

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

REGULAR MEETINGS, MONDAY, February 10, 1986

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, February 10, 1986, with Councillor SerVaas presiding.

Councillor Borst lead the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

Councillor SerVaas requested the members to indicate their presence. The Clerk took the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, 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, Williams

President SerVaas announced that a quorum of twenty-nine members was present.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Dowden introduced Mr. Jim Curseadean, Fire Chief of the Castleton Township Fire Department and President of the Metropolitan Emergency Communications Agency Executive Board. Councillor Dowden added that there were also several members of the Executive Board in attendance.

Councillor Curry introduced Mr. Harold Stofer, Wayne Township Trustee.

Councillor Cottingham introduced Mr. William Garvey, Washington Township Trustee.

ADOPTION OF THE AGENDA

Consent was given to the adoption of the agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of February 10, 1986, as distributed.

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, February 10, 1986, at 7:00 p.m., the purposes of such **MEETINGS** being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,

s/Beurt SerVaas, President
City-County Council

January 28, 1986

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in **The Indianapolis NEWS** and **The Indianapolis COMMERCIAL** on January 30, 1986, a copy of **NOTICE TO TAXPAYERS** of a Public Hearing on Proposal Nos. 38, 39, 40, 41, 57, 1986; and 868, 869, 870, 1985, to be held on Monday, February 10, 1986, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

January 31, 1986

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 Wednesday, February 5, 1986, a copy of LEGAL NOTICE regarding City-County General Ordinance No. 2, 1986.

Respectfully,

Beverly S. Rippey
s/City Clerk

January 31, 1986

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. Rippey, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 9, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Hundred Ten Thousand Dollars (\$210,000) in the Reassessment Fund for purposes of the Marion County Auditor, and reducing the unappropriated and unencumbered balance in the Reassessment Fund.

FISCAL ORDINANCE NO. 10, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Marion County Superior Court, Civil Division, Room 4.

GENERAL ORDINANCE NO. 3, 1986, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-166, One-way streets and alleys designated.

GENERAL ORDINANCE NO. 4, 1986, amending the "Code of Indianapolis and Marion County, Indiana", changing parking controls on a portion of Georgia Street.

GENERAL ORDINANCE NO. 5, 1986, amending the "Code of Indianapolis and Marion County, Indiana", changing intersection controls on a portion of Craig Street.

GENERAL ORDINANCE NO. 6, 1986, amending provisions of City-County General Ordinance No. 59, 1985, with respect to the designation of the division of housing as the entity responsible for public housing in Indianapolis and Marion County.

GENERAL ORDINANCE NO. 7, 1986, concerning the Chief of the City's bureau of fire prevention.

GENERAL ORDINANCE NO. 8, 1986, amending the "Code of Indianapolis and Marion County, Indiana", establishing a loading zone for a portion of Virginia Avenue.

GENERAL ORDINANCE NO. 9, 1986, amending the "Code of Indianapolis and Marion County, Indiana", changing parking control regulations on a portion of Alabama Street.

SPECIAL RESOLUTION NO. 18, 1986, honoring the Roncalli High School Class AAA State Football Champions.

SPECIAL RESOLUTION NO. 19, 1986, approving the sale of certain real estate of the Department of Parks and Recreation.

SPECIAL RESOLUTION NO. 20, 1986, approving the sale of certain real estate of the Department of Public Works.

Respectfully submitted,

s/William H. Hudnut, III

ADOPTION OF JOURNALS

President SerVaas called for additions or corrections to the Journal of December 16, 1985. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 106, 1986. This proposal honors Charles Blair for his work in the community on behalf of Lilly Endowment. Councillor Howard, sponsor of Proposal No. 106, read the resolution and presented it to Mr. Blair who was accompanied by his two sons. Councillor Howard added that Mr. Blair is a very cultured and business-minded person. Councillor Howard moved, seconded by Councillor Journey, for adoption. Proposal No. 106, 1986, was adopted by unanimous voice vote, retitled Special Resolution No. 21, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 1986

A SPECIAL RESOLUTION honoring Charles Blair for his work in the community on behalf of the Lilly Endowment.

WHEREAS, Charles Blair has been involved with the Lilly Endowment since 1973; and,

WHEREAS, Charles Blair has distinguished himself on behalf of the Lilly Endowment with his work with the Juvenile Justice Programs; Economic Development Programs; Youth Service Programs; Delta Foundation; Youthful Employment Programs; and most recently the Madame C.J. Walker Urban Life Center; and,

WHEREAS, Charles Blair was the chief program officer in charge of the grant program for the Madame C.J. Walker Urban Life Center; and,

WHEREAS, Charles Blair is resigning from the Lilly Endowment to go into private business; 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, on behalf of the citizens of Indianapolis, hereby recognizes Mr. Charles Blair for his outstanding work as the program officer in charge of the Madame C.J. Walker Urban Life Center Grant Project, as well as the other programs that he contributed to as a program officer.

SECTION 2. Mr. Charles Blair is commended for his commitment to the community programs which have made Indianapolis, Marion County, Indiana a model City for community involvement.

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. 110, 1986. This proposal reappoints Karl Stipher, Hollis Becker, James Wright, Lt. Hilton Cancel and Lorenza Dixon to the Community Corrections Advisory Board. Councillor Miller, sponsor of Proposal No. 110, moved for passage, seconded by Councillor Dowden. Proposal No. 110, 1986, was adopted by unanimous voice vote, retitled Council Resolution No. 4, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 4, 1986

A COUNCIL RESOLUTION reappointing members to the Community Corrections Advisory Board.

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

SECTION 1. Pursuant to IC 11-12-2-2 the City-County Council hereby reappoints the following five (5) individuals as members of the Marion County Community Corrections Advisory Board:

**KARL STIPHER
HOLLIS BECKER
JAMES WRIGHT, M.D.
LT. HILTON CANCEL
LORENZA DIXON**

SECTION 2. The appointments made by this resolution are for terms ending December 31, 1989.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 81, 1986. Introduced by Councillor Rhodes. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** adding Article VIII to Chapter 17 of the Code for regulating the operations of pedicabs and establishing a licensing procedure and fixing fees therefor"; and the President referred it to the Administration Committee.

PROPOSAL NO. 82, 1986. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** amending liability insurance requirements for passenger vehicles licensed by the City"; and the President referred it to the Administration Committee.

PROPOSAL NO. 83, 1986. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a **COUNCIL RESOLUTION** requiring an annual review of insurance and bonding requirements for contractor licenses and permit applications"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 84, 1986. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a **SPECIAL ORDINANCE** authorizing the disposal of certain property of the Department of Parks and Recreation to certain not-for-profit corporations"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 85, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** approving the annexation of additional territory in Washington Township into the Indianapolis Police and Fire Special Service Districts"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 86, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a **POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE** appropriating \$50,000 for the Department of Public Safety,

Police Division, for a traffic enforcement project which will be reimbursed by the Indiana Division of Highway Traffic Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 87, 1986. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$539,269 for the Department of Public Works, Office of the Director, to monitor the financial and technical areas of the construction of the Resource Recovery Facility"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 88, 1986. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 17 of the Code by creating a Solid Waste District Disposal Fund"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 89, 1986. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION regarding the allocation of 1986 Cumulative Capital Development Funds "; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 90, 1986. Introduced by Councillor Journey. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code with regard to intersection controls for Orchard Avenue and E. 34th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 91, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls in Shadow Woods, Hunter Woods, Rahke Woods and Charter Point Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 92, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing speed limit controls for a portion of Sherman Drive"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 93, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by authorizing the installation of one-way traffic signs on the traffic circle located at Hunters Path and Arrow Wood Lane"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 94, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Georgetown Road and 86th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 95, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Industrial Boulevard and 38th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 96, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Caito and E. 56th Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 97, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing parking controls for portions of Sherman Drive, Minnesota Street and Harding Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 107, 1986. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Ray Battey to the City-County Administrative Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 108, 1986. Introduced by Councillors Journey and Williams. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Helen Guthrie to the Equal Opportunity Advisory Board"; and the President referred it to the Administration Committee.

PROPOSAL NO. 109, 1986. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Jack Hall, M.D. to the Public Works Board"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor SerVaas stated that there were several proposals concerning economic development bond financing to be considered under the "Special Orders-Priority Business" category of the agenda. The proposals had received a favorable recommendation by the Economic Development Committee at its February 5, 1986, meeting. Councillor SerVaas explained that if there were no objections Councillor Schneider would read each Proposal number and its brief "legal digest", followed by a brief moment for Councillors to voice any objections to its passage. If no objections or absentions were stated, the President would take it to be consent to passage.

PROPOSAL NO. 66, 1986, is a final bond ordinance authorizing the issuance of \$700,000 Economic Development Revenue Bonds for Central Indiana Supply Company, Inc. PROPOSAL NO. 67, 1986, is a final bond ordinance authorizing the issuance of \$1,200,000 Economic Development Revenue Bonds for The Hold Downtown. PROPOSAL NO. 68, 1986, is a final bond ordinance authorizing certain amendments concerning the previously issued City of Indianapolis Economic Development Revenue Bonds (Indianapolis Historic Partners Project). PROPOSAL NO. 69, 1986, is a final bond ordinance authorizing the execution and delivery of a First Amendment To Loan Agreement, Mortgage and Security Agreement concerning the previously issued \$2,400,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series A (GNB Investments Project). PROPOSAL NO. 70, 1986, is a final bond ordinance authorizing certain amendments concerning a previously issued City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project).

Councillor Schneider moved, seconded by Councillor Gilmer, for adoption of Proposal Nos. 66, 67, 68, 69, and 70, 1986. Proposal Nos. 66, 67, 68, 69, and 70, 1986, were adopted on the following roll call vote; viz:

27 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Nickell,

Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West, Williams
NO NAYS

2 NOT VOTING: Dowden, Miller

Proposal No. 66, 1986, was retitled SPECIAL ORDINANCE NO. 2, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1986

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series A (Central Indiana Supply Company, Inc. Project)" in the principal amount of Six Hundred Thousand Dollars (\$600,000) and its "Economic Development Revenue Bonds, Series B (Central Indiana Supply Company, Inc. Project)" in the principal amount of One Hundred Thousand Dollars (\$100,000) 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 Central Indiana Supply Company, 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 February 5, 1986, 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 Central Indiana Supply Company, Inc. (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an existing concrete block warehouse building containing approximately 30,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 3610 Shelby Street, Indianapolis, Indiana on approximately 4.3 acres of land which will be used by Central Indiana Supply Company, Inc. in its business of distribution of animal feeds, fertilizers, agricultural chemicals, pesticide, seeds and other farm supplies primarily to farm supply dealers ("the Project") which will be initially owned by Central Indiana Supply Company, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Guaranty Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series A (Central Indiana Supply Company, Inc. Project) and Economic Development Revenue Bonds, Series B (Central Indiana Supply Company, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") 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 Financing Documents consisting of the Project 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 the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents 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 Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series A (Central Indiana Supply Company, Inc. Project) and its Economic Development Revenue Bonds, Series B (Central Indiana Supply Company, Inc. Project) in the respective principal amounts of Six Hundred Thousand Dollars (\$600,000) and One Hundred Thousand Dollars (\$100,000) (hereinafter referred to collectively as the "Bonds") for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its First Mortgage Note in the principal amount of Seven Hundred Thousand Dollars (\$700,000), which will be executed and delivered by Central Indiana Supply Company, Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. 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 Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk 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 purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk 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 Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such 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. 67, 1986, was retitled SPECIAL ORDINANCE NO. 3, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 3, 1986

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1986 (The Hold Downtown Project)" in the aggregate principal amount of One Million Two Hundred Thousand Dollars (\$1,200,000) 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 The Hold Downtown, an Indiana General 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 February 5, 1986, 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 The Hold Downtown, an Indiana General Partnership, (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of an existing building located at 1430 North Illinois Street containing approximately 60,000 square feet of gross building area with usable square footage of approximately 40,000 square feet plus a parking area located at 1402 North Illinois Street, all located in Indianapolis, Indiana on approximately 1/2 acre of land which will be used by The Hold Downtown, an Indiana General Partnership for lease to the general public for vertical self-storage warehousing; 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") which will be initially owned by The Hold Downtown, an Indiana General Partnership, complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Indenture of Trust, Series 1986 Promissory Note and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1986 (The Hold Downtown Project) (hereinafter referred to collectively as the "Financing Documents") 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 Financing Documents consisting of the Project 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 the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the

City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents 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 Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1986 (The Hold Downtown Project) in the aggregate principal amount of One Million Two Hundred Thousand Dollars (\$1,200,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if and, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million Two Hundred Thousand Dollars (\$1,200,000) which will be executed and delivered by The Hold Downtown, and Indiana General Partnership, to evidence and secure said loan and as otherwise provided in the above described Financing Documents. 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 Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk 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 purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk 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 Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such 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. 68, 1986, was retitled SPECIAL ORDINANCE NO. 4, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 1986

A SPECIAL ORDINANCE authorizing certain amendments concerning the previously issued City of Indianapolis Economic Development Revenue Bonds (Indianapolis Historic Partners Project).

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") issued its Economic Development Revenue Bonds (Indianapolis Historic Partners Project) (the "Bonds") in the principal amount of \$20,100,000 pursuant to a Trust Indenture dated as of December 1, 1985, (the "Indenture"), from the Issuer to The Indiana National Bank, as Trustee (the "Trustee") and loaned the proceeds of the Bonds pursuant to the provisions of a Loan Agreement, Mortgage and Security Agreement, dated as of December 1, 1985 among the Issuer and Indianapolis Historic Partners (the "Company") (the "Loan Agreement") to the Company to finance certain economic development facilities; and

WHEREAS, the Issuer and the Company also entered into a certain Land Use Restriction Agreement dated as of December 1, 1985 (the "Land Use Restriction Agreement"); and

WHEREAS, the Company also executed and delivered a certain Collateral Assignment of Leases and Rentals dated as of December 1, 1985 (the "Collateral Assignment"); and

WHEREAS, the Company has requested that certain amendments be made to the Indenture, Loan Agreement, Land Use Restriction Agreement and the Collateral Assignment which amendments are set forth in the following documents:

1) a First Amendment To The Loan Agreement, Mortgage and Security Agreement dated as of February 1, 1986 between the Company and the Issuer (the "First Amendment To Loan Agreement"); and

2) a First Amendment To The Trust Indenture dated as of February 1, 1986 between the Issuer and the Trustee (the "First Amendment To The Indenture"); and

3) a First Amendment To The Land Use Restriction Agreement dated as of February 1, 1986 between the Issuer and the Company (the "First Amendment To The Land Use Restriction Agreement"); and

4) a First Amendment To The Collateral Assignment of Leases and Rentals dated as of February 1, 1986 between the Company and the Trustee (the "First Amendment To Collateral Assignment"); and

WHEREAS, the Company has also requested that the Issuer approve a final form of Preliminary Official Statement; and

WHEREAS, when in connection with the adoption by the City-County Council of the City of Indianapolis and of Marion County, Indiana of the City-County Special Ordinance No. 118, 1985 on December 16, 1985 the parcel of real estate listed in said Special Ordinance by the common address of 30 East Georgia Street, Indianapolis, Indiana was designated as an Economic Development Target Area pursuant to I.C. 36-7-12-38 but the legal description of the aforesaid parcel of real estate was omitted from the aforesaid Special Ordinance and it is desirable to amend the aforesaid Special Ordinance to include the omitted legal description; and

WHEREAS, the Indianapolis Economic Development Commission, on February 5, 1986, adopted a Resolution, which Resolution has been previously transmitted hereto, finding that the proposed amendment of the financing of the Project complies with the purposes and provisions of Indiana Code 36-7-11.9 and 36-7-12 (collectively the "Act") and that such financing amendments 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 First Amendment To The Loan Agreement, First Amendment To The Indenture, First Amendment To The Land Use Restriction Agreement, First Amendment To Collateral Assignment and Preliminary Official Statement (hereinafter collectively referred to as the "Amended Financing Documents") 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 proposed amendment of the financing of the economic development facilities referred to in the Amended Financing Documents previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Amended Financing Documents 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 Amended Financing Documents are on file in the office of the Clerk of the Council for public inspection.

The Issuer approves the distribution of the Preliminary Official Statement to potential purchasers of the Bonds by A. G. Edwards & Sons, Inc. (the "Underwriter") for the purpose of marketing the issue. The Issuer approves the finalization of the Preliminary Official Statement and the distribution by the Underwriter of such final Official Statement (hereinafter referred to as the "Official Statement") to the bond purchasers. The Mayor or Clerk is hereby authorized to execute and deliver the Official Statement. The Official Statement shall be substantially in the form of the Preliminary Official Statement now before this meeting and hereby ratified and approved, with such changes in form or substance therein as shall be approved by the Mayor or Clerk executing the same, with such execution to constitute exclusive evidence of his or her approval and the Issuer's approval of any changes from or revisions to the form of the Preliminary Official Statement now before this meeting.

SECTION 3. The Bonds shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute those Amended Financing Documents approved herein which require the signature of the Mayor and Clerk, 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 Amended Financing Documents. The Mayor and City Clerk may

be their execution of the Amended Financing Documents approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a) (11).

SECTION 5. The provisions of this ordinance and Indenture as modified by the Amended Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 6. City-County Special Ordinance No. 118, 1985 is hereby amended by adding at the end of the list of legal descriptions contained the last WHEREAS clause and also at the end of the list of legal descriptions contained in SECTION 1 thereof the legal description for the parcel of real estate commonly known as 30 East Georgia Street which is as follows: Lots 4, 5 and 6 in Square 76 of the Donation Land of the City of Indianapolis, Marion County, Indiana. This City-County Council further finds, determines, ratifies and confirms that except as modified by this section, all findings and provisions of City-County Special Ordinance No. 118, 1985 shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 7. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 36-3-4-14.

Proposal No. 69, 1986, was retitled SPECIAL ORDINANCE NO. 5, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 1986

A SPECIAL ORDINANCE authorizing the execution and delivery of a First Amendment To Loan Agreement, Mortgage and Security Agreement concerning the previously issued \$2,400,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series A (GNB Investments Project).

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") executed and delivered to Merchants National Bank & Trust Company of Indianapolis, as trustee ("Trustee"), a Trust Indenture ("Indenture"), dated as of November 1, 1983, recorded in the office of the Recorder of Marion County, Indiana, pursuant to which the Issuer issued its Economic Development Revenue Bonds, Series A (GNB Investments Project) in the principal amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) ("Bonds"); and

WHEREAS, the Issuer and GNB Investments (the "Original Company") executed and delivered a Loan Agreement, Mortgage and Security Agreement, dated as of November 1, 1983 ("Loan Agreement"), pursuant to which the Issuer loaned the proceeds of the Bonds to the Original Company for the purpose of financing the acquisition and construction of certain nursing home facilities located in Indianapolis, Indiana (the "Project"); and

WHEREAS, pursuant to an Assignment of Interest and other related documents, the Original Company has conveyed to Autumn Corporation II, a corporation duly organized and validly existing under the laws of the State of North Carolina (the

"Company") all right, title and interest of the Original Company to the Project, the Loan Agreement, the Indenture and all documents related to and executed in connection with the issuance of the Bonds; and

WHEREAS, in connection with the execution and delivery of the Assignment of Interest, the Company has requested the Issuer and the Trustee to approve the amendments included in the First Amendment To Loan Agreement, Mortgage and Security Agreement (the "First Amendment to Loan Agreement"); and

WHEREAS, the Indianapolis Economic Development Commission at its meeting on February 5, 1986 was presented with the final form of the First Amendment To Loan Agreement; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final form of the First Amendment to Loan Agreement 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 execution and delivery of the First Amendment to Loan Agreement and the performance of the acts provided for therein previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-11.9 and 36-7-12.

SECTION 2. The form of the First Amendment to Loan Agreement approved by the Indianapolis Economic Development Commission is approved and such document 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 First Amendment to Loan Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Bonds shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute the First Amendment to Loan Agreement approved herein, and its 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 City Clerk or City Controller are authorized to arrange for the delivery of such First Amendment to Loan Agreement. The Mayor and City Clerk may by their execution of the First Amendment to Loan Agreement approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11).

SECTION 5. The provisions of this ordinance and the Indenture shall continue to constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the execution and delivery of the First Amendment to Loan Agreement 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 6. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 36-3-4-14.

Proposal No. 70, 1986, was retitled SPECIAL ORDINANCE NO. 6, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1986

A SPECIAL ORDINANCE authorizing certain amendments concerning the previously issued City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project) to modify the interest rate definition.

WHEREAS, Gabriel E. Aguirre ("Developer") and the City of Indianapolis, Indiana ("Issuer"), entered into a Loan Agreement, Mortgage and Security Agreement, dated as of December 1, 1985 ("Original Loan Agreement") and the Issuer and Fort Wayne National Bank, as Trustee ("Trustee"), entered into a Trust Indenture, dated as of December 1, 1985, ("Original Indenture") in connection with the issuance by the Issuer of its \$2,600,000 City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project) (the "Bonds") the proceeds of which were loaned to Gabriel E. Aguirre to facilitate the acquisition, construction and equipping of the Project (as defined in the Original Loan Agreement); and

WHEREAS, the Issuer and the Developer executed and delivered the Original Loan Agreement, which was recorded in the office of the Recorder's Office of Marion County, Indiana, on December 24, 1985, as Instrument Number 850113078; and

WHEREAS, the Issuer and the Developer wish to amend the Original Loan Agreement to modify the interest rate definition by inserting Yield Protection language; and

WHEREAS, the Issuer executed and delivered to the Trustee the Original Indenture recorded in the Recorder's Office of Marion County on December 24, 1985, as Instrument Number 850113079; and

WHEREAS, the Issuer and the Trustee wish to amend the Original Indenture to modify the interest rate definition; and

WHEREAS, the Indianapolis Economic Development Commission, on February 5, 1986, adopted a Resolution, which Resolution has been previously transmitted hereto, finding that the proposed amendment of the financing of the Project complies with the purposes and provisions of Indiana Code 36-7-11.9 and 36-7-12 (collectively the "Act") and that such financing amendments 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 First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture 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 proposed amendment of the financing of the economic development facilities referred to in the First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture 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 First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The Bond shall continue to never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor and City Clerk are authorized and directed to execute the First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture 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 including a substitute Bond if necessary. The City Clerk or City Controller are authorized to arrange for the delivery of such First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture. The Mayor and City Clerk may by their execution of the First Amendment to Loan Agreement, Mortgage and Security Agreement and First Amendment to Trust Indenture approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11).

SECTION 5. The provisions of this ordinance and the Original Indenture as modified by the First Amendment to Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project) and 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 6. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 36-3-4-14.

PROPOSAL NO. 71, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in July 1985 for H & K Realty Co./E & A Industries, Inc. PROPOSAL NO. 72, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in July 1985 for Robert A Borns and Sandra S. Borns. PROPOSAL NO. 73, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in July 1984 and amended in June 1985 for Louis Pack d/b/a/ Group Americal, Inc. PROPOSAL NO. 74, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in June 1985 for Convention Garage Associates, Inc. PROPOSAL NO. 75, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in September 1984 and amended in December 1984 and June 1985 for Massachusetts Point Partners Ltd. PROPOSAL NO. 76, 1986, is a resolution extending the expiration date contained

in an inducement resolution adopted in September 1984 and amended in December 1984 and June 1985 for JMH Partners. PROPOSAL NO. 77, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in May 1985 and amended in September 1985 for Stenz & Associates.

Councillor Journey stated that she desired to abstain from voting on Proposal No. 71, 1986, because she objected to the company's hiring practices with regard to minorities. She referred specifically to the company's 2921 Martindale Avenue location.

Mr. Jim Crawford, Bond Counsel, stated that some confusion exists because there are several entities involved with the project for H & K Realty/E & A Industries, Inc. There has also been a time lapse in the project, but the hiring of new employees in conjunction with the project should begin soon. Mr. Crawford added that the 2921 Martindale Avenue location is operated by Brulin & Company and that H & K Realty Co. operates as the "real estate arm" of the company.

Councillor Borst stated that he knew Mr. Al Hubbard who was associated with the project and that it was his opinion that Mr. Hubbard is a sensitive person. Dr. Borst added that he would contact Mr. Hubbard with regard to the company's hiring practices.

Councillor Journey stated that the problem regarding the company's hiring practices of minorities began in October of 1984 and that nothing has been done about the problem.

Councillor Boyd stated that he would vote in favor of Proposal No. 71, 1986, as long as the chairman of the Council's Economic Development Committee or an other person contact Mr. Hubbard to express the Council's concern with regard to the hiring of minorities.

Councillor SerVaas expressed concern with regard to the Council's discussion, stating that he also knew Mr. Hubbard and that it seemed "out of Mr. Hubbard's character" to be insensitive to hiring minorities. Dr. SerVaas added that he would contact Mr. Hubbard to express the Council's concern.

Councillor SerVaas explained that since Councillor Journey had voiced opposition to Proposal No. 71, 1986, the Council would vote on Proposal Nos. 72, 73, 74, 75, 76 and 77, 1986. Councillor Schneider moved, seconded by Councillor Clark, for adoption of Proposal Nos. 72, 73, 74, 75, 76 and 77, 1986. Proposal Nos. 72-77, 1986, were adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Dowden, Durnil, Gilmer

Proposal No. 72, 1986, was retitled SPECIAL RESOLUTION NO. 22, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 111, 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 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, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 111, 1985, (the "Inducement Resolution") 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 Robert A. Borns and Sandra S. Borns or any entity designated by them (the "Company") which Special Resolution set an expiration date of February 28, 1986 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of February 28, 1986 contained therein and replacing said date with the date of September 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 the Inducement Resolution 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. 73, 1986, was retitled SPECIAL RESOLUTION NO. 23, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 62, 1984, as amended, 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 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, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 62, 1984, as amended, (the "Inducement Resolution") 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 Louis Pack DBA Group Americal, Inc. or a partnership to be formed which includes Louis Pack as a general partner (the "Company") which Special Resolution, as amended, set an expiration date of January 31, 1986, 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of January 31, 1986, contained therein and replacing said date with the date of September 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 the Inducement Resolution 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. 74, 1986, was retitled SPECIAL RESOLUTION NO. 24, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 95, 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 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, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 95, 1985, (the "Inducement Resolution") 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 Convention Garage Associates, Inc. (the "Company") which Special Resolution set an expiration date of February 28, 1986 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of February 28, 1986 contained therein and replacing said date with the date of March 31, 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 the Inducement Resolution 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. 75, 1986, was retitled SPECIAL RESOLUTION NO. 25, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 72, 1984, as amended 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 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, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 72, 1984 as amended (the "Inducement Resolution") 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 Massachusetts Point Partners, Ltd. (the "Company") which Special Resolution as last amended set an expiration date of February 28, 1986 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of February 28, 1986 contained therein and replacing said date with the date of September 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 the Inducement Resolution 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. 76, 1986, was retitled SPECIAL RESOLUTION NO. 26, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 77, 1984, as amended, 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 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, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 77, 1984, as amended, (the "Inducement Resolution") 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 JMH Partners (the "Company") which Special Resolution as last amended set an expiration date of February 28, 1986,

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 extend 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of February 28, 1986, contained therein and replacing said date with the date of September 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 the Inducement Resolution 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. 77, 1986, was retitled SPECIAL RESOLUTION NO. 27, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 77, 1985, as amended 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 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, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 77, 1985, as amended (the "Inducement Resolution") 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 Stenz & Associates or a partnership or partnerships to be formed by the principals of Stenz & Associates (the "Company") which Special Resolution as amended set an expiration date of March 31, 1986 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of March 31, 1986 contained therein and replacing said date with the date of September 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 the Inducement Resolution 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. 71, 1986. This proposal is a resolution extending the expiration date contained in an inducement resolution adopted in July 1985 for H & K Realty Co./E & A Industries, Inc.

Councillor Schneider moved, seconded by Councillor Rader, for adoption of Proposal No. 71, 1986. Proposal No. 71, 1986. was adopted on the following roll call vote; viz:

20 AYES: Borst, Bradley, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Holmes, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West

7 NAYS: Crowe, Durnil, Howard, Journey, McGrath, Strader, Williams

2 NOT VOTING: Boyd, Hawkins

Proposal No. 71, 1986, was retitled SPECIAL RESOLUTION NO. 28, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 110, 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 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, renovation, installation and equipping of said facilities

either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 110, 1985, (the "Inducement Resolution") 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 H & K Realty Co. and E & A Industries, Inc. (the "Company") which Special Resolution set an expiration date of February 28, 1986 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 aforesaid expiration date; now therefore

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of February 28, 1986 contained therein and replacing said date with the date of September 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 the Inducement Resolution 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. 78, 1986. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development development bond financing for The Lifeline Corporation in an amount not to exceed \$4,500,000. Councillor Schneider explained that the project involves the acquisition of the project site containing approximately 6.48 acres of land in the St. Vincent's Office Park immediately east of 1717 West 86th Street, Indianapolis in addition to the acquisition, construction, installation and equipping of an approximately sixty-bed skilled nursing and rehabilitative care facility containing approximately 30,000 square feet plus certain site improvements used in connection with the facility. The Economic Development Committee on February 5, 1986, recommended Proposal No. 78, 1986, Do Pass by a 3-0 vote.

Councillor West inquired if the company had received approval from the State of Indiana with respect to the number of beds for the proposed skilled nursing and rehabilitative care facility. Mr. Crawford responded that it is not necessary to have the State's approval with regard to the specific number of beds. It is necessary, however, to secure the State's approval for the facility itself.

Councillor Schneider moved, seconded by Councillor Gilmer, for adoption of Proposal No. 78, 1986. Proposal No. 78, 1986, was adopted on the following roll call vote; viz:

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

2 NOT VOTING: Clark, Dowden

Proposal No. 78, 1986, was retitled **SPECIAL RESOLUTION NO. 29, 1986**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1986

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 subleased to users of the facilities; and

WHEREAS, The Lifeline Corporation (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 the Applicant for the same, said economic development facilities to be the acquisition of the project site containing approximately 6.48 acres of land to be located in St. Vincent's Office Park immediately east of 1717 West 86th Street, Indianapolis, Indiana; the acquisition, construction, installation and equipping of an approximately 60-bed skilled nursing and rehabilitative care facility containing approximately 30,000 square feet; the acquisition, construction, installation and equipping of various site improvements used in connection with 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 98 at the end of one year and 130 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 Indianapolis, Indiana; now therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 \$4,500,000 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 September 30, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City 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 may 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. 79, 1986, is a special ordinance designating the parcels of land commonly known as 1101-1115 S. Shelby, 1062-1068 Virginia Ave., and 1108-1116 S. Shelby, Indianapolis, Indiana, as economic development target areas. PROPOSAL NO. 80, 1986, is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Fountain Square Associates, in an approximate amount of \$5,000,000. Councillor Schneider explained the project as the acquisition and renovation of three different structures at 1101-1115 S. Shelby, 1062-1068 Virginia Avenue and 1108-1116 S. Shelby to leased for a combination of residential rental units, office and commercial uses. The Economic Development Committee on February 5, 1986, recommended Proposal Nos. 79 and 80, 1986, Do Pass by a 4-0 vote. Councillor Schneider moved, seconded by Councillor Boyd, for adoption. Proposal No. 79, 1986, was adopted on the following roll call vote; viz:

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

2 NOT VOTING: Cottingham, Gilmer

Proposal No. 79, 1986, was retitled SPECIAL ORDINANCE NO. 7, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1986

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 February 5, 1986 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as 1101-1115 South Shelby Street, 1062-1068 Virginia Avenue and 1108-1116 South Shelby Street, Indianapolis, Indiana as Economic Development Target Areas which parcels are more specifically described as:

1062-1068 Virginia Avenue (Block Building):

Lot No. 458, a part of Fletchers et al Subdivision as recorded in Book 81, page 96 in the office of the Recorder of Marion County, State of Indiana.

1108-1116 S. Shelby Street (Rent-A-Center):

Lot 1 and 20 feet off the North side of Lot 2 in the Corrected Plat of DAVID MUNSON'S SUBDIVISION of the East Half of Lot 1 of the Subdivision of a part of

the Northeast Quarter of Section 13, Township 15 North, Range 3 East made by David S. Beaty, Administrator of the Estate of Jacob Birkmeyer, deceased, in the City of Indianapolis, as per plat thereof, recorded in Plat Book 4, page 97 in the Office of the Recorder of Marion County, Indiana. **EXCEPT:** for the Northeast Corner of said Lot 1, taken for the Right-of-Way of Virginia Avenue.

1101-1115 S. Shelby Street (Theater Building):

Lots One (1) through Four (4) in Block Two (2) of MARTINDALE'S SOUTH ADDITION, as per plat thereof recorded in Plat Book 3, page 203 in the Office of the Recorder of Marion County, Indiana, as the same was surveyed in December, 1976. now, therefore:

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

SECTION 1. It is hereby found that the parcels commonly known as 1101-1115 South Shelby Street, 1062-1068 Virginia Avenue and 1108-1116 South Shelby Street, Indianapolis, Indiana which are more specifically described as:

1062-1068 Virginia Avenue (Block Building):

Lot No. 458, a part of Fletchers et al Subdivision as recorded in Book 81, page 96 in the office of the Recorder of Marion County, State of Indiana.

1108-1116 S. Shelby Street (Rent-A-Center):

Lot 1 and 20 feet off the North side of Lot 2 in the Corrected Plat of DAVID MUNSON'S SUBDIVISION of the East Half of Lot 1 of the Subdivision of a part of the Northeast Quarter of Section 13, Township 15 North, Range 3 East made by David S. Beaty, Administrator of the Estate of Jacob Birkmeyer, deceased, in the City of Indianapolis, as per plat thereof, recorded in Plat Book 4, page 97 in the Office of the Recorder of Marion County, Indiana. **EXCEPT:** for the Northeast Corner of said Lot 1, taken for the Right-of-Way of Virginia Avenue.

1101-1115 S. Shelby Street (Theater Building):

Lots One (1) through Four (4) in Block Two (2) of MARTINDALE'S SOUTH ADDITION, as per plat thereof recorded in Plat Book 3, page 203 in the Office of the Recorder of Marion County, Indiana, as the same was surveyed in December, 1976.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended having "... 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 ...".

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 Economic Development Target Areas.

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

Proposal No. 80, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Bradley, Coughenour*

Proposal No. 80, 1986, was retitled SPECIAL RESOLUTION NO. 30, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 1986

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

WHEREAS, Fountain Square Associates (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, renovate, 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 the Applicant for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of the following existing buildings all located in Indianapolis, Indiana: 1) the Fountain Square Theatre Building containing approximately 50,000 square feet located at 1101-1115 South Shelby Street; 2) the Fountain Block Building containing approximately 26,000 square feet located at 1062-1068 Virginia Avenue; and 3) a building containing approximately 9,000 square feet located at 1108-1116 South Shelby Street all of which will be leased for a combination of residential rental units, office and commercial uses; 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 14 at the end of one year and 14 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the 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, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversion 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 \$5,000,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Sites being designated as Economic Development Target Areas pursuant to the Act for the acquisition, renovation, 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, renovation, installation and equipping of the Project, the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the 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 in all probability will be issued or an Ordinance authorizing the issuance of such bonds has been 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 September 30, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the applicant, the Issuer by official action extends the term 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City 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. 98 - 105, 1986. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on February 6, 1986". No action was taken on Proposal Nos. 98-105, 1986, by the Council; and the proposals were deemed adopted. Proposal Nos. 98-105, 1986, were retitled REZONING ORDINANCE NOS. 24-31, 1986, and read as follows:

**REZONING ORDINANCE NO. 24, 1986. 85-Z-212 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18
602 NORTH LYNHURST DRIVE, INDIANAPOLIS.**

Robert A. Borns, by James R. Nickels, requests the rezoning of 93.8 acres, being in the SU-16, D-6II, D-7 and D-9 districts, to the D-5 classification, to provide for residential use by platting.

**REZONING ORDINANCE NO. 25, 1986. 85-Z-224 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 24
2502 EAST STOP 11 ROAD, INDIANAPOLIS.**

Landco Partnership, by Michael J. Kias, requests the rezoning of 6.0 acres, being in the A-2 district, to the C-S classification, to provide for the construction of office-warehouses, mini-warehouses and a resident manager.

**REZONING ORDINANCE NO. 26, 1986. 86-Z-1 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
1110 EAST THOMPSON ROAD, INDIANAPOLIS.**

Perry Township Fire Department, by Martha Y. Burnett, requests the rezoning of 3.5 acres, being in the D-3 district, to the SU-9 classification, to provide for the construction of a fire station.

**REZONING ORDINANCE NO. 27, 1986. 86-Z-2, AMENDED FRANKLIN
TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
10801 VANDERGRIF ROAD, INDIANAPOLIS.**

Mrs. Mayme Moistner and Buck Creek Christian Church, by David T. Whitler, request the rezoning of approximately 7.39 acres, being in the A-2 district, to the SU-1 classification, to provide for church use.

REZONING ORDINANCE NO. 28, 1986. 86-Z-3, AMENDED WASHINGTON TOWNSHIP

**COUNCILMANIC DISTRICT NO. 6
6223 GUILFORD AVENUE, INDIANAPOLIS.**

Eugene D'Alesandro, by Erza H. Friedlander, requests the rezoning of 0.22 acre, being in the D-5 district, to the C-3 classification, to provide for commercial use of a residential structure.

**REZONING ORDINANCE NO. 29, 1986. 86-Z-5 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

6250 SOUTH BELMONT AVENUE, INDIANAPOLIS.

Don Seay, by Louis H. Borgmann, requests the rezoning of 2.33 acres, being in the A-2 district, to the I-2-S classification, to provide for office and warehouse use.

**REZONING ORDINANCE NO. 30, 1986. 86-Z-7 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 15**

4201 EAST 16TH STREET, INDIANAPOLIS.

Church Eastside of the Nazarene, Inc., requests the rezoning of 0.38 acre, being in the D-5 district, to the SU-1 classification, to conform zoning to its use as a church and to permit the expansion of parking.

**REZONING ORDINANCE NO. 31, 1986. 86-Z-32 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3**

4440 MCCOY STREET, LAWRENCE, INDIANA.

Metropolitan Development Commission requests the rezoning of 0.39 acre, being in the C-5 district, to the SU-9 classification, to provide for fire station expansion.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Miller moved, seconded by Councillor Dowden, to advance Proposal No. 57, 1986. Consent was given.

PROPOSAL NO. 57, 1986. This proposal appropriates funds for the Department of Public Safety, Metropolitan Emergency Communications Agency, to allow the Agency and its Commission to conduct planning activities with respect to a future county-wide emergency communications system. Councillor Dowden explained that the appropriation was originally \$467,635, and the Public Safety and Criminal Justice Committee on January 29, 1986, amended Proposal No. 57, 1986, to \$332,635. The amendment was proposed by Mr. Ike Levy, Department of Public Safety, and "M.E.C.A." Executive Board President Jim Curseaden. The Committee also placed a stipulation on the final passage of Proposal No. 57, 1986, requesting that final passage be based upon the fact that the financing would be worked out between the parties involved.

Councillor Dowden explained that in order to meet the financing requirements of the State of Indiana, Proposal No. 57, 1986, should be sent back to Committee for additional amendments. In turn an ordinance would be introduced at the Council's February 24, 1986, meeting identifying a new fund for the Metropolitan Emergency Communications Agency.

Councillor Dowden stated that several members of the "M.E.C.A." Commission were present, including Mr. Jim Curseaden, "M.E.C.A." Executive Board President. He asked that Mr. Curseaden be allowed a few minutes to address the Council. Since there were no objections voiced by members of the Council, Councillor SerVaas stated that Mr. Curseaden could address the Council for a few brief moments.

Mr. Curseaden stated that it has been less than a year since the Council adopted an ordinance that created the Metropolitan Emergency Communications Agency ("M.E.C.A."). Although excellent communication presently exists between city and county agencies involved in "M.E.C.A.", there once existed many "turf battles" between these agencies with regard to police and fire protection in Marion County. Mr. Curseaden stressed that "there has been nothing but the highest standards of professional interaction on the part of all agencies to jointly address and develop a communication system". Mr. Curseaden added that "with regard to system costs, the Board has not yet identified the total costs for the proposed communications network, but it is beginning to identify some potential paybacks that can reduce the overall costs of implementation". Mr. Curseaden concluded by urging the Council to provide further consideration to the "M.E.C.A." budget.

Councillor Dowden moved, seconded by Councillor Schneider, to send Proposal No. 57, 1986, back to Committee with the understanding of the Council that there will be further action on Proposal No. 57, 1986, plus the introduction of a proposal establishing a fund for "M.E.C.A." and that there are commitments by city and county fiscal officers to provide \$70,000 to "M.E.C.A." in the interim for expenses incurred regarding consulting fees, etc. In accordance with Councillor Dowden's request, Proposal No. 57, 1986, was sent back to Committee by Consent.

PROPOSAL NO. 868, 1985. This proposal appropriates \$5,000,000 for the Department of Public Works, Flood Control Division, to pay for the design and appraisal fees for various projects and the construction of the Bean Creek Project,

Indiana Avenue storm sewer and the Lockfield Garden storm sewer. Councillor Coughenour explained that the original appropriation of \$4,475,000 was amended to \$5,000,000 by the Public Works Committee on January 15, 1986, by vote of 7-0. The majority of the appropriation will fund design fees. The Indiana Avenue and Lockfield Garden Areas are being revitalized and need storm sewers to help complete the projects. The President called for public testimony at 8:06 p.m.

Mr. Carl Moldthan, President of the Indianapolis Taxpayers Association, voiced opposition to the borrowing of money from the Indianapolis Local Public Improvement Bond Bank and stated that instead of borrowing from the Bond Bank, the Council should approach the Indiana General Assembly to change the law.

Mrs. Barbara Gole, Director of the Department of Public Works, stated that the Department has requested the State to reduce engineering fees to 25%; however, current State law requires it to be final design. The Administration has set aside funds to ensure payment of these funds if the bonds do not go through. Mrs. Gole mentioned that she had been attending many neighborhood meetings with members of the Administration and that one of the most popular issues discussed at the meetings pertained to drainage.

Mr. Fred Armstrong, City Controller, confirmed Mrs. Gole's statement that funds would be made available but did not specify where the funds would be derived.

There being no other members of the public to testify, Councillor Coughenour moved, seconded by Councillor Boyd, for adoption. Proposal No. 868, 1985, As Amended, was adopted on the following roll call vote; viz:

29 AYES: Borst, Boyd, Bradley, 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, Williams

Proposal No. 868, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 11, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Five Million Dollars (\$5,000,000) in the Flood Control General Fund for purposes of the Department of Public Works, Flood Control Division, and reducing the unappropriated and unencumbered balance in the Flood Control General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds from the sale of bond anticipation notes for the design and appraisal fees for various projects and the construction of the Indiana Avenue storm sewer, the Lockfield Garden storm sewers and Bean Creek Project.

SECTION 2. The sum of Five Million Dollars (\$5,000,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

**DEPARTMENT OF PUBLIC WORKS
FLOOD CONTROL DIVISION**

FLOOD CONTROL GENERAL FUND

3. Other Services & Charges
TOTAL INCREASE

\$5,000,000
\$5,000,000

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

FLOOD CONTROL GENERAL FUND

Unappropriated and Unencumbered
Flood Control General Fund
TOTAL REDUCTION

\$5,000,000
\$5,000,000

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

PROPOSAL NO. 869, 1985. This proposal appropriates \$2,250,000 for the Department of Public Works, Liquid Waste Processing Operations, for the construction of a sanitary sewer and lift station and to rehabilitate existing sewers in the Northwest Redevelopment Area. Councillor Coughenour explained that the original appropriation of \$1,970,000 was amended to \$2,250,000 by the Public Works Committee on January 15, 1986, by vote of 7-0. Sewer user fees will fund the project with no increase in sewer user fees. Councillor Coughenour added that as a general rule and depending upon materials used during construction, the design life of a sewer is fifty years. The program initiated through Proposal No. 869,

1985, will allow the inspection of all sewers, and those that cannot be refurbished will be replaced followed by the rehabilitation of remaining sewers and manholes. The President called for public testimony at 8:19 p.m.

Mr. Carl Moldthan clarified that his objection voiced during the discussion of Proposal No. 868, 1985, was with regard to the method of payment (borrowing from the Bond Bank) rather than to the actual projects.

There being no additional members of the public to testify, Councillor Coughenour moved, seconded by Councillor Rhodes, for adoption of Proposal No. 869, 1985, as Amended. Proposal No. 869, 1985, As Amended, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, 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, Williams*

Proposal No. 869, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 12, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

**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 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds from the sale of bond anticipation notes for the construction of a sanitary sewer and lift station and to rehabilitate existing sewers in the Northwest Redevelopment Area.

SECTION 2. The sum of Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PUBLIC WORKS	
<u>LIQUID WASTE PROCESSING OPERATIONS</u>	<u>SANITATION GENERAL FUND</u>
3. Other Services & Charges	<u>\$2,250,000</u>
TOTAL INCREASE	\$2,250,000

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

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered	
Sanitation General Fund	<u>\$2,250,000</u>
TOTAL REDUCTION	\$2,250,000

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

PROPOSAL NO. 870, 1985. This proposal appropriates \$2,400,000 to the Department of Public Works, Liquid Waste Processing Operations, for maintenance and refurbishment of the wastewater transportation system. Councillor Coughenour stated that the original appropriation of \$1,200,000 was amended to \$2,400,000 by the Public Works Committee on January 15, 1986, by vote of 6-0. The rate of sewer collapses over the past fifty years has been increasing in addition to the cost of the repairs increasing almost fifty percent each year. It is estimated that the costs of these repairs are up to \$1 million per year. The appropriation will allow the Department to reline older sewers in order to prolong their life span. In the Department's opinion, the Fall Creek sewer is in the worst condition, and the cost for replacing it could be \$100,000,000. The President called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Nickell, for adoption. Proposal No. 870, 1985, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Dowden*

Proposal No. 870, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 13, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Million Four Hundred Thousand Dollars (\$2,400,000) in the Sanitation General Fund for purposes of the Department of Public Works, Liquid Waste Processing Operations, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

**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 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the maintenance and refurbishment of the wastewater transportation system.

SECTION 2. The sum of Two Million Four Hundred Thousand Dollars (\$2,400,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u> <u>LIQUID WASTE PROCESSING OPERATIONS</u>	<u>SANITATION GENERAL FUND</u>
3. Other Services & Charges	<u>\$2,400,000</u>
TOTAL INCREASE	<u>\$2,400,000</u>

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

	<u>SANITATION GENERAL FUND</u>
Unappropriated and Unencumbered Sanitation General Fund	<u>\$2,400,000</u>
TOTAL REDUCTION	<u>\$2,400,000</u>

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

PROPOSAL NO. 37, 1986, amends the Code by changing the Office of Equal Opportunity from a section in the Legal Division to the Division of Equal Opportunity in the Department of Administration. PROPOSAL NO. 18, 1986, amends the Code by changing the name of the Division of Employment and Training to the Division of Occupational and Community Services. Councillor West explained that the Administration Committee met on February 3, 1986, to discuss both Proposals. Proposal No. 37, 1986, received a Do Pass As Amended recommendation by a 6-0 vote, and Proposal No. 18, 1986, received a To Be Stricken recommendation by a 6-0 vote. The Committee decided that since both Proposals addressed similar portions of the Code that the two Proposals would be combined thus explaining the To Be Stricken recommendation for Proposal No. 18, 1986.

Councillor Schneider stated that since Proposal No. 37, 1986, creates a new Division, further study was needed on the matter. Caseload information should be made available to the Council.

Councillor West explained that the Legal Division and Office of Equal Opportunity had been extensively involved with investigation of contract compliance. Councillor West urged for passage of Proposal No. 37, stating that the Office of Equal Opportunity would still serve the same functions. He stressed that the Councillors should refer to the underlining and crosshatching contained in Proposal No. 37 to see exactly what was being added and deleted.

Councillor Clark voiced opposition to the passage of Proposal No. 37, 1986, stating that three years ago the Council had changed the Human Rights Division to the Office of Equal Opportunity, a section in the Legal Division. Since there had been few problems under the current arrangement, Councillor Clark questioned the need for Equal Opportunity to become a division.

Councillor West stressed that there had been additional workload placed on the Legal Division by its acquiring the Office of Equal Opportunity. He added that the Director of Administration would supervise the Equal Opportunity regardless of whether it was a section of the Legal Division or a new division.

Several members of the Council objected to their not having the Administration Committee minutes from the February 3, 1986, meeting. Councillor West explained that he had a draft of the minutes but had not signed them for distribution.

Ms. Martha Bulluck, Administrator of the Office of Equal Opportunity, urged for passage of Proposal No. 37, 1986. She stated that the the area of investigating contract compliance has grown to over 700 cases. Proposal No. 37 allows Equal Opportunity to become a division and to be separated into three different sections with varying functions. Ms. Bulluck stressed that the Office of Equal Opportunity had been operating separately from the Legal Division except that their Budget was part of the Legal Division's. Ms. Bulluck added that in the past another entity was used to provide contract compliance, and that is why the workload has increased in Equal Opportunity. She added that no department had budgeted funds for contract compliance in 1986.

Councillor Coughenour indicated her support for passage of Proposal No. 37, 1986, stating that Equal Opportunity would provide the same functions and that the major change was establishing it as a division.

Mr. John Ryan, Corporation Counsel, confirmed that there was at one time a contract with a not-for-profit organization for contract compliance but that the company's services had become rather lacking, particularly in the area of monitoring. In order to promote better accountability, a decision was reached with the department directors to bring the monitoring function "in house". Mr. Ryan added that the money for contract compliance was previously located in the budget of the Department of Metropolitan Development who billed the departments separately. Mr. Ryan validated Ms. Bulluck's previous statement that no department had budgeted funds for contract compliance in 1986 because the funds required for contract compliance were supplied by the City Controller.

The President called for public testimony at 8:53 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Curry, for adoption of Proposal No. 37, 1986, As Amended. Proposal No. 37, 1986, As Amended, was adopted on the following roll call vote; viz:

18 AYES: *Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Shaw, Strader, West, Williams*
0 NOT VOTING

11 NAYS: *Clark, Cottingham, Dowden, Durnil, Giffin, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart*

Proposal No. 37, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 10, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 1986

A GENERAL ORDINANCE changing the Office of Equal Opportunity, a section in the Legal Division, to the Division of Equal Opportunity in the Department of Administration.

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

SECTION 1. Sec. 3-3 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language cross-hatched to read as follows:

Sec. 3-3. Divisions.

The department of administration shall be composed of the following divisions:

(A) Office of the director. The office of the director shall:

- (1) Purchase or authorize the purchase of and maintain records of insurance and administer fringe benefits for city officers and employees;**
- (2) Purchase or authorize the purchase of and maintain records of surety bonds for city and county offices and employees and for township assessors if requested to do so by the assessors;**
- (3) Allocate parking spaces in the city-county building parking garage;**
- (4) Provide public relations and citizens' complaint services for the department;**
- (5) Be the cable communications office as provided in section 8 1/2-126 of the Code of Indianapolis and Marion County, Indiana;**
- (6) Develop and manage an energy efficiency program for the city.**

(B) Legal division.

- (a) Corporation counsel. The administrator of the legal division shall be the corporation counsel who shall be appointed by and serve at the pleasure of the mayor as required by IC 36-3-5-2(d). The corporation counsel shall be responsible to the mayor for the functions of the division.**
- (b) Duties and powers. It shall be the duty of the legal division to furnish all legal services to the mayor, the city-county council, all departments and divisions of the city and all county officials and agencies.**

The legal division shall:

- (1) Prepare ordinance for introduction before the city-county council and prepare legislative proposals to be introduced in the general assembly;**
- (2) Prepare leases, deeds, contracts and other legal papers;**
- (3) Institute legal action for the purpose of enforcing the ordinances of the consolidated city;**
- (4) Employ the services of outside legal counsel when in the best interests of the consolidated city with the approval of the mayor;**
- (5) Furnish legal advice and opinions when such legal advice or opinion is requested;**
- (6) Compromise litigation and effect settlement of impending litigation affecting the consolidated city with the approval of the mayor;**
- (7) Enter an appearance as attorney for and represent and defend the consolidated city, the mayor, the members of the city-county council, all departments and**

- (11) To represent the city in all unemployment compensation and workmen's compensation proceedings and to coordinate the handling of claims processing in these areas;
- (12) To participate and assist in labor negotiations with any city bargaining representative;
- (13) To develop, administer and coordinate a comprehensive safety program for the city including completion of any reports necessary for governmental compliance;
- (14) To identify any safety violation in accordance with federal, state or local laws which exists in any city department and to determine and enforce applicable safety standards;
- (15) To perform any and all other duties related to personnel management and administration or any other duty or responsibility delegated to it by the mayor, department director or city-county council.

(D) Division of ~~the city-county council~~ occupational and community services. The division of ~~the city-county council~~ occupational and community services shall:

(d) Administer and, subject to the approval of the director, contract for the administration of federally and state funded employment and training programs, programs for youth, neighborhood health programs and programs for senior citizens.

(E) Purchasing division.

(a) Purchasing agent. The purchasing agent shall be head of the purchasing division and shall be appointed by the director subject to the approval of the mayor.

(b) Duties and powers. The purchasing division shall:

- (1) Act as the agent in obtaining materials, supplies, equipment or contractual services, other than personal services, for city departments, divisions or county offices. Any such department, division or office shall requisition such materials, supplies, equipment or services from the purchasing agent who shall, upon determining that appropriations are available for such purposes, acquire the items requisitioned in accordance with public purchase law. All contracts of purchase shall be made in the name of the city department or division or county office and be subject to the approval of the department, division or office;
- (2) Establish such purchasing and contractual procedures as may best be suited to obtain the greatest economic value to the consolidated city and the county;
- (3) Where bidding and publication of notice are required by law, the purchasing department shall prepare specifications and notice to bidders and see that the required notices are published;
- (4) Cooperate and consult with the controller or the auditor for the purpose of ensuring that adequate funds are available prior to making necessary purchases and acquisitions to assure they are within the limits of the budget appropriations of the department, division, office or body in need of the material;

- (5) Act as the agent of any executive department to sell or exchange any personal property ordered to be sold by a city department or division or county office in accordance with procedures prescribed by law.
- (F) Central equipment management division. The central equipment management division shall:
- (1) Maintain and service all vehicular equipment, accessories and other related equipment owned by the city;
 - (2) Operate maintenance garages;
 - (3) Make a determination that it is in the best interest of the city for a department of the city to lease all or a portion of that department's vehicular capital equipment or other automotive maintenance property from central equipment management division. Upon such a determination by the administrator of central management division, the affected department and the board of that department shall cease to have the authority to acquire or approve the acquisition of the subject capital equipment or other property other than by lease from central equipment management division. Such authority to acquire or approve the acquisition of capital equipment or other property other than by lease from the central equipment management division may be restored by the administrator of the central equipment management division only by a determination by him that such a restoration of authority is in the best interest of the city;
 - (4) Purchase and dispense fuel for authorized governmental vehicles and charges the cost of the same to the appropriate division or agency.
- (G) Records division. The records division shall
- (1) Catalog, store and microfilm records of the consolidated city, its departments and agencies;
 - (2) Catalog, store and microfilm records of the county offices, courts and agencies as shall be requested by the lawful custodians of such records;
 - (3) In addition, the division may acquire, maintain and operate such data processing equipment as may be authorized to effectively automate the processing of the information and statistical material.
- (H) Finance division.
- (a) Duties and powers. The finance division shall administer and be responsible for the accounting, budget, payroll, investment and Barrett law assessment and collection functions of the city. In addition the finance division shall have all other duties and powers assigned by law of by the city-county council or the mayor.
 - (b) Controller-Appointment. The administrator of the finance division shall be a controller who shall be appointed by and serve at the pleasure of the mayor as required by IC 36-3-5-2. The controller shall have an appropriate seal. The controller may appoint deputies for whose acts he shall be responsible.

(c) [Same-] Duties and powers. The controller or his deputies shall:

- (1) Prepare estimates for city expenditures pursuant to IC 36-3-6-4(g) and IC 36-3-6-5;
- (2) Prepare, with the assistance of the corporation counsel, proposed appropriations ordinances for the city and special service districts and proposed ordinance fixing the rate of taxation for the taxes to be levied for city departments, offices and agencies;
- (3) Examine, from time to time, the officers, department and division heads and members of boards of the consolidated city as to their organization, accounting records, personnel and other requirements, to ascertain that their respective budgets are being followed and their functions performed and recommend any improvements or economies which might be made in the administrative practices of all the departments and divisions of the consolidated city;
- (4) Organize and maintain accounting systems for all of the departments of the consolidated city to be kept in accordance with generally accepted accounting principals for governments;
- (5) Provide suitable instruction for the use of forms and the methods of keeping all accounting records and preparation of all financial reports of the consolidated city;
- (6) Examine all contracts, purchase orders and other documents which would result in or involve financial obligations for the consolidated city and approve the same only upon ascertaining that there is an unexpended, unencumbered and unimpounded balance in the account or fund from which money may be drawn for payment;
- (7) Submit a monthly financial report to the mayor, for his presentation to the city-county council, showing the financial condition of the various accounts and funds of the consolidated city, including estimated revenues, revenues received, appropriations and allotments for such appropriations and to furnish to all of the departments, monthly financial reports of their fiscal conditions;
- (8) Designate banks and other financial depositories in which the funds of the consolidated city shall be deposited in accordance with applicable law and designate the municipal, state and federal securities which shall constitute proper legal investments for the consolidated city;
- (9) Prescribe the time and manner in which moneys received by the consolidated city shall be deposited in the designated banks or depositories;
- (10) Make investments of all city moneys, including pension funds, sinking funds and all other funds of the consolidated city except as otherwise provided and subject to the ordinances of the city-county council and be responsible for the preparation and sale of all bonds and securities issued by the consolidated city;

- (11) Issue all consolidated city licenses upon receipt of the fee established and fixed therefore by ordinance;
- (12) Direct the administrative procedure for, and the accounting collection and payment for, all Barrett law assessments within the limits of the consolidated city, attend to the enforcement of said assessments and provide for the issuance and payment of Barrett law bonds;
- (13) Sign and issue all orders for money from the various funds of the consolidated city. No money shall be paid out by the treasurer except upon such order;
- (14) Require claim form or order to be presented to him from the director or administrator of a department or division of the consolidated city as a requisite to issuing any order for the payment of money from funds of the consolidated city, and incidental thereto, he shall have power to require evidence that amounts claimed are justly due;
- (15) Keep a register of all bonds of the city and of the transfers thereof, where so provided in any such bond, and an account of all outstanding securities;
- (16) Audit or provide for the audit of the accounts of the departments of the consolidated city.

(I) Division of Equal Opportunity. The division of equal opportunity and its administrator shall be empowered to carry out the duties and responsibilities enumerated in Chapter 16 of the Code of Indianapolis and Marion County, Indiana.

In addition, each division shall have all powers and duties granted by law, the city-county council or the mayor.

SECTION 2. Chapter 16 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the language underscored and deleting the language cross-hatched to read as follows:

HUMAN RELATIONS: EQUAL OPPORTUNITY

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

- (a) Findings. The city-county council hereby makes the following findings:
 - (1) The council finds that the practice of denying equal opportunities in employment, education, access to and use of public accommodations, and acquisition of real estate bases on race, color, religion, ancestry, national origin, handicap, or sex is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the policies contained herein and shall be considered discriminatory practices.
 - (2) Pornography is a discriminatory practice based on sex which denies women equal opportunities in society. Pornography is central in creating and maintaining sex as a basis for discrimination. Pornography is a systematic practice of exploitation and subordination based on sex which

differentially harms women. The bigotry and contempt it promotes, with the acts of aggression it fosters, harm women's opportunities for equality of rights in employment, education, access to and use of public accommodations, and acquisition of real property; promote rape, battery, child abuse, kidnapping and prostitution and inhibit just enforcement of laws against such acts; and contribute significantly to restricting women in particular from full exercise of citizenship and participation in public life, including in neighborhoods.

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

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

Sec. 16-2. Nondiscrimination clauses.

(1) Every contract to which one of the parties is the city or the county, and or any board, department or office of either the city or county, including franchises granted to public utilities, shall contain a provision requiring the governmental contractor and subcontractors not to discriminate against any employee or applicant for employment in the performance of the contract, with respect to hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of race, sex, religion, color, national origin, ancestry, age, handicap, disabled veteran status and Vietnam era veteran status. Breach of this provision may be regarded as material breach of the contract.

(2) All applications, postings, announcements, and advertisements recruiting applicants for employment with the City or County, shall conspicuously post in the bottom margin of such recruiting bids, a clause as follows: "An Affirmative Action Equal Employment Opportunity Employer."

Sec. 16-3. Definitions.

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

- (a) Acquisition of real estate shall mean the sale, rental, lease, sublease, construction or financing, including negotiations and any other activities or procedures incident thereto, of:
 1. Any building, structure, apartment, single room or suite of rooms or other portion of a building, occupied as or designed or intended for occupancy as living quarters by one or more families or single individuals;
 2. Any building; structure or portion thereof, or any improved or unimproved land utilized or designed or intended for utilization, for business, commercial, industrial or agricultural purposes;
 3. Any vacant or unimproved land offered for sale or lease for any purpose whatsoever.
- (b) Appointing authorities shall mean and include the mayor, city-county council and such other person or agency as may be entitled to appoint any member of the equal opportunity board created in this chapter.
- (c) Appraiser shall mean any person who, for a fee or in relation to his/her employment or usual occupation, establishes a value for any kind of real estate, the acquisition of which is defined in this section.
- (d) Board shall mean the equal opportunity advisory board.
- (e) Complainant shall mean any person who signs a complaint on his/her own behalf alleging that he/she has been aggrieved by a discriminatory practice.
- (f) Complaint shall mean a written grievance filed with the ~~office~~ division of equal opportunity, either by a complainant or by the board or ~~office~~ division which meets all the requirements of the sections 16-18 and 16-19.
- (g) Discriminatory practice shall mean and include the following:
 1. The exclusion from or failure or refusal to extend to any person equal opportunities or any difference in the treatment of any person by reason of race, sex, religion, color, national origin or ancestry, handicap, age, disabled veteran or Vietnam era veteran status.
 2. The exclusion from or failure or refusal to extend to any person equal opportunities or any difference in the treatment of any person, because the person filed a complaint alleging a violation of this chapter, testified in a hearing before any members of the Board or otherwise cooperated with the ~~office~~ division or board in the performance of its duties and functions under this chapter, or requested assistance from the board in

connection with any alleged discriminatory practice, whether or not such discriminatory practice was in violation of this chapter.

3. In the case of a real estate broker or real estate salesperson or agent, acting in such a capacity in the ordinary course of his/her business or occupation, who does any of the following:
 - a. Any attempt to prevent, dissuade or discourage any prospective purchaser, lessee or tenant of real estate from viewing, buying, leasing or renting the real estate because of the race, sex, religion or national origin of:
 1. Students, pupils or faculty of any school or school district;
 2. Owners or occupants, or prospective owners or occupants, of real estate in any neighborhood or on any street or block; provided, however, this clause shall not be construed to prohibit disclosure in response to inquiry by any prospective purchaser, lessee or tenant of:
 - (i) Information reasonably believed to be accurate regarding such race, sex, religion or national origin; or
 - (ii) The honest professional opinion or belief of the broker, sales person or agent regarding factors which may affect the value or desirability of property available for purchase or lease.
 - b. Any solicitation, promotion or attempt to influence or induce any owner to sell, lease or list for sale or lease any real estate, which solicitation, promotion or attempted inducement includes representations concerning:
 1. Race, sex, religion or national origin or present, prospective or possible purchasers or occupants of real estate in any area, neighborhood or particular street or block;
 2. Present, prospective or possible neighborhood unrest, tension or change in the race, sex, religion or national origin of occupants or prospective occupants of real estate in any neighborhood or any street or block;
 3. Present, prospective or possible decline in market value of any real estate by reason of the present, prospective or possible entry into any neighborhood, street or block of persons of a particular race, sex, religion or national origin;
 4. Present, prospective or possible decline in the quality of education offered in any school or school district by reason of any change in the race, sex, religion or national origin of the students, pupils or faculty of such school or district.
 5. Trafficking in pornography: The production, sale, exhibition, or distribution of pornography.

- (a) City, state, and federally funded public libraries or private and public university and college libraries in which pornography is available for study, including on open shelves, shall not be construed to be trafficking in pornography, but special display presentations of pornography in said places is sex discrimination.
 - (b) The formation of private clubs or associations for purposes of trafficking in pornography is illegal and shall be considered a conspiracy to violate the civil rights of women.
 - (c) This paragraph (4) shall not be construed to make isolated passages or isolated parts actionable.
- (5) Coercion into pornographic performance: Coercing, intimidating or fraudulently inducing any person, including a man, child or transsexual, into performing for pornography, which injury may date from any appearance or sale of any products of such performance.
- (a) Proof of the following facts or conditions shall not constitute a defense:
 - 1. That the person is a woman; or
 - 2. That the person is or has been a prostitute; or
 - 3. That the person has attained the age of majority; or
 - 4. That the person is connected by blood or marriage to anyone involved in or related to the making of the pornography; or
 - 5. That the person has previously had, or been thought to have had, sexual relations with anyone, including anyone involved in or related to the making of the pornography; or
 - 6. That the person has previously posed for sexually explicit pictures for or with anyone, including anyone involved in or related to the making of the pornography at issue; or
 - 7. That anyone else, including a spouse or other relative, has given permission on the person's behalf; or
 - 8. That the person actually consented to a use of the performance that is changed into pornography; or
 - 9. That the person knew that the purpose of the acts or events in question was to make pornography; or
 - 10. That the person demonstrated no resistance or appeared to cooperate actively in the photographic sessions or in the sexual events that produced the pornography; or
 - 11. That the person signed a contract, or made statements affirming a willingness to cooperate in the production of pornography; or
 - 12. That no physical force, threats, or weapons were used in the making of the pornography; or
 - 13. That the person was paid or otherwise compensated.
- (6) Forcing pornography on a person: The forcing of pornography on any woman, man, child or transsexual in any place of employment, in education, in a home, or in any public place.
- (7) Assault or physical attack due to pornography: The assault, physical attack, or injury of any woman, man, child, or transsexual in a way that is directly caused by specific pornography.

- (8) Defenses. Where the materials which are the subject matter of a complaint under paragraphs (4), (5), (6), or (7) of this subsection (g) are pornography, it shall not be a defense that the respondent did not know or intend that the materials were pornography or sex discrimination; provided, however, that in the cases under paragraph (g)(4) of section 16-3 or against a seller, exhibitor or distributor under paragraph (g)(7) of section 16-3, no damages or compensation for losses shall be recoverable unless the complainant proves that the respondent knew or had reason to know that the materials were pornography. Provided, further, that it shall be a defense to a complaint under paragraph (g)(4) of section 16-3 that the materials complained of are those covered only by paragraph (q)(6) of section 16-3.
- (h) Division shall mean the division of equal opportunity created by this chapter.
- (h) (i) Education shall mean the construction, maintenance or operation of any school or educational facility utilized or intended to be utilized for the education or training of persons residing within the territorial jurisdiction of the ~~public~~ division and controlled by a public governmental board or agency which operates one or more elementary or secondary schools.
- (j) (j) Employer shall mean:
- (1) Any political subdivision within the county, not represented by the corporation counsel, pursuant to ~~IC 11-8-4-7.5~~ Section 3-3(B) of the Code of Indianapolis and Marion County, Indiana, and any separate municipal corporation which has territorial jurisdiction primarily within the county; and
 - (2) Any person who employs at the time of any alleged violation six (6) or more employees within the territorial jurisdiction of the ~~public~~ division.
- (j) (k) Employment shall mean a service performed by an individual for compensation on behalf of an employer, except that such services shall not include the following:
1. Services performed by an individual who in fact is engaged in an independently established trade, occupation, business or profession, and who has been and will continue to be free from direction or control over the manner of performance of such services;
 2. Services performed by an agent who received compensation solely upon a commission basis and who controls his/her own time and efforts; or
 3. Services performed by an individual in the employ of his/her spouse, child or parent.
- (k) (l) Employment agency shall mean and include any person undertaking, with or without compensation, to procure, recruit, refer or place any individual for employment.
- (l) (m) Labor organization shall mean and include any organization which exists for the purpose, in whole or in part, of collective bargaining or dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.
- (l) (n) Lending institution shall mean any bank, building and loan association, insurance company or other corporation, association, firm or enterprise, the business of which consists in whole or in part in making or guaranteeing loans, secured by real estate or any interest therein.

~~(n) // Office shall mean the title holder of record, a contract purchaser, lessee, sublessee, managing agent or other person having rights of ownership or possession, or the right to sell, rent or lease real estate.~~

- (o) Owner shall mean and include the title holder of record, a contract purchaser, lessee, sublessee, managing agent or other person having rights of ownership or possession, or the right to sell, rent or lease real estate.
- (p) Person shall mean and include one or more individuals, partnerships, associations, organizations, cooperatives, legal representatives, and other organized groups of persons.
- (q) Pornography shall mean the sexually explicit subordination of women, graphically depicted, whether in pictures or in words, that also includes one or more of the following:
 - (1) Women are presented as sexual objects who enjoy pain or humiliation; or
 - (2) Women are presented as sexual objects who experience sexual pleasure in being raped; or
 - (3) Women are presented as sexual objects tied up or cut up or mutilated or bruised or physically hurt, or as dismembered or truncated or fragmented or severed into body parts; or
 - (4) Women are presented being penetrated by objects or animals; or
 - (5) Women are presented in scenarios of degradation, injury, abasement, torture, shown as filthy or inferior, bleeding, bruised, or hurt in a context that makes these conditions sexual; or
 - (6) Women are presented as sexual objects for domination, conquest, violation, exploitation, possession, or use, or through posture or positions of servility or submission or display.

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

- (r) Public accommodation shall mean an establishment which caters to or offers its services, facilities or goods to the general public.
- (s) Public facility shall mean any facility or establishment, other than an educational institution, which is owned, operated or managed by or on behalf of a governmental agency.
- (t) Real estate broker shall mean any person who, for a fee or other valuable consideration, sells, purchases, rents, leases or exchanges, or negotiates or offers or attempts to negotiate the sale, purchase, rental, lease or exchange of real property owned by another person; or a person who is licensed and holds himself/herself out to be engaged in the business of selling, purchasing, renting, leasing or exchanging real property for other persons, or who manages and collects rents for the real property of another.
- (u) Real estate salesperson or agent shall mean any person employed by a real estate broker to perform or assist in performing any or all of the functions of the real estate broker.

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

Sec. 16-4. ~~Ordinance~~ Division of equal opportunity - created; purpose.

There is hereby created a ~~department of administration~~ Division of equal opportunity within the department of administration ~~within the territorial boundaries of Marion County.~~ This ~~division~~ division and its board are empowered as provided in this chapter to carry out the public policy of the state as stated in section 2 of the Indiana Civil Rights Act, within the territorial boundaries of Marion County.

Sec. 16-5. Same - composition of ~~division~~ division functions.

The ~~division~~ division shall be directed by an ~~affirmative action officer~~ administrator who shall also be the affirmative action officer for the city and county. The ~~affirmative action officer~~ administrator shall be appointed by and serve at the pleasure of the mayor and shall be responsible for performing the following functions:

1. To monitor internal employment practices as follows:
 - a. By ensuring that city and county government offers equal employment opportunities to persons regardless of race, religion, color, sex, national origin, ancestry, age, handicap, or disabled veteran or Vietnam era veteran status;
 - b. By providing a vehicle through which employees may seek redress for alleged discriminatory acts by city and county government and/or retaliatory acts by city or county government for filing or assisting in the discrimination complaint process;
 - c. By establishing affirmative action goals for city and county government;
 - d. By complying with federal reporting requirements concerning affirmative action and equal opportunity; and
 - e. By reviewing policies and procedures of the city and the county to eliminate discriminatory practices.
2. To monitor contract compliance as follows:
 - a. By ensuring compliance with federal grant requirements respective to the utilization of minority business enterprises (MBE) and women business enterprises (WBE);
 - b. By reviewing city-county contracts to assure compliance with relevant federal, state and local laws and regulations on affirmative action and equal employment;
 - c. By functioning as a liaison between the city-county and its contractors by providing technical assistance in developing affirmative action goals and monitoring these compliance efforts to meet established goals; and
 - d. By managing and implementing the MBE/WBE programs, and by monitoring city and county purchasing as specified in section 16-1(3).
3. To evaluate the effect which State and Federal Prevailing Wage legislation has on:

- a. the employment and training of minorities, families, handicapped and other protected groups in public construction projects funded in whole or in part by the City of Indianapolis or Marion County; and
- b. employers and particularly minority and women-owned business enterprises in bidding and working in public construction projects funded in whole or in part by the City of Indianapolis or by Marion County.

As part of its evaluation, the Division shall annually conduct surveys to determine the prevailing wage rates for various classes of construction work in private construction projects in Marion County.

4. To receive, investigate and adjudicate community complaints as specified in sections 16-18 through 16-28.

Sec. 16-6. Same - General powers and duties.

In addition to the functions previously mentioned in section 16-5, the ~~Office~~ division shall have the following powers and duties:

1. To gather and distribute information for the purpose of improving man relations and removing inequities to protected groups in the areas of housing, recreation, education, employment, law enforcement, vocational guidance and related matters.
2. To assist other governmental and private agencies, groups and individuals in reducing community tensions and preventing conflicts between persons of different racial, ethnic and religious groups.
3. To discourage persons from engaging in discriminatory practices through informal methods of persuasion and conciliation and through programs of public information and education.
4. To furnish technical assistance upon request to persons to assist them in eliminating discriminatory practices or otherwise implementing the policy and purposes of the Indiana Civil Rights Act.
5. To make such general investigations, studies and surveys as the ~~Office~~ division shall deem necessary for the performance of its duties.
6. To prepare and submit at least annually a report of its activities to the mayor and to the public, which report shall describe the investigations and proceedings conducted by the ~~Office~~ division, the outcome thereof and the progress and achievements of the ~~Office~~ division and the community toward elimination of discriminatory practices.
7. To cooperate with the Indiana State Civil Rights Commission, any appropriate federal, state or local agencies, and with private organizations, individuals and neighborhood associations in order to effectuate the purposes of this chapter and to further compliance with federal, state and local laws and ordinances prohibiting discriminatory practices.
8. To perform any other duties assigned by ordinance or the mayor.

Sec. 16-7. Equal opportunity advisory board - Created; purpose.

There is hereby created an equal opportunity advisory board empowered as provided in this chapter to carry out the public policy of the state as stated in Section 2 of the Indiana Civil Rights Act, within the territorial boundaries of Marion County.

Sec. 16-8. Same - Composition of board; appointment and terms of members.

1. The board shall consist of twenty-two (22) members. Fourteen (14) members shall be appointed by the mayor and eight (8) members shall be appointed by the city-county council. In addition, the ~~city-county~~ administrator shall be an ex officio member of the board. In making appointments, the mayor and the city-county council shall consider the following:

- a. No more than seven (7) members of the board appointed by the mayor shall be from any one political party. No more than four (4) members of the board appointed by the city-county council shall be from any one political party.
- b. In making appointments to the board, the mayor and the city-county council shall take into consideration all interests in the community, including but not limited to age, racial, ethnic, sexual, religious and economic groups, business, labor, the handicapped and the general public.

2. A board member may be removed for just cause, including nonattendance, by a two-thirds (2/3) vote of the board.

3. In the event of the death, resignation or removal of any member of the board prior to the expiration of his/her term, the appointing authority shall make an appointment to fill the vacancy for the unexpired term of the member.

4. In making the original appointments to the board, the mayor shall designate five (5) appointees to serve three-year terms; five (5) appointees to serve two-year terms and four (4) appointees to serve one-year terms; and the city-county council shall designate three (3) appointees to serve three-year terms; three (3) appointees to serve two-year terms and two (2) appointees to serve one-year terms. Subsequent appointments shall be for three-year terms beginning on the first day of January and ending three (3) years later on the last day of December. Any member of the board whose term has expired may continue in office until a successor has been appointed.

5. The mayor shall appoint from the membership of the board, a chairperson who shall serve a one-year term and until his/her successor is appointed and qualified, but serves the pleasure of the mayor.

6. The chairperson shall appoint a vice-chairperson and a secretary to serve during his/her term of office.

Sec. 16-9. Same - Meetings; vote required for board action.

The board shall hold regular meetings every two (2) months on a day agreed upon by the board. The board shall hold special meetings as may be called by two-thirds (2/3) of the membership. One-half (1/2) of the members of the board, excluding vacancies, shall constitute a quorum at any meeting. A majority vote of those in attendance shall be necessary for action, except in the case of a determination after hearing provided in section 16-26, when a majority of the members of the board

not disqualified from participation in such determination shall be required. The ~~city~~ administrator shall not be allowed to vote, except in case of a tie, when the ~~city~~ administrator may cast the deciding vote.

Sec. 16-10. Same - General powers and duties.

The board shall have the following powers and duties:

1. To appoint an executive committee, a majority of which shall constitute a quorum, which committee shall be authorized to act upon emergency matters between meetings of the board; provided, however, the executive committee shall not take any action inconsistent with action previously taken or policies adopted by the board, and the executive committee shall not exercise any of the powers or functions of the board under section 16-17 through 16-27. All officers of any executive committee appointed by the board must be members of the board.
2. To establish three (3) standing committees, composed of seven (7) board members each, to deal with the following such matter:
 - a. Internal employment practices,
 - b. Contract compliance,
 - c. Complaint adjudication.

The chairperson shall appoint the board members to each committee. No board member shall serve on more than one committee. The chairperson shall be an ex officio member of each committee but have voting privileges only in case of a tie, when he/she may cast the deciding vote. The board may establish any additional committees as in its judgment will aid the board in effectuating the purposes of this chapter.

3. To advise the ~~city~~ division in formulating policies designed to effectuate the purposes of this chapter and to make such recommendations to the mayor and the city-county council as the board shall deem appropriate to implement such policies.
4. To adopt, amend and rescind procedural and substantive rules and regulations for the conduct of its affairs, not inconsistent with the provisions or intent and purposes of this chapter, as the board shall deem necessary or appropriate. The rules or regulations shall be adopted only after notice is given and a hearing is held thereon in the manner provided by state law relating to rule-making by state agencies. Any rule or regulation adopted by the board shall be submitted to the corporation counsel for approval as to legality. Upon approval by the corporation counsel, the board shall cause the rule or regulation to be printed or duplicated in such a manner as to be readily available to interested persons and the public, and shall thereupon file the original approved copy and one duplicate with the clerk and the clerk of any other city or town which has adopted this chapter. The rule or regulation shall be effective as of the date and time of filing the original approved copy with the clerk.

5. To exercise such additional powers or functions as may be delegated to the board by ordinance or by executive order validly adopted and promulgated by the mayor of the consolidated city.
6. To generally advise the ~~office~~ division in the area of equal opportunity which shall include but not be limited to recommending new programs and program objectives, reviewing problem areas and recommending changes in existing programs.

Sec. 16-11. Same - Internal employment practices committee; duties.

1. A committee on internal employment practices is hereby established. The committee shall be composed of seven (7) members of the board appointed by the chairperson of the board. The committee shall meet quarterly and at such other times as its members deem necessary. The committee shall have the power to establish and adopt rules for the conduct of its affairs.

2. The duties of the internal employment practices committee shall include:
 - a. To review employment policies and procedures of the city and county and make recommendations to eliminate discriminatory employment practices.
 - b. To review internal employment programs in the area of equal employment opportunity and affirmative action and make recommendations concerning their effective and efficient operation.
 - c. To provide recommendations for establishing and achieving affirmative action goals.

Sec. 16-12. Same - Contract compliance committee; duties.

1. A committee on contract compliance is hereby established. The committee shall be composed of seven (7) members of the board. The committee shall meet quarterly and at such other times as the members of the committee shall deem necessary. The committee shall have the power to establish and adopt rules for the conduct of its affairs.

2. The duties of the contract compliance committee shall include:
 - a. To review contract compliance procedures and make recommendations concerning their effective and efficient operation.
 - b. To make recommendations for improving the utilization of minority and women businesses by the city and county.

Sec. 16-13. Complaint adjudication; territorial application.

This chapter shall apply within the territorial limits of the consolidated city and within the territorial limits of the county, with respect to any discriminatory practice occurring within such territorial limits and which relates to:

- (1) Acquisition of real estate; or
- (2) Employment; or
- (3) Education controlled by any public board of agency; or
- (4) Public accommodations; or
- (5) Pornography.

Sec. 16-14. Unlawful acts other than discriminatory practices; penalty.

(a) It shall be unlawful for any person to discharge, expel or otherwise discriminate against any other person because that person:

- (1) Has filed a complaint alleging a violation of section 16-15;
- (2) Has testified in a hearing before the board or any committee thereof;
- (3) Has otherwise cooperated with the board or ~~office~~ division in the performance of their duties and functions;
- (4) Has requested assistance from the board or ~~office~~ division in connection with any alleged discriminatory practice, whether or not the discriminatory practice was in violation of section 16-15.

(b) It shall be unlawful for any person willfully to file a complaint alleging a violation of section 16-15 with knowledge that the complaint is false in any material respect.

(c) Any person who violates any of the provisions of this section shall upon conviction, be subject to fine in an amount not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00); provided, however, no such fine shall be imposed upon any person against whom the board or ~~office~~ division has proceedings under this chapter with respect to any violation of subsection (1), which violation is also a discriminatory practice. Any proceedings to impose a penalty under this section shall be commenced within six (6) months after the date the violation occurred.

Sec. 16-15. Discriminatory practices declared unlawful.

Each discriminatory practice as defined in section 16-3 shall be considered unlawful unless it is specifically exempted by this chapter.

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

(a) Sections 16-14 and 16-15 shall not apply to employment performed for the consolidated city and department or agency thereof, or any employment performed for the county or agency thereof which is represented by the corporation counsel pursuant to ~~IC 18-4-7-5~~ Section 3-3)B of the Code of Indianapolis and Marion County, Indiana.

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

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

- (d) The following shall not be discrimination on the basis of sex:
- (1) For any person to maintain separate restrooms or dressing rooms for the exclusive use of either sex;
 - (2) For an employer to hire and employ employees; for an employment agency to classify or refer for employment any individual; for a labor organization to classify its membership or to classify or refer for employment any

individual; or for an employer, labor organization or joint labor-management committee, controlling apprenticeship or other training or retraining programs, to admit or employ any individual in any such program; on the basis of sex in those certain instances where sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.

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

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

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

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

(c) In the case of assault or physical attack due to pornography, compensation for losses or an award of damages shall not be assessed against:

- (1) Maker(s), for pornography made,
- (2) Distributor(s), for pornography distributed,
- (3) Seller(s), for pornography sold, or
- (4) Exhibitor(s) for pornography exhibited, prior to the effective date of this act.

Sec. 16-18. Contents of complaint.

To be acceptable by the ~~office~~ division, a complaint shall be sufficiently complete so as to reflect properly the full name and address of the complainant or other aggrieved person or persons; the full name and address of the person against whom the

complaint is made; the alleged discriminatory practice and a statement of particulars thereof; the date or dates of the alleged discriminatory practice; if the alleged discriminatory practice is of a continuing nature, the dates between which the continuing discriminatory practices are alleged to have occurred; a statement as to any other action, civil or criminal, instituted before any other administrative agency, commission, department or court, whether state or federal, based upon the same grievance alleged in the complaint, with a statement as to the status or disposition of any such other action; and in the case of alleged employment discrimination a statement that the employer employs six (6) or more employees in the territorial jurisdiction of the public division.

Sec. 16-19. Execution and verification of complaint.

The original complaint shall be signed and verified before a notary public or other person duly authorized by law to administer oaths and take acknowledgements. Notarial services shall be furnished by the public division without charge.

Sec. 16-20. Timeliness of complaint.

No complaint shall be valid unless filed within ninety (90) calendar days from the date of occurrence of the alleged discriminatory practice or, in the case of a continuing discriminatory practice, during the time of the occurrence of the alleged practice; but not more than ninety (90) calendar days from the date of the most recent alleged discriminatory act.

Sec. 16-21. Referral of complaint to Indiana State Civil Rights Commission.

The public division administrator may, in his/her discretion, prior to scheduling of the complaint for hearing under section 16-26, refer any complaint to the Indiana State Civil Rights Commission for proceedings in accordance with the Indiana Civil Rights Act.

Sec. 16-22. Receipt of complaint from Indiana State Civil Rights Commission.

The public division is hereby authorized to receive any complaint referred to it by the Indiana State Civil Rights Commission pursuant to Section 11a of the Indiana State Civil Rights Act, and to take such action with respect to any such complaint as is authorized or required in the case of a complaint filed under section 16-17.

Sec. 16-23. Service of complaint in respondent; answer.

The public division administrator shall cause a copy of the complaint to be served by certified mail upon the respondent, who may file a written response to the complaint at any time prior to the close of proceedings with respect thereto, except as otherwise provided in section 16-26. The complain and any response received shall not be made public by the public division administrator, the board or any member thereof or any agent or employee of the public division, unless and until a public hearing is scheduled thereon as provided in section 16-26.

Sec. 16-24. Investigation and conciliation.

(1) Investigation. Within ten (10) working days after the receipt of a complaint filed pursuant to this chapter, the public division administrator shall initiate an investigation of the alleged discriminatory practice charged in the complaint. All such investigations shall be made by the public division at the direction of the public division administrator and may include informal conferences or discussions with any party to the com-

plaint for the purpose of obtaining additional information or attempting to resolve or eliminate the alleged discriminatory practice by conciliation or persuasion. The officer division shall have the authority to initiate discovery, including but not limited to interrogatories, request for production of documents and subpoenas, on approval of the chief of police administrator at any time within ten (10) working days after filing of a complaint. Any request by the officer division to compel discovery may be by appropriate petition to the Marion County circuit or superior courts.

(2) report of investigation; determination by panel. Unless the complaint has been satisfactorily resolved prior thereto, the chief of police administrator shall, within thirty (30) working days after the date of filing of a complaint pursuant to section 16-17, report the results of the investigation made pursuant to subsection (1) to a panel of three (3) members of the board designated by the chairperson or vice-chairperson or pursuant to the rules of the board, which panel shall not include any member of the board who initiated the complaint, who might have participated in the investigation of the complaint, or who is a member of the complaint adjudication committee. The chief of police administrator shall make a recommendation as to whether there is reasonable cause to believe that the respondent has violated sections 16-14 and/or 16-15. The chairperson, vice-chairperson or such other member of the panel so designated, may, for good cause shown, extend the time for making such report. Such extension thereof shall be evidenced in writing, and the officer division shall serve a copy of the extension on both the complainant and the respondent. The panel shall then determine by majority vote whether reasonable cause exists to believe that any respondent has violated sections 16-14 and/or 16-15. In making such a determination, the panel shall consider only the complaint, the response, if any, and the chief of police administrator's report; provided, however, the panel may request the chief of police administrator to make a supplemental investigation and report with respect to any matter which it deems material to such determination.

(3) Action when violation found. If the panel, pursuant to subsection (2) determines that reasonable cause exists to believe that any respondent has violated sections 16-14 and/or 16-15, it may direct the chief of police administrator to endeavor to eliminate the alleged discriminatory practice through a conciliation conference. At least one panel member shall be present at any conciliation conference at which both the complainant and respondent are present or represented. If the complaint is satisfactorily resolved through conciliation, the terms of any agreement reached or undertaking given by any party shall be reduced to writing and signed by the complainant, respondent and the chief of police administrator. Any disagreement between the respondent and the chief of police administrator in regard to the terms or conditions of a proposed conciliation agreement may be referred to the panel which considered the complaint, and the decision of the panel with respect to such terms or conditions shall be final for purposes of conciliation proceedings under this subsection, but shall not be binding upon the respondent without his written consent thereto. No action taken or statement made in connection with any proceedings under this subsection, and no written conciliation agreement or any of the terms thereof, shall be made public by the board or any member thereof, or any agent or employee of the officer division, without the written consent of the parties, nor shall any such action, statement or agreement be admissible in evidence in any subsequent proceedings; provided, however, the board or officer division may institute legal proceedings under this chapter for enforcement of any written agreement or undertaking executed in accordance with this subsection.

Sec. 16-25. Complaint adjudication committee; duties.

A complaint adjudication committee is hereby established. The committee shall be composed of seven (7) members of the board. The committee shall meet for the purpose

of holding public hearings on citizens' complaints, which shall be at such times as its members deem necessary.

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

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

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

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

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

ized to grant a license, to show cause to the licensing agency why his license should not be revoked or suspended. If, upon the preponderance of the evidence, the committee shall be of the opinion that any respondent has not engaged in a discriminatory practice in violation of this chapter it shall state its findings of fact and conclusions and serve a copy thereof upon the complainant and the respondent, and dismiss the complaint. Findings and conclusions made by the committee shall be based solely upon the record of the evidence presented at the hearing.

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

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

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

Sec. 16-27. Court enforcement.

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

(b) Record of hearing; evidentiary value. In any action filed pursuant to this section, the board may file with the court a record of the hearing held by the complaint adjudication committee pursuant to section 16-26, which record shall be certified by the secretary of the board as a true, correct and complete record of the proceedings upon which the findings of the complaint adjudication committee and/or the board were based. The court may, in its discretion, admit any evidence contained in the record as evidence in the action filed under subsection (1), to the extent such evidence would be

admissible in court under the rules of evidence if the witness or witnesses were present in court, without limitation upon the right of any part to offer such additional evidence as may be pertinent to the issues and as the court shall, in its discretion, permit.

(c) Temporary judicial relief upon filing of complaint. Upon the filing of a complaint pursuant to section 16-17 by a person claiming to be aggrieved, the ~~chief~~ ~~board~~ administrator, in the name of the board and in accordance with such procedures as the board shall establish by rule, may seek temporary orders for injunctions in the Marion County circuit or superior courts to prevent irreparable harm to the complainant, pending resolution of the complaint by the ~~office~~ division, complaint adjudication committee and the board.

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

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

Provided, however, that in any complaint under paragraph (g)(4) of section 1603 or against a seller, exhibitor or distributor under paragraph (g)(7) of section 16-3, no temporary or permanent injunction shall issue prior to a final judicial determination that said activities of respondent do constitute a discriminatory practice under this chapter.

Provided further, that no temporary or permanent injunction under paragraph (g)(4) of section 16-3 or against a seller, exhibitor or distributor under paragraph (g)(7) of section 16-3 shall extend beyond such material(s) that, having been described with reasonable specificity by the injunction, have been determined to be validly proscribed under the chapter.

Sec. 16-28. Other remedies.

Nothing in this chapter shall affect any person's right to pursue any and all other rights and remedies available in any other local, state or federal forum.

SECTION 3. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordi-

nance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

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

In accordance with the Administration Committee's recommendation at its meeting of February 3, 1986, Proposal No. 18, 1986, was Stricken by Consent.

PROPOSAL NO. 38, 1986. This proposal transfers and appropriates \$477,000 in the Department of Administration, from the Legal Division to the newly created Division of Equal Opportunity for purposes of funding expenses associated with creating the new Division. Proposal No. 38, 1986, received a Do Pass recommendation by the Administration Committee at its February 3, 1986, meeting. President SerVaas called for public testimony at 8:54 p.m.

Councillor Shaw stated that the Division of Equal Opportunity handles many matters and that the caseloads referred to by Ms. Bulluck in earlier testimony regarding Proposal No. 37, 1986, are in no way indicative of the true workload of Equal Opportunity. It was Councillor Shaw's opinion that the Division of Equal Opportunity continues to have an excessive workload through identifying and handling caseloads, responding to citizens' and public employees' questions, etc.

Councillor Clark insisted that there was a lack of documented information regarding the workload of Equal Opportunity.

Councillor Coughenour concurred with Councillor Clark and stated that the minutes of the Administration Committee should have been made available to the Council.

Councillor SerVaas stated that since Equal Opportunity has been under City Legal there have been few problems compared to the "previous arrangement".

Councillor West moved, seconded by Councillor Shaw, for adoption of Proposal No. 38, 1986. Proposal No. 38, 1986, was adopted on the following roll call vote; viz:

17 AYES: Borst, Boyd, Bradley, Coughenour, Crowe, Curry, Hawkins, Holmes, Howard, Journey, Miller, Page, SerVaas, Shaw, Strader, West, Williams

12 NAYS: Clark, Cottingham, Dowden, Durnil, Giffin, Gilmer, McGrath, Nickell, Rader, Rhodes, Schneider, Stewart

Councillor Coughenour moved, seconded by Councillor Giffin, to reconsider Proposal No. 38, 1986. The President requested a roll call vote on the motion which was carried as follows:

15 AYES: Bradley, Clark, Cottingham, Coughenour, Dowden, Durnil, Giffin, Gilmer, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart

14 NAYS: Borst, Boyd, Crowe, Curry, Hawkins, Holmes, Howard, Journey, Miller, Page, Shaw, Strader, West, Williams

Councillor Coughenour moved, seconded by Councillor Giffin, to Postpone Proposal No. 38, 1986, until the February 24, 1986, meeting of the Council. The President requested a roll call vote on the motion which was carried by the following:

16 AYES: Boyd, Bradley, Clark, Cottingham, Coughenour, Dowden, Durnil, Giffin, Gilmer, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart

13 NAYS: Borst, Crowe, Curry, Hawkins, Holmes, Howard, Journey, Miller, Page, Shaw, Strader, West, Williams

Councillor Journey moved that "all committee chairmen have minutes signed prior to the Council meeting".

Councillor SerVaas concurred with Councillor Journey and expressed that there should be committee minutes available for review.

Councillor Boyd moved, seconded by Councillor Howard, to reconsider the last roll call vote on Proposal No. 38, 1986. The President requested that a roll call vote be taken, and the motion failed on the following roll call vote:

12 AYES: *Boyd, Crowe, Hawkins, Holmes, Howard, Journey, Miller, Page, Shaw, Strader, West, Williams*

17 NAYS: *Borst, Bradley, Clark, Cottingham, Coughenour, Curry, Dowden, Durnil, Giffin, Gilmer, McGrath, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart*

PROPOSAL NO. 39, 1986. This proposal appropriates \$20,000 for the Department of Administration, Office of the Director, to fund the Housing Authority's vehicle liability costs which were not included in the 1986 Budget. The Administration Committee on February 3, 1986, recommended Proposal No. 39, 1986, Do Pass by a 7-0 vote. The President called for public testimony at 9:15 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Hawkins, for adoption. Proposal No. 39, 1986, was adopted on the following roll call vote; viz:

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

1 NAY: *Schneider*

2 NOT VOTING: *Boyd, Williams*

Proposal No. 39, 1986, was retitled FISCAL ORDINANCE NO. 14, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Twenty Thousand Dollars (\$20,000) in the City General Fund for purposes of the Department of Administration, Office of the Director, and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of appropriating funds for the Housing Authority's vehicle insurance which was not included in the 1986 Budget.

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF ADMINISTRATION</u> <u>OFFICE OF THE DIRECTOR</u>	<u>CITY GENERAL FUND</u>
3. Other Services & Charges	\$20,000
TOTAL INCREASE	\$20,000

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

	<u>CITY GENERAL FUND</u>
Unappropriated and Unencumbered	
City General Fund	\$20,000
TOTAL REDUCTION	\$20,000

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

PROPOSAL NO. 40, 1986. This proposal appropriates \$50,000 for the Marion County Auditor to provide funds for the county personnel classification system. Councillor Cottingham explained that the appropriation is for a contract with Resources Management Consultants who had been hired to prepare the classification in addition to conducting a market study of employees in the public and private sectors. The County and Townships Committee on February 4, 1986, recommended Proposal No. 40, 1986, Do Pass by a 6-0 vote. The President called for public testimony at 9:17 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Coughenour, for adoption. Proposal No. 40, 1986, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, 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, Williams*

Proposal No. 40, 1986, was retitled FISCAL ORDINANCE NO. 15, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Fifty Thousand Dollars (\$50,000) in the County General Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (a)(2) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the county personnel classification system.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$ 2,000
3. Other Services & Charges	48,000
TOTAL INCREASE	\$50,000

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	\$50,000
TOTAL REDUCTION	\$50,000

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

PROPOSAL NO. 41, 1986. This proposal appropriates \$35,000 for the Warren Township Assessor to purchase software and hardware for a reassessment system. Councillor Cottingham explained that no one from the Warren Township Assessor's Office was present at the Committee meeting; therefore, on February 4, 1986, the County and Townships Committee recommended that Proposal No. 41, 1986, be Stricken by a 5-0-1 vote. Councillor Cottingham moved, seconded by Councillor Gilmer, to Strike Proposal No. 41, 1986. In accordance with the Committee's recommendation, Proposal No. 41, 1986, was Stricken by Consent.

SPECIAL ORDERS - UNFINISHED BUSINESS

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 19, 1986. This proposal amends F.O. No. 87, 1985, pertaining to memberships for city departments and county agencies. Councillor West reported that the Administration Committee on February 3, 1986, recommended Proposal No. 19, 1986, Do Pass As Amended by a 6-1 vote. The amendments were made to

reflect additions and deletions requested by the Legal Division on behalf of the city departments and county agencies who needed the amendments after the introduction of Proposal No. 19, 1986.

Councillor Clark remarked that he had requested at the January 27, 1986, Council meeting that information be made available regarding annual costs of the memberships listed in Proposal 19, 1986. Councillor Clark stated that he had not received the information.

Councillor Coughenour stated that the information which Mr. Clark requested was distributed and discussed at the Committee's February 3rd meeting.

Councillor West stated that he saw no problem in postponing passage of Proposal No. 19, 1986, in order that all Councillors be provided information regarding membership costs.

Councillor Rhodes moved, seconded by Councillor Giffin, to Postpone Proposal No. 19, 1986, until the February 24, 1986, meeting of the Council. Hearing that the AYES carried on the voice vote, President SerVaas stated that Proposal No. 19, 1986, was postponed until the February 24, 1986, meeting of the Council.

PROPOSAL NO. 22, 1986. This proposal amends the Code concerning procedures for selecting wreckers. Councillor Dowden explained that the major change to the Code was to change the authority for granting contracts for towing from the Director of the Public Safety Department to the Public Safety Board. The Public Safety and Criminal Justice Committee on January 29, 1986, recommended Proposal No. 22, 1986, Do Pass As Amended, by a 7-0 vote. Councillor Dowden stated that the Committee's amendment was to add the word "may" in Section 1, in the second to the last sentence, between the words "it" and "reject". Councillor Dowden moved, seconded by Councillor West, for adoption. Proposal No. 22, 1986, As Amended, was adopted on the following roll call vote; viz:

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

1 NAY: Curry

Proposal No. 22, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 11, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 1986

A GENERAL ORDINANCE concerning procedures for selecting wreckers.

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

SECTION 1. Sec. 29-372 of the Code of Indianapolis and Marion County is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 29-372. Procedures for selecting wreckers.

(a) Franchise zones. The director shall invite bids from wreckers for providing franchised towing services on the geographic basis of zones or on some other basis of distribution of towing services within the police special service district established by the director for the efficient organization of the removal of vehicles. The director shall establish specifications ~~for~~, which shall include but not be limited to the wrecker's towing vehicles, equipment, storage lot and insurance, and shall include same in all invitations to bid. Said specifications for bids shall be designed by the director and the chief of police and approved by the board of public safety. Bids shall be submitted according to said specifications and the requirements of the city purchasing agent. ~~The~~ ~~board of public safety~~ may award each towing contract to the lowest ~~bidder~~ responsible and responsive bidder or ~~it may~~ reject any or all bids received and call for new bids. A written contract shall be executed between the board of public safety and ~~the~~ each ~~successful~~ bidder.

(b) Franchise fee. A franchise fee shall be set by the board of public safety and included in the specifications for bids. Funds realized from the collection of such fees shall be deposited in the police general fund.

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

PROPOSAL NO. 43, 1986. This proposal amends the personnel schedule of the Presiding Judge of the Municipal Court. Councillor Dowden explained that the personnel schedule change was to add three probation officers. The addition of the three officers was originally approved during discussions of the 1986 Budget, but when the Budget ordinance was prepared, the additions were mistakenly omitted. On January 29, 1986, the Public Safety and Criminal Justice Committee recommended Proposal No. 43, 1986, Do Pass by a 6-0 vote. Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 43, 1986, was adopted on the following roll call vote; viz:

29 AYES: Borst, Boyd, Bradley, 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, Williams

Proposal No. 43, 1986, was retitled FISCAL ORDINANCE NO. 16, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) authorizing changes in the personnel compensation schedule (Section 2.01) of the Presiding Judge of the Municipal Court - Adult Probation Fees Fund.

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

SECTION 1. Section 2.01 (b)(24) of City-County Fiscal Ordinance No. 87, 1985, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

**(24) PRESIDING JUDGE OF THE MUNICIPAL COURT - Dept. 47
Adult Probation Fees Fund**

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Probation Director	1	29,484	29,484
Prob. Serv. Specialists	9	16,354 16,354	137,052
Probation Officers	8 <u>11</u>	25,844 <u>27,144</u>	246,974
Overtime			<u>6,000</u>
TOTAL	18 <u>21</u>		\$419,510

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

PROPOSAL NO. 44, 1986. This proposal renews the Marion County Community Corrections Program for the fiscal year 1986-1987 and approves the actions of the Marion County Community Corrections Advisory Board concerning the 1986-1987 grant application to the State of Indiana, Department of Corrections. Councillor Dowden stated that the proposal needs to be submitted to the State of Indiana by February 17, 1986. The Public Safety and Criminal Justice Committee on January 29, 1986, recommended Proposal No. 44, 1986, Do Pass by a vote of 5-0. Councillor Dowden moved, seconded by Councillor Shaw, for adoption.

Councillor Holmes expressed concern with regard to Community Corrections Program at the Marion County Jail not being included in the State's appropriation for the Marion County Community Corrections Program. It was Councillor Holmes' opinion that the State should provide funding for the Jail's program.

Proposal No. 44, 1986, was adopted on the following roll call vote; viz:

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

1 NAY: *Durnil*

1 NOT VOTING: *Clark*

Proposal No. 44, 1986, was retitled COUNCIL RESOLUTION NO. 5, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 5, 1986

A COUNCIL RESOLUTION renewing the Marion County Community Corrections Program for fiscal year 1986-1987 and approving the actions of the Marion County Community Corrections Advisory Board with respect to the Board's 1986-1987 grant application to the State of Indiana, Department of Corrections.

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

WHEREAS, Marion County received a grant from the State of Indiana to finance the Marion County Community Corrections Program for fiscal year 1985- 1986; and

WHEREAS, the Marion County Community Corrections Advisory Board is currently operating a Community Corrections Program funded by the grant from the State of Indiana; and

WHEREAS, the Marion County Community Corrections Advisory Board must submit a grant application to the State of Indiana, Department of Corrections before February 17, 1986, in order to be eligible for state funding for fiscal year 1986-1987; and

WHEREAS, the Marion County Community Corrections Advisory Board has approved the grant application for fiscal year 1986-1987, a copy of which is attached hereto and incorporated herein, and has submitted said grant application to the State of Indiana, Department of Corrections for its consideration; now, therefore:

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

SECTION 1. The actions of the Marion County Community Corrections Advisory Board with respect to the Board's grant application to the State of Indiana, Department of Corrections are hereby approved and the Board is authorized to proceed in accordance with I.C. 11-12-2 and the terms of said application.

SECTION 2. In the event that the State of Indiana, Department of Corrections approves the grant application for Marion County, the City-County Council of Indianapolis and Marion County hereby renews the Community Corrections Program for a period of one year beginning on July 1, 1986.

SECTION 3. This City-County Council has no intention of supplementing or financing the projects contained in such grant application and approved herein by use of revenues from any local tax regardless of source. At any time that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the chairman of the Community Corrections Advisory Board or the County Auditor or both are directed to notify the City-County Council in writing of such proposed loss of revenue. Any contract, purchase order or financial commitment by the Community Corrections Advisory Board shall be subject to available non-local revenues and void to the extent such funding is not received.

SECTION 4. Notwithstanding IC 11-12-1-3 any agreement or other contract contemplating the lease, purchase or use of residential space for a Community Corrections Program in Marion County must be signed by the Mayor of Indianapolis as County Executive after prior approval of the City-County Council pursuant to IC 36-3.

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

PROPOSAL NO. 45, 1986. This proposal appoints Eugene G. Roach, M.D. as a member of the Public Safety Board. Councillor Dowden reported that Dr. Roach will replace Dr. Schuster who indicated that he did not want to be reappointed last year. Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 45, 1986, was adopted on the following roll call vote; viz:

29 AYES: *Borst, Boyd, Bradley, 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, Williams*

Proposal No. 45, 1986, was retitled Council Resolution No. 6, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 6, 1986

A COUNCIL RESOLUTION appointing Eugene G. Roach, M.D. to the Public Safety Board.

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

SECTION 1. As a member of the Public Safety Board, the Council appoints:

EUGENE G. ROACH, M.D.

SECTION 2. The foregoing appointment shall be effective upon passage of this resolution ending December 31, 1986, at the pleasure of the Council, and until his respective successor is duly appointed.

PROPOSAL NO. 46, 1986. This proposal amends the Code by changing speed limit controls for portions of New York and Michigan Streets. Councillor Gilmer explained that D.O.T.'s on-site speed control checks recommended that the speed limit for these streets described in Proposal No. 46 should be increased to 35 miles per hour. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption. Proposal No. 46, 1986, was adopted on the following roll call vote; viz:

23 AYES: *Borst, Boyd, Bradley, Clark, Coughenour, Crowe, Curry, Durnil, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Stewart, Strader, West, Williams*

NO NAYS

6 NOT VOTING: *Cottingham, Dowden, Giffin, Gilmer, Howard, Schneider*

Proposal No. 46, 1986, was retitled **GENERAL ORDINANCE NO. 12, 1986**, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", changing prima facie speed limits on a portion of New York Street and Michigan Street.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limits, be, and the same is hereby amended by the addition of the following, to wit:

New York Street, from West Street to White River Parkway, West Drive, 35 MPH

Michigan Street, from West Street to White River Parkway, West Drive, 35 MPH

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

PROPOSAL NO. 47, 1986. This proposal amends the Code by establishing bus stop zones within the central traffic district. Councillor Gilmer reported that on February 5, 1986, the Transportation Committee met jointly with the Transportation Board to discuss the new bus stop zones. The Transportation Committee on February 5, 1986, recommended Proposal No. 47, 1986, Do Pass by a vote of 6-0. Councillor Gilmer added that the only objections voiced by citizens during the Committee meeting was with regard to METRO bus routing, which is not associated with Proposal No. 47, 1986. Councillor Gilmer moved, seconded by Councillor Rhodes, for adoption.

Councillor Williams stated that there was a gentleman present in the audience who wished to comment on Proposal No. 47 and that the gentleman had been told by Councillor Rhodes that he would be allowed to address the Council.

Councillor Boyd noticed that there was obviously a difference of opinion between the Councillors and asked that the gentleman be allowed to address the Council for two minutes.

President SerVaas stated that he yielded to the request, therefore allowing the gentleman two minutes to address the Council.

The gentleman identified himself as Mr. Tony Knight. His brief address basically concerned that of METRO bus routing, stressing that METRO should hold public hearings with regard to rerouting because it often places more hardships on inner city residents than suburban residents.

Councillor Gilmer reiterated that bus rerouting is neither the prerogative of the Transportation Committee nor the Council.

Councillor SerVaas stated that he saw no reason why METRO could not hold more public meetings on routing.

Councillor Clark mentioned that Mr. Jim Armington, METRO's General Manager, was in the audience. President SerVaas stated that Mr. Armington would be allowed a few moments to address the Council if he desired to do so.

Mr. Armington stated that the METRO Board has held public hearings and that the Board does consider numerous factors when making decisions on routing, changing bus stop zones, etc. The new change in bus stop zones reduces the transfer time for some bus stops from nineteen minutes to six minutes.

Proposal No. 47, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Cottingham, Dowden, Nickell

Proposal No. 47, 1986, was retitled GENERAL ORDINANCE NO. 13, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", changing stopping, standing or parking prohibited regulations for portions of Delaware, Ohio, Alabama and Washington Streets and Capitol and Senate Avenues.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing and parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

Delaware Street, on the east side, from Court Street to Market Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.**

Capitol Avenue, on the west side, from New York Street to Court Street

Delaware Street, on the east side, from Pearl Street to Court Street

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-332, Bus stop zones, be and the same is hereby amended by the deletion of the following, to wit:

Ohio Street, on the north side, east of the intersection with Meridian Street

Ohio Street, on the south side, from a point 20 feet east of the east curbline of Meridian Street to a point 125 feet east of the east curbline of Meridian Street

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping, standing and parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

Capitol Avenue, on the west side, from Ohio Street to a point 380 feet south of Ohio Street

Delaware Street, on the east side, from Washington Street to Market Street

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.**

Capitol Avenue, on the west side, from New York Street to Ohio Street

Capitol Avenue, on the west side, from a point 380 feet south of Ohio Street to Court Street

Delaware Street, on the east side, from Pearl Street to Washington Street

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically, Section 29-332, Bus stop zones, be and the same is hereby amended by the addition of the following, to wit:

Alabama Street, on the west side, from Market Street to a point 100 feet north of Market Street (100 feet)

Capitol Avenue on the west side, from a point 137 feet south of Ohio Street to a point 380 feet south of Ohio Street (243 feet)

Delaware Street, on the east side, from Washington Street to Court Street (235 feet)

Ohio Street, on the north side, from Pennsylvania Street to a point 245 feet east of Pennsylvania Street (245 feet)

Ohio Street, on the north side, from Pennsylvania Street to a point 250 feet west of Pennsylvania Street (250 feet)

Ohio Street, on the north side, from Meridian Street to Pierson Street (217 feet)

Ohio Street, on the south side, from a point 122 feet east of Capitol Avenue to a point 228 feet east of Capitol Avenue (106 feet)

Ohio Street, on the south side, from Illinois Street to a point 80 feet east of Illinois Street (80 feet)

Ohio Street, on the south side, from Pennsylvania Street to a point 130 feet west of Pennsylvania Street (130 feet)

Ohio Street, on the south side, from Delaware Street to a point 155 feet east of Delaware Street (155 feet)

Senate Avenue, on the east side, from a point 266 feet north of Washington Street to a point 473 feet north of Washington Street (107 feet)

Senate Avenue, on the east side, from Ohio Street to a point 106 feet south of Ohio Street (106 feet)

Washington Street, on the north side, from a point 215 feet west of Alabama Street to a point 308 feet west of Alabama Street (93 feet)

Washington Street, on the north side, from a point 205 feet west of Delaware Street to a point 290 feet west of Delaware (85 feet)

Washington Street, on the north side, from a point 235 feet west of Pennsylvania Street, to a point 333 feet west of Pennsylvania Street (98 feet)

Washington Street, on the north side, from a point 110 feet west of Meridian Street to a point 230 feet west of Meridian Street (120 feet)

Washington Street, on the north side, from a point 245 feet west of Illinois Street to a point 370 feet west of Illinois Street (125 feet)

Washington Street, on the south side, from a point 215 feet east of Capitol Avenue to a point 430 feet east of Capitol Avenue (215 feet)

Washington Street, on the south side, from a point 130 feet east of Illinois Street to a point 300 feet east of Illinois Street (170 feet)

Washington Street, on the south side, from a point 112 feet east of Meridian Street to a point 320 feet east of Meridian Street (208 feet)

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

PROPOSAL NO. 65, 1986. This proposal amends Chapter 8 of the Code with regard to insurance requirements. Councillor Borst explained that the General Ordinance No. 108, 1985, increased amounts for insurance requirements for contractors. Since the passage of G.O. 108, 1985, it has been discovered by the Department of Metropolitan Development that several insurance companies didn't

offer the amount of insurance coverage specified by the Ordinance. Therefore, Proposal No. 64, 1986, authorizes reductions of insurance requirements for contractors. Councillor Borst moved, seconded by Councillor Boyd, for adoption. Proposal No. 65, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Clark, Cottingham, Gilmer, Nickell*

Proposal No. 65, 1986, was retitled GENERAL ORDINANCE NO. 14, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 1986

A GENERAL ORDINANCE amending City-County General Ordinance No. 108, 1985, adjusting the insurance provisions for listed contractors and licensed skilled trades required by Chapter 8 of the Code of Indianapolis and of Marion County, Indiana.

WHEREAS, on December 16, 1985, the City-County Council adopted General Ordinance No. 108, 1985, amending Chapter 8 of the Code of Indianapolis and of Marion County, Indiana by, among other things, adjusting the insurance provisions for listed contractors and licensed skilled trades; and

WHEREAS, the Council now finds the said insurance provisions should be further adjusted as herein provided; now, therefore:

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

SECTION 1. Sec. 8-169 of the Code of Indianapolis and of Marion County, Indiana, as amended by City-County General Ordinance No. 108, 1985, is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 8-169. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all construction activity accomplished by the listed contractor or under permits obtained by the listed contractor, any land alteration (as defined in section 10 1/2-9 of the Code) accomplished by the listed contractor or under a permit obtained by the contractor, all sewer work (as defined in section 27-1 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor, and all driveway work (as defined in section 28-139 of this Code) accomplished by the listed or licensed contractor or under a permit by the listed contractor, and thereafter maintains such insurance in full force and effect:

- (a) A public liability and property damage insurance policy assuring the listed contractor and naming the Consolidated City of Indianapolis as an "additional assured," and providing for the payment of any liability imposed by the law on such listed contractor or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the listed contractor in the minimum amounts of ~~999,999.99/999,999.99/999,999.99~~ five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage of five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and ~~111,111.11/111,111.11/111,111.11~~ one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (b) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the listed contractor. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the listed contractor has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the listed contractor and the division of development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

SECTION 2. Section 8-195 of the Code of Indianapolis and of Marion County, Indiana, as amended by City-County General Ordinance No. 108, 1985, is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 8-195. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all electrical work and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintain such insurance in full force and effect:

- (a) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of ~~999,999.99/999,999.99~~ five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and ~~111,111.11/111,111.11/111,111.11~~ one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.
- (b) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of ~~development services~~ development services.

The insurance carrier shall give notice both to the licensee and the division of buildings at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

SECTION 3. Section 2-255 of the Code of Indianapolis and of Marion County, Indiana, as amended by City-County General Ordinance No. 108, 1985, is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 8-225. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all heating and cooling work and any related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

- (a) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of ~~ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00)~~ five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons and ~~ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00)~~ one hundred thousand dollars (\$100,000.00) or any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of ~~development services~~ development services.
- (b) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the licensee and the division of development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

SECTION 4. Section 8-255 of the Code of Indianapolis and of Marion County, Indiana, as amended by City-County General Ordinance No. 108, 1985, is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

Sec. 8-255. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all wrecking and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

- (a) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of ~~ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00)~~ five hundred thousand dollars (\$500,000.00) for combined bodily

injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury or death to one or more persons, and ~~five hundred thousand dollars (\$500,000.00)~~ one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of development services.

- (b) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of development services.

The insurance carrier shall give notice both to the licensee and the division of development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

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

ANNOUNCEMENTS AND ADJOURNMENTS

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:49 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 10th day of February, 1986.

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


President

ATTEST:


Clerk of the Council

(SEAL)