

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, October 15, 1979**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:00 p.m., Monday, October 15, 1979, President SerVaas in the chair. Councillor John Tinder opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

President SerVaas instructed the Clerk to take the roll. Twenty-eight members being present, he announced a quorum.

PRESENT: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

ABSENT: Mr. Cantwell

CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journals of September 10 and October 1, 1979. There being no additions or corrections, the minutes were approved as distributed.

OFFICIAL COMMUNICATIONS

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

**TO ALL MEMBERS OF THE CITY—COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, October 15, 1979, at 7:00 p.m. The purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

**Respectfully,
s/Beurt SerVaas, President
City-County Council**

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on October 4, 1979, and October 11, 1979, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 459, 463, 470, 480, 481, and 482, 1979 to be held on Monday, October 15, 1979, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

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

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

GENERAL ORDINANCE NO. 110, 1979, amending City-County General Ordinance No. 85, 1978, to increase the number of personnel authorized for the Wayne Township Trustee.

GENERAL ORDINANCE NO. 111, 1979, amending the City-County General Ordinance No. 85, 1978, to increase the salaries and number of personnel for the office of the Decatur Township Trustee.

GENERAL ORDINANCE NO. 112, 1979, restricting trucks on certain portions of Lawrence Avenue and Markwood Avenue.

GENERAL ORDINANCE NO. 113, 1979, amending the Code of Indianapolis and Marion County, by adding a new Section 2-146 to Article III of Chapter 2 to create an audit committee for the City of Indianapolis.

GENERAL ORDINANCE NO. 114, 1979, amending the Code of Indianapolis and Marion County by adding a new section to Chapter 6, Article III creating authority for the Indianapolis Humane Society to receive, capture, hold and maintain, and dispose of animals under certain circumstances.

SPECIAL ORDINANCE NO. 8, 1979, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979," in the principal amount of eight hundred thousand dollars and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 37, 1979, calling upon the Indianapolis Board of School Commissioners and the membership of the Indianapolis Education Association to resolve their current contract dispute and resume the education of children in Indianapolis.

SPECIAL RESOLUTION NO. 38, 1979, authorizing the officers of Marion County to appeal to the State Board of Tax Commissioners for an increase in the tax rate and levy as fixed by the County Board of Tax Adjustment and for an approval of a tax rate and levy sufficient to fund certain appropriations as originally submitted to the Marion County Board of Tax Adjustment.

SPECIAL RESOLUTION NO. 39, 1979, authorizing and directing the appropriate officers of the City-County Council and the consolidated City of Indianapolis to cause to be prepared and executed an appeal to the State Board of Tax Commissioners requesting an increase in the tax rates, if necessary, so as not to reduce the levies of each taxing unit.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY—
COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS, 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 resolution:

SPECIAL RESOLUTION NO. 9, 1979, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979 (47 South Meridian Company Project)" in the principal amount of One Million Seven Hundred and Fifty Thousand Dollars and approving and authorizing other actions in respect thereto.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 491, 1979. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Council Resolution appointing members to the Human Rights Commission;" and the President referred it to the Administration Committee.

PROPOSAL NO. 492, 1979. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County by amending Section 17-6 and deleting section 17-31 (6) to streamline the licensing procedures;" and the President referred it to the Administration Committee.

PROPOSAL NO. 493, 1979. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating One hundred five thousand dollars (\$105,000) in the Consolidated County Fund for purposes of the Legal Division, Department of Administration and reducing certain other appropriations for that division and the Personnel Division;" and the President referred it to the Administration Committee.

PROPOSAL NO. 494, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating One Thousand Five hundred dollars (\$1,500) in the County General Fund for purposes of the Superior Court, Civil Division, Room 2, and reducing certain other appropriations for that division;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 495, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) authorizing changes in the personnel compensation schedule (Section 2.03 of the County Election Board.);" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 496, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Three Hundred dollars (\$300) in the County General Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for that agency;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 497, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a General Resolution approving the schedule of charges for the care and maintenance of patients and residents of the Marion County Home and Julietta Convalescent Center as fixed by the County Home Board;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 498, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating six thousand three hundred dollars (\$6,300) in the County General Fund for purposes of the County Commissioners and reducing certain other appropriations for that division;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 499, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period January 1, 1980, to June 30, 1980, in anticipation of current taxes levied in the year 1979, and collectible in the year 1980, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 500, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 501, 1979. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a Special Resolution approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds;" and the President referred it to the Economic Development Committee.

PROPOSAL NO. 502, 1979. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Three thousand two hundred fifty dollars (\$3,250) in the Consolidated County Fund for purposes of the Weights and Measures Division, Department of Public Safety and reducing certain other appropriations for that division;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 503, 1979. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Fifteen thousand fifty dollars (\$15,050) in the Consolidated County Fund for purposes of the Civil Defense Division, Department of Public Safety, and reducing certain other appropriations for that division;" and the President referred it to the Public Safety & Criminal Justice Committee.

PROPOSAL NO. 504, 1979. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending the Code of Indianapolis and Marion County by repealing Section 20-44 which deals with obscene conduct;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 505, 1979. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Eighteen thousand nine hundred fifty dollars (\$18,950) in the Consolidated County Fund for purposes of the Dog Pound Division, Department of Public Safety and reducing certain other appropriations for that division;" and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 506, 1979. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a General Resolution ratifying, confirming, and approving the contract entered into on the 8th day of October, 1979, by and between the Indianapolis Power and Light Company, a Corporation, and the City of Indianapolis, Indiana, acting by and through its Department of Public Works, with the approval of its Mayor, for lighting public streets, avenues, alleys, and other public places and buildings and for furnishing and supplying electric current for light and power for all public buildings, public equipment, and other public places;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 507, 1979. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Eight hundred thousand dollars (\$800,000) in the Sanitation General Fund for purposes of the Sanitary (Liquid Waste) Division, Department of Public Works and reducing certain other appropriations for that division." Councillor Coughenour then requested that this proposal be advanced on the agenda to be heard under Special Orders - Final Adoption. Consent of the Council was given.

PROPOSAL NO. 508, 1979. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Three hundred twenty-five thousand dollars (\$325,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing certain other appropriations for that division;" and the President referred it to the Transportation Committee.

Councillor Schneider then moved the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move the Rules of the Council on preparation, initiation, and introduction of Proposals be suspended and the attached material be introduced as Proposal Nos. 509, 510, and 511, 1979, without being in proper form.

Councillor Schneider

The motion carried by unanimous voice vote.

PROPOSAL NO. 509, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, transferring and appropriating Twenty-three thousand dollars (\$230,000) in the County General Fund for purposes of the Marion County Clerk and reducing certain other appropriations for that agency;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 510, 1979. Introduced by Councillor Scheider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriation Ten thousand five hundred dollars (\$10,500) in the County General Fund for purposes of the Marion County Election Board and reducing certain other appropriations for that agency;" and the President referred it to the County & Townships Committee.

PROPOSAL NO. 511, 1979. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Fourteen thousand seven hundred dollars (\$14,700) in the County General Fund for purposes of the Marion County Home and reducing certain other appropriations for that division;" and the President referred it to the County & Townships Committee.

PROPOSAL NOS 512-515, 1979. Introduced by Councillor Durnil. The Clerk read the proposals entitled: " Proposal for Rezoning Ordinances certified from the Metropolitan Development Commission on October 4, 1979;" and the President referred Proposal Nos. 512-515, 1979, to the Committee of the Whole to be heard under Special Orders - Final Adoption.

PROPOSAL NO. 516, 1979. Councillor Pearce moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move that the Rules of the Council on preparation, initiation, and introduction of Proposals be suspended and the attached material introduced as Proposal No. 516, 1979, although not timely submitted under the Rules.

Councillor Pearce

Consent of the Council was given for this proposal to be introduced. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1979 (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Three thousand five hundred seventy-five dollars (\$3,575) in the County General Fund for purposes of the Center Township Assessor and reducing certain other appropriations for the Center Township Assessor;" and the President referred it to the County and Townships Committee.

SPECIAL ORDERS — PUBLIC HEARING

PROPOSAL NO. 411, 1979. Councillor Schneider moved that this proposal be tabled. The motion carried by consent of the Council.

PROPOSAL NO. 459, 1979. Councillor Miller reported for the Administration Committee that this proposal appropriates monies for the financing of fleet maintenance being transferred from the Solid Waste Division. This involves forty people being transferred to the Central Equipment Division. The Council recessed to a Committee of the Whole for a public hearing at 7:10 p.m. and reconvened at 7:11 p.m. After discussion, Councillor Miller moved, seconded by Councillor Walters to adopt Proposal No. 459, 1979. The proposal was then adopted on the following roll call vote; viz:

28 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

1 NOT VOTING: Mr. Cantwell

Proposal No. 459, 1979, was retitled FISCAL ORDINANCE NO. 122, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Three hundred twenty-three thousand nine hundred fifty dollars (\$323,950) in the City General Fund for purposes of the Department of Administration, Central Equipment Management Division and reducing the unappropriated and unencumbered balance in the City General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of allowing the Central Equipment Management Division to assume the responsibility for the Fleet operations of the Solid Waste Division of the Department of Public Works which consolidates all City Garage Activities under the Director of Administration.

SECTION 2. The sum of Three hundred twenty-three thousand nine hundred fifty dollars (\$323,950) 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		CITY GENERAL FUND
CENTRAL EQUIPMENT MANAGEMENT		
10. Personal Services		124,000
22. Supplies		101,450
23. Materials		62,840
25. Current Obligations		16,160
50. Properties		<u>19,500</u>
TOTAL INCREASES		<u>\$323,950</u>

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

DEPARTMENT OF ADMINISTRATION		CITY GENERAL FUND
CENTRAL EQUIPMENT MANAGEMENT		
Unappropriated and Unencumbered		
	City General Fund	<u>\$323,950</u>
TOTAL REDUCTIONS		<u>\$323,950</u>

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 463, 1979. Councillor Schneider requested that this proposal be postponed until the next meeting of the Council, November 7, 1979. Consent was given by the Council.

PROPOSAL NO. 470, 1979. Councillor West stated that this proposal appropriates monies for the County Prosecutor financed by L.E.A.A. grants. This money is to assist in "white collar crime" control. Councillor Tinder stated that this was the first year for this particular program and these funds would enable the staff to take care of additional case loads. After further discussion, Councillor West moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 470, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 470, 1979, Committee Recommendations."

Councillor West

The motion was seconded by Councillor Schneider, and passed by unanimous voice vote. The Council recessed to a Committee of the Whole at 7:16 p.m. and reconvened at 7:17 p.m. After public hearing, during which Mr. Don Christiansen spoke, Proposal No. 470, 1979, As Amended, was adopted on the following roll call vote; viz:

24 AYES: Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

3 NOES: Mr. Anderson, Mr. Dowden, Mr. Schneider

2 NOT VOTING: Mr. Boyd, Mr. Cantwell

Proposal No. 470, 1979, As Amended was retitled FISCAL ORDINANCE NO. 123, 1979, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 123, 1979

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional forty-eight thousand one hundred dollars (\$48,100) in the Crime Control Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and un-numbered balance in the Crime Control 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 2.05 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of authorizing expenditures from the White Collar Crime Grant financed by LEAA Funds.

SECTION 2. The sum of Forty-eight thousand one hundred dollars (\$48,100) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR CRIME CONTROL FUND

31. Personal Services	\$31,000
32. Contractual Services	6,000
33. Travel	2,250
34. Equipment	4,466
35. Operating expenses	3,500
37 Other	884
TOTAL INCREASES	\$48,100

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

CRIME CONTROL FUND

Unappropriated and Unencumbered	
Crime Control Fund	\$48,100
TOTAL REDUCTIONS	\$48,100

SECTION 5. The maximum number of personnel, and the maximum salaries authorized for all personnel paid from the Crime Control Fund are established in the following schedules, provided that the total paid by each office shall not exceed the appropriation for that purpose for that office.

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
PROSECUTOR			
Deputy Prosecutor	5	18,000	\$70,981
Witness Coordinators	5	12,000	57,116
Secretary	1	7,000	7,000
Legal Intern	14	7,000	83,923
Paralegal	1	7,500	6,058
Project Director	1	14,000	13,462
Attorney	1	15,333	15,333
Investigatory/Accountant	1	20,000	20,000
Investigator	1	14,666	14,666
Legal Secretary	1	10,000	10,000
Computer Analyst	1	10,000	10,000

SECTION 6. The City-County Council has no intention of supplementing or financing the agency and/or projects approved herein by use of revenues from any local tax regardless of source. At anytime that knowledge is received that the state or federal financing of this agency or project is, or will be, reduced or eliminated, the supervisor or the Auditor, or both, are directed to notify the City-County Council in writing of such proposed loss of revenue.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 480, 1979. Councillor West reported that this proposal appropriates \$ 22,663 in the County General Fund for the Marion County Prosecutor. This money is to cover expenses such as telephone bills and data phone lines. The Council recessed to a Committee of the Whole at 7:24 p.m. and reconvened at 7:25 p.m. After brief discussion, Proposal No. 480, 1979, was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 480, 1979, was retitled FISCAL ORDINANCE NO. 124, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Twenty-two thousand six hundred sixty-three dollars (\$22,663) in the County General Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the County General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of expenditures for computer terminal telephone lines and the White Collar Crime Control Hard match.

SECTION 2. The sum of Twenty-two thousand six hundred sixty-three dollars (\$22,663) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR	COUNTY GENERAL FUND
21. Contractual Services	\$22,663
TOTAL INCREASES	\$22,663

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

Unappropriated and Unencumbered	
County General Fund	\$22,663
TOTAL REDUCTIONS	\$22,663

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 481, 1979. Councillor West requested that this proposal be postponed until the next meeting of the Council on November 7, 1979. Consent of the Council was given.

PROPOSAL NO. 482, 1979. Councillor West requested that this proposal be postponed until the meeting of the Council on November 7, 1979. Consent of the Council was given.

SPECIAL ORDERS – FINAL ADOPTION

PROPOSAL NO. 354, 1979. Councillor Durnil reported that this proposal provides for regulation of condominium conversions of existing rental property. During discussion, Councillor Dowden requested further information as to the enforcement of the provisions of the proposal. Ms. Sheila Suess, Corporation Counsel, explained the penalties, violations, and time limits. Councillor West then moved, seconded by Councillor Durnil, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 354, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 354, 1979, Committee Recommendations."

Councillor West

The motion carried by unanimous voice vote. Councillor West then moved, seconded by Councillor Gilmer, to delete the word "shall" in section 15-7, and insert the word "may" to assist in clarity of fines in case of fraud. The motion carried by unanimous voice vote. The proposal was then adopted on the following roll call vote; viz:

22 AYES: Mr. Anderson, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Lyons, Mr. McGrath, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

5 NOES: Mrs. Brinkman, Mr. Dowden, Mr. Kimbell, Mr. Miller, Mr. Schneider

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 354, 1979, As Amended, was retitled GENERAL ORDINANCE NO. 115, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 115, 1979

A PROPOSAL FOR A GENERAL ORDINANCE amending the Code of Indianapolis and Marion County by adding a new chapter regulating the conversion of residential apartments to condominiums.

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 is hereby amended by adding a new chapter, 15, to read as follows:

CHAPTER 15 — CONVERSION CONDOMINIUMS

ARTICLE I: GENERAL PROVISIONS

Sec. 15-1 Declaration of Policy.

It is hereby declared to be the purpose of this chapter to regulate the practice of converting residential apartment dwellings to condominium in order to protect the public safety, health and welfare, by establishing procedures for such conversions and providing certain rights to tenants affected by such conversions. This chapter shall be construed liberally to insure protection for the consumer tenant when he is subject to a condominium conversion. Sec. 15-2. Definitions.

For the purpose of this chapter the following terms, phrases and words shall have the meanings assigned to them by this section unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural number include the singular number, words used in the singular number include the plural number, words in the masculine gender include the feminine gender and words in the feminine gender include the masculine gender. The word "shall" is always mandatory and not merely directory.

(a) "Condominium" means real estate formally submitted to the provisions of the Indiana Horizontal Property

Law, as that Act may be amended from time to time.

(b) "Condominium instruments" means the declaration by-laws and plats and floor plans of the condominium together with any exhibits or schedules thereto, which the Indiana Horizontal Property Law requires to be filed in the office of the County Recorder.

(c) "Condominium unit" means an enclosed space consisting of one (1) or more rooms occupying all or part of a floor or floors in a structure of one (1) or more floors or stories designed for residential use with either a direct exit to a public street or highway or an exit to a thoroughfare or to a given common space leading to a thoroughfare, together with the undivided interest in the common areas as that phrase is defined by the Indiana Horizontal Property Law.

(d) "Conversion Condominium" means a condominium in which some or all of the units were occupied before the establishment of the condominium.

(e) "Declaration" means the declaration required to be filed in the office of the County Recorder by the Indiana Horizontal Property Law in order to bring property within the provisions of that Law.

(f) "Developer" means any person who submits property legally or equitably owned by him to the provisions of the Indiana Horizontal Property Law including any successor to such developer's entire interest in the property.

(g) "Person" means an individual, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof.

(h) "Tenant" means a person occupying under an existing lease, a unit of a building located on property which has not been submitted to the provisions of the Indiana Horizontal Property Law. For the purposes of the right of first option given in Section 15-5 (b) hereof, "tenant" means a tenant who was a tenant on the date of the notice of intent and a tenant on the date he exercises his right of first option.

Sec. 15-3. Applicability.

This chapter shall apply to all residential property within the Consolidated First Class City of Indianapolis, Indiana which is brought within the provisions of the Indiana Horizontal Property Law so as to make the property a conversion condominium, as defined herein. Provided, however, that this chapter shall not apply to:

(a) Condominium units which, prior to the effective date of this ordinance, have been sold under a binding contract of sale to a purchaser for use as a residence.

(b) Condominiums lawfully established prior to the effective date of this ordinance.

ARTICLE II: PROCEDURES AND RIGHTS

Sec. 15-4. Notice of Intent.

(a) A developer intending to submit property to the provisions of the Indiana Horizontal Property Law shall

give notice of such intent, no less than 120 days and not more than one year prior to the recording of a declaration and other condominium instruments, to all persons who are tenants on the date such notice is given.

(b) The notice of intent shall be delivered to each tenant either by personal delivery or by registered or certified mail, return receipt requested.

(c) The notice of intent shall contain:

(1) A proposed date, no earlier than 120 days from the date of delivery of the notice, upon which the developer intends to file the declaration in the office of the County Recorder.

(2) A copy of the proposed declaration and by-laws.

(3) A copy of the disclosure statement required by Section 15-6.

(4) A statement clearly explaining the rights given each tenant under the terms of Section 15-5 hereof.

(5) The notice of intent may be conditioned upon the attainment of a fixed percentage of condominium sales within a fixed period of time for the stated condominium conversion development.

Sec. 15-5. Tenants' Rights.

(a) Any person who was a tenant on the date of the notice of intent and whose tenancy expires other than for cause prior to the expiration of 120 days from the date on which a copy of the notice of intent was received shall have the right to an additional tenancy on the same terms and conditions for the same rental until the expiration of such 120-day period if such tenant gives written notice to the developer of his intent to exercise that right within 30 days of the date upon which the notice of intent was received. Any additional tenancy may be withheld if the tenant is in arrears, has committed waste, or has been determined to cause a general nuisance. In the case of any tenant who is over 65 years of age, or who is deaf, or blind or unable to walk without mechanical assistance, such tenant shall have the right, upon giving written notice, to an additional tenancy on the same terms and conditions and for the same rental for a period of 180 days following receipt of notice of intent if such tenant gives written notice of his intent to exercise that right within thirty days of the date upon which the notice of intent was received.

(b) A developer shall not sell or offer to sell any conversion condominium unit which is in the possession of a tenant who received notice pursuant to Section 15-4 without first offering to sell such unit to such tenant. The developer shall deliver to such tenant, either by personal delivery or by registered or certified mail, return receipt requested, an offer to sell such unit specifying the price and all other terms and conditions of the offer. Such offer shall be made no later than 120 days before the date upon which the developer will require the tenant to vacate. No tenant entitled to receive such an offer shall be required to vacate his unit any earlier than (120) days from the receipt of such offer, except by reason of nonpayment of rent, waste or conduct that disturbs other tenants' peaceful enjoyment of the premises, and the terms of the tenancy shall not be altered during that period. The tenant shall have sixty days from receipt of the offer to either accept or reject such offer. If the tenant rejects the offer or fails to accept the offer within the (60) day period, the developer may not offer to dispose of an interest in that unit during the (90) days following either the tenant's rejection of the offer or the expiration of the (60) day period, whichever occurs first, at the price or on terms more favorable to the offeree than the price or terms offered to the tenant.

(c) If a developer, in violation of subsection (b), conveys a unit to a purchaser for value who has no knowledge of the violation, recordation of the deed conveying the unit extinguishes any right a tenant may have under subsection (b) to purchase that unit if the deed states that the seller has complied with subsection (b), but does not affect any claim the tenant may have against the developer for damages, or does it affect the penalties provided in section 15-7 hereof.

Sec. 15-6. Disclosure Statement.

The disclosure statement required to be delivered to each tenant by Section 15-4

(c) shall include the following information:

(a) The name, address and telephone number of the developer who proposes to submit the premises to the provisions of the Indiana Horizontal Property Law.

(b) A copy of a report from a qualified registered architect or licensed professional engineer describing the present condition and expected useful life of the roof, foundation, external and supporting walls, mechanical, electrical, plumbing, heating, and structural elements and all other common facilities, together with an estimate of repair and replacement, at current market prices.

(c) A list of any outstanding notices of uncured violations of building code, zoning, or other municipal regulations, together with the estimated cost of curing those violations.

(d) An itemized common area expense budget providing the estimated cost of all operating, administrative maintenance, repair and other expenses which are to be paid by the owners of condominium units on a pro-rata basis.

(e) A statement of all current real property taxes and other assessments against the property, and the estimated amount of such taxes or assessments which will be payable by the unit owner.

(f) A statement of the initial offering price for the condominium to be sold and the terms and conditions for said sale.

(g) A statement of any available financing arrangements for a tenant.

Sec. 15-7. Penalties

(a) Any person found guilty of violating any of the provisions of this Chapter upon conviction thereof may be punished by a fine not to exceed \$1,000.00 per violation.

(b) Any person who makes or causes to be made any material misrepresentations with respect to the information required to be included in a disclosure statement shall be guilty of a violation of this Chapter, and upon conviction may be punished by a fine not to exceed \$1,000.00.

(c) The penalty provisions of this section shall be in addition to any legal or equitable remedy available under the laws of the State of Indiana.

SECTION 2. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected.

SECTION 3. This ordinance shall take effect on January 1, 1980, and upon compliance with IC 18-4-5-2.

PROPOSAL NO. 347, 1979. Councillor Durnil reported that the Metropolitan Development Committee had, at the request of the sponsor of the proposal, Mr. Howard, recommended that this proposal be stricken, with the understanding that a new proposal changing the name of the street legally would be introduced at a later date. Proposal No. 347, 1979, was then stricken on a unanimous voice vote.

PROPOSAL NO. 392, 1979. Councillor McGrath and President SerVaas reported that this proposal had received a recommendation to be stricken by the Transportation Committee. Mr. McGrath stated that the Department of Transportation was not in favor of the intersection controls. After discussion, Councillor Tintera moved, seconded by Councillor Stewart to strike Proposal No. 392, 1979. The motion carried and Proposal No. 392, 1979, was stricken by unanimous voice vote.

PROPOSAL NO. 475, 1979. Councillor Stewart, Acting Chairperson at the last Transportation Committee meeting, reported that Mr. Fred Madorin had visited the garage site at Southport Rd. and Tibbs Ave. and reported that clean-up had taken place and this proposal was no longer needed. After discussion, Councillor Stewart moved, seconded by Councillor Tintera, to strike Proposal No. 475, 1979; the motion carried by unanimous voice vote.

PROPOSAL NO. 476, 1979. Councillor Stewart stated that this proposal prohibits parking on a portion of Prague Road, and that the Transportation Committee had recommended this proposal with a "do pass" recommendation. The proposal was then adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, Mrs. Journey

Proposal No. 476, 1979 was retitled GENERAL ORDINANCE NO. 116, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 116, 1979

A GENERAL ORDINANCE establishing no parking on certain sections of Prague Road [Amends Code Section 29-267].

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, Indiana, specifically "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:

Prague Road, on the south side, from McFarland Road,
east to the circular drive entrance of Roncalli High School

PART II

Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County" for violations of the section amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 477, 1979. Councillor Stewart stated that this proposal changes intersection controls at intersections in Winchester Village and various other streets in Indianapolis; it received a "do pass" recommendation from the Transportation Committee. Mrs. Stewart moved, seconded by Councillor Patterson, to adopt Proposal No. 477, 1979. The proposal was then adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 477, 1979, was retitled GENERAL ORDINANCE NO. 117, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 117, 1979

A GENERAL ORDINANCE establishing intersection controls at certain intersections [Amends Code Section 29-92].

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, specifically "Sec. 29-92. Schedule of intersection controls," be, and the same is hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
27, Pg.2	Cecil Ave. & E. Michigan St.	E. Michigan St.	Stop
11, Pg.5	Crittenden Ave. & E. 66th St.	None	None
16, Pg. 3	Dabney Ct. & Dabney Dr.	None	None
16, Pg.3	Dabney Dr. & Vinewood Avenue	Vinewood Ave.	Stop
16, Pg. 3	Darney Dr. & Vinewood Ave.	Vinewood Ave.	Stop
46, Pg. 2	Browning Dr. & Crossman Dr.	None	None
46, Pg.2	Browning Dr. & Winchester Dr.	None	None
46, Pg.2	Browning Dr. & Winchester Dr.	Winchester Dr.	Yield
46, Pg.2	Cherington Ct. & Cherington Dr.	None	None
46, Pg.2	Cherington Dr. & Crossman Dr.	None	None
46, Pg. 2	Cherington Dr. & Remington Dr.	None	None
46, Pg.2	Cherington Dr. & E. Stop Eleven Rd.	E. Stop Eleven Rd.	Yield
46, Pg.2	Cherington Dr. & E. Stop Eleven Road	None	None
46, Pg.6	Remington Dr. & Remington Pl., E	None	None
46, Pg. 6	Remington Dr. & Remington Pl., W.	None	None
46, Pg.6	Remington Dr. & Winchester Dr.	None	None

PART II

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

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
27, Pg. 2	Cecil Ave.& E. Michigan St.	None	4-way Stop
11, Pg.5	Crittenden Ave.& E. 66th St.	E. 66th St.	Stop
16, Pg.3	Dabney Dr. & Vinewood Ave.	Vinewood Ave.	Stop
16, Pg. 7	Vinewood Ave. & Wedgewood Way	Vinewood Ave. (NB)& Wedgewood Way	Stop
46, Pg.2	Browning Dr. & Crossman Dr.	Browning Dr.	Stop
46, Pg.2	Browning Dr. (North Leg) & Winchester Dr.	Winchester Dr. (NB)	Stop
46, Pg. 2	Browning Dr. (South Leg) & Winchester Dr.	Winchester Dr.	Stop
46, Pg.2	Cherington Ct. & Cherington Dr.	Cherington Dr.	Stop
46, Pg. 2	Cherington Dr. & Crossman Dr.	Cherington Dr.	Stop

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
46, Pg. 2	Cherington Dr. & Remington Dr.	Cherington Dr.	Stop
46, Pg. 2	Cherington Dr. & E. Stop Eleven Road	E. Stop 11 Road	Stop
46, Pg. 2	Cherington Dr. & Winchester Dr.	Cherington Dr.	Stop
46, Pg. 6	Remington Dr. & Remington Pl. E.	Remington Dr.	Stop
46, Pg. 6	Remington Dr. & Remington Pl. W.	Remington Dr.	Stop
46, Pg. 6	Remington Dr. & Winchester Dr.	Winchester Dr.	Stop

PART III

Violations of this ordinance shall be subject to those penalties now provided in the Code of Indianapolis and Marion County for violations of the sections amended by this ordinance.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 478, 1979. Councillor Stewart stated that this proposal changes intersection controls on West Michigan and West New York Streets. During discussion, Councillor Hawkins inquired as to whether or not the signal would be a blinker after hours. Mr. Madorin replied that studies have begun on this and that many of the lights around the city are already on this type of system. After discussion, Councillor Stewart moved for adoption of Proposal No. 478, 1979, seconded by Councillor Lyons; the proposal was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 478, 1979, was retitled GENERAL ORDINANCE NO. 118, 1979, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 118, 1979

A GENERAL ORDINANCE establishing intersection controls at certain intersections [Amends Code Section 29-92].

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, specifically "Sec. 29-92. Schedule of intersection controls," be, and the same is hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
24, Pg.1	Agnes St. & W. New York St.	W New York St.	Stop
24, Pg.3	Blake St. & W. Michigan St.	None	Signal
24, Pg.3	Blake St. & W. New York St.	None	Signal

PART II

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

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
24, Pg.1	Agnes St.& W. New York St.	None	Signal
24, Pg.3	Blake St. & W. Michigan St.	W. Michigan St.	Stop
24, Pg.3	Blake St. & W. New York St.	W. New York St.	Stop

PART III

Violations of this ordinance shall be subject to those penalties now provided in the Code of Indianapolis and Marion County for violations of the sections amended by this ordinance.

PART IV

This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 479, 1979. Councillor Stewart reported that this proposal prohibits parking on a portion of Burbank Road. Mrs. Stewart stated that the parked cars on Burbank Road were in the path of Warren Township school buses, when making turns onto the road. Councillor Stewart then moved for adoption, seconded by Councillor McGrath. Proposal No. 479, 1979, was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell and Mrs. Journey

Proposal No. 479, 1979, was retitled GENERAL ORDINANCE NO. 119, 1979, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 119, 1979

A GENERAL ORDINANCE prohibiting parking on portions of Burbank Road. [Amends Code Section 29-267.]

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

PART I

Chapter 29 of the Code of Indianapolis and Marion County, Indiana, specifically 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:

Burbank Road, on the east side, from Washington Street
to a point 200 ft. north of Washington Street

PART II

Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County" for violations of the section amended by this ordinance.

PART III

This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 487, 1979. Councillor West stated that this proposal transfers money in the County General Fund for purposes of the County Sheriff. Councillor West then moved, seconded by Councillor Hawkins, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 487, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 487, 1979, Committee Recommendations."

Councillor West

The motion carried by unanimous voice vote. After further discussion, Proposal No. 487, 1979, As Amended, was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 487, 1979, As Amended was retitled FISCAL ORDINANCE NO. 125, 1979, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1979

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1979 (City-County Fiscal Ordinance No. 91, 1978) and appropriating an additional Thirty-nine thousand nine hundred forty dollars (\$39,940) in the County General Fund for purposes of the County Sheriff and reducing certain other appropriations for the County Sheriff.

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 2.04 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of paying utility bills.

SECTION 2. The sum of Thirty-nine thousand nine hundred forty dollars (\$39,940) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

COUNTY SHERIFF	COUNTY GENERAL FUND
21. Contractual Services	<u>\$39,940</u>
TOTAL INCREASES	\$39,940

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

COUNTY SHERIFF	COUNTY GENERAL FUND
22. Supplies	\$2,000
23. Materials	5,000
24. Current Charges	27,662
50. Properties	<u>5,278</u>
TOTAL REDUCTIONS	\$39,940

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 465, 1979. Councillor Tintera reported for the Economic Development Committee that this proposal authorizes economic development bonds for Anacomp, Inc. in the amount of \$1,000,000. After discussion, Councillor Tintera moved, seconded by Councillor Page, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 465, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 465, 1979, Committee Recommendations."

Councillor Tintera

The motion carried by unanimous voice vote. Proposal No. 465, 1979, As Amended, was then adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 465, 1979, As Amended was retitled SPECIAL ORDINANCE NO. 10, 1979, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 10, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, (Anacomp, Inc. Project)" in the principal amount of One Million Dollars (\$1,000,000) 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 Anacomp, Inc. facilities, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on October 3, 1979, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities of Anacomp, Inc. complies with the purposes and provisions of Indiana Code 18-6-4.5 and that such financing will be of benefit to the health and welfare to the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Indenture of Trust, Official Statement, and Note (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) 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 Indenture of Trust previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Anacomp, Inc. for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana and the repayment of said loan by Anacomp, Inc. to be evidenced and secured by a promissory note of Anacomp, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 18-6-4.5.

SECTION 2. The forms of the Indenture of Trust, Official Statement, and Note approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) shall be incorporated herein by reference and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or the City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, (Anacomp, Inc. Project) in the total principal amount of One Million Dollars (\$1,000,000) for the purpose of procuring funds to loan to Anacomp, Inc. in order to finance the economic development facilities, as more particularly set out in the Indenture of Trust incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Anacomp, Inc. on its promissory note in the aggregate principal amount of One Million Dollars (\$1,000,000) which will be executed and delivered by the Company to evidence and secure said loan, and as otherwise provided in the above described Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller is authorized and directed to sell such Bonds to the purchasers thereof at a stated rate of interest on the Bonds not to exceed 7.75% per annum and at a price not less than 96% of the principal amount thereof.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk or City Controller is authorized to arrange for the delivery of such Bonds to the purchasers thereof, payment for which will be made to the Trustee named in the Indenture of Trust.

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

SECTION 7. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 466, 1979. Councillor Tintera reported that this proposal approves economic development bonds in the amount of \$250,000 for Capital Supplies, Inc. Councillor Tintera made the comment that the business has been in existence in Indianapolis for over fifty years. Councillor Tintera then moved for adoption, seconded by Councillor Walters. Proposal No. 466, 1979, was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, and Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 466, 1979, was retitled SPECIAL RESOLUTION NO. 41, 1979, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 41, 1979

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "City") is authorized by IC 18-6-4.5 (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 and equipping of said facilities either directly or by loan to a company and said facilities to be either owned by or leased or sold to a company; and

WHEREAS, Capital Supplies, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facility to be an approximately 31,000 square foot facility for the distribution of heating and air conditioning supplies and the machinery and equipment to be installed therein, to be located at 2020 North Illinois Street, Indianapolis, Indiana, on an approximate 2.4 acre tract of land within the City of Indianapolis (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (2 new jobs added at the end of one year and 8 new jobs at the end of three years) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition and construction of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana: now, therefore:

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

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and 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 in the public interest that the Indianapolis Economic Development Commission and said City take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said City.

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City in an approximate amount of \$250,000 under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such a financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the company to proceed with the acquisition, construction 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 City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

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

PROPOSAL NO. 467, 1979. Councillor Tintera reported that this proposal approves economic development bonds in the amount of \$1,200,000 for Purolator, Inc. Councillor Tintera explained that this company is a distribution service for documents, cancelled checks, and packages on a time schedule, and moved for its adoption, seconded by Councillor West. Proposal No. 467, 1979, was adopted on the following roll call vote; viz:

27 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

2 NOT VOTING: Mr. Cantwell, and Mrs. Journey

Proposal No. 467, 1979, was retitled **SPECIAL RESOLUTION NO. 40, 1979**, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 1979

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by IC 18-6-4.5 (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 and equipping of said facilities either directly or by loan to a company and said facilities to be either owned by or leased or sold to a company; and

WHEREAS, Purolator, Inc., and/or its subsidiaries Purolator Courier Corp. and PPD Property, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facility to be an approximately 18,000 square foot facility to provide specialized small package, time sensitive courier service and the machinery and equipment to be installed therein, to be located at 1101 South Girls School Road, Indianapolis, Indiana, on an approximate 3.3 acre tract of land within the City of Indianapolis (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (25 new jobs added at the end of one year and 75 at the end of three years) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City in an approximate amount of \$1,200,000 under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, construction, 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 City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

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

PROPOSAL NO. 469, 1979. Councillor Tintera stated that this proposal authorizes economic development bonds for Parahart Corporation in the amount of \$600,000. During discussion, Councillor Walters spoke in favor of the bonds, stating that this project will create many new construction jobs. Councillor Tintera moved, seconded by Councillor Walters, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 469, 1979, by deleting the introduced version and substituting therefore, the proposal entitled: "Proposal No. 469, 1979, Committee Recommendations."

Councillor Tintera

The motion carried by unanimous voice vote. Councillor Walters then moved for adoption. Proposal No. 469, 1979, As Amended, was adopted on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

3 NOT VOTING: Mr. Cantwell, Mrs. Journey, Mr. Schneider

Proposal No. 469, 1979, As Amended, was retitled SPECIAL ORDINANCE NO. 12, 1979, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 12, 1979

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1979 (Parahart Corporation Project)" in the principal amount of Six hundred thousand dollars (\$600,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for the Parahart Corporation facilities, to be used by State Equipment Company, Inc., and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 12, 1979, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Parahart Corporation, as developer, and State Equipment Company, Inc., as user, complies with the purposes and provisions of Indiana Code 18-6-4.5 and that such financing will be of benefit to the health and welfare to the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Mortgage and Indenture of Trust, Lease Agreement, Guaranty Agreement, and Sublease Agreement (such documents being hereinafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana and the repayment of said bonds as provided in the Mortgage and Indenture of Trust, the lease of said facilities to Parahart Corporation and the sublease of said facilities to State Equipment Company, Inc., and the guaranty of the bond payments by Bramco, Inc., will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 18-6-4.5.

SECTION 2. The forms of the Mortgage and Indenture of Trust, Lease Agreement, Sublease Agreement, and Guaranty Agreement approved by the Indianapolis Economic Development Commission here hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) shall be incorporated herein by reference and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 (Parahart Corporation Project) in the total principal amount of Six hundred thousand dollars (\$600,000) for the purpose of procuring funds in order to finance the economic development facilities, as more particularly set out in the Mortgage and Indenture of Trust incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Parahart Corporation, State Equipment Company, Inc. and/or Bramco, Inc., as provided in the above described Mortgage and Indenture of Trust, Guaranty Agreement, Lease Agreement, and Sublease Agreement. 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 is authorized and directed to sell such Bonds to the purchasers thereof at a rate of interest on the Bonds not to exceed 7% per annum and at a price not less than 100% of the principal amount thereof.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. The signatures of the Mayor and City Clerk on the Bonds and coupons may be facsimile signatures. The City Clerk or the City Controller is authorized to arrange for the delivery of such Bonds to the purchasers thereof, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust.

SECTION 6. The provisions of this ordinance and the Mortgage and Indenture of Trust securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1979 (Parahart Corporation Project), and after the issuance of said Bonds, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as any of said Bonds or the interest thereon remain unpaid.

SECTION 7. This ordinance shall be in full force and effect from and after its compliance with procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 507, 1979. Councillor Coughenour reported that this proposal transfers \$800,000 within the budget of the Sanitary Division Department of Public Works to cover increased costs of supplies and utilities since the adoption of the budget. After discussion, Councillor Coughenour moved, seconded by Councillor Dowden, to adopt Proposal No. 507, 1979; the motion carried and the proposal was then adopted on the following roll call vote; viz:

26 AYES: Mr. Anderson, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Miller, Mr. Page, Ms. Parker, Mr. Patterson, Mr. Pearce, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Tinder, Mr. Tintera, Mr. Vollmer, Mr. Walters, Mr. West

NO NOES

3 NOT VOTING: Mr. Cantwell, Mr. Clark, and Mrs. Journey

Proposal No. 507, 1979, was retitled **FISCAL ORDINANCE NO. 121, 1979**, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 121, 1979

A FISCAL ORDINANCE amending the **CITY—COUNTY ANNUAL BUDGET FOR 1979** (City-County Fiscal Ordinance No. 91, 1978) transferring and appropriating Eight hundred thousand dollars (\$800,000) in the Sanitation General Fund for purposes of the Sanitary (Liquid Waste) Division, Department of Public Works and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1979, be, and is hereby, amended by the increases and reductions hereinafter stated for the purposes of covering the increased costs in Supplies, Parts, and Utilities since the adoption of the 1979 budget.

SECTION 2. The sum of Eight hundred thousand dollars (\$800,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:	
PUBLIC WORKS	SANITATION GENERAL FUND
SANITARY DIVISION (LIQUID WASTE)	
21. Contractual Services	\$325,000
22. Supplies	400,000
23. Materials	<u>75,000</u>
TOTAL INCREASES	\$800,000

SECTION 4. The said increased appropriation is funded by the following reductions:	
PUBLIC WORKS	SANITATION GENERAL FUND
SANITARY DIVISION (LIQUID WASTE)	
10. Personal Services	\$200,000
24. Current Charges	90,000
50. Properties	<u>510,000</u>
TOTAL REDUCTIONS	\$800,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NOS. 512-515, 1979. No action was taken on these proposals, they were retitled REZONING ORDINANCE NOS. 132-135, 1979, respectively, and read as follows:

**REZONING ORDINANCE NO. 132, 1979 79-Z-104 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 18
6025 WEST 10TH STREET, INDIANAPOLIS**
Melinda A Ane, Rick & Tuth Voight, 935 Beechway Drive, request rezoning of 10.20 acres, being in' A2 and SU-34 Districts, to C-5 classification to provide for commerical use.

**REZONING ORDINANCE NO. 133, 1979 79-Z-118 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 8
4271-75 NORTH HIGHT SCHOOL ROAD, INDIANAPOLIS**
Crawford Realty, a partnership, and Charles K. & Cheryl A. Crawford, 6333 Rockville Road and 901 Timer Trace, Brownsburg, Indiana, request rezoning of 3.50 acres, being in A-2 district, to C-1 classification, to provide for business office and childrens care center.

**REZONING ORDINANCE NO. 134, 1979 79-Z-134 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
365 EAST THOMPSON ROAD, INDIANAPOLIS**
Opal A. Molin Woodward requests rezoning of 0.64 acre, being in D-3 district, to C-1 classification, to provide for office use.

**REZONING ORDINANCE NO. 135, 1979 79-Z-138 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 20
4011 SOUTH EAST STREET, INDIANAPOLIS**
Kay Donald & Elizabeth Ann MacKenzie request rezoning of 2.00 acres, being in C-5 district, to C-7 classification, to permit the operation of a truck and trailer rental center and repair depot.

ANNOUNCEMENTS AND ADJOURNMENT

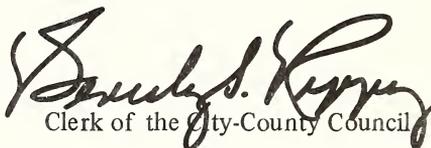
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:20 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County, Indiana, held at its Regular meeting on the 15th day of October, 1979.

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

ATTEST:


President


Clerk of the City-County Council

(SEAL)