

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

REGULAR MEETINGS, MONDAY, MARCH 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 7:00 p.m., on Monday, March 10, 1986, with Councillor SerVaas presiding.

Councillor Betty Stewart 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 Coughenour introduced Mr. David F. Metzger, Professor at the Indiana University School of Social Work and Ms. Caterina Criner Cregor, Director of The Carl Duisberg Society, Inc. Indiana Office. Visiting the Council meeting with Mr. Metzger and Ms. Cregor were fifteen students from Cologne, West Germany, who were participating in the I.U. School of Social Work's Young Adult Labor Exchange Project.

President SerVaas recognized Mr. John Krauss, Deputy Mayor of the City of Indianapolis, who provided the Council a brief update regarding two issues: the \$57 million proposed sanitary sewer bond issue and the Mayor's recommendations regarding the Juvenile Detention Center.

Mr. Krauss explained that due to illness, Mayor Hudnut was unable to present the update. The 1986 General Assembly returned control of the Juvenile Detention Center to the Juvenile Court Judge. Mr. Krauss stressed that many problems at the Juvenile Center were due to unclear lines of responsibility rather than the fault of a single individual or group. The Mayor's recommendation supported the construction of a new 144-bed Juvenile Center at the current site by using a ten-step plan and also by utilizing a public/private partnership to possibly provide 20-30% savings (private sector to build and own the facility and lease it to the City).

Mr. Krauss added that the \$57 million general obligation bond issue has recently been presented to the citizens of Indianapolis. The projects contained in the bond issue represent necessary improvements to the sewer system and sewage treatment facilities. Approximately \$34 million of the bond issue has been designated to upgrade the Belmont Treatment Plant to meet federal standards. Also proposed in the \$57 million bond issue is a new Northside Sewer Diversion Project and three new interceptor sewer projects.

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

PROPOSAL NO. 178, 1986. This proposal honors third-time Light Heavyweight Boxing Champion Marvin Johnson. Councillor Borst explained that the resolution was co-sponsored by Councillor Boyd. Councillor Borst read the resolution and presented a framed copy to Mr. Marvin Johnson who stated that he was proud to be a life-long resident of Indianapolis. Due to his family's economic situation during his childhood, the "City" provided many of life's necessities to the Johnson family. Mr. Johnson stated that he has chosen to remain in the City and not pursue his boxing career elsewhere because Indianapolis has many things to offer.

Councillor Howard mentioned that Mr. Johnson was a former graduate of Crispus Attucks High School and commended Mr. Johnson for speaking on behalf of the future of the School at a recent Indianapolis Public School Board meeting.

Councillor Borst moved for adoption, seconded by Councillor Boyd. Proposal No. 178, 1986, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 32, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 1986

A SPECIAL RESOLUTION honoring Light Heavyweight Boxing Champion Marvin Johnson.

WHEREAS, Marvin Johnson has won three (3) national amateur boxing crowns; and

WHEREAS, he has won the Olympic Games boxing medal; and

WHEREAS, Marvin Johnson just recently won the World Light Heavyweight Championship bout; and

WHEREAS, Marvin Johnson's recent capture of this championship title is the third time he has done so and is a new world boxing record; now, therefore:

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

SECTION 1. The Indianapolis-Marion County City-County Council congratulates and honors Marvin Johnson for his world record attainment of three (3) Light Heavyweight Championships.

SECTION 2. The Council further commends Marvin Johnson on his outstanding representation of this City through his job and many community spirited projects.

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

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

INTRODUCTION OF GUESTS AND VISITORS

Dr. SerVaas recognized Mr. David Carley, Director of the Department of Metropolitan Development, who provided a brief update on housing projects in the Lockfield Gardens and Canal areas. Mr. Carley reported that the Sycamore project in the Canal area involves the construction of a 350-unit multi-family residential housing complex utilizing twelve- and six-story towers. Retail shops on the first

level will overlook the Canal. Financing technicalities associated with the Sycamore project should be resolved by March 28, 1986. Mr. Carley added that there will be a total of approximately 500 multi-family residential housing units (renovated and newly constructed units) in the Lockfield Gardens area. Both projects should be finished in time to provide housing for the 1987 Pan American Games.

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 March 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, March 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**

February 25, 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 Thursday, February 27, 1986, a copy of NOTICE TO TAXPAYERS of a public Hearing on Proposal Nos. 111, 112, 115, 116,

117 and 119, to be held on Monday, March 10, 1986, at 7:00 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

February 14, 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 Thursday, February 20, 1986, and Thursday, February 27, 1986, a copy of NOTICE OF PRECINCT BOUNDARY CHANGES.

Respectfully,

Beverly S. Rippy
s/City Clerk

March 3, 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. Rippy, the following ordinances and resolution:

FISCAL ORDINANCE NO. 17, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Four Hundred Seventy-seven Thousand Dollars (\$477,000) in the Consolidated County Fund for purposes of the Department of Administration, Division of Equal Opportunity, and reducing certain other appropriations for the Department of Administration, Legal Division, and the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 18, 1986, amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Five Hundred Thirty-nine Thousand Two Hundred Sixty-nine Dollars (\$539,269) in the Solid Waste Disposal Fund for purposes of the Department of Public Works, Office of the Director, and reducing the unappropriated and unencumbered balance in the Solid Waste Disposal Fund.

FISCAL ORDINANCE NO. 19, 1986, amending Section 4.05 of the 1986 Annual Budget concerning authorized membership dues.

GENERAL ORDINANCE NO. 15, 1986, amending the Code of Indianapolis and Marion County, Indiana, by enlarging the Police and Fire Special Service Districts to include additional territory.

GENERAL ORDINANCE NO. 16, 1986, a general ordinance establishing a solid waste disposal fund.

GENERAL ORDINANCE NO. 17, 1986, amending the "Code of Indianapolis and Marion County, Indiana", by establishing intersection controls for Shadow Woods, Hunters Woods, Rahke Woods and Charter Point subdivisions.

GENERAL ORDINANCE NO. 18, 1986, amending the "Code of Indianapolis and Marion County, Indiana", by changing speed limit controls for a portion of Sherman Drive.

GENERAL ORDINANCE NO. 19, 1986, amending the "Code of Indianapolis and Marion County, Indiana", by authorizing the installation of one-way traffic signs on the traffic circle located at Hunters Patch and Arrow Wood Lane.

GENERAL ORDINANCE NO. 20, 1986, amending the "Code of Indianapolis and Marion County, Indiana", by changing intersection controls for Georgetown Road and 86th Street.

GENERAL ORDINANCE NO. 21, 1986, amending the "Code of Indianapolis and Marion County, Indiana", by changing intersection controls at Industrial Boulevard and 38th Street.

GENERAL ORDINANCE NO. 22, 1986, amending the "Code of Indianapolis and Marion County, Indiana", by changing intersection controls at Caito and E. 56th Streets.

SPECIAL ORDINANCE NO. 8, 1986, authorizing the disposal of certain property of the Department of Parks and Recreation to certain not-for-profit corporations.

SPECIAL RESOLUTION NO. 31, 1986, in remembrance of Space Shuttle Challenger.

Respectfully submitted,

s/William H. Hudnut, III

March 3, 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 Police Special Service District, Mrs. Beverly S. Rippy, the following ordinance:

FISCAL ORDINANCE NO. 1, 1986, amending the Police Special Service District Annual Budget for 1986 (Police Special Service District Fiscal Ordinance No. 3, 1985) appropriating an additional Fifty Thousand Dollars (\$50,000) in the Police Special Service District Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Police Special Service District Fund.

Respectfully submitted,

s/William H. Hudnut, III

INTRODUCTION OF PROPOSALS

President SerVaas stated that there were several proposals being introduced regarding reappointments to boards and commissions and that the "usual procedure" was to refer the proposals to committee for new appointments and appointments made every four years. If there were no objections voiced by any member of the Council, President SerVaas explained that the proposals would be referred to their respective committees. Councillor Miller stated that he was sponsoring the introduction of all reappointments and read the following:

PROPOSAL NO. 152, 1986. "A Proposal for a COUNCIL RESOLUTION reappointing Larry J. Barrett to the Beech Grove Economic Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 153, 1986. "A Proposal for a COUNCIL RESOLUTION reappointing Ronald G. Case to the Lawrence Economic Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 154, 1986. "A Proposal for a COUNCIL RESOLUTION reappointing C. Richard Petticrew to the Economic Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 155, 1986. "A Proposal for a COUNCIL RESOLUTION appointing Stanley P. Strader to the Public Housing Advisory Council"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 156, 1986. "A Proposal for a COUNCIL RESOLUTION re-appointing James R. Hetherington to the Indianapolis Public Transportation Corporation Board"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 157, 1986. "A Proposal for a COUNCIL RESOLUTION appointing Philip C. Borst, D.V.M. to the Indianapolis-Marion County Forensic Services Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 158, 1986. "A Proposal for a COUNCIL RESOLUTION re-appointing Walter Abell to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

There were no objections voiced by any members of the Council; therefore, Proposal Nos. 152, 153, 154, 155, 156, 158 and 166, 1986, were referred to their respective Committees.

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

PROPOSAL NO. 179, 1986. This proposal reappoints Robert Sare to the Community Centers of Indianapolis Board. Councillor Miller, sponsor of Proposal No. 179, voiced support for Mr. Sare to be reappointed until December 31, 1986. Councillor Miller moved, seconded by Councillor Giffin, for adoption. Proposal No. 179, 1986, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 9, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 1986

A COUNCIL RESOLUTION reappointing Robert Sare to the Community Centers of Indianapolis 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 Community Centers of Indianapolis Board the Council appoints:

Robert Sare

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1986. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

INTRODUCTION OF PROPOSALS

[Clerk's Note: The reading for "Introduction of Proposals" began with Proposal No. 157, 1986, since Councillor Miller had previously reviewed Proposals 152-156, 158 and 166, 1986.]

PROPOSAL NO. 157, 1986. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,001,422 for the Department of Parks and Recreation, Administration Division, to fund the construction of fifteen projects to improve park facilities at various parks"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 159, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing the creation of the Marion County Justice Agency and Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 160, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$1,075,660 and establishes a personnel schedule for the Marion County Justice Agency for the integrated justice system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 161, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code regarding the Community Relations Office"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 162, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE appropriating \$347,234 for the Department of Public Safety, Police Division, for the purchase of vehicles"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 163, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$111,679 for the Marion County Prosecutor for various grants"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 164, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$156,912 for the Marion County Prosecutor and Auditor to maintain operations and for the Lockup renovation project"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 165, 1986. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$48,000 for the Marion County Prosecutor, IV-D Agency, for a summer project regarding AFDC support collections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 167, 1986. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing amendments to the Trust Indenture, dated December 1, 1985, for the City of Indianapolis, Indiana Adjustable/Fixed Rate Resource Recovery Revenue Bonds (Ogden Martin Systems of Indianapolis, Ind. Project)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 168, 1986. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by establishing procedures for borrowing from the Indianapolis Local Public Improvement Bond Bank"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 169, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$1,024,219 for the Department of Transportation for the purchase of supplies "; and the President referred it to the Transportation Committee.

PROPOSAL NO. 170, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE appropriating \$1,991,074 for the Department of Transportation to fund fourteen construction projects"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 171, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls for Clearvista Parkway and 82nd Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 172, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls for Castle Cove, Cherry Lake, Liberty Creek and Thoroughbred Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 173, 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 various locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 174, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing various controls at several locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 175, 1986. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing parking controls on a portion of Eleventh Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 176, 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 on a portion of Meridian Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 177, 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 Harcourt Road and 79th Street"; and the President referred it to the Transportation 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 March 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. 139, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in June 1985, for Hudson Lamm Heazlitt et. al. (Convention Garage Associates, Inc.). PROPOSAL NO. 140, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in August 1985, for Rudy Reyes, C.W. Hudson and/or Convention Hotel Associates. PROPOSAL NO. 141, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in July 1984, for 407 Associates, Ltd. PROPOSAL NO. 142, 1986, is a resolution extending the expiration date contained in an inducement resolution adopted in July 1985, for Fletcher Place Properties.

Councillor Schneider moved, seconded by Councillor Gilmer, for adoption of Proposal Nos. 139-142, 1986.

Councillor Williams stated that she desired to abstain from voting on Proposal No. 141, 1986.

Councillor SerVaas explained that since Councillor Williams had wished to abstain from voting on Proposal No. 141, 1986, the Council would vote on Proposal Nos.

139, 140 and 142, 1986.

Proposal Nos. 139, 140 and 142, 1986, were adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Giffin, Nickell, Rhodes*

[Clerks Note: After the roll call vote was taken on Proposal Nos. 139, 140 and 142, 1986, Councillor Page stated that he wished to abstain from voting on Proposal No. 142, 1986. Councillor Rhodes stated that he wished to abstain from voting on Proposal Nos. 139 and 140, 1986.]

Therefore, Proposal No. 142, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Giffin, Nickell, Page*

Therefore, Proposal Nos. 139 and 140, 1986, were adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Giffin, Nickell, Rhodes*

Proposal No. 139, 1986, was retitled SPECIAL RESOLUTION 33, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 95, 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. 95, 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 Convention Garage Associates, Inc. (the "Company") which Special Resolution 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 October 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. 140, 1986, was retitled SPECIAL RESOLUTION NO. 34, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 124, 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. 124, 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 Rudy Reyes, C. W. Hudson and/or Convention Associates, Inc. or an entity to be designated by them (the "Company") which Special Resolution 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 October 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. 142, 1986, was retitled SPECIAL RESOLUTION NO. 35, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 109, 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. 109, 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 Fletcher Place Properties, an Indiana Limited Partnership (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 October 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. 141, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Giffin, Williams*

Proposal No. 141, 1986, was retitled SPECIAL RESOLUTION NO. 36, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 1986

A SPECIAL RESOLUTION amending City-County Special Resolution No. 61, 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. 64, 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 407 Associates, Ltd., a to be formed Indiana limited partnership, in which Robert Carr will be a general partner, and/or Robert Carr (the "Company") which Special Resolution 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 April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of 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. 143, 1986. This proposal is a final bond ordinance authorizing the issuance of \$800,000 Economic Development Revenue Bonds for United Brake Systems, Inc. Councillor Schneider reviewed the project as the construction of a 20,000 square foot addition and renovation of an existing industrial building at 1447 West Market Street in addition to the renovation of an existing industrial building at 1501 W. Ohio Street. United Brake Systems, Inc. is involved in the manufacture of non-asbestos brake linings. The Economic Development Committee on March 5, 1986, recommended Proposal No. 143, 1986, Do Pass by a 5-0 vote. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 143, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Giffin

Proposal No. 143, 1986, was retitled SPECIAL ORDINANCE NO. 9, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 1986

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) and its "Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project)" in the principal amount of Four Hundred Thousand Dollars (\$400,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for United Brake Systems, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 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 United Brake Systems, Inc. (the "Company") consisting of the acquisition, construction, installation, and equipping of an approximately 20,000 square foot addition to, and renovation, installation, and equipping of, the existing manufacturing facility of United Brake Systems, Inc. (the "Company") located at 1447 West Market Street, Indianapolis, Indiana, and renovation, installation, and equipping of the existing manufacturing facility of the Company located at 1501 West Ohio Street, Indianapolis, Indiana, which will be used by the Company in its business of manufacturing non-asbestos brake linings ("the Project") which will be initially owned and operated by United Brake Systems, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and 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 diversification of industry and increase in job opportunities (an additional number of jobs of approximately 25 at the end of one year and 50 at the end of three years to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse effect of 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; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Mortgage, Security Agreement and Trust Indenture, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series A (United Brake Systems, Inc. Project) and City of Indianapolis, Indiana Economic Development Revenue Bond, Series B (United Brake Systems, Inc. Project) (hereinafter referred to collectively as the "Bonds") (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 Bonds in the aggregate principal amount of Eight Hundred Thousand Dollars (\$800,000) 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 any, and interest solely from the payments made by the Company on its Promissory Note in the total principal amount of Eight Hundred Thousand Dollars (\$800,000) which will be executed and delivered by United Brake Systems, Inc. to evidence and secure said loan and as otherwise provided in the above described 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) through (a)(11).

SECTION 6. City-County Ordinance No. 54, 1985 adopted by this City-County Council on September 9, 1985 is hereby repealed.

SECTION 7. 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 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 144, 1986. This proposal is a final bond ordinance authorizing the issuance of \$325,000 Economic Development Revenue Bonds for Adli Development Company. Councillor Schneider explained that the project is the acquisition, renovation, installation and equipping of an existing building containing approximately 60,000 square feet located at 1010 North Central Avenue. Central Restaurant Equipment, Inc., a wholesale distributor of restaurant equipment, presently occupies the structure which will initially be owned by Adli Development Company and operated by Central Restaurant Equipment, Inc. The Economic Development Committee on March 5, 1986, recommended Proposal No. 144, 1986, Do Pass by a 5-0 vote. Councillor Schneider moved, seconded by Councillor Rader, for adoption. Proposal No. 144, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Giffin

Proposal No. 144, 1986, was retitled SPECIAL ORDINANCE NO. 10, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 10, 1986

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1986 (Adli Development Company Project)" in the aggregate principal amount of Three Hundred Twenty-Five Thousand Dollars (\$325,000) 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 Adli Development Company and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on March 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 Adli Development Company (the "Company") consisting of the acquisition, renovation, installation and equipping of an

existing building containing approximately 60,000 square feet located at 1010 North Central Avenue, Indianapolis, Indiana on approximately 1.66 acres of land which will be used by Central Restaurant Equipment, Inc. for the wholesale distribution of restaurant equipment ("the Project") which will be initially owned by Adli Development Company, an Indiana Partnership and operated by Central Restaurant Equipment, 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 and Loan Agreement, Series 1986 Promissory Note, Mortgage and Security Agreement, Guaranty Agreement and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1986 (Adli Development Company 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 (Adli Development Company Project) in the aggregate principal amount of Three Hundred Twenty-Five Thousand Dollars (\$325,000) 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 any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Three Hundred Twenty-Five Thousand Dollars (\$325,000) which will be executed and delivered by Adli Development Company 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) 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. 145, 1986. This proposal is a final bond ordinance authorizing the issuance of \$1,572,000 Economic Development Revenue Bonds for Banquet Dairy Products, Inc. Councillor Schneider reviewed the project as the acquisition of the assets of the existing facility of Banquet Ice Cream and Milk Company, Inc., including land, buildings and equipment located at 1214 Southeastern Avenue. The Economic Development Committee on March 5, 1986, recommended Proposal No. 145, 1986, Do Pass by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 145, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Bradley, Coughenour, Giffin, McGrath*

Proposal No. 145, 1986, was retitled SPECIAL ORDINANCE NO. 11, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1986

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series A 1986, Series B 1986 and Series C 1986 (Banquet Dairy Products, Inc. Project)" in the aggregate principal amount of One Million Five Hundred Seventy-Two Thousand Dollars (\$1,572,000) 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 Banquet Dairy Products, 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 March 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 Banquet Dairy Products, Inc. (the "Company") consisting of the acquisition of the assets of the existing facility of Banquet Ice Cream and Milk Company, Inc., including land buildings and equipment located at 1214 Southeastern Avenue, Indianapolis, Indiana, consisting of approximately 50,000 square feet of manufacturing space, including milk plant, ice cream plant, ice cream freezer storage, and dry storage, and 42,000 square feet of garage space; construction of a 7,000 square foot ice cream hardening and storage facility, renovation of the existing equipment and facilities, and acquisition of new equipment for the Banquet facility, including but not limited to vehicles, a continuous hardening system for ice cream, equipment for production of specialty ice cream products, and equipment for production of imitation dips and other food products ("the Project") which will be initially owned and operated by Banquet Dairy Products, 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 Loan Agreement, Mortgage, Security Agreement and Indenture of Trust and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series A 1986, Series B 1986 and Series C 1986 (Banquet Dairy Products, 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 1986, Series B 1986, Series C 1986 (Banquet Dairy Products, Inc. Project) in the aggregate principal amount of One Million Five Hundred Seventy-Two Thousand Dollars (\$1,572,000) 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 any, and interest solely from the payments made by the Company on its Promissory Notes in the total principal amount of One Million Five Hundred Seventy-Two Thousand Dollars (\$1,572,000) which will be executed and delivered by Banquet Dairy Products, 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) 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. 146, 1986. This proposal is a special ordinance authorizing the execution and delivery of a First Amendment to Mortgage and Indenture of Trust concerning the previously issued \$1,750,000 City of Indianapolis, Indiana

Economic Development Revenue Bonds, Series 1981 (Metal Service and Supply Project). Councillor Schneider explained that the amendments provided by Proposal No. 146, 1986, concern the modification of the Mortgage Indenture of Trust to modify responsibility of Trustee, First Amendment to Mortgage and Indenture of Trust and also clarification of principal payments to the Bondholder instead of the Trustee. The Economic Development Committee on March 5, 1986, recommended Proposal No. 146, 1986, Do Pass by a 5-0-1 vote. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 146, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Rader*

Proposal No. 146, 1986, was retitled SPECIAL ORDINANCE NO. 12, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1986

A SPECIAL ORDINANCE authorizing the execution and delivery of a First Amendment to Mortgage and Indenture of Trust concerning the previously issued \$1,750,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1981 (Metal Service and Supply Project).

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") executed and delivered to Merchants National Bank & Trust Company, of Indianapolis, as trustee ("Trustee"), a certain Mortgage and Indenture of Trust (the "Indenture"), dated as of October 1, 1981, recorded in the office of the Recorder of Marion County, Indiana, on November 2, 1981, as Instrument No. 81-68149, pursuant to which the Issuer issued its Economic Development Revenue Bonds, Series 1981 (Metal Service and Supply Project) in the principal amount of One Million Seven Hundred Fifty Thousand and no/100 Dollars (\$1,750,000) (the "Bonds"); and

WHEREAS, Metal Service and Supply, Inc. has requested the Issuer and the Trustee to approve the amendments included in the First Amendment to Mortgage and Indenture of Trust; and

WHEREAS, all of the Bond holders have consented to the amendments included in the First Amendment to Mortgage and Indenture of Trust and have agreed to dispense with any requirement of publication of notice; and

WHEREAS, the Indianapolis Economic Development Commission at its meeting on March 5, 1986 was presented with the final form of the First Amendment to Mortgage and Indenture of Trust; and

Whereas, the Indianapolis Economic Development Commission has approved the final form of the First Amendment to Mortgage and Indenture of Trust 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 Mortgage and Indenture of Trust 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 Mortgage and Indenture of Trust 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 Supplemental Trust Indenture 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 Mortgage and Indenture of Trust 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 Mortgage and Indenture of Trust. The Mayor and City Clerk may by their execution of the First Amendment to Mortgage and Indenture of Trust 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) through (a)(11).

SECTION 5. The provisions of this ordinance and the First Amendment to Mortgage and Indenture of Trust shall 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 Mortgage and Indenture of Trust ordinance shall not be repealed or amended in any respect which would adversely affect the right of such older so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 147, 1986. This proposal is a special ordinance amending and superceding previously adopted City-County Special Ordinance No. 3, 1986 to reduce the authorized principal amount of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1986 (The Hold Downtown Project) from \$1,200,000 to \$900,000 and approving and authorizing other actions in respect thereto. PROPOSAL NO. 148, 1986. This proposal is a special

ordinance authorizing the execution and delivery of a First Amendment To Loan Agreement, Mortgage and Security Agreement and a First Amendment to Trust Indenture concerning the previously issued \$1,500,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 Clyde W. vonGrimmenstein Project). Councillor Schneider explained that the Bonds were being reduced from \$1,200,000 to \$900,000 in Proposal No. 147, 1986, because of capital expenditure limitations. The amendments to the original Bonds in Proposal No. 148, 1986, concern the addition of another parcel to the project (northeast corner of 12th and Meridian Streets). The Economic Development Committee on March 5, 1986, recommended Proposal Nos. 147 and 148, 1986, Do Pass by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Stewart, for adoption of Proposal Nos. 147 and 148, 1986. Proposal Nos. 147 and 148, 1986, were adopted on the following roll call vote; viz:

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

2 NOT VOTING: *Miller, Rhodes*

Proposal No. 147, 1986, was retitled SPECIAL ORDINANCE NO. 13, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 1986

A SPECIAL ORDINANCE amending and superceding previously adopted City-County Special Ordinance No. 3, 1986 to reduce the authorized principal amount of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1986 (The Hold Downtown Project) from One Million Two Hundred Thousand Dollars (\$1,200,000) to Nine Hundred Ninety Thousand Dollars (\$990,000) 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 Corporation, and 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 and operated 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, on February 10, 1986 the City-County Council of the City of Indianapolis and of Marion County, Indiana adopted City-County Special Ordinance No. 3, 1986 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; and

WHEREAS, the Company has requested that the maximum aggregate principal amount of the Bonds authorized be reduced to Nine Hundred Ninety Thousand Dollars (\$990,000); and

WHEREAS, the Bonds have not yet been issued; and

WHEREAS, the Indianapolis Economic Development Commission has, on March 5, 1986, approved the revised 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 Nine Hundred Ninety Thousand Dollars (\$990,000) for the purpose of procuring funds to loan to the Company in order to finance the economic develop-

ment 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 Promissory Note in the principal amount of Nine Hundred Ninety Thousand Dollars (\$990,000) which will be executed and delivered by The Hold Downtown, an 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 purchaser 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) through (a)(11).

SECTION 6. Special Ordinance No. 3, 1986 adopted by this City-County Council on February 10, 1986 is hereby amended and superceded.

SECTION 7. 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 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 148, 1986, was retitled SPECIAL ORDINANCE NO. 14, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1986

A SPECIAL ORDINANCE authorizing the execution and delivery of a First Amendment to Loan Agreement, Mortgage and Security Agreement and a First Amendment to Trust Indenture concerning the previously issued \$1,500,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Clyde W. vonGrimmenstein Project).

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") has issued its Economic Development Revenue Bonds, Series 1985 (Clyde W. vonGrimmenstein Project) (the "Series 1985 Bonds") in the aggregate principal amount of \$1,500,000 pursuant to the Trust Indenture dated as of December 1, 1985 (the "Indenture") between the Issuer and American Fletcher National Bank and Trust Company, as Trustee (the "Trustee"), and has loaned the proceeds of the Series 1985 Bonds to Clyde W. vonGrimmenstein (the Developer") pursuant to the provisions of a Loan Agreement, Mortgage and Security Agreement dated as of December 1, 1985 between the Developer and the Issuer ("Loan Agreement") to finance certain economic development facilities (the "Project"); and

WHEREAS, the Issuer has assigned its rights under and interest in the Loan Agreement to the Trustee to secure repayment of the Series 1985 Bonds; and

WHEREAS, the Developer desires to use less than 25% of the proceeds of the Series 1985 Bonds to purchase land located at the northeast corner of Meridian Street and 12th Street, Indianapolis, Indiana, ("Real Estate") in order to provide suitable parking for the use of Van Ausdall & Farrar, Inc., and Indiana corporation ("Company"), and in order to facilitate the renovation of the existing office and warehouse owned by the Developer and leased to the Company located at 1214-18 North Meridian Street, Indianapolis, Indiana, and the construction of a new 16,000 square foot, two-story office building on the adjacent parking lot; and

WHEREAS, the Company has requested the Issuer and the Trustee to approve the amendments included in a certain First Amendment To Loan Agreement, Mortgage and Security Agreement (the "First Amendment To Loan Agreement") and a certain First Amendment to Trust Indenture; and

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

WHEREAS, the Indianapolis Economic Development Commission has approved the final form of the First Amendment to Loan 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 execution and delivery of the First Amendment to Loan Agreement and First Amendment to Trust Indenture 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 and First Amendment to Trust Indenture 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 Supplemental Trust Indenture 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 and First Amendment to Trust Indenture 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 and First Amendment to Trust Indenture. The Mayor and City Clerk may by their execution of the First Amendment to Loan 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) through (a)(11).

SECTION 5. The provisions of this ordinance and the Indenture as amended by the First Amendment to Trust Indenture shall 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 and First Amendment to Trust Indenture this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such older so long as said Bonds or the interest thereon remains unpaid.

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

PROPOSAL NO. 149, 1986. This proposal is a special ordinance authorizing the execution and delivery of a First Supplemental Trust Indenture and a First Supplemental Loan Agreement concerning the previously issued \$5,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds (Eagle Valley Retirement Community Project). Councillor Schneider explained that the amendments were to clarify the Bonds being placed with Wheat First Securities instead of E. F. Hutton & Company. The Economic Development Committee on March 5, 1986, recommended Proposal No. 149, 1986, Do Pass by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Gilmer, for adoption. Proposal No. 149, 1986, was adopted on the following roll call vote; viz:

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

2 NOT VOTING: Rhodes, SerVaas

Proposal No. 149, 1986, was retitled SPECIAL ORDINANCE NO. 15, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 1986

A SPECIAL ORDINANCE authorizing the execution and delivery of a First Supplemental Trust Indenture and First Supplemental Loan Agreement concerning the

previously issued \$5,000,000 City of Indianapolis, Indiana Economic Development Revenue Bonds (Eagle Valley Retirement Community Project).

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") executed and delivered to American Fletcher National Bank and Trust Company, as trustee ("Trustee"), a Trust Indenture ("Indenture"), dated as of December 1, 1985, pursuant to which the Issuer issued its Economic Development Revenue Bonds (Eagle Valley Retirement Community Project) in the aggregate principal amount of Five Million Dollars (\$5,000,000 ("Bonds")); and

WHEREAS, the Issuer and the Company, as hereinafter defined, executed and delivered a Loan Agreement, dated as of December 1, 1985 in connection with the issuance of the Bonds; and

WHEREAS, Congregate Housing Partnership of Indianapolis (the "Company") has requested the Issuer and the Trustee to approve the amendments included in the First Supplemental Trust Indenture and First Supplemental Loan Agreement; and

WHEREAS, the Indianapolis Economic Development Commission at its meeting on March 5, 1986 was presented with the final form of the First Supplemental Trust Indenture and First Supplemental Loan Agreement; and

Whereas, the Indianapolis Economic Development Commission has approved the final form of the First Supplemental Trust Indenture and First Supplemental 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 Supplemental Trust Indenture and First Supplemental 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 Supplemental Trust Indenture and First Supplemental Loan Agreement approved by the Indianapolis Economic Development Commission are approved and 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 Supplemental Trust Indenture and First Supplemental 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 Supplemental Trust Indenture and First Supplemental Loan Agreement 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 City Clerk or City Controller are authorized to arrange for the delivery of such First Supplemental Trust Indenture and First Supplemental Loan Agreement. The Mayor and City Clerk may by their execution of the First Supplemental Trust

Indenture and First Supplemental 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) through (a)(11).

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

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

PROPOSAL NO. 150, 1986. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for The Four B's in an approximate amount of \$6,000,000. Councillor Schneider described the project as the acquisition, construction, renovation, installation and equipping of a building containing approximately 18,000 square feet located at 1644 W. Edgewood Avenue on approximately ten acres of land to be used by National Freight, Inc. or related companies for operation as a freight terminal, including maintenance of equipment related warehousing, and leasing of tractors and trailers to the user of the facility for use in its operations. The Economic Development Committee on March 5, 1986, recommended Proposal No. 150, 1986, Do Pass by a vote of 6-0. Councillor Gilmer moved, seconded by Councillor Boyd, for adoption. Proposal No. 150, 1986, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: *Rhodes*

Proposal No. 150, 1986, was retitled SPECIAL RESOLUTION NO. 37, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 37, 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 Four B's, a general partnership (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, construction, installation and equipping of a building containing approximately 18,000 square feet located at 1644 West Edgewood Avenue, Indianapolis, Indiana on approximately 10 acres of land which will be used by National Freight, Inc. or related companies for operation as a freight terminal, including maintenance of equipment and related warehousing, and lease the tractors and trailers to the user of the facility for use in its operations; 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 and in connection with the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 70 at the end of one year and 102 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of \$6,000,000 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 October 31, 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 NO. 151, 1986. This proposal is a final bond ordinance authorizing certain amendments concerning the previously issued City of Indianapolis Economic Development Revenue Bonds (Indianapolis Historic Partners Project). Councillor Schneider explained that Proposal No. 151, 1986, provides amendments with regard to the legal description contained in the previously issued Bond Ordinance. The Economic Development Committee on March 5, 1986, recom-

mended Proposal No. 151, 1986, Do Pass by a vote of 6-0. Councillor Schneider moved, seconded by Councillor Howard, for adoption. Proposal No. 151, 1986, was adopted on the following roll call vote; viz:

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

2 NOT VOTING: *Gilmer, Rhodes*

Proposal No. 151, 1986, was retitled SPECIAL ORDINANCE NO. 16, 1986, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 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, and amended as of February 18, 1986 (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 and amended as of February 18, 1986 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 and amended as of February 18, 1986 (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 and amended as of February 18, 1986 (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 Second Amendment To The Loan Agreement, Mortgage and Security Agreement dated as of March 1, 1986 between the Company and the Issuer (the "Second Amendment To Loan Agreement"); and

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

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

4) A Second Amendment To The Collateral Assignment of Leases and Rentals dated as of March 1, 1986 between the Company and the Trustee (the "Second Amendment To Collateral Assignment");

WHEREAS, the Indianapolis Economic Development Commission, on March 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 Second Amendment To Loan Agreement, Second Amendment To The Indenture, Second Amendment To Land Use Restriction Agreement and Second Amendment To Collateral Assignment (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.

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 by 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) through (a)(11).

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

PROPOSAL NO. 180, 1986. This proposal is a rezoning ordinance certified by the Metropolitan Development Commission on March 7, 1986. Councillor Borst explained that Proposal No. 180, 1986, concerns amending the Sign Regulations of Marion County, specifically, to change the minimum distance allowed between advertising signs located along and oriented toward the same public street. Councillor Borst requested that Proposal No. 180, 1986, be scheduled for public hearing by the Council at their March 24, 1986, meeting. Consent was given.

PROPOSAL NOS. 181 - 185, 1986. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on March 7, 1986, 1986". No action was taken on Proposal Nos. 181 - 185, 1986, by the Council; and the proposals were deemed adopted. Proposal Nos. 181 - 185, 1986, were retitled REZONING ORDINANCE NOS. 45 - 49, 1986, and read as follows:

**REZONING ORDINANCE NO. 45, 1986. 85-Z-185 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25
6701 SOUTH HARDING STREET, INDIANAPOLIS.**

Joseph D. Wertzberger, by Michael J. Kias, requests the rezoning of approximately 42 acres, being in the D-7 district, to the SU-16 classification, to provide for outdoor recreation activities including softball, soccer, volleyball and tennis.

**REZONING ORDINANCE NO. 46, 1986. 85-Z-226 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
8801 TOWNSHIP LINE ROAD, INDIANAPOLIS.**

John C. Hart, Jr., by Stephen D. Mears, requests the rezoning of 12.6 acres, being in the C-S and C-1 districts, to the D-6II classification, to provide for a multi-family residential complex.

**REZONING ORDINANCE NO. 47, 1986. 86-Z-21 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
2320 SOUTH TIBBS AVENUE, INDIANAPOLIS.**

Local 933, UAW, by Herbert W. Johnson, Jr., requests the rezoning of 4.48 acres, being in the I-3-U district, to the C-S classification, to provide for union hall facilities that include a doctors office, pharmacy, and other businesses providing services and products to Union members at reduced rates.

**REZONING ORDINANCE NO. 48, 1986. 86-Z-25 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21
228 SOUTH ILLINOIS STREET, INDIANAPOLIS.**

Department of Metropolitan Development, Division of Economic and Housing Development, requests the rezoning of approximately 4 acres, being in the C-4 and I-3-U districts, to the CBD-2 classification, to provide for development in conjunction with the renovation of Union Station.

REZONING ORDINANCE NO. 49, 1986. 86-Z-28 (AMENDED) WAYNE
TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
7902 WEST 10TH STREET, INDIANAPOLIS.
David C. Herriman, et.al., by S. Andrew Bowman, request the rezoning of 1.14 acres,
being in the D-6II district, to the C-3 classification, to provide for the construction of a
gas station and convenience store.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 111, 1986. This proposal appropriates \$76,600 for the Department of Administration, Legal Division, for additional personnel to process self insurance liability lawsuits. Councillor West explained that the appropriation is to fund the addition of 1.5 attorneys and one law clerk to handle the increased number of lawsuits resulting from the cancellation of vehicle liability insurance. The Administration Committee on March 3, 1986, recommended Proposal No. 111, 1986, Do Pass by a 7-0 vote. The President called for public testimony at 8:19 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Holmes, for adoption. Proposal No. 111, 1986, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Borst, Hawkins, West*

Proposal No. 111, 1986, was retitled FISCAL ORDINANCE NO. 20, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Seventy-Six Thousand Six Hundred Dollars (\$76,600) in the Consolidated County Fund for purposes of the Department of Administration, Legal Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 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 additional personnel to process self insured liability lawsuits. The cost will be reimbursed from the self insurance monies in the Director's Office, City General Fund.

SECTION 2. The sum of Seventy-six Thousand Six Hundred Dollars (\$76,600) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION

LEGAL DIVISION

- 1. Personal Services
 - 2. Supplies
 - 3. Other Services & Charges
 - 4. Capital Outlay
- TOTAL INCREASE**

CONSOLIDATED COUNTY FUND

\$72,900
1,300
200
2,200
\$76,600

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

**Unappropriated and Unencumbered
Consolidated County Fund
TOTAL REDUCTION**

CONSOLIDATED COUNTY FUND

\$76,600
\$76,600

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

PROPOSAL NO. 112, 1986. This proposal appropriates \$4,486,553 for the Information Services Agency for an ongoing budget deficit and for increased services and amends the personnel schedule. Councillor Cottingham explained that on March 4, 1986, the County and Townships Committee recommended Proposal No. 112, 1986, Do Pass As Amended by a 4-2 vote. The amendment was to reduce the original appropriation of \$4,486,553 to \$956,919. Councillor Cottingham moved, seconded by Councillor Giffin, for adoption of Proposal No. 112, 1986, As Amended. The President called for public testimony at 8:23 p.m.

Councillor Williams recognized that two issues exist with the appropriation: fiscal mismanagement and the "poor history" of the agency. She stressed that long-range planning could improve the operation of the Information Services Agency.

Councillor Williams moved, seconded by Councillor Howard, to Table Proposal No. 112, 1986, As Amended. The President called for the vote on the Motion, which failed on the following roll call vote; viz:

9 AYES: *Boyd, Clark, Coughenour, Hawkins, Howard, Journey, Page, Shaw, Williams*

1 NOT VOTING: *Borst*

19 NAYS: *Bradley, Cottingham, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, West*

Senior Deputy Mayor Joseph Slash, speaking as Chairman of the Information Services Agency Management Board, stated that prior to the current County Auditor taking office, contractual expenditure of funds were authorized without being approved by the I.S.A. Board. Although the expenditures were for legitimate purposes, they were not budgeted for in the year of occurrence. In addition, the previous County Auditor did not require costs to be allocated back to the user agencies. Thus, equipment was purchased against base bids, and there was no way to recover costs from the user's budgets. Mr. Slash stated that the current County Auditor has directed all County agencies to utilize the Purchasing Division as of January 1, 1986.

Many people have inquired as to why internal auditors have not been examining the Information Services Agency. Mr. Slash explained that the reason there have been no internal audits is that the Mayor does not have the authority to direct Internal Audit to go investigate a County agency. The City Controller has recently been directed to have external auditors review the Information Services Agency and to make recommendations in a future management letter.

In 1984, the firm of Coopers & Lybrand was asked to look at I.S.A. to develop a long-range strategic plan for data processing services in the City and County and to evaluate short comings of the Agency and to make recommendations for improvement. Coopers & Lybrand issued a report following their study in 1984, and some of the recommendations have been accomplished or are at least under-way.

Mr. Slash cited other reasons for problems within I.S.A. as the lack of executive direction on a day-to-day basis and the lack of provisions in the budgets of County agencies for increased demand in user services in accordance with user needs.

Mr. Slash offered the following suggestions for the future of I.S.A.: 1) I.S.A. could be made a division within the Department of Administration; 2) management of I.S.A. could be contracted out to a private firm; 3) I.S.A. could be divided into smaller agencies to service three major user areas of public safety and criminal justice, financial and general administrative services, and assessment and property information (tax collection); and 4) private sector models could be examined to determine financial resources to establish I.S.A. as a competitive operation. In conclusion, Mr. Slash urged passage of the \$956,919 appropriation and stated that he, along with other members of the I.S.A. Board, were ready to "work with the Council in setting a course of action for the future of I.S.A."

Councillor Schneider noted the excessive turnover problem in I.S.A. management. The Agency will soon be working with its fourth executive director since 1980. Mr. Slash replied that there has been a turnover problem in I.S.A. management and clarified that many of the fiscal-related problems began in 1982 when there was a deficit in the County General Fund.

Councillor Curry noted that the Council's Computer Applications Ad-hoc Committee, chaired by Councillor Rhodes, had been involved in discussing the many problems of I.S.A. Councillor Curry commended the five-year plan proposed by Coopers & Lybrand. He suggested that rather than prolonging the discussion during the Council meeting that there be more detailed discussion of I.S.A.'s budget during budget hearings for the 1987 Budget.

Councillor Clark inquired about why the Auditor's Office had no knowledge of the outstanding debts of I.S.A. and asked if the two Deputy Auditors would be willing to comment since they worked with the former Auditor. Ms. Anita Wdowka, Chief Deputy Auditor, confirmed that the Auditor's Office had no knowledge of the debts addressed in Proposal No. 112, 1986, until recently. There were no bills sent to the Auditor's Office because the agencies involved had used direct claims.

Councillor Williams inquired about the prospects for a future I.S.A. director. Mr. Slash responded that the current Acting Director, Mr. Jack Bailey, is working on a contractual basis and that Mr. Bailey has expressed concern about the caliber of applicants for the Director position. The current salary of the Director in the 1986 Budget is \$47,000. It is Mr. Bailey's opinion that the salary may be somewhat low due to the responsibilities and structure of the Agency.

Councillor Rhodes agreed that the salary of the future I.S.A. Director may need to be increased due to the responsibilities entailed. Councillor Rhodes stated that the Council's Computer Applications Ad-hoc Committee was comprised of Councillors Miller, Curry and West. He added that the Committee was in need of another member due to the death of Councillor Ed Campbell. Councillor Rhodes extended an invitation to Councillor Williams to join the Council's Computer Applications Ad-hoc Committee. Councillor Williams accepted the invitation.

Proposal No. 112, 1986, As Amended, was adopted on the following roll call vote; viz:

22 AYES: *Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, McGrath, Miller, Nickell, Rader, Rhodes, Ser Vaas, Stewart, Strader, West*
 7 NAYS: *Boyd, Howard, Journey, Page, Schneider, Shaw, Williams*

Proposal No. 112, 1986, As Amended, was retitled FISCAL ORDINANCE NO. 21, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Nine Hundred Fifty-six Thousand Nine Hundred Nineteen Dollars (\$956,919) in the County General Fund for purposes of the Information Services Agency 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 (c)(1) 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 an ongoing budget deficit and for increased services.

SECTION 2. The sum of Nine Hundred Fifty-six Thousand Nine Hundred Nineteen Dollars (\$956,919) 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>INFORMATION SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	\$ 99,953
2. Supplies	26,870
3. Other Services & Charges	749,896
4. Capital Outlay	<u>80,200</u>
TOTAL INCREASE	\$956,919

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

<u>COUNTY GENERAL FUND</u>	
Unappropriated and Unencumbered	
County General Fund	\$956,919
TOTAL REDUCTION	\$956,919

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

(c) COUNTY ADMINISTRATIVE AGENCIES (1) INFORMATION SERVICES AGENCY - Dept. 03

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Director	1	46,792	46,792
Deputy Director	3 <u>2</u>	40,200	121,616 <u>89,396</u>
Managers	8 <u>6</u>	38,500	286,800 <u>201,127</u>
Executive Secretary	1	17,063	<u>17,063</u>
Admin. Assist.	2 <u>1</u>	16,250	32,760 <u>15,000</u>
Receptionist	2	11,500	<u>23,000</u>
Lead Systems Engineer	1	37,200	32,214 <u>33,000</u>
Senior Systems Engineer	2	35,400	68,318 <u>58,661</u>
Systems Engineer	1 <u>2</u>	29,500	24,297 <u>54,587</u>
Data Administrator	1	35,000	<u>33,579</u>
Lead Database Analyst	0	29,000	-0-
Senior Database Analyst	1 <u>0</u>	24,500	23,751 <u>-0-</u>
Database Analyst	0 <u>2</u>	20,800	0 <u>27,800</u>
Lead Programmer/Analyst	4	34,800	122,305 <u>137,105</u>
Senior Programmer/Analyst	4 <u>6</u>	29,500	217,986 <u>188,000</u>
Programmer/Analyst I	4 <u>14</u>	25,800	94,907 <u>306,000</u>
Programmer/Analyst II	2 <u>0</u>	22,700	37,263 <u>-0-</u>
Lead Operations Coord.	2	17,500	<u>33,170</u>
Senior Operations Coord.	4 <u>10</u>	15,200	59,514 <u>129,415</u>
Operations Coord.	3 <u>5</u>	13,800	40,300 <u>61,511</u>
Scheduler	1	15,750	<u>15,750</u>
Performance Analyst	1	15,200	<u>15,152</u>
Senior Production Analyst	2	24,600	<u>40,541</u>
Production Analyst	2 <u>6</u>	19,900	38,493 <u>102,586</u>
Service Coord.	2 <u>0</u>	11,000	21,041 <u>-0-</u>
Quality Assurance Analyst	3	21,600	<u>54,873</u>
Data Conversion Operator	2	13,200	<u>25,799</u>
Librarian	1	14,200	14,498 <u>14,200</u>
Business Consultant	4 <u>5</u>	36,600	131,250 <u>213,546</u>
Training Consultant	1 <u>0</u>	27,300	27,300 <u>-0-</u>
Account Representative	3 <u>0</u>	35,800	203,842 <u>-0-</u>
Executive Assistant	0 <u>1</u>	0 <u>39,000</u>	0 <u>33,100</u>
Educational Coordinator	0 <u>1</u>	0 <u>17,000</u>	0 <u>17,000</u>
Overtime			40,000
TOTAL	<u>78</u>		<u>\$1,872,050</u> <u>2,012,003</u>

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

Councillor Boyd moved, seconded by Councillor Howard, that the Council's Ad-hoc Computer Applications Committee meet with the I.S.A. Board or Board leadership and submit for consideration to the Council within a two-month period either a definite recommendation for the future management and operation of I.S.A. or a definite plan for the systematic study of the Agency leading to a recommendation for management and operation. Consent was given.

PROPOSAL NO. 115, 1986. This proposal appropriates \$525,000 for the Marion County Sheriff to purchase replacement vehicles. The Public Safety and Criminal Justice Committee on February 26, 1986, recommended Proposal No. 115, 1986, Do Pass by a 8-0 vote. Councillor Dowden explained that the purchase of vehicles was discussed during the 1986 Budget hearings and that the Sheriff's "Level II" 1986 Budget request for vehicles was granted during the hearings. The President called for public testimony at 9:05 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, for adoption.

Proposal No. 115, 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. 115, 1986, was retitled FISCAL ORDINANCE NO. 22, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Five Hundred Twenty-five Thousand Dollars (\$525,000) in the County General Fund for purposes of the Marion County Sheriff 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)(7) 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 to purchase replacement vehicles.

SECTION 2. The sum of Five Hundred Twenty-five Thousand Dollars (\$525,000) 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>MARION COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
4. Capital Outlay	<u>\$525,000</u>
TOTAL INCREASE	<u>\$525,000</u>

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered County General Fund	<u>\$525,000</u>
TOTAL REDUCTION	<u>\$525,000</u>

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

PROPOSAL NO. 116, 1986. This proposal appropriates \$8,485 for the Superior Court - General Term Reporter to adjust an incorrect transfer of funds made in late 1985. Councillor Dowden explained that the incorrect transfer was with regard to the appropriation being placed into the wrong accounting classification. The Public Safety and Criminal Justice Committee on February 26, 1986, recommended Proposal No. 116, 1986, Do Pass by a 9-0 vote. The President called for public hearing at 9:07 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 116, 1986, was adopted on the following roll call vote; viz:

28 AYES: *Borst, 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*

NO NAYS

1 NOT VOTING: *Boyd*

Proposal No. 116, 1986, was retitled FISCAL ORDINANCE NO. 23, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 23, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Eight Thousand

Four Hundred Eighty-five Dollars (\$8,485) in the County General Fund for purposes of the Superior Court - General Term Reporter 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 (b)(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 reappropriating funds which were incorrectly transferred in late 1985.

SECTION 2. The sum of Eight Thousand Four Hundred Eighty-five Dollars (\$8,485) 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>SUPERIOR COURT - GENERAL TERM REPORTER</u>	<u>COUNTY GENERAL FUND</u>
2. Supplies	\$ 500
3. Other Services & Charges	1,500
4. Capital Outlay	<u>6,485</u>
TOTAL INCREASE	\$8,485

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

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>\$8,485</u>
TOTAL REDUCTION	\$8,485

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

PROPOSAL NO. 117, 1986. This proposal appropriates \$117,603 for the Presiding Judge of the Municipal Court to provide adequate funding for public defenders and amends the personnel schedule. The Public Safety and Criminal Justice Committee on February 26, 1986, recommended that Proposal No. 117, 1986, Be Stricken by a 7-1 vote. Councillor Dowden reported that Judge Kohlmeyer requested the additional personnel to decrease delays and continuances and to provide better investigations. During the Committee meeting, the Court's Administrator testified that a reorganization was being conducted to assess the needs of the Public Defenders' Office but that the 1986 Budget hearings were finished before the completion of his reorganization. The President called for public testimony at 9:08 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Nickell, to Strike Proposal No. 117, 1986. Consent was given.

PROPOSAL NO. 119, 1986. This proposal appropriates \$2,949 from the current grant for the Marion County Community Corrections Advisory Board and amends the personnel schedule. Councillor Dowden stated that the appropriation is a "carryover" from unspent funds in the Board's 1985 Budget. The Public Safety and Criminal Justice Committee on February 26, 1986, recommended Proposal No. 119, 1986, Do Pass by a 8-0 vote. The President called for public testimony at 9:09 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Journey, for adoption. Proposal No. 119, 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. 119, 1986, was retitled FISCAL ORDINANCE NO. 24, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) appropriating an additional Two Thousand Nine Hundred Forty-nine Dollars (\$2,949) in the State and Federal Grant Fund for purposes of the Marion County Community Corrections Advisory Board and reducing the unappropriated and unencumbered balance in the State and Federal Grant Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.01 (b)(25) 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 additional funds remaining in the current grant.

SECTION 2. The sum of Two Thousand Nine Hundred Forty-nine Dollars (\$2,949) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COMMUNITY CORRECTIONS ADVISORY BOARD

	<u>STATE AND FEDERAL GRANT FUND</u>
1. Personal Services	<u>\$2,949</u>
TOTAL INCREASE	<u>\$2,949</u>

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

STATE AND FEDERAL GRANT FUND

Unappropriated and Unencumbered State and Federal Grant Fund	\$2,949
TOTAL REDUCTION	\$2,949

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Professional	7	25,410	105,068 <u>105,068</u>
Admin./Clerical	3	14,490	24,390 <u>24,390</u>
Vacancy Factor			<u>(56,030)</u>
TOTAL	10		70,478 <u>73,428</u>

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

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 97, 1986. This proposal amends the Code by changing parking controls for portions of Sherman Drive, Minnesota Street and Harding Street. Councillor Gilmer explained that the Transportation Committee had recommended Proposal No. 97, 1986, Do Pass by a 6-0 vote at its February 19, 1986, meeting. At the February 24, 1986, meeting, the Council gave Consent to Postpone action on Proposal No. 97, 1986, until its March 10, 1986, meeting because additional technical amendments were necessary. Councillor Gilmer added that Proposal No. 97, 1986, was mistakenly placed on the Transportation Committee's March 5, 1986, agenda, and the Committee made the necessary technical amendments and recommended Proposal No. 97, 1986 Do Pass As Amended by a 4-0 vote. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal No. 97, 1986, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Clark, Dowden, Schneider*

Proposal No. 97, 1986, As Amended, was retitled GENERAL ORDINANCE NO. 23, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by changing parking controls for portions of Harding and Minnesota Streets and Sherman Drive.

**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 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the deletion of the following, to wit:

Sherman Drive, on the east side, from the first Alley south of English to Pleasant Run Parkway, North Drive.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Harding Street, on both sides, from Oliver Avenue to Washington Street

Minnesota Street, on both sides, from High School Road to I-465

Sherman Drive, on the east side, from the first Alley south of Sherman Drive to a point 290 feet north of English Avenue

Sherman Drive, on the east side, from Pleasant Run Parkway, South Drive, to Pleasant Run Parkway, North Drive.

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

The President recessed the City-County Council at 9:10 p.m. for purposes of convening the Committee of the Whole. A quorum being present, the President called the Committee of the Whole to order at 9:10 p.m.

PROPOSAL NO. 125, 1986. This resolution is in support of the Juvenile Detention Center Ad-Hoc Committee recommendations. Councillor Nickell, Chairman of the Juvenile Detention Center Ad-Hoc Committee, stated that other members of the Committee were Councillors Boyd, Coughenour, Cottingham, Crowe and Journey.

Councillor Nickell read the resolution and offered an amendment by deleting SECTION 2. and inserting in lieu thereof a new SECTION 2. which read: "SECTION 2. The Alternative Placement Program concept should be implemented in Marion County. Any implemented program should have established evaluation criteria and achievement objectives which should be reviewed for attainment and measured on a three (3), six (6), nine (9) and twelve (12) month basis." Consent was given on the amendment.

Councillor Nickell moved, seconded by Councillor Boyd, for adoption of Proposal No. 125, 1986, As Amended. Proposal No. 125, 1986, As Amended, was adopted on the following roll call vote; viz:

24 AYES: *Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, SerVaas, Shaw, Strader, West, Williams* 5 NAYS: *Borst, Gilmer, Holmes, Schneider, Stewart*

Proposal No. 125, 1986, As Amended, was retitled SPECIAL RESOLUTION NO. 38, 1986, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1986

A SPECIAL RESOLUTION in support of the Juvenile Detention Center Ad-Hoc Committee recommendations.

WHEREAS, the Juvenile Detention Center Ad-Hoc Committee has spent many months studying the Juvenile Detention Center and its related problems; and,

WHEREAS, the Committee, after due deliberation, recommends that certain actions be taken; now, therefore:

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

SECTION 1. Pursuant to state statute, the Juvenile Detention Center Advisory Board and the Superior Court, Juvenile Division Judge should review the current Detention Criteria as used at the Juvenile Court. This review should result in an establishment and formulation of the same.

SECTION 2. The Alternative Placement Program concept should be implemented in Marion County. Any implemented program should have established evaluation criteria and achievement objectives which should be reviewed for attainment and measured on a three (3), six (6), nine (9) and twelve (12) month basis.

SECTION 3. Other Alternative Placement Programs should be actively sought out. If other programs are found to be available, they should present their proposals to an evaluation committee to consist of (but not be limited to) the Judge, the Prosecutor, a representative of the Community Corrections Program, a representative of the Juvenile Detention Center Advisory Board, and at least one member of the City-County Council.

SECTION 4. The County should consider the possibility of one individual being responsible for both the Juvenile Detention center Services and the Alternative Placement Services. This individual may, or may not be the appointed Superintendent of the Juvenile Detention Center.

SECTION 5. An in-depth review of the current educational programs at the Center should be conducted with respect to whether the current I.P.S. contract is effective and cost-efficient, or whether the Center should become "self-educated" or serviced by other available educational vendors.

SECTION 6. Intense efforts should be made to develop ways in which the "court process" can be accelerated so that the "average length of detention" can be shortened.

SECTION 7. A new Juvenile Detention Center should be constructed.

SECTION 8. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

There being no further business for the Committee of the Whole, the President reconvened the City-County Council at 9:27 p.m.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 90, 1986. This proposal amends the Code with regard to intersection controls for Orchard Avenue and E. 34th Street. Councillor Gilmer explained that the Transportation Committee on March 5, 1986, recommended that Proposal No. 90, 1986, be Stricken by a 3-0-1 vote.

Councillor Journey, sponsor of Proposal No. 90, 1986, stated that she was not provided notification of the Committee meeting. Councillor Gilmer apologized and stated that it was his understanding that it had been Councillor Journey's desire to "Strike" Proposal No. 90, 1986.

Councillor West moved, seconded by Councillor Howard, to send Proposal No. 90, 1986, Back to Committee. Consent was given.

PROPOSAL NO. 107, 1986. This proposal appoints Ray Battey to the City-County Administrative Board. Councillor West reported that the Administration Committee on March 3, 1986, recommended Proposal No. 107, 1986, Do Pass by a 6-0 vote. Councillor West moved, seconded by Councillor Miller, for adoption. Proposal No. 107, 1986, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 10, 1986, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 1986

A COUNCIL RESOLUTION appointing Ray Battey to the City-County Administrative 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 City-County Administrative Board, the Council appoints:

RAY BATTEY

SECTION 2. The appointment made by this resolution is for a term ending December 31, 1986. The person appointed by this resolution shall serve at the pleasure of the Council and until his respective successor is appointed and has qualified.

PROPOSAL NO. 113, 1986. This proposal establishes and authorizes the Sheriff's Department to require certain prisoners to work on public projects. Councillor Dowden explained that offenders convicted of nonviolent misdemeanors would be eligible for the program, and the Sheriff's Department would be responsible for prisoner selection along with providing enough Sheriff's deputies to ensure public safety. The Public Safety and Criminal Justice committee on February 26, 1986, recommended Proposal No. 113, 1986, Do Pass by a 7-1 vote.

Councillors Journey and Shaw expressed that the prisoners should be compensated when working on public projects.

Councillor Coughenour stressed that prisoners should not be compensated when working on public projects because taxpayers pay for their care in prison. In addition, many weekend offender programs require the offender to pay for their lodging, etc.

Councillor Curry stated that administrative costs are not clearly defined in Proposal No. 113, 1986.

Councillor Clark supported the idea of requiring certain prisoners to work on public projects.

Councillor Dowden moved, seconded by Councillor Borst, for adoption. Proposal No. 113, 1986, was adopted on the following roll call vote; viz:

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

Proposal No. 113, 1986, was retitled GENERAL ORDINANCE NO. 24, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 1986

A GENERAL ORDINANCE to establish and authorize the Sheriff's Department to require certain prisoners to work on public projects.

**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" be amended by adding a new Chapter 16½ to read as follows:

CHAPTER 16½ - JAIL PROVISIONS

ARTICLE I - PRISONER WORK PROJECTS

Sec. 16½ - 1. The City-County Council, pursuant to IC 16-12-5-1, hereby authorizes the Marion County Sheriff to require persons confined in the Marion County Jail who have been convicted of a crime to work on public streets, highways, parks and other public lands, buildings or facilities within Marion County in accordance with this Article.

Sec. 16½ - 2. The Marion County Sheriff shall be responsible to exercise appropriate discretion in the selection of prisoners appropriate for such projects and to provide adequate personnel for control of such persons and for safety of the public.

Sec. 16½ - 3. The director of any department of the city or any elected city or county official may request the use of prisoners upon projects under their direction and control by written proposal to the Marion County Sheriff specifying the work to be performed, the dates or period of the project, the number of prisoners requested for the project and the persons who shall be responsible for staffing and directing the work of the prisoners. Copies of such request shall be sent to the Public Safety and Criminal Justice Committee of the Council.

Sec. 16½ - 4. If the Sheriff approves such request he shall notify the person designated to supervise the work and appoint a member of the Marion County Sheriff's Department to coordinate the project.

Sec. 16½ - 5. At least quarterly the Sheriff shall file a report of the projects approved and projects completed with the Public Safety and Criminal Justice Committee of the Council.

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

PROPOSAL NO. 114, 1986. This proposal authorizes the establishment of the Public Safety Communications and Computer Facilities District Fund. Councillor Dowden explained that the new Fund was designated for the newly created Marion County Emergency Communications Agency. Provisions in the Proposal ensure that all entities (excluded cities and towns) would be contributing for toward the

new Agency. The Public Safety and Criminal Justice Committee on February 26, 1986, recommended Proposal No. 114, 1986, Do Pass by a 8-0 vote. Councillor Dowden moved, seconded by Councillor Giffin, for adoption. Proposal No. 114, 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*

It was President SerVaas' opinion that Sec. 10 - 101. (b) of Proposal No. 114, 1986, was ambiguous. He urged the Public Safety and Criminal Justice Committee in the future to examine the "language" at a future Committee meeting.

Proposal No. 114, 1986, was retitled GENERAL ORDINANCE NO. 25, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 1986

A GENERAL ORDINANCE establishing the Public Safety Communications and Computer Facilities District Fund.

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

SECTION 1. Chapter 10 of the "Code of Indianapolis and Marion County, Indiana" is hereby amended by adding a NEW Section 10 - 101 which reads as follows:

Sec. 10 - 101. Public Safety Communications and Computer Facilities District Fund.

(a) There is hereby established a special fund, to be designated the "Public Safety Communications and Computer Facilities District Fund," in the division of finance, under the Controller.

(b) This fund shall be a continuing fund, with all balances, remaining therein the end of each calendar year and no such balances shall lapse into the city or county general funds or ever be diverted, directly or indirectly, in any manner, to any other uses than for the operations of countywide public safety communications facilities under this chapter.

(c) The fund shall be comprised of revenues derived from a levy of taxes imposed under the authority of IC 36-8-15-19, and such other monies as the City-County Council may, from time to time, transfer to this fund.

(d) Monies from this fund may only be appropriated in accordance with procedures established for the expenditure of public funds.

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

PROPOSAL NO. 118, 1986. This proposal transfers \$11,025 for the Marion County Superior Court - Juvenile Division to provide funding for a public defender's contractual service and amends the personnel schedule. Councillor Dowden explained that the transfer, from Character 01 to Character 03, was accomplished through reductions in the Court's Personnel Schedule to add an additional part-time referee and to provide payment to a public defender on contract. The Public Safety and Criminal Justice Committee on February 26, 1986, recommended Proposal No. 118, 1986, Do Pass by a 8-0 vote. Councillor Dowden moved, seconded by Councillor Nickell, for adoption. Proposal No. 118, 1986, was adopted on the following roll call vote; viz:

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

1 NAY: McGrath

1 NOT VOTING: Howard

Proposal No. 118, 1986, was retitled FISCAL ORDINANCE NO. 25, 1986, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 1986

A FISCAL ORDINANCE amending the City-County Annual Budget for 1986 (City-County Fiscal Ordinance No. 87, 1985) transferring and appropriating Eleven Thousand Twenty-five Dollars (\$11,025) in the County General Fund for purposes of the Marion County Superior Court - Juvenile Division and reducing certain other appropriations for that Court.

**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 (b)(4) of the City-County Annual Budget for 1986, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to Contractual Services from Personal Services for a public defender and adding a part-time referee by increasing the Vacancy Factor.

SECTION 2. The sum of Eleven Thousand Twenty-five Dollars (\$11,025) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SUPERIOR COURT -</u> <u>JUVENILE DIVISION</u>	<u>COUNTY GENERAL FUND</u>
3. Other Services & Charges	<u>\$11,025</u>
TOTAL INCREASE	<u>\$11,025</u>

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

<u>MARION COUNTY SUPERIOR COURT</u> <u>JUVENILE DIVISION</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	<u>\$11,025</u>
TOTAL REDUCTION	<u>\$11,025</u>

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

(4) SUPERIOR COURT - JUVENILE DIVISION - Dept. 65
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judge	1	18,011	18,011
Administrators	3	36,698	89,316
Managers	14	26,925	298,887
Secretaries	4	14,420	47,202
Computer Operators	4	15,750	53,038
Clerk-Typists	15	13,301	134,012
Referees	15 <u>6</u>	38,002	129,003 <u>142,595</u>
Court Reporters	5	22,793	102,404
Bailiffs	7	17,014	95,529
Probation	61	24,679	1,005,333
Professional Staff	3	30,687	99,624 <u>69,599</u>
Maintenance	8	13,659	71,165
Temporary Help			12,852
Overtime			25,000
Vacancy Factor			(184,054) <u>(197,644)</u>
TOTAL	<u>180</u> <u>131</u>	<u>1,978,324</u>	<u>1,967,299</u>

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

PROPOSAL NO. 123, 1986. This proposal amends the Code with regard to changing intersection controls at Ohio and Tremont Streets. Councillor Gilmer explained that Proposal No. 123, 1986, authorizes a four-way stop sign control for this intersection. The Transportation Committee on March 5, 1986, recommended Proposal No. 123, 1986, Do Pass by a 4-0 vote. Councillor Gilmer moved, seconded by Councillor Curry, for adoption. Proposal No. 123, 1986, was adopted on the following roll call vote; viz:

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

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

Proposal No. 123, 1986, was retitled GENERAL ORDINANCE NO. 26, 1986, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 1986

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

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 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 13	W. Ohio St. & N. Tremont St.	N. Tremont St.	STOP

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24, Pg. 13	Ohio St. & Tremont St.	None	STOP

SECTION 3. 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 9:55 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 March, 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)