

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, May 19, 1980**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building, at 7:03 p.m., Monday, May 19, 1980. President SerVaas in the Chair. Councillor Stuart W. Rhodes opened the meeting with a prayer, followed by the Pledge of Allegiance.

**ROLL CALL**

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

*PRESENT: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

**CORRECTION OF JOURNAL**

The Chair called for additions or corrections to the Journal of May 7, 1980. There being no additions or corrections to the Journal of May 7, 1980, the minutes were approved, as distributed.

**OFFICIAL COMMUNICATIONS**

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

**TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL OF  
THE CITY OF INDIANAPOLIS AND OF 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, May 19, 1980, 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 OF  
MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I ceased to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on May 9, 1980, and May 16, 1980 a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 230, 231, 232, 1980 to be held on Monday, May 19, 1980 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 OF 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. 37, 1980, amending the City-County Annual Budget for 1980 and appropriating an additional seventy-three thousand two hundred and thirty-one dollars in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

SPECIAL ORDINANCE NO. 4, 1980, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds Series 1980 (Capitol Clutch Partnership Project)," in the principal amount of two hundred and sixty-six thousand dollars and approving and authorizing other actions with respect thereto.

SPECIAL ORDINANCE NO. 5, 1980, authorizing the City of Indianapolis to issue its "Economic Development Second Mortgage Revenue Bonds Series 1980 (Paper Art Company, Inc. Project)," in the principal amount of two million two hundred fifty thousand dollars and approving and authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 32, 1980, honoring Hugh H. O'Young.

Respectfully submitted,

s/William H. Hudnut, III  
MAYOR

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

**PROPOSAL NO. 252, 1980.** Councillor Stanley Strader read the proposal entitled: "A Proposal for a Special Resolution honoring Sammy NeSmith." Mr. NeSmith won the North American Boxing Federation Middleweight Championship in Market Square Arena on May 13, 1980 and is a five-time winner of the Indiana Golden Gloves title. Mr. Strader praised Mr. NeSmith's work with young boxers in Indianapolis and moved for adoption, seconded by Councillor Howard. Mr. NeSmith was present to accept the resolution which was then adopted by unanimous voice vote. Proposal No. 252, 1980, was retitled **SPECIAL RESOLUTION NO. 33, 1980**, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 33, 1980**

**A SPECIAL RESOLUTION honoring Sammy NeSmith.**

**WHEREAS, Sammy NeSmith brought honor to his community, state and country as five-time winner of the Indiana Golden Gloves title, as national Golden Gloves Champion, and as a representative of the United States in amateur boxing competition throughout the world; and**

**WHEREAS, his outstanding performance has continued into his professional boxing career, during which he has achieved a record of 33 victories in 37 contests; and**

**WHEREAS, Mr. NeSmith has devoted much of his time and energy to the task of training and encouraging young boxers at Camp Atterbury, Indiana, and at the Riverside Community Center in Indianapolis; and**

**WHEREAS, a milestone in Sammy NeSmith's career was realized at Market Square Arena on May 13, 1980, when he captured the Middle-weight Championship of the North American Boxing Federation; 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 congratulates Sammy NeSmith on his North American Boxing Federation victory and acknowledges with pride his ascension to the status of a top world contender in his weight class.**

**SECTION 2. The Council expresses its appreciation for Mr. NeSmith's dedication to the development of the young boxers of Indianapolis and Indiana.**

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

## INTRODUCTION OF GUESTS

Councillor Rhodes introduced Councillor Borst's parents, Senator and Mrs. Lawrence Borst, brother, and fiancée, Jill Alexander, all present to celebrate Councillor Borst's thirtieth birthday. Councillor Paula Parker introduced her husband, Walter Hart and baby daughter, Elizabeth Marie.

## INTRODUCTION OF PROPOSALS

PROPOSAL NO. 238, 1980. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual budget for 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional One Hundred thousand dollars (\$100,000) in the City General Fund for purposes of the Department of Administration, Finance Division and reducing the unappropriated and unencumbered balance in the City General Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 239, 1980. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Two hundred thousand dollars (\$200,000) in the Consolidated County Fund for purposes of the Department of Administration, City Legal Division and reducing the unappropriated and unencumbered balance in the Consolidated County Fund"; and the President referred it to the Administration Committee.

PROPOSAL NO. 240, 1980. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Park District Fund and Consolidated County Fund during the period July 26, 1980 to December 31, 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 loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon; ratifying, approving, and confirming the proceedings had and action taken by the Police Special Service District Council, the Fire Special Service District Council, and the Sanitation Solid Special Service District Waste District Council in authorizing the making the temporary loans and the issuance of tax anticipation time warrants to evidence such loans for the Consolidated City Police Force Account, the Police Pension Fund and the Consolidated Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste

General Fund; and fixing a time when this ordinance shall take effect"; and the President referred it to the Administration Committee.

PROPOSAL NO. 241, 1980. 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. 242, 1980. 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. 243, 1980. 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. 244, 1980. 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. 245, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Seventeen thousand dollars (\$17,000) in the Crime Control Fund for purposes of the Marion County Sheriff and reducing the unappropriated and unencumbered balance in the Crime Control Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 246, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Two hundred thousand (\$200,000) in the Transportation General Fund for purposes of the Department of Transportation and

reducing the unappropriated and unencumbered balance in the Transportation General Fund"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 247-251, 1980. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for Rezoning Ordinances certified from the Metropolitan Development Commission on May 8, 1980"; and the President referred them to the Committee of the Whole to be heard under "Special Orders - Final Adoption".

PROPOSAL NO. 252, 1980. This proposal was adopted under "Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions".

PROPOSAL NO. 253, 1980. The sponsor of this proposal withdrew the proposal from introduction.

#### MODIFICATION OF SPECIAL ORDERS

[Clerk's Note: Council consent was given for the suspension of the council rules and the introduction of the following proposals.]

PROPOSAL NO. 254, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating One hundred thirty-five thousand six hundred seventy-five dollars (\$135,675) in the County General Fund for purposes of the Marion County Sheriff Division, and reducing certain other appropriations for that division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 255, 1980. Introduced by Councillor Page. The Clerk read the proposal entitled: "A Proposal for a General Ordinance changing a certain street from one-way traffic to two-way traffic. [Amends Code Section 29-166]"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 256, 1980. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a General Ordinance amending Chapter 8½ of the "Code of Indianapolis and Marion County", by adding a new subsection to Sec. 8½-51, permitting the occupancy of the streets and public ways of the City by operators of cable television systems"; and the President referred it to the Cable Television Committee.

SPECIAL ORDERS – PUBLIC HEARING

PROPOSAL NO. 230, 1980. Councillor Durnil requested that this proposal appropriating \$6,755,085 in the Redevelopment General Fund for purposes of the Metropolitan Development Department, be postponed. Council consent was given.

PROPOSAL NO. 231, 1980. Councillor Durnil requested that this proposal, which is a companion proposal to Proposal No. 230, 1980, also be postponed. Consent was given.

PROPOSAL NO. 232, 1980. Councillor Miller reported for the Administration Committee that this proposal appropriating \$61,500 in the City General Fund for purposes of the Mayor's Office, received a unanimous "Do Pass As Amended" recommendation. Councillor Miller stated that the need for these monies stems from over zealous budget cutting, and will provide additional funding in the areas of travel, FICA, PERF, and Economic Development Programs in Neighborhoods. Councillor Miller moved for adoption of the committee recommendations which deleted the line "24. Current Charges", in Section 3, and replaced it with "25. Current Obligations". Council consent was given. The Council recessed to a Committee of the Whole for a public hearing at 7:32 p.m. and reconvened at 7:33 p.m. After Council discussion, Proposal No. 232, 1980, As Amended, was adopted on the following roll call vote; viz:

21 AYES: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Durnil, Mr. Gilmer, Mr. Holmes, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

5 NOES: *Mr. Boyd, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Schneider*

3 NOT VOTING: *Mrs. Coughenour, Mr. Dowden, Mrs. Parker*

Proposal No. 232, 1980, As Amended, was retitled FISCAL ORDINANCE NO. 44, 1980, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 44, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Sixty-one thousand five hundred dollars (\$61,500) in the City General Fund for purposes of the Office of the Mayor 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 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing revenue to fund a neighborhood development office and equity salary increase.

**SECTION 2.** The sum of Sixty-one thousand five hundred dollars (\$61,500) 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:

OFFICE OF THE MAYOR	CITY GENERAL FUND
10. Personal Services	\$50,000
21. Contractual Services	5,000
25. Current Obligations	<u>6,500</u>
<b>TOTAL INCREASES</b>	<b>\$61,500</b>

**SECTION 4.** The said additional appropriations are funded by the following reductions:  
OFFICE OF THE MAYOR

Unappropriated and Unencumbered City General Fund	CITY GENERAL FUND
	<u>\$61,500</u>
<b>TOTAL REDUCTIONS</b>	<b>\$61,500</b>

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

**SPECIAL ORDERS – FINAL ADOPTION**

PROPOSAL NO. 118, 1980. Councillor McGrath stated that the Transportation Committee had met on May 14, 1980 and recommended that this proposal be passed to the full council with a "do pass as amended" recommendation. Councillor McGrath explained that a compromise had been reached by the major parties involved, and moved for adoption of the Committee Recommendations version of Proposal No. 118, 1980, seconded by Councillor Stewart. Consent of the council was given. Mr. Frank Otte, representing a group living in the area, expressed the desire of his clients to keep the area 2-way, but added that his delegation would abide by whatever decision was made by the Council. This proposal, designating portions of Park Avenue in the Lockerbie Square area, for one-way traffic, was then adopted on the following roll call vote; viz:

28 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mrs. Parker



Proposal No. 118, 1980, As Amended, was retitled GENERAL ORDINANCE NO. 26, 1980, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 26, 1980**

**A GENERAL ORDINANCE amending Chapter 29 of the "Code of Indianapolis and Marion County".**

**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. 29-166. One-way streets and alleys designated - northbound," is hereby amended by the addition of the following, to wit:

**Park Avenue, from the north leg of  
Lockerbie Street to Vermont Street**

**PART II**

Chapter 29, of the Code of Indianapolis and Marion County, specifically, "Sec. 29-166. One-way streets and alleys designated - eastbound" is hereby amended by the deletion of the following, to wit:

**An Alley, being the first north of  
Lockerbie Street from Park Avenue  
to College Avenue**

**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 section 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. 161, 1980. Chairman of the Rules and Public Policy Committee, Mr. Cottingham, reported that this proposal requires fiscal ordinances to contain a separate paragraph detailing the balance in the fund pertaining to said ordinance. The Rules and Public Policy Committee returned the proposal to the full council with a recommendation to Strike by a vote of 4-2. After brief council discussion, Proposal No. 161, 1980, was stricken on the following roll call vote; viz:

21 AYES: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Holmes, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. West*

6 NOES: *Mr. Boyd, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Page, Mr. Vollmer*

2 NOT VOTING: *Mrs. Coughenour, Mrs. Parker*

PROPOSAL NO. 211, 1980. Councillor Cottingham explained that this proposal establishing rules and procedures for presenting balanced budgets for the 1981 budgets received a unanimous "do pass" recommendation from the Rules and Public Policy Committee. This proposal enables the Auditor and the Controller to work with three budget levels and allows them to present a fundable budget prior to budget committee hearings. Councillor Clark stated that this will enable the councillors to spend less time concentrating on perimeters and more time in examination of facts when analyzing budget figures. Councillor Clark moved for adoption, seconded by Councillor Cottingham. Proposal No. 211, 1980, was then adopted on the following roll call vote; viz:

28 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. Jones, Mr. Miller, Mr. McGrath, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mrs. Parker

Proposal No. 211, 1980, was retitled GENERAL ORDINANCE NO. 27, 1980, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 27, 1980**

**A GENERAL ORDINANCE establishing rules and procedures for preparation of the 1981 Annual Budgets for City and County Government.**

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

**SECTION 1. Chapter two of the Code of Indianapolis and Marion County, Indiana, be and is hereby amended by adding a Division 4 in Article X to read as follows:**

**DIVISION 4. ANNUAL BUDGET SUBMISSION**

**Sec. 2-395. Definitions.**

**As used in this division, the following words and phrases are defined as follows:**

(a) "Annual Budget Ordinances" means the ordinance or ordinances adopted by the City-County Council in September of one year, establishing the appropriations, tax levies and tax rate for the calendar and fiscal year beginning the following January 1, and extending until the next December 31.

(b) "Budget Year" means the calendar or fiscal year beginning the following January 1, and extending through December 31 of that year.

(c) "Current Budget" means the budget for the calendar year beginning the first day of January of the current calendar year and extending through December 31 of the current calendar year.

(d) "Current Year Appropriations" means the total appropriations by fund as approved by the State Board of Tax Commissions with respect to the current budget.

(e) "Fiscal Officer" means and refers to the County Auditor with respect to the government of Marion County and to the City Controller with respect to the government of the Consolidated City of Indianapolis.

(f) "Maximum tax levy" means the maximum permissive ad valorem property tax levy for the budget year computed in accordance with IC 6-3.5-1-3.

(g) "Principal Administrative Official" shall mean the person required by IC 18-4-4-4.5 to estimate the necessary expenses for the proposed budget, i.e. the directors of the departments of the City of Indianapolis, every county officer and the supervisor of every other county agency.

(h) "Proposed Budget" means the financial data required to be submitted by the operating agencies to the respective fiscal officers prior to the first Tuesday after the first Monday of July of each year estimating the necessary expenditures for such agencies for the fiscal or calendar year beginning January 1 of the next calendar year.

**Sec. 2-396. General Requirement.**

To assure that the annual budget ordinances submitted pursuant to IC 18-4-4-4.5 comply with the tax limitations in IC 6-3.5-2-3, the additional requirements of this Division shall be effective beginning with the submission of the proposed budget for the fiscal year beginning January 1, 1981.

**Sec. 2-397. Balanced Budgets Required.**

The annual budget ordinances for the City and County as prepared by the Fiscal Officers with the assistance of the General Counsel of the City-County Council, shall balance with the maximum tax levy for the budget year.

**Sec. 2-398. Three Budget Levels Required.**

To assist the Fiscal Officers in preparing such proposed ordinance or ordinances, the Principal Administrative Official shall submit to the respective Fiscal Officer's proposed budgets with three proposed levels of appropriation as specified in Section 2-399.

**Section 2-399. Three Budget Levels determined.** The three levels of budgets required shall be determined as follows:

(a) Level One shall not exceed the applicable percentage of the current year appropriations as established by the respective Fiscal Officers based on such Fiscal Officer's most cautious estimate of revenues for the budget year.

(b) Level Two shall not exceed the applicable percentage of the current year appropriations as established by the respective Fiscal Officers based on such Fiscal Officer's best estimate of revenues for the budget year.

(c) Level Three shall include such increased levels of spending as the Principal Administrative Official may deem necessary for that respective governmental agency provided such Official suggests the source of financing any expenditures in excess of Level Two by either (i) demonstrating that such expenditures are within the statutory provisions of IC 6-3.5-1-12 for a tax levy in excess of the limits in IC 6-3.5-1-3, or (ii) identifies a source of new or increased revenue not included in either the current budget or the revenues projected in the Fiscal Officer's estimates for the Level Two percentage, or (iii) identifies specific appropriations in the current budget which should be reduced because of a lower priority than the proposed increases.

**Sec. 2-400. Balance Budget Submitted.**

The proposed budget submitted by the Fiscal Officers for introduction to the City-County Council shall be within the total of revenues by fund specified for Level Two.

**Sec. 2-401. Authority of Fiscal Officers.**

If the budget presented by any Principal Administrative Official does not include a Level One and Level Two or submits a Level Two in excess of the amount specified by the Fiscal Officer, as required by this division, the respective Fiscal Officer shall so modify the budget of that agency so that the expenditures proposed for such agency in the proposed budget ordinance shall not exceed Level Two.

**Sec. 2-402. Advertised Budget.**

The budget advertised for public hearing pursuant to IC 6-1.1-17-3 by the respective Fiscal Officers shall not exceed by fund, the total revenues available for the budget year as estimated by such Fiscal Officer including any new revenues or expenditures statutorily specified as grounds for increases in the maximum tax levy.

**Sec. 2-403.**

This division shall only apply to the Budget prepared and submitted in 1980 for the Budget year 1981.

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

PROPOSAL NO. 222, 1980. Councillor Tintera explained that this proposal authorizes Economic development bonds for Wabash Valley Power Association, Inc., Project in the amount of \$2,750,000. The company would create twenty-one new jobs at the end of one year and 39 new jobs at the end of three years; the building site would be 720 North High School Road. Councillor Gilmer stated that the committee had made technical amendments and moved for adoption of Proposal No. 222, 1980, As Amended, seconded by Councillor Brinkman. Proposal No. 222, 1980, As Amended, was then adopted on the following roll call vote; viz:

28 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mrs. Parker

Proposal No. 222, 1980, As Amended, was then retitled SPECIAL ORDINANCE NO. 6, 1980, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 6, 1980**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "City of Indianapolis, Indiana, National Rural Utilities Cooperative Finance Corporation Guaranteed Economic Development Revenue Bonds (Wabash Valley Power Association, Inc. Project) Series 1980 A", in the principal amount of Two Million Seven Hundred and Fifty Thousand Dollars (\$2,750,000) 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 Wabash Valley Power Association, 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 May 7, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Wabash Valley Power Association, 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 of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of Financing Agreement, CFC-Cooperative Agreement, Indenture of Trust, Official Statement, Guaranty, Assignment and Agency Agreement, Guaranty Note, Project Note, Supplemental Mortgage and Security Agreement, and Bond Purchase Agreement (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) by Resolution adopted prior 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 Agreement 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 Wabash Valley Power Association, Inc. for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana and repayment of said loan by Wabash Valley Power Association, Inc. to be evidenced and secured by a promissory note of Wabash Valley Power Association, 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 Financing Agreement, CFC-Cooperative Agreement, Indenture of Trust, Official Statement, Guaranty, Assignment and Agency Agreement, Guaranty Note, Project Note, Supplemental Mortgage and Security Agreement, and Bond Purchase Agreement approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (herein 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 kept on file by the Clerk of the Council or the City Controller.

SECTION 3. The City of Indianapolis shall issue its "City of Indianapolis, Indiana, National Rural Utilities Cooperative Finance Corporation Guaranteed Economic Development Revenue Bonds (Wabash Valley Power Association, Inc. Project) Series 1980 A", in the total principal amount of Two Million Seven Hundred and Fifty thousand dollars (\$2,750,000) for the purpose of procuring funds to loan to Wabash Valley Power Association, Inc., in order to finance the economic development facilities as more particularly set out in the Financing Agreement incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Wabash Valley Power Association, Inc., on its promissory note in the aggregate amount of Two Million Seven Hundred and Fifty Thousand dollars (\$2,750,000) which will be executed and delivered by the Company to evidence and secure said loan, and as otherwise provided in the above described Financing Agreement, CFC-Cooperative Agreement, Guaranty, Assignment and Agency Agreement, and Guaranty Note, Project Note, Supplemental Mortgage and Security Agreement, Bond Purchase Agreement, 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 the 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 11% per annum and at a price not less than 97% of the principal amount thereof, and an initial discount to the public of not more than 2%.

**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 the 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 City of Indianapolis, Indiana, National Rural Utilities Cooperative Finance Corporation Guaranteed Economic Revenue Bonds (Wabash Valley Power Association, Inc., Project) Series 1980 A, 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. 223, 1980. Councillor Tintera reported that this proposal authorizes economic development bonds for Koenig & Bauer/Egenolf Machine, Inc. Project in the amount of \$2,000,000; it received a "do pass as amended" recommendation from the Economic Development Committee. Mr. Tintera stated that this project would create approximately seventy-five new jobs at the end of the first year with a payroll of \$1,250,000 and approximately 200 new jobs at the end of three years with a \$3,000,000 increase in payroll. Technical amendments were adopted by consent. After discussion, Proposal No. 223, 1980, As Amended, was then adopted on the following roll call vote; viz:

*28 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

*NO NOES*

*1 NOT VOTING: Mrs. Parker*

Proposal No. 223, 1980, As Amended, was retitled SPECIAL ORDINANCE NO. 7, 1980, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 7, 1980**

**A SPECIAL ORDINANCE authorizing the City of Indianapolis to Issue its "Economic Development First Mortgage Revenue Bonds Series 1980 (Koenig & Bauer/Egenolf Machine, Inc. Project)" in the principal amount of Two Million dollars (\$2,000,000) 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 Koenig & Bauer/ Egenolf Machine, 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 May 7, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Koenig & Bauer/ Egenolf Machine, 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 of 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, and Loan Agreement (such documents being hereafter referred to collectively as the "Financing Agreement" referred to in Indiana Code 18-6-4.5) by Resolution adopted prior 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 Agreement 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 Koenig & Bauer/Egenolf Machine, Inc. for the purpose of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana and repayment of said loan by Koenig & Bauer/Egenolf Machine, Inc. to be evidenced and secured by a promissory note of Koenig & Bauer/Egenolf Machine, 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, and Loan Agreement approved by the Indianapolis Economic Development Commission are hereby approved and all such documents (herein 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 kept on file by the Clerk of the Council or the City Controller.**

**SECTION 3. The City of Indianapolis shall issue its "Economic Development First Mortgage Revenue Bond, Series 1980 (Koenig & Bauer/Egenolf Machine, Inc. Project)" in the total principal amount of Two Million dollars for the purpose of procuring funds to loan to Koenig & Bauer/Egenolf Inc., in order to finance the economic development facilities as more particularly set out in the Loan Agreement incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Koenig & Bauer/Egenolf Machine, Inc., on its promissory note in the aggregate amount of Two Million dollars (\$2,000,000) which will be executed and delivered by the Company to evidence and secure said loan, and as otherwise provided in the above described Mortgage and 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 the 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 8 3/4 % 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 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, including the Bonds authorized herein. The signatures of the Mayor and the 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 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 1980 (Koenig & Bauer/Egenolf Machine, 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. 224, 1980. Councillor Tintera, Chairman of the Economic Development Committee reported that this proposal is an inducement resolution for economic development bonds for Daval Tool & Die Corp. in the amount of \$550,000. The project would include acquisition of a 17,000 square foot building, machinery, equipment, and fixtures. Also included is construction of an additional building of 10,000 square feet. The project creates eight new jobs at the end of one year and 22 new jobs at the end of three years and is locally owned. Proposal No. 224, 1980, was then adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mrs. Coughenour, Mrs. Parker

Proposal No. 224, 1980, was then retitled SPECIAL RESOLUTION NO. 34, 1980, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 34, 1980**

**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, and said facilities to be either sold or leased to a Company or the funds from said financing to be loaned to a Company and said facilities to be directly owned by the Company; and

WHEREAS, Daval Tool and Die Corp. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be an approximately 17,000 square foot building, construction of an approximately 10,000 square foot addition thereto, to be used for design and manufacture of tools, dies, plastic injection molds and repair and rework of existing equipment, tools, molds, and dies as well as distribution of diamond wheels, borazon wheels and related items, and the machinery and equipment to be installed therein to be located at 8640 Brookville Road, Indianapolis, Indiana, on an approximate 3.6 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 8 new jobs at the end of one year and 22 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 of Indianapolis 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, equipping and renovation 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—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 ("Issuer") in an approximate amount of \$550,000 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 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, expansion 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. 225, 1980. Councillor Tintera explained that this proposal is an inducement resolution for economic development bonds for Royal Food Products Company in the amount of \$900,000. The project mainly entails the acquisition of machinery and equipment and construction of a 25,000 square foot addition to an existing structure located at 2243 Bethel Ave., and financed by INB. Technical amendments were adopted by consent. Councillor Tintera then moved for adoption, seconded by Councillor Brinkman. Proposal No. 225, 1980, As Amended, was then adopted on the following roll call vote; viz:

27 AYES: *Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NOES

2 NOT VOTING: *Mrs. Coughenour, Mrs. Parker*

Proposal No. 225, 1980, As Amended, was retitled SPECIAL RESOLUTION NO. 35, 1980, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 35, 1980

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, and said facilities to be either sold or leased to a Company or the funds from said financing to be loaned to a Company and said facilities to be directly owned by the Company; and

WHEREAS, Royal Food Products Company, A Division of Mutual Milk Company (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be an approximately 25,000 square foot new addition to an existing building for use as a production warehouse facility for dairy products and the machinery and equipment to be installed therein to be located at 2243 Bethel Avenue, Indianapolis, Indiana, on an approximate 2.3 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 7 new jobs at the end of one year and 20 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 of Indianapolis 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, equipping and renovation 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 ("Issuer") in an approximate amount of \$900,000 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 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, expansion 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. 226, 1980. Councillor Tintera reported that this proposal is an inducement resolution for economic development bonds for the MacAllister Machinery Co. in the amount of \$1,000,000. This project is primarily an expansion of an existing facility that constructs truck engines, located at 7515 East 30th Street on an approximate 6.0 acre tract of land. Technical amendments were adopted by consent. Proposal No. 226, 1980, As Amended, was then adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mrs. Coughenour, Mrs. Parker

Proposal No. 226, 1980, As Amended, was retitled SPECIAL RESOLUTION NO. 36, 1980, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO.36 , 1980**

**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, and said facilities to be either sold or leased to a Company or the funds from said financing to be loaned to a Company and said facilities to be directly owned by the Company; and**

**WHEREAS, MacAllister Machinery Co., Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be an approximately 34,300 square foot new building expanding the present facilities to be used for distribution and service of construction equipment, and the machinery and equipment to be installed therein to be located at 7515 East 30th Street, Indianapolis, Indiana, on an approximate 6.0 acre tract of land (the "Project"); and**

**WHEREAS, the diversification of industry and increase in job opportunities (approximately 3 new jobs at the end of one year and 18 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 of Indianapolis 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, equipping and renovation 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 ("Issuer") in an approximate amount of \$1,000,000 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 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, expansion 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. 227, 1980. This proposal is an inducement resolution for Economic Development Bonds for American Hospital Supply in the amount of \$3,605,000. Councillor Tintera reported for the Economic Development Committee that the primary function of this project is the construction of a 58,200 square foot office and distribution center comprised of a 56,000 square foot warehouse/distribution center and office of 2,200 square feet. Technical amendments were adopted by consent. Proposal No. 227, 1980, As Amended, was adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mrs. Coughenour, Mrs. Parker

Proposal No. 227, 1980, As Amended, was retitled SPECIAL RESOLUTION NO. 37, 1980, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 37, 1980**

**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, and said facilities to be either sold or leased to a Company or the funds from said financing to be loaned to a Company and said facilities to be directly owned by the Company; and**

**WHEREAS, American Hospital Supply Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be an approximately 58,200 square foot building to be used as offices and a distribution warehouse of hospital supplies for the Company, and the machinery and equipment to be installed therein to be located in Indianapolis, Indiana, on an approximate 6 acre tract of land (the "Project"); and**

**WHEREAS, the diversification of industry and increase in job opportunities (approximately 2 new jobs at the end of one year and 12 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 of Indianapolis 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, equipping and renovation 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 ("Issuer") in an approximate amount of \$3,605,000 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 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, expansion 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. 244, 1980. Consent of the Council was given for this proposal to be advanced on the agenda and heard at this time. Councillor Tintera stated that the urgency of the passage of this proposal was to allow construction to take place as soon as possible on the facility. Mr. Tintera explained that this proposal authorizes Asphalt Materials Project for economic development bonds in the amount of \$1,000,000. The Economic Development Committee recommended that the council "do pass" this proposal by unanimous vote. After discussion, Proposal No. 244, 1980, was adopted on the following roll call vote; viz:

28 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mrs. Parker

Proposal No. 244, 1980, was retitled SPECIAL RESOLUTION NO. 38, 1980, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 38, 1980**

**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, and said facilities to be either sold or leased to a company or the funds from said financing to be loaned to a Company and said facilities to be directly owned by the Company; and

WHEREAS, Asphalt Material and Construction, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development

facilities to be an approximately 11,000 square foot building for the use as an environmental testing laboratory, research and development laboratory and engineering group, and the machinery and equipment to be installed therein to be located at 7901 West Morris Street, Indianapolis, Indiana, on an approximate 5 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 16 new jobs at the end of one year and 36 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 of Indianapolis and its citizens; and

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

WHEREAS, the acquisition, construction, and equipping of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in 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 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 ("Issuer") in an approximate amount of \$1,000,000 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 any 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. 228, 1980. Councillor McGrath reported for the Transportation Committee that this proposal prohibits parking on certain portions of Kentucky Avenue; it received a unanimous "do pass" recommendation from the committee.



Mr. McGrath stated that the existing parking on the street created a hazard and businesses along Kentucky Avenue had voiced their concern. Mr. McGrath moved for adoption, seconded by Councillor Stewart. Proposal No. 228, 1980, was adopted on the following roll call vote; viz:

28 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart  
Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mrs. Parker

Proposal No. 228, 1980, was retitled GENERAL ORDINANCE NO. 28, 1980, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 28, 1980**

**A GENERAL ORDINANCE prohibiting parking on portions of Kentucky Avenue.  
[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 is hereby amended by the addition of the following, to wit:

Kentucky Avenue, on the southeast side from Senate Avenue to the Belt Railroad

Kentucky Avenue, on the northwest side from Senate Avenue to a point 90 feet west of Senate Avenue

**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. 233, 1980. Councillor McGrath explained that this proposal removes parking meters on Massachusetts Avenue from East Street to College Avenue and changes the limit of parking meter zones on Massachusetts Avenue from Alabama Street to East Street; it received a "do pass" recommendation from the Transportation Committee by unanimous vote. It removes approximately thirty meters which did not provide sufficient revenue to cover the cost and up-keep of the meters. After brief discussion, Councillor Campbell moved for

adoption of Proposal No. 233, 1980, seconded by Councillor Hawkins. Proposal No. 233, 1980, was then adopted on the following roll call vote; viz:

27 AYES: *Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Dowden, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NOES

2 NOT VOTING: *Mr. Cottingham, Mrs. Parker*

Proposal No. 233, 1980, was retitled GENERAL ORDINANCE NO. 29, 1980, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 29, 1980**

**A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", specifically Sec. 29-283, removing parking meters on certain portions of Massachusetts and adding parking meters on Massachusetts Avenue from Alabama Street to East Street.**

**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, Sec. 29-283 be and the same is hereby amended by the deletion of the following, to wit:**

**TWO HOURS**

**Massachusetts Avenue, on both sides, from East Street to College Ave.**

**ONE HOUR**

**Massachusetts Avenue, on the northwest side, from Alabama Street to College Avenue, between 9:00 a.m. and 6:00 p.m. on any day except Sunday and a legal holiday;**

**Massachusetts Avenue, on the southeast side, from Alabama Street to College Avenue, between 7:00 a.m. and 3:00 p.m. on any day except Sunday and a legal holiday;**

**PART II**

**Chapter 29 of the Code of Indianapolis and Marion County, Indiana, specifically, Sec. 29-283 be, and the same is hereby amended by the addition of the following, to wit:**

**TWO HOURS**

**Massachusetts Avenue, on both sides from Alabama Street to East Street.**

**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. 236, 1980. Councillor Miller, Chairman of the Administration Committee reported that this proposal received a unanimous "do pass" recommendation and appoints Russell C. Hagerman to the Human Rights Commission. Councillor Gilmer explained that Mr. Hagerman has served three years on the Human Rights Commission, and is a resident of Pike Township, Councilmanic District No. 1. Councillor Gilmer moved for adoption, seconded by Councillor Miller. Proposal No. 236, 1980, was then adopted on the following roll call vote; viz:

26 AYES: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Jouney, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader Mr. Tintera, Mr. Vollmer*

NO NOES

3 NOT VOTING: *Mr. Boyd, Mrs. Parker, Mr. West*

Proposal No. 236, 1980, was retitled COUNCIL RESOLUTION NO. 27, 1980, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1980**

**A COUNCIL RESOLUTION appointing Russell C. Hagerman to the Human Rights Commission.**

**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 Human Rights Commission, the Council appoints:**

**RUSSELL C. HAGERMAN**

**SECTION 2. The foregoing appointment shall be effective upon adoption by the City-County Council.**

PROPOSAL NO. 237, 1980. Councillor Miller reported that this proposal appoints Larna K. Spearman to the Human Rights Commission. The Administration Committee recommended that the full council strike this proposal because Mr. Spearman had already committed himself to serve on the Fire Merit Board and State law prohibits him from serving on both commissions. In light of these facts, Councillor Durnil moved to strike Proposal No. 237, 1980, seconded by Councillor Gilmer. Proposal No. 237, 1980, was then stricken on the following roll call vote; viz:

24 AYES: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*  
2 NOES: *Mrs. Journey, Mr. Howard*  
3 NOT VOTING: *Mr. Boyd, Mrs. Parker, Mr. SerVaas*

### SPECIAL ORDERS – UNFINISHED BUSINESS

PROPOSAL NO. 229, 1980. Councillor Schneider stated that this proposal authorizes tax anticipation time warrants for the second half of the year; it was heard in a meeting of the County & Townships Committee and received a “do pass” recommendation by unanimous vote. Mr. Schneider moved that this proposal be passed due to emergency circumstances, seconded by Councillor Borst. Proposal No. 229, 1980, was then adopted on the following roll call vote; viz:

27 AYES: *Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*  
NO NOES  
2 NOT VOTING: *Mr. Clark, Mrs. Parker*

Proposal No. 229, 1980, was retitled FISCAL ORDINANCE NO. 45, 1980, and reads as follows:

#### CITY—COUNTY FISCAL ORDINANCE NO. 45, 1980

A FISCAL ORDINANCE authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period July 1, 1980, to December 31, 1980, in anticipation of current taxes levied in the year 1979 and collectively 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.

WHEREAS, the Auditor of Marion County has filed with the Mayor of the Consolidated City an estimate and statement showing the amount of money in the current expenses and to pay the obligations of the County General Fund pending the receipt of current revenues actually levied and now in process of collection, and the Mayor did make and enter of record a finding, and said Auditor and Mayor have requested the City-County Council to authorize temporary borrowing to procure the funds necessary for use by the County General Fund and to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of Tax Anticipation Warrants; and

WHEREAS, the City-County Council now finds that the request should be granted, and that the City-County Council should authorize the making of a loan and the issuance of Tax Anticipation Warrants of the County to evidence the same; now, therefore:

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

SECTION 1. That the Auditor of Marion County and Mayor of the Consolidated City of Indianapolis are authorized to borrow on a temporary loan against current revenues actually levied and in process of collection for the County General Fund, for and on behalf of said County, for the purpose of procuring the funds immediately and temporarily necessary for use for expenditures from the County General Fund to be paid from said County General Fund prior to the actual receipt of taxes required for the payment of incidental expenses incurred in connection with the issuance of the Tax Anticipation Warrants of the County in the manner provided for by the statute.

SECTION 2. That the maximum amount of said loan and the Tax Anticipation Warrants issued to evidence the same shall not exceed ten million dollars (\$10,000,000). Said Tax Anticipation Warrants shall be dated as of date of delivery thereof to the purchaser and shall bear interest at a rate or rates not exceeding the maximum rate provided by law, and shall mature and be payable on the 31st day of December, 1980, and the amount of ten million dollars (\$10,000,000) of the taxes now in process of collection for the County General Fund in the year 1980, together with such amount of said taxes as is necessary to pay the interest on said warrants, is hereby appropriated and pledged for the purpose of paying said tax anticipation warrants together with the interest thereon when due, deductions to be made from semi-annual settlement of said taxes in amounts hereinbefore indicated to the total amount of said warrants coming due on the date of such settlements, with accrued interest thereon.

SECTION 3. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amount, dates, statutory citation, and other data, to be properly completed prior to the execution and delivery thereof):

STATE OF INDIANA, COUNTY OF MARION

No. \_\_\_\_\_ \$ \_\_\_\_\_

MARION COUNTY GENERAL FUND TAX ANTICIPATION WARRANT

For value received the Board of Commissioners of the County of Marion, in the State of Indiana, promises to pay to the bearer from the Marion County General Fund the sum of \$ \_\_\_\_\_ dollars on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, with interest thereon at the rate of percent (\_\_\_\_%) per annum from the date hereof to the time of payment of the principal hereof, which interest is payable on the principal payment date hereof.

Both principal and interest of this warrant are payable in lawful money of the United States of America, at the Office of the Treasurer of Marion County, of the City of Indianapolis, Indiana. This warrant is one of an issue aggregating \_\_\_\_\_ dollars and is issued pursuant to and in accordance with City-County Fiscal Ordinance No. \_\_\_\_, duly adopted by the City-County Council on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and in strict conformity with an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning County Business," in force April 27, 1899, and the Acts of 1933, Chapter 171 of the Acts of 1969, and Public Law No. 134, 1972.

All acts, conditions and things to be done precedent to and in the execution, issuance and delivery of this warrant have been done and performed in regular and due form as provided by law, and this warrant is within every limit of indebtedness prescribed by the constitution and the laws of the State of Indiana. Sufficient receipts from taxation for the County General Fund of Marion County from levies actually made and now in process of collection for the current year as may be necessary are hereby irrevocably pledged to the punctual payment of the principal and interest of this warrant according to its terms.

IN WITNESS WHEREOF, the Board of Commissioners of the County of Marion, has caused this warrant to be issued and signed in its name by its duly elected, qualified and acting Commissioners, countersigned by the Mayor of the City of Indianapolis, attested by its duly elected, qualified and acting County Auditor, and the seal of said Board of Commissioners to be hereunto affixed, as of the \_\_\_\_\_ day of \_\_\_\_\_.

SEAL

\_\_\_\_\_  
COMMISSIONERS OF MARION COUNTY

ATTEST:

\_\_\_\_\_  
COUNTERSIGNED:

\_\_\_\_\_  
AUDITOR OF MARION COUNTY

\_\_\_\_\_  
MAYOR, CITY OF INDIANAPOLIS

\_\_\_\_\_  
MAYOR CITY OF INDIANAPOLIS

PROPOSAL NOS. 247-251, 1980. No action was taken by the Council on these proposals. They were retitled REZONING ORDINANCE NOS. 61-65, 1980, respectively, and read as follows:

**REZONING ORDINANCE NO. 61, 1980 80-Z-42 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12**

**2701 NORTH SHADELAND AVENUE, INDIANAPOLIS**

G & G Realty by U-Haul Co. of Central Indiana, Inc. by Thomas M. Quinn, Jr. requests rezoning of 1.95 acres, being in C-3 district to C-ID classification, to provide for warehouse storage as part of truck and trailer rental center.

**REZONING ORDINANCE NO. 62, 1980 80-Z-43 FRANKLIN TOWNSHIP**

**COUNCILMANIC DISTRICT NO. 24**

**5339 ELMWOOD AVENUE, BEECH GROVE, INDIANA**

Funland USA by Henry Y. Dein requests rezoning of 3.62 acres, being in D-3 district, to C-4 classification to permit construction of a 30,000 square foot building to include a full service health spa, separately for men and women, and 10 racquetball courts.

**REZONING ORDINANCE NO. 63, 1980 80-Z-45 WARREN TOWNSHIP**

**COUNCILMANIC DISTRICT NO. 12**

**3439 NORTH SHADELAND AVENUE, INDIANAPOLIS**

Doris A. and Frank V. Conway, et al by Raymond Good request rezoning of 2.78 acres, being in A-2 district, to C-4 classification to provide for commercial use.

**REZONING ORDINANCE NO. 64, 1980 80-Z-48 PERRY TOWNSHIP**

**COUNCILMANIC DISTRICT NO. 24**

**5602 MADISON AVENUE, INDIANAPOLIS**

John R. and Mary K. Moriarty by Raymond Good requests rezoning of 0.50 acre, being in D-1 district, to C-1 classification, to provide for office use.

REZONING ORDINANCE NO. 65, 1980 80-Z-49 WAYNE TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19  
1430 SOUTH HIGH SCHOOL ROAD, INDIANAPOLIS

Dorothy May Teeter by J.C. Burris requests rezoning of 0.58 acre, being in D-3 district, to C-5 classification to provide for construction of a mechanical automotive repair facility.

ANNOUNCEMENTS AND ADJOURNMENT

President SerVaas announced that this was the last meeting that Mr. Bob Bell of The Indianapolis STAR, would cover and report on. Mr. SerVaas thanked Mr. Bell for his informative articles on the council in past years and wished him continued success in his future endeavors. President SerVaas announced the Annual Cooperative Extension Dinner is to be held on June 2, 1980 and extended an invitation to all councillors to attend on behalf of the Cooperative Extension Service.

Councillor Boyd announced that the public hearing date set for the joint meeting of the Metropolitan Development Committee and the Transportation Committee to discuss the I-165 extension, on May 21, 1980, at 7:00 p.m. in the Public Assembly Room.

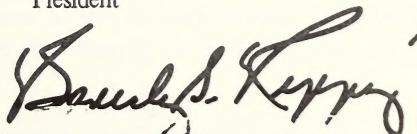
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:20 p.m.

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 19th day of May, 1980.

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)