTION 1. The Municipal Court of Marion County is hereby authorized to operate an Alcohol and Drug Services Program in accordance with I.C. 16-13-6.1 and to set a fee of Five Dollars (\$5) which shall be added as a part of the costs in all cases involving violations of state law or city ordinances filed in Marion County.

SECTION 2. The Presiding Judge of the Municipal Court of Marion County shall be responsible for implementing this Program.

SECTION 3. The Clerk of the Circuit Court of Marion County shall assess the fee of Five Dollars (\$5) and deposit it in the Alcohol and Drug Services Program Fund.

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

PROPOSAL NO. 41, 1985. This proposal establishes a loading zone on a portion of Market Street. Councillor Gilmer stated that Proposal No. 41, is fulfilling a commitment that was made to the symphony people to encourage them to relocate at the Circle Theatre. The Transportation Committee did make some technical changes to the proposal on February 6, 1985, and recommended it Do Pass As Amended 5-0-1. Councillor Gilmer moved, seconded by Councillor Howard for adoption. Proposal No. 41, 1985, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 41, 1985, as amended, was retitled GENERAL ORDINANCE NO. 12, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 1985

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

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

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

Monument Circle (southeast quadrant), from a point 100 feet south of Market Street to a point 161 feet south of Market Street.

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

PROPOSAL NO. 31, 1985. This proposal transfers \$122,491 for the Marion County Healthcare Center to change the pharmacy and occupational therapy functions from personal services to a contractual agreement. Councillor Cottingham explained that the Healthcare Center has decided that a contract with an independent pharmacist who hires the people to work at the pharmacy will be more suitable than an in-house pharmacy. The County and Townships Committee on February 5, 1985, recommended Proposal No. 31, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Giffin for adoption. Proposal No. 31, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

5 NOT VOTING: *Borst, Clark, Dowden, Durnil, Howard*

Proposal No. 31, 1985, was retitled **FISCAL ORDINANCE NO. 10, 1985**, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 1985

A **FISCAL ORDINANCE** amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Twenty-two Thousand Four Hundred Ninety-one Dollars (\$122,491) in the County General Fund for purposes of the Marion County Healthcare Center 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 2.02 (c)(3) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a transfer of the pharmacy and occupational therapy functions from personal services to a contractual agreement.

SECTION 2. The sum of One Hundred Twenty-two Thousand Four Hundred Ninety-one Dollars (\$122,491) 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 HEALTHCARE CENTER	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$122,491</u>
TOTAL INCREASE	<u>\$122,491</u>

SECTION 4. The said increased appropriation is funded by the following reductions:
 MARION COUNTY HEALTHCARE CENTER COUNTY GENERAL FUND

1. Personal Services	<u>\$122,491</u>
TOTAL REDUCTION	<u>\$122,491</u>

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

(3) MARION COUNTY HEALTHCARE CENTER - Dept. 21

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Administrator	1	39,399	39,399
Director of Nursing	1	32,014	32,014
Exec. Housekeeper/Laundry Manager	1	28,076	28,076
Registered Pharmacist	1 <u>0</u>	27,795 <u>0</u>	72,494 <u>1,236</u>
Business Manager	1	26,000	26,000
Coord. of Staff Develop.	1	24,641	24,641
Registered Dietician	1	24,641	24,641
Human Service Workers	2	24,440	45,385
Physical Plant Technicians	13	24,278	209,512
Chaplain	1	23,049	23,049
Registered Occup. Therapist	1 <u>0</u>	22,252 <u>0</u>	22,252 <u>1,055</u>
Directors of Food Service	2	19,906	38,820
Clinical Nurses	44	19,906	703,918
Office Technicians	22 <u>22</u>	17,617	229,977 <u>267,911</u>
Ancillary Technicians	4	15,318	47,925
Ancillary Assistants	6	14,937	83,245
Grooming Assistants	2	14,560	17,399
Supervisors	6	13,632	74,176
Activity Workers	7	12,747	70,912
Housekeeping/Laundry Asst.	34	10,968	317,798
Intern	1	10,640	10,640
Cooks	5	10,190	50,296
Nursing Assistants	78	9,309	726,102
Dietary Assistants	25	9,309	225,291
Dentist	1	5,134	5,134
Podiatrist	1	4,482	4,482
Board Per Diem			2,100
Vacancy Factor	—		<u>(402,094)</u>
TOTAL	<u>1260</u>	<u>2,699,063</u>	<u>2,699,063</u>

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

SPECIAL SERVICE DISTRICT COUNCILS

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

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Cottingham announced the newly elected board members for the Marion County Healthcare Center. They are Everett Newlon, Evelyn Sayers, Arthur Turner and Larry Ryan.

Councillor Strader brought to the Council's attention that it is against the law to drive over or park on the curbs and sidewalks. He does not seem to be able to get the police to enforce unless they see the violation occur. President SerVaas asked the Public Safety and Criminal Justice Committee to investigate this problem.

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:54 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of February, 1985.

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


PRESIDENT

ATTEST


CLERK OF THE CITY-COUNTY COUNCIL

(SEAL)