

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

REGULAR MEETINGS - MONDAY, SEPTEMBER 9, 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 7:10 p.m., on Monday, September 9, 1985, with Councillor SerVaas presiding.

The meeting was opened with a prayer and the Pledge of Allegiance to the Flag by Councillor Stephen R. West.

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 Stewart introduced the parents and friends and team members of the Warren Township Little League All Stars.

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 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, September 9, 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

August 27, 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 August 29, 1985, and September 6, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 509 and 510, 1985, and on August 29, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 498, and 507, 1985, to be held on Monday, September 9, 1985, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

September 9, 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:

SPECIAL ORDINANCE NO. 39, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (129 Market Associates, Ltd. Project)" in the aggregate principal amount of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 40, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985

(Lockerbie Partners Ltd. Project)" in the aggregate principal amount of Seven Hundred Sixty-five Thousand Dollars (\$765,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 41, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Massachusetts Avenue Historical Partners Project)" in the aggregate principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 42, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Young & Young Liberty Building Partnership Project)" in the aggregate principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 43, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Web Realty of Indianapolis, Ltd. Project)" in the principal amount of One Million Three Hundred Thirty-five Thousand Dollars (\$1,335,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 44, 1985, a special ordinance authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Indianapolis Historical Partners, L.P. Project)" in the aggregate principal amount of Thirteen Million One Hundred Thousand Dollars (\$13,100,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 45, 1985, a special ordinance amending certain approvals granted in and superceding previously adopted Special Ordinance No. 26, 1985 and authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Horace Mann, an Indiana Limited Partnership Project)" in the aggregate principal amount of Eight Hundred Seventy-five Thousand Dollars (\$875,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 46, 1985, 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.

SPECIAL ORDINANCE NO. 47, 1985, 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.

SPECIAL ORDINANCE NO. 48, 1985, 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.

SPECIAL RESOLUTION NO. 115, 1985, a special resolution honoring the Home Owner's Maintenance Enterprise Program.

SPECIAL RESOLUTION NO. 116, 1985, a special resolution amending City-County Special Resolution No. 6, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 117, 1985, a special resolution amending City-County Special Resolution No. 7, 1985 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 118, 1985, a special resolution amending City-County Special Resolution No. 61, 1984 and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 119, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 120, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 121, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 122, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 123, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 124, 1985, a special resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III

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

PROPOSAL NO. 470, 1985. This proposal supports Mayor Hundut's resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are the basis of Indianapolis' Affirmative Action Program in the Police and Fire Departments. Councillor McGrath reported that the Rules and Policy Committee heard Proposal No. 470, 1985, on September 3, 1985, and recommended it Do

Pass As Amended by a vote of 6-0. Councillor McGrath noted that the amendments were technical in nature and did not change the intent of the resolution. Councillor Boyd, co-sponsor, stated that several people testified at the committee meeting, and it did receive unanimous support. Councillor McGrath moved, seconded by Councillor Boyd for adoption. Proposal No. 470, 1985, as amended, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 20, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 20, 1985

A COUNCIL RESOLUTION in support of Mayor Hudnut's resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are the basis of Indianapolis' Affirmative Action Program in the Police and Fire Departments.

WHEREAS, the Justice Department has filed a motion in Federal Court seeking to eliminate the Affirmative Action hiring goals in the Indianapolis Police and Fire Departments; and

WHEREAS, the Justice Department is thus completely reversing the position it took in 1977, when it filed suit in Federal Court to require the City to institute such hiring goals in the Police and Fire Departments; and

WHEREAS, the Justice Department is now attempting to seek sanctions against the City for the City's compliance with requirements made by the Justice Department as part of the 1977 consent decree between the Justice Department and the City; and

WHEREAS, Mayor William H. Hudnut III has publicly stated that maintaining the hiring goals within the City's Equal Opportunity Program is legally correct; now, therefore:

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

SECTION 1. The City-County Council of Indianapolis - Marion County, Indiana, stands in support of Mayor William H. Hudnut III's position with the U.S. Justice Department and his resistance to efforts by the U.S. Justice Department to change the Consent Decrees that are the basis of Indianapolis' Equal Opportunity Programs.

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

PROPOSAL NO. 586, 1985. This proposal urges the Congress to provide relief from the application of the Fair Labor Standards Act to state and local government employment practices. President SerVaas stated that Proposal No. 586, was initiated by the Administration and expresses the dilemma that this particular

ruling has placed on the City of Indianapolis. Councillor Curry pointed out that in the last "Whereas" clause the words "per annum" should be added after (\$1,000,000). Consent was given to the amendment. Councillor Miller moved, seconded by Councillor Clark, for adoption. Proposal No. 586, 1985, as amended, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 126, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 126, 1985

A SPECIAL RESOLUTION urging the Congress to provide relief from the application of the Fair Labor Standards Act to state and local government employment practices.

WHEREAS, on February 19, 1985, the United States Supreme Court announced its decision in *Garcia v. San Antonio Mass Transit Authority*, holding that the Tenth Amendment to the United States Constitution did not bar the application of the provisions of the Fair Labor Standards Act (FLSA) to state and local government employment practices; and

WHEREAS, the United States Department of Labor has announced that it will begin to investigate compliance with the FLSA by state and local governments on October 15, 1985, and will seek sanctions against state and local governments which were not in compliance as of April 15, 1985; and

WHEREAS, City and County officials have been attempting to develop compliance policies which will minimize the economic impact of compliance on Indianapolis and Marion County; and

WHEREAS, compliance with the FLSA will have an adverse affect on the flexibility of state and local government operations, and will unnecessarily burden state and local officials with additional record keeping and paper work requirements; and

WHEREAS, compliance with the FLSA will not increase the effectiveness of state and local governments, nor will it increase the level of services provided by state and local governments; and

WHEREAS, state and local officials are in the best position to determine how best to provide state and local services and compliance with the FLSA denies to state and local government officials the autonomy to make those decisions; and

WHEREAS, the estimated economic impact of FLSA compliance for Indianapolis and Marion County will approach upwards of one million dollars (\$1,000,000) per annum; 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 urges the United States Congress to reverse the effect of the February 19, 1985 decision in *Garcia v. San Antonio Mass Transit Authority*, and exempt state and local governments from the provisions of the Fair Labor Standards Act.

SECTION 2. In the alternative, the City-County Council urges the United States Congress to provide relief from the provisions of the FLSA, including, but not limited to, the following measures:

- a. allow state and local governments to utilize compensatory time in lieu of mandatory overtime provisions required by FLSA;
- b. allow state and local governments to maximize the use of volunteers in the provision of local government services;
- c. eliminate the retroactive application of the FLSA to state and local governments.

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

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

PROPOSAL NO. 588, 1985. This proposal honors the 1985 Warren National Little League All Stars. Councillor Stewart read the resolution and introduced the team members, coach and manager. Co-sponsors, Councillors Clark, Durnil, Nickell and Gilmer helped present signed resolutions to the team. Councillor Stewart moved, seconded by Councillor Clark for adoption. Proposal No. 588, 1985, was adopted by unanimous voice vote, retitled **SPECIAL RESOLUTION NO. 125, 1985**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 125, 1985

A SPECIAL RESOLUTION honoring the 1985 Warren National Little League All Stars.

WHEREAS, the 1985 Warren National Little League All Stars were selected from the four Warren National Major League Division Teams of the Warren Little League; and

WHEREAS, the All Stars have won the Division Seven (7) Championship at Southport, the Section Championship at Danville and the State Championship at South Bend; and

WHEREAS, the 1985 Warren National Little League All Stars advanced to the Central Region Little League Baseball Tournament in Milwaukee where they finished eleventh in the nation; now, therefore:

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

SECTION 1. The Indianapolis - Marion County City-County Council honors Warren National Little League team members Damon Archer, Mike Bonavita, Kevin Eckert, John Dill, Chris Hovey, Mike Foley, Bill Coryell, Jason Evans, Matt Clapesattle, Joe Hufford, Kevin Heinrich, Jamie Asher, Marcus Brewer, Justin Carlstrom, Coach Dan Collins and Manager Bob Asher.

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

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 554, 1985. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of \$7,200,000 Economic Development Revenue Bonds for Harness Factory Lofts Associates, L.P."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 566, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Roberta Allen to the Equal Opportunity Advisory Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 567, 1985. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION extending certain services to the Indianapolis Housing Authority"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 568, 1985. Introduced by Councillors Miller, McGrath, Borst and Coughenour. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Harold E. Smith to the Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 569, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE clarifying that judges are included in the indemnification ordinance"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 570, 1985. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing

Howard Howe to the Transportation Board"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 571, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$411,000 for the Department of Transportation to purchase various supplies, street lighting expenses, equipment leases and updating of the snow removal plan"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 572, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$788,973 for the Department of Transportation for street lighting expenses, a street light cost reduction study and several capital projects"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 573, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls on portions of Morris Street and designating a portion of Old West Street as northbound"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 574, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Shadeland Avenue and 77th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 575, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limit controls on a portion of Franklin Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 576, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing weight limit controls on portions of Chase Street and Coffey Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 577, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing

intersection controls at Dearborn and North Streets”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 578, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing intersection, speed limit and parking controls on portions of Polco Street”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 579, 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. 580, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing speed limit controls on portions of Emerson and Arlington Avenues”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 581, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing speed limit controls on portions of Stadium Drive and Riverside Drive”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 582, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing intersection controls in Wright Boulders and Hunters Run Subdivisions”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 583, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE changing parking controls on a portion of Sherman Drive”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 584, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Massachusetts Avenue”; and the President referred it to the Transportation Committee.

PROPOSAL NO. 585, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on a portion of Massachusetts Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 587, 1985. Introduced by Councillors Strader and Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requesting that a program be prepared whereby the youth have the opportunity to display their automobiles in a safe and organized manner"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 597, 1985. Introduced by Councillor Howard. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Salem Street and West 35th and 36th Street"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 551, 1985. This is a proposal for a final bond ordinance authorizing the issuance of a \$700,000 Economic Development Revenue Bond for Clarit Realty Ltd. Councillor Schneider reviewed the project as the acquisition, construction, installation and equipping of an approximately 32,000 square foot warehouse and office building for use as an automotive aftermarket wholesale parts warehouse and distribution point. The Project will be operated by Middle Atlantic Warehouse Distributor, Inc. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease and Lessee's Consent and Agreement to Lease Assignment. The bondholder will be Manufacturers and Traders Trust Company of Buffalo, New York. The interest rate will be 70% of the bondholders prime rate. The interest is payable quarterly commencing December 1, 1985. Principal payments of \$6,250 commence December 1, 1985 and are payable quarterly. The Economic Development Committee on September 4, 1985, recommended Proposal No. 551, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 551, 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, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

NO NAYS

1 NOT VOTING: Strader

Proposal No. 551, 1985, was retitled SPECIAL ORDINANCE NO. 49, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 49, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project)" in the principal amount of Seven Hundred Thousand Dollars (\$700,000) 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 permanent financing of economic development facilities for Clarit Realty, Ltd. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 4, 1985, 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 Clarit Realty, Ltd. (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 32,000 square foot warehouse and office building for use as an automotive aftermarket wholesale parts warehouse and distribution point and the machinery and equipment to be installed therein plus certain site improvements to be located at 8980 East 33rd Street, Indianapolis, Indiana, on an approximate 4.5 acre tract of land (the "Project") which will be initially owned by Clarit Realty, Ltd. and operated by Middle Atlantic Warehouse Distributors, Inc. pursuant to a lease 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, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. 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 an approximately 32,000 square foot warehouse and office building for use as an automotive aftermarket wholesale parts warehouse and distribution point and the machinery and equipment to be installed therein plus certain site improvements to be located at 8980 East 33rd Street, Indianapolis, Indiana, on an approximately 4.5 acre tract of land which will be leased to Middle Atlantic Warehouse Distributors, Inc. for the aforesaid uses previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to Clarit Realty, Ltd. 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 Clarit Realty, Ltd. 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 IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. 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, First Mortgage Note Series 1985, Trust Indenture, Conditional Assignment of Leases and Rentals, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project) in the principal amount of Seven Hundred Thousand Dollars (\$700,000) for the purpose of procuring funds to loan to Clarit Realty, Ltd. 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 Clarit Realty, Ltd. on its First Mortgage Note Series 1985 in the principal amount of Seven Hundred Thousand Dollars (\$700,000), which will be executed and delivered by Clarit Realty, Ltd. to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Loan Agreement, Mortgage, and Security Agreement, Guaranty Agreement and Conditional Assignment of Leases and Rentals. 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 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 as set forth in the Trust Indenture and the Bond, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. Project), and the Endorsement to the First Mortgage Note Series 1985

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 Trust Indenture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First Mortgage Note Series 1985 and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in the First Mortgage Note Series 1985, Guaranty Agreement, Lease, Lessee's Consent and Agreement to Lease Assignment and Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1985 (Clarit Realty, Ltd. 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. 552, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$7,300,000 Economic Development Revenue Bonds for SMC Pneumatics, Inc. The project is the acquisition, renovation and equipping of an existing building containing approximately 120,000 square feet, located at 3011 Franklin Road on approximately 13.125 acres of land. (Previously the General Foods Plant, which has been vacant since May 1, 1985.) The project will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves. The bond financing contains the following documents: Loan Agreement, Indenture of Trust and the Mortgage and Security Agreement. The interest rate will be floating rate set by Bankers Trust Company, New York. The bonds have a maturity date of September 1, 2009. The Economic Development Committee on September 4, 1985, recommended Proposal No. 552, 1985, Do Pass by a vote of 3-2. Councillor Schneider moved, seconded by Councillor Gilmer for adoption.

Councillor Clark explained that he was one of the votes against this particular issue. When the first committee meeting was held on this project the Company

stated that there was no competition within Marion County. Councillor Clark instructed the staff to conduct a survey that revealed there were 17 companies that would be in competition with SMC Pneumatics, Inc. SMC Pneumatics, Inc. is an Indiana corporation, but their stockholders are Japanese. Councillor Clark stated that he could not support this project when it creates a hardship on locally-owned businesses when they have to compete with foreign business.

After considerable discussion Proposal No. 552, 1985, was adopted on the following roll call vote; viz:

19 AYES: *Borst, Boyd, Bradley, Campbell, Cottingham, Coughenour, Crowe, Gilmer, Hawkins, Howard, Journey, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

10 NAYS: *Clark, Curry, Dowden, Durnil, Giffin, Holmes, McGrath, Nickell, Page, Stewart*

Proposal No. 552, 1985, was retitled SPECIAL ORDINANCE NO. 50, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 50, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985" in the aggregate principal amount of Seven Million Three Hundred Thousand Dollars (\$7,300,000) 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 permanent financing of economic development facilities for SMC Pneumatics, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 4, 1985, 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 SMC Pneumatics, Inc. (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing facility containing approximately 120,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 3001 North Franklin Road, Indianapolis, Marion County, Indiana on approximately 13.125 acres of land which will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves (the "Project") which will be initially owned and operated by SMC Pneumatics, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement consisting of the acquisition, renovation, installation and equipping of an existing facility containing approximately 120,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 3011 North Franklin Road, Indianapolis, Marion County, Indiana, on approximately 13.125 acres of land which will be used by the Company to distribute and manufacture pneumatically operated "air cylinders" and directional control valves previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to SMC Pneumatics, Inc. for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by SMC Pneumatics, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and the forms of the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 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, Indenture of Trust, Mortgage and Security Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 in the aggregate principal amount of Seven Million Three Hundred Thousand Dollars (\$7,300,000) for the purpose of procuring funds to loan to SMC Pneumatics, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by SMC Pneumatics, Inc. and as otherwise provided in the above described Loan Agreement, Indenture of Trust, Mortgage and Security Agreement and a Letter of Credit. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser 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 as set forth in the Indenture of Trust and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Indenture of Trust, the City of Indianapolis, Indiana Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Indenture of Trust. The Mayor and City Clerk may by their execution of the Indenture of Trust, Loan Agreement and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Mortgage and Security Agreement without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds (SMC Pneumatics, Inc. Project) Series 1985 and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 553, 1985. This is a proposal for a final bond ordinance authorizing the issuance of \$600,000 Economic Development Revenue Bonds for 247 Partners Ltd. The project is in the acquisition and restoration of a 15,000 square foot vacant building located at 247 South Meridian Street to be used as general office space. The bond financing contains the following documents: Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture and the Conditional Assignment of Leases and Rentals. The interest rate will be 75% of the prime rate of Midwest National Bank. The final maturity is October 1, 1995. The Economic Development Committee on September 4, 1985, recommended Proposal No. 553, 1985, Do Pass by a vote of 5-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 553, 1985, was adopted on the following roll call vote; viz:

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

West

NO NAYS

2 NOT VOTING: Clark, Dowden

Proposal No. 553, 1985, was retitled SPECIAL ORDINANCE NO. 51, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 51, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project)" in the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000) 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 permanent financing of economic development facilities for 247 Partners, Ltd., an Indiana limited partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 4, 1985, 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 247 Partners Ltd., an Indiana limited partnership (the "Company") consisting of the acquisition, renovation, installation and equipping of the existing building containing approximately 15,000 leasable square feet and the machinery and equipment to be installed therein plus certain site improvements located at 247 South Meridian Street, Indianapolis, Indiana on approximately 0.25 acres of land will be leased for use as commercial office and other commercial uses (the "Project") which will be initially owned and operated by 247 Partners, Ltd., 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 approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of the existing building containing approximately 15,000 leasable square feet and the machinery and equipment to be installed therein plus certain site improvements located at 247 South Meridian Street, Indianapolis, Indiana on approximately 0.25 acres of land which will be leased for use as commercial office and other commercial uses previously approved

by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to 247 Partners Ltd., an Indiana limited partnership for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped or to be acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by 247 Partners Ltd., 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 IC 36-7-12.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Notes Series 1985 A and B, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. 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, First Mortgage Notes Series 1985 A and B, Trust Indenture, Conditional Assignment of Leases and Rentals and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) in the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000) for the purpose of procuring funds to loan to 247 Partners Ltd., an Indiana limited partnership in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by 247 Partners Ltd., an Indiana limited partnership on its First Mortgage Notes Series 1985 A and B in the aggregate principal amount of Six Hundred Thousand Dollars (\$600,000), which will be executed and delivered by 247 Partners Ltd., an Indiana limited partnership to evidence and secure said loan, and as otherwise provided in the above described Trust Indenture, Loan Agreement, Mortgage, and Security Agreement and Conditional Assignment of Leases and Rentals. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds, provided, however, that the interest rate shall in no event exceed 30% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project), and the Endorsement to the First Mortgage Notes Series 1985 A and B approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Inden-

ture. The Mayor and City Clerk may by their execution of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, the Endorsement to First Mortgage Notes Series 1985 A and B and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Notes Series 1985 A and B, Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 A and B (247 Partners Ltd. Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 555, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in a previously adopted special resolution for The Standard Register Company. Councillor Schneider stated that Proposal No. 555, changes the expiration date of Special Resolution No. 12, 1985, from September 30, 1985, to April 30, 1986. The Economic Development Committee on September 4, 1985, recommended Proposal No. 555, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Nickell for adoption. Proposal No. 555, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Bradley, Cottingham, Coughenour

Proposal No. 555, 1985, was retitled SPECIAL RESOLUTION NO. 127, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 127, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 12, 1985 and 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, City-County Special Resolution No. 12, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by The Standard Register Company (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; 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 City-County Special Resolution No. 12, 1985 is hereby amended by deleting the expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 12, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 556, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in a previously adopted special resolution for CHEMCENTRAL Corporation. Proposal No. 556, 1985, changes the expiration date of September 30, 1985, in Special Resolution No. 13, 1985, until April 30, 1986. The Economic Development Committee on September 4, 1985, recommended Proposal No. 556, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 556, 1985, was adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Campbell, Clark, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, Miller,

Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West
NO NAYS

3 NOT VOTING: *Cottingham, McGrath, Strader*

Proposal No. 556, 1985, was retitled SPECIAL RESOLUTION NO. 128, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 128, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 13, 1985 and 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, City-County Special Resolution No. 13, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by CHEMCENTRAL Corporation (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; 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 City-County Special Resolution No. 13, 1985 is hereby amended by deleting the expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 13, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 557, 1985. This is a proposal for an inducement resolution

granting the extension of the expiration date contained in a previously adopted special resolution for Oakleaf/Indianapolis, Ltd. Proposal No. 557, 1985, changes the expiration date of September 30, 1985, in Special Resolution No. 16, 1985, until April 30, 1986. The Economic Development Committee on September 4, 1985, recommended Proposal No. 557, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 557, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Clark, Dowden, Howard, Schneider*

Proposal No. 557, 1985, was retitled SPECIAL RESOLUTION NO. 129, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 129, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 16, 1985 and 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, City-County Special Resolution No. 16, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Oakleaf/Indianapolis, Ltd. (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; 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 City-County Special Resolution No. 16, 1985 is hereby amended by deleting the

expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 16, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 558, 1985. This is a proposal for an inducement resolution granting the extension of the expiration date contained in a previously adopted special resolution for BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof. Proposal No. 558, 1985, changes the expiration date of September 30, 1985, in Special Resolution No. 17, 1985, until April 30, 1986. Dr. Beurt SerVaas who is a member of and the President of the City-County Council had submitted claim to the Bankruptcy Court concerning BetaMed Pharmaceuticals, Inc. Dr. SerVaas did not participate in any proceedings of the City-County Council concerning this proposal, and he abstained from all votes of the Council concerning this matter in compliance with I.C. 36-7-12-16. The Economic Development Committee on September 4, 1985, recommended Proposal No. 558, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 558, 1985, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Cottingham, Gilmer, SerVaas*

Proposal No. 558, 1985, was retitled SPECIAL RESOLUTION NO. 130, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 130, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 17, 1985 and 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, City-County Special Resolution No. 17, 1985 has been previously adopted by the City-County Council of the City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by BetaMed Pharmaceuticals, Inc. and/or an affiliate thereof (the "Company") which Special Resolution set an expiration date of September 30, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the foresaid expiration date; 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 City-County Special Resolution No. 17, 1985 is hereby amended by deleting the expiration date of September 30, 1985 contained herein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of City-County Special Resolution No. 17, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

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

PROPOSAL NO. 559, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Rand McNally and Company and/or Rand McNally Book Manufacturing Company in an approximate amount of \$8,500,000. Councillor Schneider described the project as the acquisition and renovation of an existing facility containing approximately 373,000 square feet and located at 3131 North Franklin Road on approximately 28.62 acres of land. Bond proceeds would be used to acquire printing and binding equipment. The building and land will be acquired by the Company with other funds. The Project will be used for production of map products, publications, books printed for other publishers, tickets, timetables and related materials. Estimated costs for the \$8.5 million project are as follows: \$8,000,000 equipment and \$500,000 other. The estimated

number of additional employment positions at the end of one year total 25 with \$500,000 in additional payroll to the community. The three-year job estimate is 40 positions with \$1,050,000 in additional payroll. The Company currently has 365 employees with an approximate yearly payroll of \$7.15 million. The Economic Development Committee on September 4, 1985, recommended Proposal No. 559, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Clark for adoption. Proposal No. 559, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Hawkins, Holmes*

Proposal No. 559, 1985, was retitled SPECIAL RESOLUTION NO. 131, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 131, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Rand McNally and Company and/or Rand McNally Book Manufacturing Company (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, rehabilitation, construction, installation, equipping and improvement of an existing facility containing approximately 373,000 square feet located at 3131 North Franklin Road, Indianapolis, Indiana on approximately 28.62 acres of land which will be used by the Applicant for printing and publishing books, greeting cards and miscellaneous publishing; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry, the saving of approximately 365 existing jobs and increase in job opportunities (an additional number of jobs of approximately 25 at the end of one year and 40 at the end of three years) to be achieved by the acquisition, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer 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 Issuer and its citizens; and

WHEREAS, the acquisition, rehabilitation, construction, installation, equipping and improvement 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$8,500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (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 Issuer 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 April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 560, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Indy Walls and Ceilings, Incorporated in an approximate amount of \$400,000. Councillor Schneider stated that the project would be the construction and equipping of a 16,000 square foot building to be located at 1800 North Sherman Drive on approximately 1.2 acres of land. The project will be used in the Company's business of drywall and plastering. Estimated costs for the \$475,000 project are as follows: \$75,000 land and \$400,000 building. Construction is projected to begin November, 1985 with occupancy on March 1, 1986. The estimated number of additional employment positions at the end of one year total 4 permanent full time jobs and the three-year job estimate is 9 permanent full time positions. Moreover, additional jobs will be created on an as needed basis to meet staffing requirements on specific contracts. Estimated additional payroll from all of these new jobs is anticipated at \$350,000 at the end of one year and \$1,050,000 at the end of three years. The Company currently employs 75 persons with an annual payroll of approximately \$1,750,000. The Economic Development Committee on September 4, 1985, recommended

Proposal No. 560, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Journey for adoption. Proposal No. 560, 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, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West*

NO NAYS

1 NOT VOTING: *Schneider*

Proposal No. 560, 1985, was retitled SPECIAL RESOLUTION NO. 132, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 132, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Indy Walls and Ceilings, Incorporated, or William R. Pruitt and William L. McAuley, or a corporation or partnership to be formed in which William R. Pruitt or William L. McAuley or both would be a partner or stockholder (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 16,000 square feet to be located at approximately 1800 North Sherman Drive, Indianapolis, Indiana on approximately 1.2 acres of land which will be used by Indy Walls and Ceilings, Incorporated for the operation of its construction, plastering, drywall, acoustical and insulation business (and with a portion of the facility to be initially leased to others for warehouse space); the acquisition, construction, installation and equipping of various site improvements at the facility and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 4 at the end of one year and 9 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 Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$400,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (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 Issuer 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 April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 561, 1985. This is a proposal for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Richard E. Robison and David L. Roll in an approximate amount of \$500,000. Councillor Schneider described the project as the construction and equipping of a 28,500 square foot facility and warehouse and office space to be located at 1900 Expo Lane on approximately 3 acres of land. The project will be used by Hoosier Trim Products, Inc. and Metro Metal Corp. for the fabrication of ferrous and nonferrous materials and warehousing and delivery of bar and sheet stock. Estimated costs for the \$500,000 project are as follows: \$42,000 land, \$350,000 building, \$65,000 equipment and \$43,000 other contingencies. Construction should begin October, 1985 with occupancy approximately the middle of December, 1985. The estimated number of additional employment positions at the end of one year total 12 jobs with \$105,000 in additional payroll to the community. The three-year job estimate is 31 jobs with \$200,000 in additional payroll. The Company currently employs 25 persons with an annual payroll of approximately \$242,000. The Economic Development Committee on September 4, 1985, recommended Proposal No. 561, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 561, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Borst, Dowden, Schneider*

Proposal No. 561, 1985, was retitled SPECIAL RESOLUTION NO. 133, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 133, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Richard E. Robison and David L. Roll, or their assigns (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, rehabilitate, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a building containing approximately 28,500 square feet which will be used as factory, warehouse and office space by Hoosier Trim Products, Inc. and Metro Metal Corp. in their business of fabrication of ferrous and nonferrous materials and warehousing and delivery of bar and sheet stock to be located at approximately 1900 Expo Lane, Indianapolis, Indiana on approximately 3 acres of land; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 31 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 Issuer 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 Issuer and its citizens; 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (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 Issuer 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 April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NOS. 562 and 563, 1985. Proposal No. 562, 1985, is for a special ordinance designating the parcel of land commonly known as 225 and 227 North New Jersey Street as an economic development target area. Proposal No. 563, 1985, is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Webb/Henne Ventures, Indianapolis Venture One in an amount not to exceed \$8,000,000. The project is the acquisition and renovation of the vacant Printcraft Building located at 225 North New Jersey Street including construction of an additional 10,000 square feet for use as general office space, plus the demolition of the building located at 227 North New Jersey and replacing it with parking space. Estimated costs for the \$8 million project are as follows: \$1.5 million land and building and \$6.5 million renovation. Renovation is scheduled to begin the middle of September, 1985 with occupancy in June, 1986. The estimated number of additional employment positions at the end of one and three years total 32 construction and 3 permanent jobs with an additional payroll to the community of \$1 million the first year and \$55,000 the third year. The Economic Development Committee on September 4, 1985, recommended Proposal Nos. 562 and 563, 1985, Do Pass by votes of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 562, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: Cottingham, Dowden, Gilmer, Howard

Proposal No. 562, 1985, was retitled SPECIAL ORDINANCE NO. 52, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 52, 1985

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. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate 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 operating facilities of the same kind 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 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 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 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 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, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) 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 September 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 225 and 227 North New Jersey Street and certain real estate in the immediate vicinity thereof, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

1. Part of Lot No. 2, in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows:

Beginning at a point on the east line of said lot distant 18.17 feet south of the northeast corner thereof and running thence south along and with said east

line 49.33 feet to the southeast corner of said lot; thence west along and with the south line of Lot No. 2, 125.00 feet to a point; north, parallel with the east line of said lot, 32.00 feet to a point, thence east parallel with the south line of said lot, 26.79 feet, to a point; thence in a northeasterly direction 21.21 feet to a point distant 86.00 feet west of the east line of said lot and 18.17 feet south of the north line of said lot; thence east parallel with the north line of said lot, 86.00 feet to the place of beginning.

2. Part of Lot No. 2 in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows, to-wit:

Beginning at a point on the west line of Lot No. 2, 84.00 feet south of the northwest corner of Lot No. 1, in Square 40, City of Indianapolis, thence south along the west line of Lot No. 2, 51.00 feet to the southwest corner of Lot No. 2; thence east along the south line of Lot No. 2, 70.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 32.00 feet to a point; thence west and parallel to the south line of Lot No. 2, 10.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 19.00 feet to a point; thence west and parallel to the south line of New York Street, 60.00 feet to the place of beginning.

3. Part of Lot 2 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows:

Commencing at a point in the South line of New York Street 135 feet West of the Northeast corner of Lot 1 of said Square 40; thence south parallel with the West line of East Street 84 feet to the Place of Beginning; thence continue South parallel with the said West line of East Street 19 feet; thence East parallel with the South line of New York Street 36 feet 9-1/2 inches to a point; thence Northeasterly 21 feet 2-1/2 inches to a point distant 86 feet West of the West line of said East Street and 85 feet 8 inches South of the South line of said New York Street; thence North parallel with the West line of said East Street 1 foot 8 inches; thence West parallel with the South line of said New York Street 49 feet to the place of beginning. (Lot 2 is located east of 227 North New Jersey).

4. Lot 12 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 227 North New Jersey).
5. Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 225 North New Jersey).
6. That part of Miami Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the southwest corner of Lot 10 in Square 40, Donation Lands of Indianapolis, Indiana, thence east along the South line of Lot 10 to the southeast corner of Lot 10, thence south to the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence west along the north line of Lot 9 to the northwest corner of Lot 9, thence north to the point of beginning, said description constituting all of Miami Street from the east right-of-way line of North New Jersey Street to the west right-of-way line of Cleveland Street.

7. That part of Cleveland Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence north along the west right-of-way line of Cleveland Street a distance of 84.92 feet, thence east a distance of 2 feet perpendicular to said west right-of-way line, thence south along a line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2 feet to the point of beginning; and

WHEREAS, the Indianapolis Economic Development Commission has previously reviewed, considered and favorably recommended to the City-County Council designating the parcel also commonly known as 225 North New Jersey Street, Indianapolis, Indiana as an Economic Development Target Area which parcel is more specifically described as:

Lot 10 and 2 feet and 6 inches by parallel lines off of the South side of Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

And, 44.5 feet taken by parallel lines off of the entire South side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

Also, 23 feet off the entire North side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

and the City-County Council designated such parcel as an Economic Development Target Area pursuant to I.C. 36-7-12 by the adoption of City-County Special Ordinance No. 13, 1983:

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 225 and 227 North New Jersey Street and certain real estate in the immediate vicinity thereof, Indianapolis, Indiana, which are more specifically described as:

1. Part of Lot No. 2, in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows:

Beginning at a point on the east line of said lot distant 18.17 feet south of the northeast corner thereof and running thence south along and with said east line 49.33 feet to the southeast corner of said lot; thence west along and with the south line of Lot No. 2, 125.00 feet to a point; north, parallel with the east line of said lot, 32.00 feet to a point, thence east parallel with the south line of said lot, 26.79 feet, to a point; thence in a northeasterly direction 21.21 feet to a point distant 86.00 feet west of the east line of said lot and 18.17 feet south of the north line of said lot; thence east parallel with the north line of said lot, 86.00 feet to the place of beginning.

2. Part of Lot No. 2 in Square 40 of the Donation Lands of the City of Indianap-

olis more particularly described as follows, to-wit:

Beginning at a point on the west line of Lot No. 2, 84.00 feet south of the northwest corner of Lot No. 1, in Square 40, City of Indianapolis, thence south along the west line of Lot No. 2, 51.00 feet to the southwest corner of Lot No. 2; thence east along the south line of Lot No. 2, 70.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 32.00 feet to a point; thence west and parallel to the south line of Lot No. 2, 10.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 19.00 feet to a point; thence west and parallel to the south line of New York Street, 60.00 feet to the place of beginning.

3. Part of Lot 2 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows:

Commencing at a point in the South line of New York Street 135 feet West of the Northeast corner of Lot 1 of said Square 40; thence south parallel with the West line of East Street 84 feet to the Place of Beginning; thence continue South parallel with the said West line of East Street 19 feet; thence East parallel with the South line of New York Street 36 feet 9-1/2 inches to a point; thence Northeasterly 21 feet 2-1/2 inches to a point distant 86 feet West of the West line of said East Street and 85 feet 8 inches South of the South line of said New York Street; thence North parallel with the West line of said East Street 1 foot 8 inches; thence West parallel with the South line of said New York Street 49 feet to the place of beginning. (Lot 2 is located east of 227 North New Jersey).

4. Lot 12 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 227 North New Jersey).
5. Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 225 North New Jersey).
6. That part of Miami Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the southwest corner of Lot 10 in Square 40, Donation Lands of Indianapolis, Indiana, thence east along the South line of Lot 10 to the southeast corner of Lot 10, thence south to the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence west along the north line of Lot 9 to the northwest corner of Lot 9, thence north to the point of beginning, said description constituting all of Miami Street from the east right-of-way line of North New Jersey Street to the west right-of-way line of Cleveland Street.

7. That part of Cleveland Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as:

Beginning at the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence north along the west right-of-way line of Cleveland Street a distance of 84.92 feet, thence east a distance of 2 feet perpendicular to said west right-of-way line, thence south along a line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2

feet perpendicular to said west right-of-way line, thence east a distance of 2 feet parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2 feet to the point of beginning; and

meets the requirement imposed by I.C. 36-7-11.9-4, 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 it is hereby reconfirmed that the parcel commonly known also as 225 North New Jersey Street, Indianapolis, Indiana which is more specifically described as:

Lot 10 and 2 feet and 6 inches by parallel lines off of the South side of Lot 11 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

And, 44.5 feet taken by parallel lines off of the entire South side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

Also, 23 feet off the entire North side of Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and 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. 563, 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. 563, 1985, was retitled SPECIAL RESOLUTION NO. 134, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 134, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Webb/Henne Ventures, Indianapolis, Venture One (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, conversion, rehabilitation, construction, expansion, installation, equipping and improvement of a facility presently containing approximately 90,000 gross square feet located on the Project Site into an office building containing approximately 100,000 gross square feet; the acquisition, construction, installation and equipping of various site improvements at the Project Site including parking areas; the acquisition and installation of machinery, equipment, fixtures and furnishings for use in connection with such facility; the demolition of a second building now located on the Project Site; and the acquisition of the Project Site. The Project Site consists of the real estate commonly known as 225 and 227 North New Jersey, Indianapolis, Indiana and the following vacant tracts of land in the vicinity of 225 and 227 North New Jersey: 1. Lot 3 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located east of 225 North New Jersey); 2. Part of Lot No. 2, in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows - Beginning at a point on the east line of said lot distant 18.17 feet south of the northeast corner thereof and running thence south along and with said east line 49.33 feet to the southeast corner of said lot; thence west along and with the south line of Lot No. 2, 125.00 feet to a point; north parallel with the east line of said lot, 32.00 feet to a point, thence east parallel with the south line of said lot, 26.79 feet to a point; thence in a northeasterly direction 21.21 feet to a point distant 86.00 feet west of the east line of said lot and 18.17 feet south of the north line of said lot; thence east parallel with the north line of said lot, 86.00 feet to the place of beginning; 3. Part of Lot No. 2 in Square 40 of the Donation Lands of the City of Indianapolis, more particularly described as follows, to-wit -- Beginning at a point on the west line of Lot No. 2, 84.00 feet south of the northwest corner of Lot No. 1, in Square 40, City of Indianapolis, thence south along the west line of Lot No. 2, 51.00 feet to the southwest corner of Lot No. 2, thence east along the south line of Lot No. 2, 70.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 32.00 feet to a point; thence west and parallel to the south line of Lot No. 2, 10.00 feet to a point; thence north and parallel to the west line of Lot No. 2, 19.00 feet to a point; thence west and parallel to the south line of New York Street, 60.00 feet to the place of beginning; 4. Part of Lot 2 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana, more particularly described as follows -- Commencing at a point in the South line of New York Street 135 feet West of the Northeast corner of Lot 1 of said Square 40; thence South parallel with the West line of East Street 84 feet to the Place of Beginning; thence continue South parallel with the said West line of East Street 19 feet; thence East parallel with the South line of New York Street 36 feet 9-1/2 inches to a point; thence Northeasterly 21 feet 2-1/2 inches to a point distant 86 feet West of the West

line of said East Street and 85 feet 8 inches South of the South line of said New York Street; thence North parallel with the West line of said East Street 1 foot 8 inches; thence West parallel with the South line of said New York Street 49 feet to the place of beginning. (Lot 2 is located East of 227 North New Jersey); 5. Lot 12 in Square 40 of the Donation Lands of the City of Indianapolis, Marion County, Indiana (located directly north of 227 North New Jersey); 6. That part of Miami Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as -- Beginning at the southwest corner of Lot 10 in Square 40, Donation Lands of Indianapolis, Indiana, thence east along the south line of Lot 10 to the southeast corner of Lot 10, thence south to the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence west along the north line of Lot 9 to the northwest corner of Lot 9, thence north to the point of beginning, said description constituting all of Miami Street from the east right-of-way line of North New Jersey Street to the west right-of-way line of Cleveland Street; 7. That part of Cleveland Street vacated pursuant to proceedings of the Plat Committee, Marion County, under Docket Number 84-VAC-41, more specifically described as -- Beginning at the northeast corner of Lot 9 in Square 40, Donation Lands of Indianapolis, Indiana, thence north along the west right-of-way line of Cleveland Street a distance of 84.92 feet, thence east a distance of 2 feet perpendicular to said west right-of-way line, thence south along a line parallel to the west right-of-way of Cleveland Street a distance of 84.92 feet, thence west a distance of 2 feet to the point of beginning (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 32 new construction jobs and 3 new permanent at the end of one year and 3 new permanent jobs at the end of three years) to be achieved by the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer 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 Issuer and its citizens; and

WHEREAS, the acquisition, conversion, rehabilitation, construction, installation, equipping and improvement 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$8,000,000 under the Act to be privately placed or a public offering with credit

enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-12 and I.C. 36-7-11.9 for the acquisition, conversion, rehabilitation, construction, expansion, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, conversion, rehabilitation, construction, installation, expansion, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (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 Issuer 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 April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1 et seq.] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of I.C. 36-7-12 and 36-7-11.9.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, conversion, rehabilitation, construction, expansion, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. City-County Special Resolution No. 65, 1983 as amended by City-County Special Resolution No. 51, 1985 is hereby repealed.

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

PROPOSAL NO. 564 and 565, 1985. Proposal No. 564, 1985, is for a special ordinance designating the parcel of land commonly known as the 706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue and the northwest corner of the intersection of East Street and St. Clair as an economic development target area. Councillor Schneider moved, seconded by Councillor Rader, the following motion:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 564, 1985, by deleting the legal description outlined under PARCEL 4 in the fifth "WHEREAS" clause and in SECTION 1 and inserting in lieu thereof the following:

Lot Numbered One (1) and Forty-one (41) feet and Nine (9) inches by parallel lines off the entire East side of Lot Numbered Two (2) all in Out Lot 40 of J. P. Avery's Subdivision of the City of Indianapolis, Marion County, Indiana as recorded in the Office of the Recorder of Marion County, Indiana in Plat Book 16, Page 52.

Councillor Schneider

The amendment was passed by consent. Proposal No. 565, 1985, is for an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Chatham Block Center Limited Partnership an approximate amount of \$1,500,000. Councillor Schneider described the project as the acquisition and renovation of four structures in approximately the 700 block of Massachusetts Avenue (the Chatham Arch Historical District). There will be a house that will be relocated one block, but still within the Historical District. The Project will total 26,610 square feet to be used as leasable space for office, incidental retail space and residential apartments. Estimated costs for the \$1,559,100 project are as follows: \$60,000 land, \$240,000 buildings and \$1,259,100 renovation. Renovation should begin in the Fall of 1985 with occupancy in the Spring of 1986. The estimated number of additional employment positions at the end of one year total 12 jobs with \$125,000 in additional payroll to the community. The three-year job estimate is 17 positions with \$150,000 in additional payroll. The Economic Development Committee on September 4, 1985, recommended Proposal Nos. 564 and 565, 1985, Do Pass by votes of 6-0. Councillor Schneider moved, seconded by Councillor Rader for adoption. Proposal No. 564, 1985, as amended, 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, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

NO NAYS

1 NOT VOTING: *Stewart*

Proposal No. 564, 1985, as amended, was retitled SPECIAL ORDINANCE NO. 53, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 53, 1985

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. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate 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 operating facilities of the same kind 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 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 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 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 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, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) 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 September 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue and the northwest corner of the intersection of East Street and St. Clair, Indianapolis, Indiana, as an Economic Development Target Area which parcels are more specifically described as:

PARCEL 1

Lot 6 in Out Lot 42 in J. Wood's Subdivision, recorded in Plat Book L R (G), page 563, in the office of Recorder of Marion County, Indiana;

PARCEL 2

Part of Lot 20 in Goldsberry's Subdivision of Out Lots 46 and 47 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Order Book 6, page 116, in the Common Pleas Court of Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of Lot 20, running thence West along the line of said Lot, 98 feet 3 inches; thence Northwesterly 40 feet to the Northwest corner of said Lot on Massachusetts Avenue, thence Southwesterly along Massachusetts Avenue 36 feet 10 inches; thence Southeasterly 40 feet; thence East Parallel with the East part of the South line of said Lot to the East line of said Lot; thence North along the East line of said Lot to the place of beginning.

PARCEL 3

Lot 7 and the South Half of Lot 8 in Out Lot 42 of John Wood's Subdivision of Out Lots 1, 41, and 42 of the Donation Lands of the City of Indianapolis as per Plat thereof recorded in Land Record "G" page 563 in the Office of the Recorder of Marion County, Indiana.

PARCEL 4

Lot Numbered One (1) and Forty-one (41) feet and Nine (9) inches by parallel lines off the entire East side of Lot Numbered Two (2) all in Out Lot 40 of J. P. Avery's Subdivision of the City of Indianapolis, Marion County, Indiana as recorded in the Office of the Recorder of Marion County, Indiana in Plat book 16, Page 52.

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 706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue and the northwest corner of the intersection of East Street and St. Clair, Indianapolis, Indiana, which are more specifically described as:

PARCEL 1

Lot 6 in Out Lot 42 in J. Wood's Subdivision, recorded in Plat Book L R (G), page 563, in the office of Recorder of Marion County, Indiana;

PARCEL 2

Part of Lot 20 in Goldsberry's Subdivision of Out Lots 46 and 47 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Order Book 6, page 116, in the Common Pleas Court of Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of Lot 20, running thence West along the line of said Lot, 98 feet 3 inches; thence Northwesterly 40 feet to the Northwest corner of said Lot on Massachusetts Avenue, thence Southwesterly along Massachusetts Avenue 36 feet 10 inches; thence Southeasterly 40 feet; thence East Parallel with the East part of the South line of said Lot to the East line of said Lot; thence North along the East line of said Lot to the place of beginning.

PARCEL 3

Lot 7 and the South Half of Lot 8 in Out Lot 42 of John Wood's Subdivision of Out Lots 1, 41, and 42 of the Donation Lands of the City of Indianapolis as per Plat thereof recorded in Land Record "G" page 563 in the Office of the Recorder of Marion County, Indiana.

PARCEL 4

Lot Numbered One (1) and Forty-one (41) feet and Nine (9) inches by parallel lines off the entire East side of Lot Numbered Two (2) all in Out Lot 40 of J. P. Avery's Subdivision of the City of Indianapolis, Marion County, Indiana as recorded in the Office of the Recorder of Marion County, Indiana in Plat Book 16, Page 52.

meets the requirement imposed by I.C. 36-7-11.9-4, 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. 36-7-11.9 and 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. 565, 1985, was adopted on the following roll call vote; viz:

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

West

NO NAYS

2 NOT VOTING: *Gilmer, Hawkins*

Proposal No. 565, 1985, was retitled SPECIAL RESOLUTION NO. 135, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 135, 1985

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 "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Chatham Block Center Limited Partnership (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either convert, rehabilitate, construct, install, equip and improve certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to provide financing to the Applicant for the same, said economic development facilities to be the conversion, rehabilitation, construction, installation, equipping and improvement of four existing structures in the 700 block of Massachusetts Avenue (706-710 Massachusetts Avenue, 709 North Park Avenue, 707-711 Massachusetts Avenue, and moving the building currently located at 715 North Park Avenue to the northwest corner of the intersection of East Street and St. Clair), Indianapolis, Indiana on approximately 0.25 acres of land which will be used for leasable space for office and retail space and multi-family residential rental housing; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 17 at the end of three years) to be achieved by the conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be of public benefit to the health, safety and general welfare of the Issuer 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 Issuer and its citizens; and

WHEREAS, the conversion, rehabilitation, construction, installation, equipping and improvement 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 Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$1,500,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to I.C. 36-7-11.9-4 and I.C. 36-7-12 for the conversion, rehabilitation, construction, installation, equipping and improvement of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the conversion, rehabilitation, construction, installation, equipping and improvement of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (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 Issuer 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 April 30, 1986 unless such bonds have been issued prior to the aforesaid date or unless, upon showing of good cause by the Applicant, the Issuer by official action extends the terms of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, conversion, rehabilitation, construction, installation, equipping and improvement of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

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

PROPOSAL NO. 482, 1985. This is a proposal for a final bond ordinance authorizing the issuance of a \$400,000 Economic Development Revenue Bond, Series A, and a \$400,000 Economic Development Revenue Bond, Series B, both for United Brake Systems, Inc. The project is the construction and equipping of a 30,000 square foot building located at the southeast corner of the intersection of Belmont and Oliver Avenues. The Project will be used by the company for manufacturing of non-asbestos brake linings. The bond financing contains the following documents: Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture. The interest rate on the Series A bond will be 7 3/4% payable monthly and the Series B bond will be 8 3/4% also payable monthly. The Series A bond reaches maturity on September 1, 1989 and the Series B bond reaches maturity on September 1, 1993. The Economic Development Committee on September 4, 1985, recommended Proposal No. 482, 1985, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Gilmer for adoption. Proposal No. 482, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Gilmer*

Proposal No. 482, 1985, was retitled SPECIAL ORDINANCE NO. 54, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 54, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) and its "Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) 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 United Brake Systems, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on August 21, 1985, 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 United Brake Systems, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 30,000 square foot building and the machinery and equipment to be installed therein plus certain site improvements to be located at the southeast corner of the intersection of Belmont Avenue and Oliver Avenue, Indianapolis, Indiana, which will be used by United Brake Systems, Inc. for manufacturing of non-asbestos brake linings (the "Project") which will be initially owned and operated by United Brake Systems, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Bond Purchase and Loan Agreement consisting of the acquisition, construction, installation and equipping of an approximately 30,000 square foot building and the machinery and equipment to be installed therein plus certain site improvements to be located at the southeast corner of the intersection of Belmont Avenue and Oliver Avenue, Indianapolis, Indiana, which will be used by United Brake Systems, Inc. for manufacturing of non-asbestos brake linings 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 United Brake Systems, Inc. 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 United Brake Systems, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of IC 36-7-12.

SECTION 2. The forms of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement, and Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) in the principal amount of Four Hundred Thousand Dollars (\$400,000) and its Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) in the principal amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of procuring funds to loan to United Brake Systems, Inc. in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Bond Purchase and Loan Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by United Brake Systems, Inc. on its Series A Promissory Note and Series B Promissory Note in the principal amounts of Four Hundred Thousand Dollars (\$400,000) each which will be executed and delivered by United Brake Systems, Inc. to evidence and secure said loan, and as otherwise provided in the above described Bond Purchase and Loan Agreement and Mortgage, Security Agreement and Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to seven and 75/100 percent (7 3/4%) and the City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest equal to eight and 75/100 percent (8 3/4%) or such higher rates of interest as may be provided for in the Bond Purchase and Loan Agreement, provided, however, that such rate or rates of interest shall not exceed thirty percent (30%) per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Bond Purchase and Loan Agreement, Mortgage, Security Agreement, Trust Indenture, City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project), City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project), the Endor-

sement to the Series A Promissory Note and the Endorsement to the Series B Promissory Note approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Bond Purchase and Loan Agreement. The Mayor and City Clerk may by their execution of the Bond Purchase and Loan Agreement, the Mortgage, Security Agreement, and Trust Indenture, the Endorsement to the Series A Promissory Note, the Endorsement to the Series B Promissory Note, and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the Series A Promissory Note and Series B Promissory Note without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a)(1) through (a)(11).

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

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

PROPOSAL NOS. 589-596, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled: "REZONING ORDINANCES certified by the Metropolitan Development Commission on September 5, 1985". No action was taken on Proposal Nos. 589-596, 1985 by the Council; and the proposals were deemed adopted. Proposal Nos. 589-596, 1985, were retitled REZONING ORDINANCE NOS. 142-149, 1985, and read as follows:

**REZONING ORDINANCE NO. 142, 1985 85-Z-106 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8**

4616 WEST 52ND STREET, INDIANAPOLIS

Carl Songer, by Coventry Woods II, by James R. Nickels, requests the rezoning of approximately 18 acres, being in the D-2 district, to the D-6 II classification, to provide for single-family and two-unit attached zero lotline residences by platting.

**REZONING ORDINANCE NO. 143, 1985 85-Z-127 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 15**

6635 EAST 21ST STREET, INDIANAPOLIS

Naval Avionics Employees Credit Union, by Henry Y. Dein, requests the rezoning of 1.35 acres, being in the D-4 district, to the C-1 classification, to provide for the construction of a bank.

**REZONING ORDINANCE NO. 144, 1985 85-Z-130 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 16
609 EAST 29TH STREET, INDIANAPOLIS**

Broadway United Methodist Church requests the rezoning of 3.26 acres, being in the D-5 and D-8 districts, to the SU-1 classification, to conform zoning to its use as a church and to permit additional parking.

**REZONING ORDINANCE NO. 145, 1985 85-Z-133 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18
5383 WEST ROCKVILLE ROAD (REAR), INDIANAPOLIS**

Clancy's, Inc., requests the rezoning of 0.31 acre, being in the D-2 district, to the C-4 classification, to provide for additional parking for Clancy's restaurant.

**REZONING ORDINANCE NO. 146, 1985 85-Z-134 AMENDED WASHINGTON
TOWNSHIP
COUNCILMANIC DISTRICT NO. 4**

8875 WESTFIELD BOULEVARD, INDIANAPOLIS

George R. Nichols and William K. Hatfield, by Charles E. Wilson, request the rezoning of 5.11 acres, being in the A-2 district, to the D-P classification, to provide for residential development.

**REZONING ORDINANCE NO. 147, 1985 85-Z-136 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 7
6515 NORTH KEYSTONE AVENUE, INDIANAPOLIS**

Leo A. Jefferson and Ryan Family Steak Houses, Inc., by Susan W. Rempert, request the rezoning of 3.4 acres, being in the C-1 district, to the D-S classification, to provide for the construction of a family restaurant and offices.

**REZONING ORDINANCE NO. 148, 1985 85-Z-137 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
3150 EAST THOMPSON ROAD, INDIANAPOLIS**

Steven H. and Linda J. Huth, by Joseph A. Thomas, request the rezoning of 1.77 acres, being in the D-2 district, to the C-3 classification, to provide for the construction of a flower shop and an office building.

**REZONING ORDINANCE NO. 149, 1985 85-Z-138 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 5
6845 EAST 96TH STREET (REAR), INDIANAPOLIS**

John D. Murphy and Angelus Murphy request the rezoning of 1.5 acres, being in the A-2 district, to the D-6 classification, to provide for residential development.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 464, 1985. This proposal appropriates \$350,000 for the Central Equipment Management Division for mileage penalties on IPD vehicles and increased insurance and contractual repair of vehicles. Councillor Coughenour reported that the Central Equipment Management Division underbudgeted auto insurance and contractual repair of vehicles in 1984 in the amount of \$250,000

and approximately \$100,000 is being appropriated for mileage penalties on certain police cars which are on lease for 30 months. The Administration Committee on August 27, 1985, recommended Proposal No. 464, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:15 p.m. There being no one present to testify Councillor Coughenour moved, seconded by Councillor Holmes for adoption. Proposal No. 464, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: Durnil, Strader

Proposal No. 464, 1985, was retitled FISCAL ORDINANCE NO. 81, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 81, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Three Hundred Fifty Thousand Dollars (\$350,000) in the Consolidated County Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 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 mileage penalties on IPD vehicles and transferring funds for increased insurance and contractual repair of vehicles.

SECTION 2. The sum of Three Hundred Fifty Thousand Dollars (\$350,000) 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 ADMINISTRATION	
CENTRAL EQUIPMENT MANAGEMENT DIV.	CONSOLIDATED COUNTY FUND
3. Other Services & Charges	<u>\$350,000</u>
TOTAL INCREASE	<u>\$350,000</u>

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

DEPARTMENT OF ADMINISTRATION	
CENTRAL EQUIPMENT MANAGEMENT DIV. CONSOLIDATED COUNTY FUND	
2. Supplies	\$250,000
Unappropriated and Unencumbered	
Consolidated County Fund	<u>100,000</u>
TOTAL REDUCTION	<u>\$350,000</u>

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

PROPOSAL NO. 498, 1985. This proposal appropriates \$155,000 for the Clerk of the Circuit Court to purchase voting machines for additional precincts. Councillor Cottingham stated the Clerk of the Circuit Court estimated that fifty new precincts would be formed for the next election and these precincts would need voting machines. The County and Townships Committee on September 3, 1985, recommended Proposal No. 498, 1985, Do Pass by a vote of 6-0. The President called for public testimony at 8:16 p.m. There being no one present to testify Councillor Cottingham moved, seconded by Councillor Gilmer for adoption. Proposal No. 498, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Durnil, Strader*

Proposal No. 498, 1985, was retitled FISCAL ORDINANCE NO. 82, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 82, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Fifty-five Thousand Dollars (\$155,000) in the County General Fund for purposes of the Clerk of the Circuit Court and reducing certain other appropriations for the County Auditor.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (a)(2 and 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 appropriating funds to purchase voting machines for additional precincts in Marion County.

SECTION 2. The sum of One Hundred Fifty-five Thousand Dollars (\$155,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

CLERK OF THE CIRCUIT COURT	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$155,000</u>
TOTAL INCREASE	\$155,000

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

COUNTY AUDITOR	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$155,000</u>
TOTAL REDUCTION	\$155,000

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

PROPOSAL NO. 507, 1985. This proposal appropriates \$37,744 for the Marion County Prosecuting Attorney for various grants. Councillor Dowden outlined the following amounts and grants included in Proposal No. 507: \$7,200 for the Youth Resource Center; \$15,800 for a Computerization Project with the Juvenile Court; \$8,000 for an Adult Protection Services Investigator and transferring \$6,744 within the Latchkey Services and Youth Resource Grants. Councillor Dowden stated that the amendments made in Committee were technical in nature and that the Public Safety and Criminal Justice Committee on September 4, 1985, recommended Proposal No. 507, 1985, Do Pass As Amended by a vote of 7-0. The President called for public testimony at 8:19 p.m. There being no one present to testify Councillor Dowden moved, seconded by Councillor Nickell for adoption. Proposal No. 507, 1985, as amended, was adopted on the following roll call vote; viz:

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

Proposal No. 507, 1985, as amended, was retitled FISCAL ORDINANCE NO. 83, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 83, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty-seven Thousand Seven Hundred Forty-four Dollars (\$37,744) in the State and Federal Grant Fund for purposes of the Marion County Prosecuting Attorney and reducing certain other appropriations for that office and the Marion County Auditor 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 (a)(2) and (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 \$7,200 for the Youth Resource Center, \$15,800 for a Computerization Project with the Juvenile Court and \$8,000 for an Adult Protective Services Investigator and transferring \$6,744 within the Latchkey Services and Youth Resource Grants.

SECTION 2. The sum of Thirty-seven Thousand Seven Hundred Forty-four Dollars (\$37,744) 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:

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$ 8,000
32. Contractual Services	9,000
34. Equipment	18,500
35. Operating Expenses	<u>2,244</u>
TOTAL INCREASE	<u>\$37,744</u>

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

PROSECUTING ATTORNEY	STATE AND FEDERAL GRANT FUND
31. Personal Services	\$ 3,400
33. Travel	1,844
	<u>\$5,244</u>
Unappropriated and Unencumbered State and Federal Grant Fund	\$31,000
COUNTY AUDITOR	
31. Personal Services (Fringes)	\$ 1,500
TOTAL REDUCTION	<u>\$37,744</u>

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Deputy Prosecutors	5	32,000	93,094
Witness Coordinator	1	18,000	18,000
Paralegal	2	17,000	27,999
Investigator	1/ 2	21,000	37,524 35,924
Project Analyst	1	11,000	14,808
Director	4	26,000	65,088
Volunteer Coordinator	1	15,000	15,000
Project Coordinator	1	9,240	5,331
Secretary	4	14,500	34,301
Counselor	2	16,000	36,625
Screening Deputy	1	12,000	10,844
Intern	1	13,000	6,500
Data Entry Clerk	1	13,000	8,750
Vacancy Factor			(54,134) (57,715)
Temporary			1,700
TOTAL	<u>26</u>		<u>316,249</u>

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

PROPOSAL NOS. 509 and 510, 1985. Proposal No. 509, 1985, amends the Indianapolis Cumulative Capital Development Fund to include new purposes. Proposal No. 510, 1985, amends the Marion County Cumulative Capital Development Fund to include new purposes. Councillor McGrath explained that Proposal No. 509, allows cumulative funds to be spent on the purchase or lease of equipment to be used to illuminate a public way or sidewalk. Proposal No. 510, allows cumulative funds to be spent on the juvenile detention center or the purchase or lease of vehicles for the sheriff's department. The Rules and Policy Committee on September 3, 1985, recommended Proposal Nos. 509 and 510, 1985, Do Pass by votes of 7-0. The President called for public testimony at 8:21 p.m.

Mr. Carl Moldthan, Indianapolis Taxpayers Association, pointed out to the Council that these are cumulative funds. If more and more uses are found for these funds, they will never be allowed to accumulate and be used for even large expenses incurred by local government, which bond issues are currently financing.

Councillor McGrath moved, seconded by Councillor Rhodes for the adoption of Proposal Nos. 509 and 510, 1985. Proposal No. 509, 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, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West*

NO NAYS

1 NOT VOTING: *Stewart*

Proposal No. 509, 1985, was retitled SPECIAL ORDINANCE NO. 55, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 55, 1985

A SPECIAL ORDINANCE amending the Indianapolis Cumulative Capital Development Fund.

WHEREAS, P.L. 44-1984 (I.C. 36-9-15.5) allows municipalities to establish a municipal cumulative capital development fund; and

WHEREAS, the City of Indianapolis has previously found and determined that the establishment of such a fund is necessary and prudent for the financial well-being of the City of Indianapolis; and

WHEREAS, the City of Indianapolis previously established a municipal cumulative capital development fund by the passage of S.O. 35, 1984; and

WHEREAS, P.L. 82-1985 established new purposes for which the Indianapolis Cumulative Capital Development Fund could be appropriated; and

WHEREAS, the City of Indianapolis now finds that it is necessary and prudent to include such additional purposes in the ordinance which established the Indianapolis Cumulative Capital Development Fund; and

WHEREAS, it is the intention of the City-County Council, by the passage of this ordinance, to amend the Indianapolis Cumulative Capital Development Fund; now, therefore:

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

SECTION 1. There is hereby established an Indianapolis Cumulative Capital Development Fund.

SECTION 2. An ad valorem property tax levy will be imposed, and the revenues from the levy will be retained in the Indianapolis Cumulative Capital Development Fund.

SECTION 3. The maximum rate of levy under Section 2 will not exceed the following amounts:

- a. .05 per \$100.00 Assessed Valuation for 1985.
- b. .10 per \$100.00 Assessed Valuation for 1986.
- c. .15 per \$100.00 Assessed Valuation for 1987.

SECTION 4. The funds accumulated in the Indianapolis Cumulative Capital Development Fund will be used for the following purposes:

- a. To provide for the cost of construction, maintenance, and repair of bridges, approaches and grade separations, as described in I.C. 8-16-3;
- b. To provide for the acquisition of real property and the construction, enlarging, improving, remodeling, repairing, or equipping of buildings, structures, runways, or other facilities for use in connection with an airport operated by the Indianapolis Airport Authority as described in I.C. 8-22-3-25;
- c. To provide for the adequate maintenance of channel improvements, levees, and water retarding or impoundment structures, or for the emergency or unusually expensive maintenance for such works of improvement, as described in I.C. 13-3-3-89;
- d. To provide for city hospitals, for the purchase of real estate and grounds for hospital purposes, to remodel or make major repairs on any hospital building or buildings, to erect and construct hospital buildings or additions or extensions to them, or for any other major capital improvements, as described in I.C. 16-12.2-5-32;
- e. To provide for the purchase, construction, renovation, or addition to buildings used by the fire department, for the purchase of firefighting equipment, including payments required under lease rental with option to purchase agreements, and to purchase police radio equipment, as described in I.C. 36-8-14-2;
- f. To provide for the acquisition of buses, and for the planning, establishment, and maintenance of routes and schedules to assist in the implementation of urban mass transportation systems as described in I.C. 36-9-4;
- g. To provide funds to purchase, construct, equip, and maintain buildings for municipal purposes, to acquire the land, and any improvements on it, that are necessary for the construction of municipal buildings, to demolish any improvements on land acquired by such means, and to level, grade, and prepare the land for the construction of a municipal building, to acquire land or rights-of-way to be used as a public way or other means of ingress or egress to land acquired for the construction of a municipal building, to improve or construct any public way or other means of ingress or egress to land acquired for the construction of a municipal building, as described in I.C. 36-9-16-2;
- h. To provide funds to acquire land or rights-of-way to be used for public ways or sidewalks, to construct and maintain public ways or sidewalks, to acquire land or rights-of-way for the construction of sanitary or storm sewers, or both, to construct and maintain sanitary or storm sewers, or both, to acquire, by purchase or lease, or to pay all or part of the purchase price of a utility, to purchase or lease land, buildings, or rights-of-way for the use of any utility that is acquired or operated by the municipality, to purchase or acquire land, with or without buildings, for park or recreation purposes, to purchase, lease, or pay all or part of the purchase price of motor vehicles for the use of the police and fire department, or both, including ambulances and firefighting vehicles with the necessary equipment, ladders, and hoses, to retire in whole or in part any general obligation bonds of the municipality that were issued for the purpose of acquiring or constructing improvements or properties that would qualify for the use of these funds, to purchase or lease equipment and other nonconsumable

personal property needed by the municipality for any public transportation use, or to purchase or lease equipment to be used to illuminate a public way or sidewalk, as described in I.C. 36-9-16-3;

- i. To provide for the acquisition of rights-of-way for public ways or sidewalks, or the construction or reconstruction of public ways or sidewalks, as described in I.C. 36-9-16.5-2;
- j. To provide funds to be used to construct, repair or improve streets, alleys, sidewalks, curbs, gutters, and sewers, as described in I.C. 36-9-17-3;
- k. To provide for the planning, erection, remodeling, extension, and repair of sewer disposal plants and sewers to convey sanitary sewage to those plants, for the construction, remodeling, repair and extension of storm sewers, for relief sewers and drains in aid of the sanitary system or storm sewers, for the payment of the municipality's part of the costs of any public sewer or drainage project that (a) lies wholly or partly within the municipality; and (b) aids or is connected to the sewage collection or drainage system of the municipality, and for the payment of the part of any project that is allocable to property owners by special assessment under I.C. 36-9-21, for repayment to the cumulative building and sinking fund as described in I.C. 36-9-26;
- l. To provide for the construction, reconstruction or maintenance of drains as provided for in I.C. 36-9-27;
- m. With respect to municipal parks as described in I.C. 36-10-4, to pay for the acquisition of any land to be used for those purposes, or for any improvement authorized by I.C. 36-10-4.

SECTION 5. Notwithstanding Section 4, funds accumulated in the Indianapolis Cumulative Capital Development Fund may be spent for purposes other than the purposes stated in Section 4, if the purpose is to protect the public health, welfare, or safety in an emergency situation which demand immediate action. Money may be spent under the authority of this section only after the Mayor of Indianapolis issues a declaration that the public health, welfare or safety is in immediate danger that requires the expenditure of money in the fund.

SECTION 6. This fund takes effect upon approval of the State Board of Tax Commissioners.

SECTION 7. 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 counsel in adopting this ordinance. To this end, the provisions of this ordinance are severable.

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

PROPOSAL No. 510, 1985, was adopted on the following roll call vote; viz:

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

NO NAYS

5 NOT VOTING: Dowden, Howard, Page, Schneider, Stewart

Proposal No. 510, 1985, was retitled SPECIAL ORDINANCE NO. 56, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 56, 1985

A SPECIAL ORDINANCE amending the Marion County Cumulative Capital Development Fund.

WHEREAS, P.L. 44-1984 (I.C. 36-9-14.5) allows counties to establish a County Cumulative Capital Development Fund; and

WHEREAS, Marion County has previously found and determined that the establishment of such a fund is necessary and prudent for the financial well-being of Marion County; and

WHEREAS, Marion County previously established a County Cumulative Capital Development Fund by the passage of S.O. 36, 1984; and

WHEREAS, P.L. 82-1985 established new purposes for which the Marion County Cumulative Capital Development Fund could be appropriated; and

WHEREAS, Marion County now finds that it is necessary and prudent to include such additional purposes in the ordinance which established the Marion County Cumulative Capital Development Fund; and

WHEREAS, it is the intention of the City-County Council, by the passage of this ordinance, to amend the Marion County Cumulative Capital Development Fund; now, therefore:

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

SECTION 1. There is hereby established a Marion County Cumulative Capital Development Fund.

SECTION 2. An ad valorem property tax levy will be imposed, and the revenues from the levy will be retained in the Marion County Cumulative Capital Development Fund.

SECTION 3. The maximum rate of levy under Section 2 will not exceed the following amounts:

- a. .05 per \$100.00 Assessed Valuation for 1985.
- b. .10 per \$100.00 Assessed Valuation for 1986.
- c. .10 per \$100.00 Assessed Valuation for 1987.

SECTION 4. The funds accumulated in the Marion County Cumulative Capital Development Fund will be used for the following purposes:

- a. To provide for the purchase of voting machines or devices, as described in I.C. 3-2-6-1;
- b. To provide for the cost of construction, maintenance, and repair of bridges, approaches and grade separations, as described in I.C. 8-16-3;
- c. To provide for the acquisition of real property and the construction, enlarging, improving, remodeling, repairing, or equipping of buildings, structures, runways, or other facilities for use in connection with an airport operated by the Indianapolis Airport Authority as described in I.C. 8-22-3-25;
- d. To provide for the adequate maintenance of channel improvements, levees, and water retarding or impoundment structures, or for the emergency or unusually expensive maintenance for such works of improvement, as described in I.C. 13-3-3-89;
- e. To provide for the erection of county hospital buildings or other buildings or for the erection of additions to or remodeling of present buildings used for hospitals purposes or for equipping them as needed to carry out the provisions of I.C. 16-12-21, and to provide for the establishment, enlargement, construction, acquisition, or remodeling of a county hospital building or buildings or the equipping of existing buildings as provided for in I.C. 36-12.1-4;
- f. To provide for the construction, remodeling, and repair of county courthouses as described in I.C. 36-9-14-2;
- g. To provide for the construction, repair, remodeling, enlarging, and equipping of a county jail, a juvenile detention center to be operated under I.C. 31-6-9.5, or for the purchase, lease or payment of all or part of the purchase, price of motor vehicles for use of the sheriff's department, as described for in I.C. 36-9-15-2;
- h. To provide for the construction, reconstruction, or maintenance of drains as described in I.C. 36-9-27-99;
- i. With respect to parks as described in I.C. 36-10-4, to pay for the acquisition of any land to be used for those purposes, or for any improvement authorized by I.C. 36-10-4.

SECTION 5. Notwithstanding Section 4, funds accumulated in the Marion County Cumulative Capital Development Fund may be spent for purposes other than the purposes stated in Section 4, if the purpose is to protect the public health, welfare, or safety in an emergency situation which demand immediate action. Money may be spent under the authority of this section only after the Mayor of Indianapolis, as chief executive of Marion County, issues a declaration that the public health, welfare or safety is in immediate danger that requires the expenditure of money in the fund.

SECTION 6. This fund takes effect upon approval of the State Board of Tax Commissioners.

SECTION 7. 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 counsel in adopting this ordinance. To this end, the provisions of this ordinance are severable.

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 376, 1985. This proposal assigns the responsibility for public housing to the Division of Housing, Department of Metropolitan Development. Councillor Borst requested that Proposal No. 376, 1985, be postponed until the next meeting of the Council on September 30, 1985. Consent was given.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 465, 1985. This proposal authorizes the Clerk of the Circuit Court to utilize electronic funds transfers for the collection and disbursement of child support payments. Councillor Cottingham stated that improvements will be made on efficiency and accessibility of the current system. Indiana National Bank will enable the officials to utilize such methods as automatic credits and debits, automatic wage withholding and a retail lockbox. The Circuit Court will maintain adequate documentation of these transactions so that they may be audited as provided by law. The County and Townships Committee on September 3, 1985, recommended Proposal No. 465, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Durnil for adoption. Proposal No. 465, 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, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West

NO NAYS

1 NOT VOTING: Stewart

Proposal No. 465, 1985, was retitled GENERAL RESOLUTION NO. 9, 1985, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 1985

A GENERAL RESOLUTION concerning the use of electronic funds transfers for the collection and disbursement of child support payments.

WHEREAS, the Clerk of the Marion Circuit Court and the Marion County Prosecutor wish to improve the efficiency, accessibility and success of the current system for the collection of child support payments; and

WHEREAS, I.C. 5-13-1-10 establishes a procedure whereby local officials may utilize electronic funds transfers for the transaction of business; and

WHEREAS, the Clerk of the Marion Circuit Court desires to utilize electronic funds transfers for the collection of child support payments; and

WHEREAS, The Indiana National Bank has proposed a system for the collection of child support payments through an electronic funds transfer project utilizing such methods as automatic credits and debits, including automatic wage withholding, and a retail lockbox; and

WHEREAS, the Clerk of the Marion Circuit Court and the Marion County Prosecutor believe that the current system for the collection of child support payments could be greatly enhanced through such a project; 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 authorizes the Clerk of the Marion Circuit Court, pursuant to I.C. 5-13-1-10, to utilize electronic funds transfers for the collection and disbursement of child support payments.

SECTION 2. The Clerk of the Marion Circuit Court shall maintain adequate documentation of these transactions so that they may be audited as provided by law.

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

PROPOSAL NO. 499, 1985. This proposal authorizes changes in the personnel schedule of the Marion County Coroner. Councillor Cottingham reported that in 1985 the Coroner's Office budgeted \$7,500 for the salaries of the Special Deputies. Special Deputies stand in for the department's regular deputies. In March there were two full-time deputies that were unable to work. Therefore, funds were spent out of the special deputies category that were not previously anticipated. The County and Townships Committee on September 3, 1985, recommended Proposal No. 499, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Journey for adoption. Proposal No. 499, 1985, was adopted on the following roll call vote; viz:

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

4 NOT VOTING: *Borst, Dowden, Holmes, West*

Proposal No. 499, 1985, was retitled FISCAL ORDINANCE NO. 84, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 84, 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 Coroner.

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

SECTION 1. Section 2.02 (a)(5) of City-County Fiscal Ordinance No. 65, 1984, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(5) COUNTY CORONER - Dept. 09

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	16,201	16,201
Chief Investigator	1	16,944	16,944
Secretary/Chief Administ.	1	13,214	13,214
Deputies	4	12,401	49,642
Medical Stenographer	1	11,371	11,371
Special Deputies			7,500 12,712
<u>Dental Professional</u>			<u>0</u> 600
Temporary Salaries			16,000 188
TOTAL	8		120,872

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

PROPOSAL NO. 508, 1985. This proposal transfers \$2,000 for Superior Court, Criminal Division, Room 1 to fund a two week seminar. Councillor Dowden stated that Judge Tranberg was transferring \$2,000 from Personal Services to Other Services and Charges to fund a person who attended a two week seminar. The available funds are being transferred from the Bailiffs salary. The Public Safety and Criminal Justice Committee on September 4, 1985, recommended Proposal No. 508, 1985, Do Pass by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Rhodes for adoption. Proposal No. 508, 1985, was adopted on the following roll call vote; viz:

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

Proposal No. 508, 1985, was retitled FISCAL ORDINANCE NO. 85, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 85, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 1 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 (b)(7) 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 funds for a two week seminar.

SECTION 2. The sum of Two Thousand Dollars (\$2,000) 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:

SUPERIOR COURT, CRIMINAL DIV., ROOM 1	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$2,000</u>
TOTAL INCREASE	<u>\$2,000</u>

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

SUPERIOR COURT, CRIMINAL DIV., ROOM 1	COUNTY GENERAL FUND
1. Personal Services	<u>\$2,000</u>
TOTAL REDUCTION	<u>\$2,000</u>

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

(7) SUPERIOR COURT - CRIMINAL DIVISION - ROOM ONE - Dept. 51

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,111	17,111
Court Reporters	2	17,804	35,608
Bailiffs	2	14,543	29,086 <u>27,086</u>
Chief Clerk	1	16,406	16,406
Record Clerk	1	13,835	13,835
Master Commissioner	1	19,185	19,185
Secretary	1	14,539	14,539
Public Defenders	1	13,082	13,113
Clerk	<u>1</u>	12,824	<u>12,824</u>
TOTAL	11		171,797 <u>169,707</u>

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

PROPOSAL NO. 500, 1985. This proposal transfers \$1,294 for the Decatur Township Assessor to purchase equipment. Councillor Cottingham stated that these funds are for additional equipment and the funds are available in Character 1, Personal Services, Temporary. The County and Townships Committee on September 3, 1985, recommended Proposal No. 500, 1985, Do Pass by a vote of 6-0. Councillor Cottingham moved, seconded by Councillor Hawkins for adoption. Proposal No. 500, 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, Howard, Journey, McGrath, Miller, Nickell, Page, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West

NO NAYS

1 NOT VOTING: Rader

Proposal No. 500, 1985, was retitled FISCAL ORDINANCE NO. 86, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 86, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Thousand Two Hundred Ninety-four Dollars (\$1,294) in the County General Fund for purposes of the Decatur Township Assessor 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 (d)(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 providing a transfer of funds to purchase equipment.

SECTION 2. The sum of One Thousand Two Hundred Ninety-four Dollars (\$1,294) 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:

DECATUR TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
4. Capital Outlay	<u>\$1,294</u>
TOTAL INCREASE	\$1,294

SECTION 4. The said increased appropriation is funded by the following reductions:
DECATUR TOWNSHIP ASSESSOR **COUNTY GENERAL FUND**
 1. Personal Services \$1,294
TOTAL REDUCTION **\$1,294**

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

(2) DECATUR TOWNSHIP ASSESSOR - Dept. 13

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	26,003	26,003
Chief Deputy	1	19,502	19,502
Clerks	3	16,293	45,940
Temporary	<u> </u>		1,294 <u>0</u>
TOTAL	5		92,739 <u>91,445</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

There being no further business and upon motion duly made and seconded, the meeting adjourned at 8:37 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 the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 9th day of September, 1985.

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

Brent Swann
President

ATTEST:

Donna J. Hayes
Clerk of the City-County Council

(SEAL)