

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, December 15, 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 7:15 p.m., Monday, December 15, 1980. President SerVaas in the Chair. Councillor Michael Vollmer 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, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

**CORRECTION OF JOURNAL**

The Chair called for additions or corrections to the Journals of October 20, 1980, November 5, 1980, and November 17, 1980. There being no additions or corrections to these Journals, the minutes were approved as distributed.

**OFFICIAL COMMUNICATIONS**

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

**TO THE 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, December 15, 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 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 December 4, 1980, and December 11, 1980, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 614, 1980, and NOTICE OF PUBLIC HEARING ON ZONING, Proposal No. 608, 1980, to be held on Monday, December 15, 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 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 December 5, 1980, and December 12, 1980, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 417, 1980, to be held on Monday, December 15, 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 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 December 5, 1980, and December 12, 1980, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal No. 620, 1980, to be held on Monday, December 15, 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 MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

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

**SPECIAL RESOLUTION NO. 91, 1980, supporting and endorsing the request for a Grand Jury investigation into all fatal police action shootings.**

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

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

Ladies and Gentlemen:

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

**FISCAL ORDINANCE NO. 126, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980, transferring and appropriating thirty thousand dollars in the Consolidated County General Fund for purposes of the Dog Pound Division, Department of Public Safety, and reducing certain other appropriations for that division.**

**FISCAL ORDINANCE NO. 127, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980, transferring and appropriating ten thousand dollars in the Consolidated County Fund for purposes of the Personnel Division, Department of Administration, and reducing certain other appropriations for that division.**

**FISCAL ORDINANCE NO. 128, 1980, amending the CITY-COUNTY ANNUAL BUDGET FOR 1980, transferring and appropriating four thousand nine hundred dollars in the Consolidated County Fund for purposes of the City-County Council and reducing certain other appropriations for that division.**

**FISCAL ORDINANCE NO. 129, 1980, 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 January 1, 1981, to June 30, 1981, in anticipation of current taxes levied in the year 1980 and collectible in the year 1981, 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 Waste Special Service District Council in authorizing the making of 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, 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.**

**GENERAL ORDINANCE NO. 76, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes at the intersection of English Avenue and South Keystone Avenue.**



**GENERAL ORDINANCE NO. 77, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes at certain intersections.**

**GENERAL ORDINANCE NO. 78, 1980, amending the "Code of Indianapolis and Marion County, Indiana," prohibiting parking on a portion of Auburn Street.**

**GENERAL ORDINANCE NO. 79, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes in the subdivisions of Shenandoah Valley Estates and Walnut Farms.**

**GENERAL ORDINANCE NO. 80, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes for the subdivisions of Woodpoints, Normandy Farms, Lincolnwood, and Eagle Creek Parkway.**

**GENERAL ORDINANCE NO. 81, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes in the subdivisions of Castlewood, Castle Cove, Castle Knoll Farms, Eagle Nest and Hunters Glen.**

**GENERAL ORDINANCE NO. 82, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes at the intersection of 75th Street and Shadeland Avenue.**

**GENERAL ORDINANCE NO. 83, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes in the new subdivisions of Arlington Acres North, Southern Oaks and Southerview.**

**GENERAL ORDINANCE NO. 84, 1980, amending the "Code of Indianapolis and Marion County, Indiana," providing for intersection control changes in the new subdivisions of Castleton Estates, Castillia, Glastonbury Court, Brandywine, Farmington, and Parliament Park.**

**GENERAL ORDINANCE NO. 85, 1980, amending the "Code of Indianapolis and Marion County, Indiana," by providing for a passenger and material loading zone on a portion of Monument Circle.**

**SPECIAL ORDINANCE NO. 29, 1980, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (CFS Continental, Inc. Project)" in the principal amount of one million three hundred thousand dollars and approving and authorizing other actions in respect thereto.**

**GENERAL RESOLUTION NO. 10, 1980, declaring December 26, 1980, and January 2, 1981, as special holidays.**

**SPECIAL RESOLUTION NO. 90, 1980, honoring the Franklin Central High School Football Team.**

**SPECIAL RESOLUTION NO. 92, 1980, concerning the Indianapolis Humane Society.**

**SPECIAL RESOLUTION NO. 93, 1980, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

**SPECIAL RESOLUTION NO. 94, 1980, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.**

Respectfully submitted,

s/William H. Hudnut, III  
Mayor



PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL  
RESOLUTIONS AND COUNCIL RESOLUTIONS

PROPOSAL NO. 657, 1980. Councillor SerVaas read the proposal memorializing Detective Sergeant Jack Ohrberg, who was recently shot and killed while serving an arrest warrant. Dr. SerVaas cited many fine attributes and awards received by Mr. Ohrberg and resolved to promote and initiate together with other Councillors, all measures available to the local governmental bodies to insure that the lives and safety of law enforcement personnel are not endangered needlessly. After recitation, Proposal No. 657, 1980, was adopted by unanimous voice vote, and was later retitled SPECIAL RESOLUTION NO. 95, 1980. The resolution reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 95, 1980**

**A SPECIAL RESOLUTION memorializing Detective Sergeant Jack Ohrberg.**

**WHEREAS, Detective Sergeant Jack Ohrberg, was shot and killed while performing his duty to serve an arrest warrant for bank robbery and murder; and,**

**WHEREAS, Detective Ohrberg has received seven commendations for excellence for his performance as a police officer; and**

**WHEREAS, Sergeant Ohrberg's wife and children are now without their husband, father and provider; and**

**WHEREAS, our City is bereaved and shocked at this wanton killing of an exemplary police officer in the line of duty; and**

**WHEREAS, there has been much recent public discussion of the rights and duties of a police officer when in the act of arresting a suspect or felon; and**

**WHEREAS, the City-County Council is a proper agency to express the anger, sorrow and dismay felt by the average citizen of this community at the loss of this fine officer to his family, and to our city, now, therefore:**

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

**SECTION 1. Detective Sergeant Jack Ohrberg is cited as an officer whose fidelity, performance and courage was consistently over and beyond the call of duty; and further, this Council as individuals and collectively, expresses its sorrow and grief to the wife and children of Sergeant Ohrberg.**

**SECTION 2. This Council is further resolved to initiate and promote all measures available to our local government to insure that the lives and safety of those entrusted with providing the security of this community not be unnecessarily endangered nor frivolously exposed to demented persons or merciless felons. We pray that the family of Sergeant Ohrberg look beyond the tragedy of his untimely death to the respect which we as a whole community have for this hero who died that we may be more secure in our daily endeavors.**

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

## INTRODUCTION OF GUESTS

Mr. Dwight Cottingham introduced Mr. Dean Evans, of Lilly Endowment, who was present along with many high school government students from all over the county and inner city.

## INTRODUCTION OF PROPOSALS

PROPOSAL NO. 620, 1980. Introduced by Councillor West. Mr. West requested that this proposal be heard during this session of the Council, due to the fact that the Public Safety and Criminal Justice Committee heard testimony associated with this proposal on December 11, 1980; consent was given. 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 Nine Thousand Dollars (\$9,000) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 3, and reducing certain other appropriations for the Marion County Municipal Court"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 621, 1980. Introduced by Councillor Miller. Mr. Miller requested that, due to this proposal having been heard prior to the Council meeting by the Administration Committee, it be advanced and heard by the Council during this session; consent was given. 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 Five Thousand Dollars (\$5,000) in the City General Fund for purposes of the Office of the Mayor and reducing certain other appropriations for that division"; and the President referred it to the Committee of the Whole to be heard later in the evening.

PROPOSAL NO. 622, 1980. Introduced by Councillor Miller. Mr. Miller requested that this proposal, being heard prior to the Council meeting in the Administration Committee, be heard by the Committee of the Whole during this session of the Council; consent was given. 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 Twenty-seven thousand five hundred dollars (\$27,500) in the City General Fund for purposes of the Finance Division, Department of Administration, and reducing certain other appropriations for that division"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.



PROPOSAL NO. 623, 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. 624, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1981 (City-County Fiscal Ordinance No. 73, 1980), and appropriating an additional Eight Hundred Sixteen Thousand Three Hundred Sixty-seven Dollars (\$816,367) in the Crime Control Fund for purposes of certain County Agencies 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. 625, 1980. Introduced by Councillor Tintera. Mr. Tintera requested that this proposal be heard during this session of the Council in order that, if passed, construction could begin on the facility. Mr. Tintera stated that it has been heard by the Economic Development Committee which recommended that the Council "do pass" this proposal by a vote of 4-0. Council consent was then given. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION amending, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 626, 1980. Introduced by Councillor Tintera. Mr. Tintera also requested that this proposal be heard tonight; consent was given. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION amending, approving, and authorizing certain actions and proceedings with respect to certain proposed economic development bonds"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 627, 1980. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION consenting and approving certain actions and proceedings with respect to certain proposed economic development bonds by the City of Beech Grove"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 628, 1980. Introduced by Councillor Tintera. Mr. Tintera requested that this proposal be heard during this session of the Council, due to the fact that the Economic Development Committee heard testimony on this proposal prior to the Council meeting; consent was given. 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 Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 629, 1980. Introduced by Councillor Durnil. Mr. Durnil stated that due to this proposal being heard by the Metropolitan Development Committee prior to introduction and receiving a "do pass" recommendation by a vote of 4-0, it could be heard by the Committee of the Whole during this session of the Council; consent was then given. 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 Eight Thousand Dollars (\$8,000) in the Consolidated County Fund for purposes of Code Enforcement Division, Department of Metropolitan Development, and reducing certain other appropriations for that division"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 630, 1980. Introduced by Councillor Coughenour. Mrs. Coughenour also requested that this proposal be brought before the full Council for action during this session of the Council, due to the fact that it has been heard by the Public Works Committee prior to introduction and received a "do pass" recommendation by a vote of 5-0; consent of the Council was given. 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 Two Thousand Dollars (\$102,000) in the Sanitation General Fund for purposes of the Liquid Waste Div., Department of Public Works, and reducing certain other appropriations for that division"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 631, 1980. Introduced by Councillor West. Mr. West requested that this proposal, transferring \$2,000 in the County General Fund for purposes of the Marion County Superior Court, Juvenile Division, for maintenance and repairs, be heard by the Council during this session of the Council, due to its having been heard by the Public Safety and Criminal Justice Committee prior to its introduction; consent was given. 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 Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing certain other appropriations for that division"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 632, 1980. Introduced by Councillor West. Mr. West also requested that this proposal, having been heard prior to the Council meeting by the Public Safety and Criminal Justice Committee, be heard by the full Council during this session; consent was given. 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 Fourteen Thousand Dollars (\$14,000) 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 Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 633, 1980. Introduced by Councillor West. This proposal, also heard by the Public Safety and Criminal Justice Committee prior to this Council meeting, was also, by consent, heard during this session of the Council. 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 Four Thousand Dollars (\$4,000) 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 Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 634, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1981 (City-County Fiscal Ordinance No. 73, 1980), appropriating an additional One Hundred Forty-six Thousand Seven Hundred Thirty-seven Dollars (\$146,737) in the County General Fund for purposes of the Marion County Municipal Court and reducing the unappropriated and unencumbered balance in the County General Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 635, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1981 (City-County Fiscal Ordinance No. 73, 1980), authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Superior Court, Criminal Division, Room IV"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 636, 1980. Introduced by Councillor McGrath. Mr. McGrath requested that Proposal Nos. 636-640, 1980, be heard by the full Council during this session of the Council. All proposals were heard prior to the Council meeting by the Transportation Committee and received "do pass" recommendations by that Committee by unanimous votes of 5-0; consent was given. The Clerk read Proposal No. 636, 1980, which was entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', by providing for intersection control changes in Greenbriar subdivision and Twin Oaks subdivision (Amends Code Sec. 29-92)"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 637, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', providing for intersection control changes at various intersections (Amends Code Sec. 29-92)"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 638, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', providing for intersection control changes at the intersection of Lafayette Rd. and 46th Street (Amends Code Sec. 29-92)"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 639, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', providing for restriction of trucks on a portion of Payne Rd. (Amends Code Sec. 29-224)"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.



PROPOSAL NO. 640, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', prohibiting parking at all times on certain streets (Amends Code Secs. 29-267 & 29-271)"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 641, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', providing for intersection control changes in the subdivisions of Geist Harbours, Pheasant Run, and Eastbrooke Meadows (Amends Code Section 29-92)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 642, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', providing for intersection control changes at certain locations (Amends Code Sec. 29-92)"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 643, 1980. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the 'Code of Indianapolis and Marion County, Indiana', establishing Northern Avenue as one-way from Boulevard Place to Cornelius Avenue (Amends Code Section 29-166)"; and the President referred it to the Transportation Committee.

PROPOSAL NOS. 644-647, 1980. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for REZONING ORDINANCES certified from the Metropolitan Development Commission on December 4, 1980", and the President referred them to the Committee of the Whole to be heard under Special Orders - Final Adoption.

PROPOSAL NO. 648, 1980. Introduced by Councillor West. Mr. West requested that this proposal be heard during this session of the Council, due to the fact that the Public Safety and Criminal Justice Committee heard testimony prior to the Council meeting and recommended that the full Council "do pass" this proposal by a vote of 6-0; consent was given. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving a project whereby the Indianapolis-Marion County Building Authority would acquire by lease the present Marion County Jail and would improve and expand the Jail, add new facilities

thereto and thereafter would lease-back the jail as so improved and enlarged to Marion County"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 649, 1980. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION confirming Board and Commission appointments"; and the President referred it to the various respective committees.

#### MODIFICATION OF SPECIAL ORDERS

[Clerk's Note: Council consent was given in order that the Council Rules on Preparation, Initiation, and Introduction of Proposals may be suspended and the following ordinances may be introduced, although not timely submitted under the Rules.]

PROPOSAL NO. 650, 1980. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the City-County General Ordinance No. 36, 1980, authorizing changes in the personnel schedule of the Pike Township Trustee's office"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 651, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1981 (City-County Fiscal Ordinance No. 73, 1980), transferring and appropriating Five Hundred Sixty-two Thousand Five Hundred Sixty-three dollars (\$562,563) in the County General Fund for purposes of pooling certain judicial expenses and reducing certain other appropriations for certain courts"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 652, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE adding Division 5 to Article X of Chapter 2 as Section 2-410 of the 'Code of Indianapolis and Marion County, Indiana', to create procedures for efficiently paying certain court expenses"; and the President referred it to the Public Safety and Criminal Justice Committee.



PROPOSAL NO. 653, 1980. Introduced by Councillor West. Mr. West requested that this proposal be heard by the full Council during this session; it was heard by the Public Safety and Criminal Justice Committee prior to the Council meeting and received a "do pass" recommendation from the Committee by a vote of 7-0. Consent of the full Council was given. 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 Four Thousand Three Hundred Dollars (\$4,300) in the County General Fund for purposes of Marion County Superior Court, Criminal Division, Room I, and reducing certain other appropriations for that division"; and the President referred it to the Committee of the Whole to be heard during this session of the Council.

PROPOSAL NO. 654, 1980. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION approving the appointment of certain persons by the Mayor to fulfill the offices of Deputy Mayors and Department Directors during the period from January 1, 1981, through December 31, 1981"; and the President referred the appointments to various committees; the appointment of Mr. John L. Krauss to the Director of the Department of Metropolitan Development, being heard by the Metropolitan Development Committee on December 29, 1980, at 4:00 p.m. as announced by the Committee Chairman, Councillor Durnil.

PROPOSAL NO. 655, 1980. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requiring the purchase by all City and County offices, agencies, and departments of more economical and fuel-efficient vehicles"; and the President referred it to the Administration Committee.

PROPOSAL NO. 656, 1980. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION concerning appointments to the Marion County Data Processing Management Board"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 657, 1980 was adopted under "Presentation of Petition, Memorials, Special Resolutions and Council Resolutions".

[Clerk's Note: At this time, the Council recessed to a Committee of the Whole to hear the following introduced proposals which were, by consent of the Council, held for testimony during this session of the Council.]

PROPOSAL NO. 621, 1980. Mr. Miller reported for the Administration Committee which heard testimony on this proposal and recommended that the full Council "do pass" this proposal by a vote of 3-2. Mr. Don McPherson, Director of Administration, previously explained that this proposal transfers the moneys needed to issue a pay check on December 31, 1980, pursuant to the proposal recently passed by the Council designating December 26, 1980, and January 2, 1981, as special holidays for City and County employees. During discussion, Councillor Tintera stated that he was in opposition to the issuing of these checks on this day which would make a 27th pay period not budgeted for in the 1980 budget. After further discussion, Mr. Miller moved, seconded by Councillor Gilmer, for adoption. Proposal No. 621, 1980, was then adopted on the following roll call vote; viz:

20 AYES: *Dr. Borst, Mr. Boyd, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West*

9 NOES: *Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Mr. Tintera*

Proposal No. 621, 1980, was retitled FISCAL ORDINANCE NO. 132, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 132, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Five thousand dollars (\$5,000) in the City General Fund for purposes of the Office of the Mayor, 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 the 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 purpose of paying the December 31, 1980, payroll.

SECTION 2. The sum of Five thousand dollars (\$5,000) 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:

OFFICE OF THE MAYOR	CITY GENERAL FUND
10. Personal Services	<u>\$5,000</u>
TOTAL INCREASES	\$5,000

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

OFFICE OF THE MAYOR	CITY GENERAL FUND
21. Contractual Services	<u>\$5,000</u>
TOTAL REDUCTIONS	\$5,000

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



PROPOSAL NO. 622, 1980. Councillor Miller also reported for the Administration Committee that this proposal, transferring \$27,500 for the Finance Division, Dept. of Administration, funding the extra payroll of 1980, received a "do pass" recommendation from the Committee by a vote of 3-2. Mr. Miller moved for passage of this proposal, seconded by Councillor Gilmer. Again Mr. Miller explained the position of the Department of Administration on this issue as defined by Mr. McPherson. During debate, Councillor Tintera questioned the possibility of using this pay period as a basis of bypassing the anticipated increases for 1981 and with respect to savings of PERF, he questioned if this would cause an accrual rate at a higher base. Mr. Gilmer moved the previous question, seconded by Councillor Howard. A voice vote was then taken on the motion, after which a Division of the House was called and was recorded as follows:

19 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

10 NOES: Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mr. Tintera

After further discussion, Proposal No. 622, 1980, was then adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

9 NOES: Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Mr. Tintera

Proposal No. 622, 1980, was retitled FISCAL ORDINANCE NO. 133, 1980, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 133, 1980**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Twenty-seven thousand five hundred dollars (\$27,500) in the City General Fund for purposes of the Finance Division, Department of Administration, 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 the 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 purpose of paying the December 31, 1980, payroll.

SECTION 2. The sum of Twenty-seven thousand five hundred dollars (\$27,500) 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:

FINANCE DIVISION,	CITY GENERAL
DEPT. OF ADMINISTRATION	FUND
10. Personal Services	\$27,500
TOTAL INCREASES	\$27,500

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

FINANCE DIVISION,	CITY GENERAL
DEPT. OF ADMINISTRATION	FUND
21. Contractual Services	\$27,500
TOTAL REDUCTIONS	\$27,500

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

PROPOSAL NO. 625, 1980. Councillor Tintera stated that this proposal amends a previously adopted inducement resolution for the Henry J. Price and Lorraine M. Price Project (the Budnick Building) in the amount of \$440,000; it received a "do pass" recommendation from the Economic Development Committee by a vote of 4-0. Mr. Tintera commented further that the initial costs of renovation have exceeded the initial expectations which require the inducement resolution to be increased from \$365,000 to \$440,000. Also a consideration of this additional request for moneys was the increase in the average square foot rental space found. After brief discussion, Mr. Tintera moved, seconded by Councillor Gilmer, for adoption. Proposal No. 625, 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. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. Miller, Mr. McGrath, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

1 NOT VOTING: Mr. Dowden

Proposal No. 625, 1980, was then retitled SPECIAL RESOLUTION NO. 96, 1980, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 96, 1980**

**A SPECIAL RESOLUTION amending, 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 Developer or the funds from said financing to be loaned to a Developer and said facilities to be directly owned by a Developer and leased or sub-leased to users; and

WHEREAS, Henry J. Price and Lorraine M. Price, husband and wife (the "Developer") 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 Developer or loan the proceeds of an economic development financing to the Developer for the same, said economic development facilities will consist of acquisition of land and rehabilitation of the existing three-story (and basement) 19th century (High Victorian era) Italianate-style brick "flatiron" commercial building, located at 301 Massachusetts Avenue, Indianapolis, Indiana, in such a manner as to restore its original historical character and reflect its inherent architectural qualities, including the following: (i) restoration of the exterior of the building to its original facade, including reconstruction of wood windows, and doors, on the basement and first floors, and repair of wood windows on the second and third floors, (iii) restoration of the first floor to its original finish height and reconstruction of cast-iron stairs and entries, (iv) rebuilding of the brick chimneys to restore their original shape, (v) re-roofing, shingling, relining of built-in gutters and installation of new downspouts, (iv) complete rehabilitation of the interior of the building, with new electrical, plumbing, heating, ventilating, air-conditioning, sprinkler and smoke detection systems, (vii) paving the sidewalk with bricks, (viii) planting trees and (ix) other miscellaneous interior and exterior work. In addition, an entrance ramp and vertical circulation for the handicapped will be installed in such a manner as to complement the architectural character of the building. The subject building is listed on the National Register of Historic Places and on the Indiana State Register of Historic Sites and Structures to be leased or sub-leased substantially to various users (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission and the City-County Council of the City of Indianapolis and Marion County, Indiana, have previously passed a resolution and special resolution respectively in the amount of \$365,000 including the Developer to develop the Project but that unanticipated additional renovation costs have increased the cost of the Project and the Developer desires proceeding to completion with the Project but needs additional economic development revenue bond financing; and

WHEREAS, having received the advice of the Indianapolis Economic Development Commission, it would appear that the financing of the Project in the increased amount of \$440,000 would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, equipping 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.** It further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an approximate amount of \$440,000 under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to Henry J. Price and Lorraine M. Price, husband and wife (the "Developer") or the loaning of the proceeds of such financing to the Developer for such purposes and the lease of the Project to the general public as office space will serve the public purposes referred to above, in accordance with the Act.

**SECTION 3.** In order to induce the Developer 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 Developer; (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 Developer of moneys expended by the Developer 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 Developer or loan the proceeds of such financing to the Developer for the same purposes or sell the same to the Developer.

PROPOSAL NO. 626, 1980. This proposal also amends a previously adopted inducement resolution for Edgcomb Metals Company Project; it received a "do pass" recommendation from the Economic Development Committee by a vote of 4-0. Mr. Tintera stated that this project, due to tests of the soil conditions, had to be moved from its original site to 6002 Sunnyside Road pending the approval of the City of Lawrence, with all other aspects of the project remaining the same. After discussion, Proposal No. 626, 1980, was 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. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mr. Clark, Mr. McGrath

Proposal No. 626, 1980, was retitled SPECIAL RESOLUTION NO. 97, 1980, and read as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 97, 1980

A SPECIAL RESOLUTION amending, 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 a Company; and

WHEREAS, Edgcomb Metals Company, a wholly owned subsidiary of The Williams Companies (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 185,000 square foot metal service center, and the machinery and equipment to be installed therein to be located at 6002 Sunnyside Road, Lawrence, Indiana, on an approximate 18.79 acre tract of land (the "Project"); and

WHEREAS, the Indianapolis Economic Development Commission and the City-County Council of the City of Indianapolis and Marion County, Indiana, have previously adopted a resolution and special resolution respectively inducing the Company to take steps to develop the aforementioned project at a time when the Company proposed its location to be in Park 100 at 8300 N. Allison, Indianapolis, Indiana, on an approximate 19 acre tract, but that now said site has become unacceptable and the Company desires to develop said Project at the new location of 6002 Sunnyside Road, Lawrence, Indiana; and

WHEREAS, the Project remains the same in all other material aspects except the changes in proposed location; and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 6 new jobs at the end of one year and 30 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 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 ("Issuer") in an approximate amount up to \$10,000,000, to be guaranteed by The Williams Companies, under the Act for the acquisition, construction, and equipping of the Project and the sale or leasing of the Project to Edgcomb Metals Company, a wholly owned subsidiary of The Williams Companies (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, 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. 628, 1980. This proposal authorizes proceeding with economic development bond financing for South Meridian Associates Project in the amount of \$3,000,000. Mr. Tintera added that this project received a "do pass" recommendation from the Economic Development Committee by a vote of 3-0. This project will consist of acquisition and rehabilitation of three existing 5-story wholesale warehouse buildings located at 200-214 South Meridian Street, to restore the original facade of the buildings formerly known as the ADI Building. Mr. Bruce Karr presented the Council with conceptual drawings of the buildings after rehabilitation as well as a picture of the buildings as they looked after they were constructed in 1900. These buildings will be used for office space with possibly some retail space later on. After discussion, Proposal No. 628, 1980, was adopted on the following roll call vote; viz:

29 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, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West  
NO NOES

Proposal No. 628, 1980, was retitled SPECIAL RESOLUTION NO. 98, 1980, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 98, 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 leased or sold to a company or the funds from said financing to be loaned to a company and said facilities to be directly owned by a Company and leased or sub-leased to users of the facilities; and

WHEREAS, South Meridian Associates, an Indiana General Partnership (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate 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 will consist of rehabilitation of the existing 5-story (and basement) late 19th Century and early 20th Century warehouse building located at 200-214 South Meridian Street (southwest corner of Meridian and Georgia Streets), Indianapolis, Indiana, in such a manner as to restore the original historical character including the following:

- (1) Restoration of the exterior of the building to the original facade except for the ground floor areas, which may have a glass store front in a manner to be compatible with the period design of the building.
- (ii) Restoration of wood window frames and replacement of windows.
- (iii) Chemical cleaning and tuck pointing of the exterior brick surface.
- (iv) Repair or replacement of roofs as necessary.
- (v) Complete rehabilitation of the interior of the building, with new electrical, plumbing, heating, ventilation, air conditioning, and smoke detection systems and passenger elevators.
- (vi) Other miscellaneous interior and exterior work (the "Project") which will be leased or sub-leased to the general public as office and possibly retail space; and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 90 temporary construction jobs, 10 permanent building maintenance and operations jobs at the end of one year and 17 permanent building maintenance and operations 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, renovation and proposed leasing or sub-leasing 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 \$3,000,000 under the Act to be privately placed, to have an assignment of leases and rentals and to be guaranteed as may be required by the bond purchasers to have confirmatory resolution as an Urban Renewal Area, for the acquisition, renovation, and equipping of the Project and the sale or leasing of the Project to South Meridian Associates, an Indiana General Partnership (the "Company") or the loaning of the proceeds of such financing to the Company and the proposed leasing or sub-leasing of the Project 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 lease the same to the Company or loan the proceeds of such financing to the Company for the same purpose or sell the same to the Company.

PROPOSAL NO. 629, 1980. Mr. Durnil reported for the Metropolitan Development Committee that this proposal transfers \$8,000 in the Consolidated County General Fund for the Code Enforcement Division, Department of Metropolitan Development, providing funding for the December 31, 1980, payroll. Mr. Durnil stated that Mr. McPherson testified before the Metropolitan Development Committee and cited a savings of between \$50,000 to \$60,000 that the City can benefit from if this payroll is met on December 31, 1980; pursuant to the previously adopted ordinance establishing December 26, 1980, and January 1, 1981, as special holidays for City and County employees; it received a "do pass" recommendation from the Committee by a vote of 4-0. After brief discussion, Proposal No. 629, 1980, was adopted on the following roll call vote; viz:

21 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

7 NOES: Mr. Clark, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Mr. Tintera

1 NOT VOTING: Mrs. Brinkman

Proposal No. 629, 1980, was retitled FISCAL ORDINANCE NO. 134, 1980, and reads as follows:



CITY-COUNTY FISCAL ORDINANCE NO. 134, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Eight Thousand Dollars (\$8,000) in the Consolidated County Fund for purposes of Code Enforcement Division, Department of Metropolitan Development, 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 the 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 purpose of paying the December 31, 1980, payroll.

SECTION 2. The sum of Eight Thousand Dollars (\$8,000) 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:

DEPT. OF METRO. DEVELOPMENT	CONSOLIDATED
CODE ENFORCEMENT DIVISION	COUNTY FUND
10. Personal Services	\$8,000
TOTAL INCREASES	<u>\$8,000</u>

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

DEPT. OF METRO. DEVELOPMENT	CONSOLIDATED
CODE ENFORCEMENT DIVISION	COUNTY FUND
21. Contractual Services	\$8,000
TOTAL REDUCTIONS	<u>\$8,000</u>

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

PROPOSAL NO. 630, 1980. Councillor Coughenour reported for the Public Works Committee that this proposal transfers \$102,000 in the Sanitation General Fund for purposes of the Liquid Waste Division, Department of Public Works, providing funds for the payment of the December 31, 1980, payroll. Mrs. Coughenour stated that in the Department of Public Works, a savings of between \$11,000 and \$12,000 will be utilized, and that the moneys will come from the character of contractual services which have not been used. After brief discussion, Proposal No. 630, 1980, was adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

9 NOES: Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Mr. Tintera

Proposal No. 630, 1980, was retitled FISCAL ORDINANCE NO. 135, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 135, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating One Hundred and Two Thousand Dollars (\$102,000) in the Sanitation General Fund for purposes of the 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 the 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 purpose of paying the December 31, 1980, payroll.

SECTION 2. The sum of One Hundred and Two Thousand Dollars (\$102,000) 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:	
DEPT. OF PUBLIC WORKS	SANITATION
LIQUID WASTE DIVISION	GENERAL FUND
10. Personal Services	\$102,000
TOTAL INCREASES	<u>\$102,000</u>

SECTION 4. The said increased appropriation is funded by the following reductions:	
DEPT. OF PUBLIC WORKS	SANITATION
LIQUID WASTE DIVISION	GENERAL FUND
21. Contractual Services	\$102,000
TOTAL REDUCTIONS	<u>\$102,000</u>

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

PROPOSAL NO. 631, 1980. Councillor West outlined this proposal, stating that it transfers \$2,000 in the County General Fund for the Marion County Superior Court, Juvenile Division, providing funding for the purchase and replacement of restroom fixtures and torsion bars for certain beds. Mr. West went on to explain that the Public Safety and Criminal Justice Committee recommended that the full Council "do pass" this proposal by a vote of 5-0. After discussion, Mr. West moved, seconded by Dr. Borst, for adoption. Proposal No. 631, 1980, was then adopted on the following roll call vote; viz:

26 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, 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, Mrs. Parker, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

3 NOT VOTING: Mr. Campbell, Mr. Clark, Mr. Rader

Proposal No. 631, 1980, was retitled FISCAL ORDINANCE NO. 136, 1980, and reads as follows:



**CITY-COUNTY FISCAL ORDINANCE NO. 136, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Two Thousand Dollars (\$2,000) in the County General Fund for purposes of the Marion County Superior Court, Juvenile Division, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for the purchase and replacement of restroom fixtures and torsion bars for beds.

**SECTION 2.** The sum of Two Thousand Dollars (\$2,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

**SECTION 3.** The following increased appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT, JUVENILE DIVISION	COUNTY GENERAL FUND
50. Properties	<u>\$2,000</u>
TOTAL INCREASES	\$2,000

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

MARION COUNTY SUPERIOR COURT, JUVENILE DIVISION	COUNTY GENERAL FUND
10. Personal Services	<u>\$2,000</u>
TOTAL REDUCTIONS	\$2,000

**SECTION 5.** Section 2.03 (b) of the City-County Fiscal Ordinance No. 106, 1979, be, and is hereby amended by deleting the crosshatched portions and adding the new amounts herein as follows, to wit:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Vacancy Factor			<del>\$177,530</del> <u>\$179,530</u>
The official responsible for the hiring and fixing of salaries for this office shall limit the number of personnel or salaries or both so that the total salaries paid shall not exceed the amount of the total personal services appropriation of <del>\$2,943,285</del> / <u>\$2,943,285</u> .			

**SECTION 6.** This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 632, 1980. Councillor West also reported for the Public Safety and Criminal Justice Committee that this proposal transfers \$14,000 in the Consolidated County Fund for the Dog Pound Division, Department of Public Safety, funding the December 31, 1980, payroll. This proposal received a "do pass" recommendation from the Committee by a vote of 7-0, and transfers into Character 10 for the 27th pay period in 1980 to be paid December 31, 1980, saving the City \$59,000, of which eight percent is related to Social Security costs, which will be higher in 1981. After Council discussion, Mr. West moved for adoption, seconded by Councillor Page. Proposal No. 632, 1980, was then adopted on the following roll call vote; viz:

20 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mrs. Coughenour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

9 NOES: Mrs. Brinkman, Mr. Cottingham, Mr. Clark, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Mr. Tintera

Proposal No. 632, 1980, was retitled FISCAL ORDINANCE NO. 137, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 137, 1980**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Fourteen Thousand Dollars (\$14,000) in the Consolidated County Fund for purposes of the Dog Pound Division, Department of Public Safety, 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 the 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 paying the December 31, 1980, payroll.

**SECTION 2.** The sum of Fourteen Thousand Dollars (\$14,000) 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:

<b>DEPT. OF PUBLIC SAFETY</b>	<b>CONSOLIDATED</b>
<b>DOG POUND DIVISION</b>	<b>COUNTY FUND</b>
10. Personal Services	<u>\$14,000</u>
<b>TOTAL INCREASES</b>	<b>\$14,000</b>

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

<b>DEPT. OF PUBLIC SAFETY</b>	<b>CONSOLIDATED</b>
<b>DOG POUND DIVISION</b>	<b>COUNTY FUND</b>
21. Contractual Services	<u>\$14,000</u>
<b>TOTAL REDUCTIONS</b>	<b>\$14,000</b>

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

PROPOSAL NO. 633, 1980. Councillor West commented on the action of the Public Safety and Criminal Justice Committee, as it heard testimony on this proposal which transfers \$4,000 in the Consolidated County Fund for the Civil Defense Division, Department of Public Safety, funding the December 31, 1980, payroll. Mr. West went over the previous explanations and added that these payrolls can be paid out of current budgets and that the balance of moneys saved from the Social Security rates being lower in 1980, the City will be able to make them attributable to paying at 1980 salary rates instead of the higher 1981 rate. Mr. West added that the Committee recommended that the full Council "do pass" this proposal by a vote of 7-0. After discussion, Mr. West moved for adoption, seconded by Councillor Durnil. Proposal No. 633, 1980, was then adopted on the following roll call vote; viz:



20 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mrs. Coughnour, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

9 NOES: Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Jones, Mrs. Nickell, Mr. Rhodes, Mr. Schneider, Mr. Tintera

Proposal No. 633, 1980, was retitled FISCAL ORDINANCE NO. 138, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 138, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Four Thousand Dollars (\$4,000) in the Consolidated County Fund for purposes of Civil Defense Division, Department of Public Safety, 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 the 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 purpose of paying the December 31, 1980, payroll.

SECTION 2. The sum of Four Thousand Dollars (\$4,000) 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:

DEPT. OF PUBLIC SAFETY	CONSOLIDATED
CIVIL DEFENSE DIVISION	COUNTY FUND
10. Personal Services	\$4,000
TOTAL INCREASES	<u>\$4,000</u>

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

DEPT. OF PUBLIC SAFETY	CONSOLIDATED
CIVIL DEFENSE DIVISION	COUNTY FUND
21. Contractual Services	\$4,000
TOTAL REDUCTIONS	<u>\$4,000</u>

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

PROPOSAL NOS. 636-639, 1980. Council consent was given for these proposals to be heard jointly. Mr. McGrath, Chairman of the Transportation Committee, reported that all of these proposals received "do pass" recommendations from the Committee by unanimous votes of 5-0. Mr. McGrath went on to outline each proposal, stating that Proposal No. 636 through 638 all provide for intersection control changes at various intersections, and Proposal No. 639 provides for changes in the load limit restrictions on a portion of Payne Road. All proposals were approved by the Department of Transportation. After limited discussion, Proposal Nos. 636-639, 1980, were adopted on the following roll call vote; viz:

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

NO NOES

2 NOT VOTING: Mr. Hawkins, Mr. Tintera

Proposal Nos. 636-639, 1980, were retitled GENERAL ORDINANCE NOS. 86-89, 1980, respectively, and read as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 86, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", providing for intersection control changes in Greenbriar subdivision and Twin Oaks subdivision (Amends Code Sec. 29-92).

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
15, Pg. 1	Live Oak Rd. & W. 34th St.	W. 34th St.	Stop
15, Pg. 1	Acacia Dr. & Live Oak Rd.	Live Oak Rd.	Stop
15, Pg. 1	Acacia Dr. & Foxfire Dr.	Foxfire Dr.	Stop
15, Pg. 1	Foxfire Dr. & Sunflower Ct.	Foxfire Dr.	Stop
15, Pg. 1	Foxfire Dr. & Shadow Brook Dr.	Foxfire Dr.	Stop
15, Pg. 1	Foxfire Dr. & Roundtree Ct.	Foxfire Dr.	Yield
15, Pg. 1	Live Oak Ct. & Live Oak Rd.	Live Oak Rd.	Yield
3, Pg. 2	Delbrook Dr. & Vineyard Dr.	Delbrook Dr.	Stop
3, Pg. 2	Delbrook Cir. & Delbrook Dr.	Delbrook Dr.	Yield
3, Pg. 2	Delbrook Ct. & Delbrook Dr.	Delbrook Dr.	Yield
3, Pg. 5	Vineyard Cir. & Vineyard Dr.	Vineyard Dr.	Yield
3, Pg. 5	Vineyard Ct. & Vineyard Dr.	Vineyard Dr.	Yield

SECTION 2. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations for the section amended by this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.



**CITY—COUNTY GENERAL ORDINANCE NO. 87, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", providing for intersection control changes at various intersections. (Amends Code Sec. 29-92.)

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

**SECTION 1.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<b>BASE MAP</b>	<b>INTERSECTION</b>	<b>PREFERENTIAL</b>	<b>TYPE OF CONTROL</b>
16, Pg. 1	Ashway Dr. & 32nd Pl.	Ashway Dr.	Yield
12, Pg. 6	Olney St., Tuxedo St. & 65th St.	65th St.	Stop
16, Pg. 1	Audubon Rd. & W. 36th St.	W. 36th St.	Stop
16, Pg. 1	Audubon Rd. & W. 37th St.	W. 37th St.	Stop
45, Pg. 2	Hill Gail Dr., Forward Pass Dr. & Friendship Dr.	Friendship Dr.	Stop

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

<b>BASE MAP</b>	<b>INTERSECTION</b>	<b>PREFERENTIAL</b>	<b>TYPE OF CONTROL</b>
16, Pg. 1	Ashway Dr. & 32nd Pl.	Ashway Dr.	Stop
12, Pg. 6	Olney St., Tuxedo St., & 65th St.	None	4-way Stop
16, Pg. 1	Auburn Rd. & W. 36th St.	W. 36th St.	Stop
16, Pg. 1	Auburn Rd. & W. 37th St.	W. 37th St.	Stop
45, Pg. 2	Hill Gail Dr., Forward Pass Dr. & Friendship Drive	Friendship Dr. (EB) & Hill Gail Dr.	Stop

**SECTION 3.** Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations for the section amended by this ordinance.

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

**CITY—COUNTY GENERAL ORDINANCE NO. 88, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", providing for intersection control changes at the intersection of Lafayette Rd. and 46th Street. (Amends Code Sec. 29-92.)

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

**SECTION 1.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
16, Pg. 6	Lafayette Rd. & 46th St.	Lafayette Rd.	Stop

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Section 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
16, Pg. 6	Lafayette Rd. & 46th St.		Signal

SECTION 3. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations for the section amended by this ordinance.

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

**CITY-COUNTY GENERAL ORDINANCE NO. 89, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", providing for restriction of trucks on a portion of Payne Rd. (Amends Code Section 29-224.)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-224, Trucks on certain streets restricted, be, and the same is hereby amended by the addition of the following, to wit:

**11,000 POUNDS GROSS WEIGHT**  
Payne Road, from Seventy-ninth Street to Eighty-sixth Street

SECTION 2. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations for the section amended by this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 640, 1980. Mr. West requested that this proposal, although heard by the Transportation Committee at the same time as the abovementioned proposals, and also receiving a "do pass" recommendation by that Committee by a vote of 5-0, be considered singly. Mr. McGrath explained that this proposal restricts parking on a portion of Angolo Court, Valparaiso Ct., Washington Blvd., and Wendell Avenue. Mr. West moved, seconded by Councillor Howard, the following amendment:

**CITY-COUNTY COUNCIL MOTION**

Mr. President:

I move to amend Proposal No. 640, 1980, by deleting Section 2 in the introduced version, which provides for restriction of parking, stopping, standing at designated locations on Washington Boulevard, on the west side, from Thirteen Street to Fortieth Street from 6:00 a.m. to 9:00 a.m.

Councillor West



The motion to delete Section 2 in Proposal No. 640, 1980, was then adopted by consent of the Council. Proposal No. 640, 1980, As Amended, was then adopted on the following roll call vote; viz:

23 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

NO NOES

6 NOT VOTING: Mr. Dowden, Mr. Gilmer, Mr. Howard, Mrs. Nickell, Mr. Schneider, Mr. Tintera

Proposal No. 640, 1980, As Amended, was retitled GENERAL ORDINANCE NO. 98, 1980, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 98, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", prohibiting parking at all times on certain streets. (Amends Code Secs. 29-267 & 29-271.)

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be, and the same is hereby amended by the addition of the following, to wit:

Angola Court, on both sides, from 96th Street  
to the cul-de-sac (south)

Valparaiso Court, on both sides, from 96th Street  
to the cul-de-sac (south)

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

**ON ANY DAY EXCEPT SATURDAYS, SUNDAYS, OR HOLIDAYS**

From 8:00 A.M. to 9:00 A.M.

Wendell Avenue, on both sides, from Twenty-first  
Street to Marlette Drive

From 3:00 P.M. to 4:00 P.M.

Wendell Avenue, on both sides, from Twenty-first  
Street to Marlette Drive

SECTION 3. Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations for the section amended by this ordinance.

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

PROPOSAL NO. 648, 1980. Councillor West reported for the Public Safety and Criminal Justice Committee that this proposal approves a project whereby the Indianapolis-Marion County Building Authority would acquire by lease the present Marion County Jail, improve and expand it, and lease-back the facility as improved and enlarged to Marion County. Mr. West explained that the committee recommended that the Council "do pass" this proposal by a vote of 6-0. This proposal only authorizes the preliminary survey from the Building Authority to check the architect's findings and to study the method of financing such a project. After brief discussion, Proposal No. 648, 1980, was adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, 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, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mr. Strader, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mr. Clark, Mr. Cottingham

Proposal No. 648, 1980, was retitled GENERAL RESOLUTION NO. 11, 1980, and reads as follows:

#### CITY-COUNTY GENERAL RESOLUTION NO. 11, 1980

A GENERAL RESOLUTION approving a project whereby the Indianapolis-Marion County Building Authority would acquire by lease the present Marion County Jail and would improve and expand the Jail, add new facilities thereto and thereafter would lease-back the jail as so improved and enlarged to Marion County.

WHEREAS, the Indianapolis-Marion County Building Authority ("Authority") has been created under the provisions of Chapter 54 of the Acts of the Indiana General Assembly for 1953, as amended (IC 19-8-4-1), et seq., for the purpose of financing, acquiring, constructing, equipping, operating and leasing to governmental units within the boundaries of Marion County of lands and buildings for public governmental purposes; and

WHEREAS, the County of Marion desires to have the Authority acquire the present County Jail and thereafter enlarge and improve it and to add new facilities thereto both upon its existing site and upon additional land that may be acquired and to finance the acquisition, construction and equipment of such enlarged improved Jail and thereafter to lease-back all of such facilities to the County of Marion for its County Jail; and

WHEREAS, there is an urgent need to commence such project for the County Jail in order to comply with certain orders of the United States District Court for the Southern Jurisdiction of Indiana; and

WHEREAS, this City-County Council desires to have the Authority undertake such project for the improvement and enlargement of the County Jail; 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 now requests that the Authority undertake a preliminary survey of the means and methods by which the present County Jail might be improved and enlarged and new facilities added both on its present site and upon adjoining sites and to estimate the preliminary costs required to be paid by the County to the Authority in advance for a full study and for the development of detail plans and specifications.

**SECTION 2.** That the Authority be required to submit its preliminary findings for the project and the leasing thereof to the County and an estimate of the required preliminary expenses to be paid by the County which are necessary for planning and development prior to the time financing would be available from the sale of a revenue bond issue of the Authority.

**SECTION 3.** This Resolution shall be effective upon adoption and signing by the Mayor.

PROPOSAL NO. 653, 1980. This proposal transfers and appropriates \$4,300 in the County General Fund for the Marion County Superior Court, Criminal Division, Room I, funding additional witness fees; it received a "do pass" recommendation from the Public Safety and Criminal Justice Committee by a vote of 7-0. After discussion, Mr. West moved, seconded by Councillor Borst, for adoption. Proposal No. 653, 1980, was then adopted on the following roll call vote; viz:

25 AYES: *Mr. Boyd, Dr. Borst, Mr. Campbell, 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, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NOES

4 NOT VOTING: *Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mrs. Parker*

Proposal No. 653, 1980, was retitled FISCAL ORDINANCE NO. 139, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 139, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Four Thousand Three Hundred Dollars (\$4,300) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room I, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for witness fees.

SECTION 2. The sum of Four Thousand Three Hundred Dollars (\$4,300) 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:

MARION COUNTY SUPERIOR COURT	COUNTY GENERAL
CRIMINAL DIVISION, ROOM I	FUND
10. Personal Services	<u>\$4,300</u>
TOTAL INCREASES	<u>\$4,300</u>

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

MARION COUNTY SUPERIOR COURT	COUNTY GENERAL
CRIMINAL DIVISION, ROOM I	FUND
21. Contractual Services	<u>\$1,800</u>
50. Properties	<u>2,500</u>
TOTAL REDUCTIONS	<u>\$4,300</u>

SECTION 5. Section 2.03 (b) of City-County Fiscal Ordinance No. 106, 1979, be, and the same is hereby amended by deleting the crosshatched portions and adding the news amounts herein:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
<b>ROOM ONE:</b>			
Court Reporter	2	\$13,364	\$26,727
Bailiff	2	10,916	21,831
Chief Clerk	1	12,315	12,315
Record Clerk	1	10,385	10,385
Clerk	1	9,221	9,221
Master Commissioner	1	14,400	14,400
Secretary	1	10,914	10,914
Professional Salaries			48,000
Pauper Attorney Appeals Fees			<del>\$8,000</del> 63,300
Jury Per Diem			<u>53,500</u>
Temporary Help			1,000

The official responsible for hiring and fixing compensation shall limit the number of personnel or the compensation or both so that the total compensation shall not exceed the amount of the total personal services appropriation of ~~\$278,793~~ \$281,093.

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

PROPOSAL NO. 579, 1980. Due to public interest, testimony associated with this proposal was then entertained. Mrs. Coughenour reported for the Public Works Committee that this proposal provides for the establishment of rates and charges for the use of the sewerage system; it received a "do pass" recommendation from the Committee by a vote of 2-1-2. In summarizing the Committee report, Mrs. Coughenour stated that since Indianapolis is not located on a large body of water, federal standards mandate that our water be treated through a third process which is very expensive and extensive, necessitating the two new plants that will come into operation in 1981. Mr. McPherson stated that the minimum charge will be increased from \$3 to \$5.12 for 4,500 gallons, and an increase from 42 cents to 63 cents, if approved. After lengthy discussion, Mrs. Coughenour moved for adoption, seconded by Councillor Cottingham, and Proposal No. 579, 1980, was then adopted on the following roll call vote; viz:



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

Proposa No. 579, 1980, was retitled GENERAL ORDINANCE NO. 90, 1980, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 90, 1980**

A GENERAL ORDINANCE providing for the establishment of rates and charges for the use of the sewerage system; the methods of ascertaining such charges and defining the powers and duties of the Department of Public Works.

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

**SECTION 1.** Chapter 27 of the "Code of Indianapolis and Marion County, Indiana", specifically Section 27-1, be and is hereby amended by inserting the words underlined and deleting the words crosshatched so as to read as follows:

**Sec. 27-1. Definitions.** As used in this chapter, the following terms shall have the meanings ascribed to them in this section unless the context specifically indicates otherwise:

"ATSM" shall mean the American Society for Testing and Materials.

"Board" shall mean the board of public works.

"BOD" (denoting biochemical oxygen demand) shall mean the quantity of oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter.

"Building drain" shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from solid waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

"Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

"Combined sewer" shall mean a sewer receiving both surface runoff and sewage.

"Director" shall mean the director of the department of public works, or his authorized deputy, agent or representative.

"Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Industrial User" shall mean any user of the waste water works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended, and supplemented under division A, B, D, E, I and except a user under Division I who discharges primarily segregated domestic waste or waste from sanitary conveniences.

"Industrial waste" shall mean the liquid waste from industrial manufacturing process, trade or business, as distinct from domestic sewage.

"NH<sub>3</sub>-N" (denoting ammonia nitrogen) shall mean all of the nitrogen in water, sewage or other liquid waste present in the form of ammonia, ammonium ion or in the equilibrium  $\text{NH}_4^+ \rightleftharpoons \text{NH}_3 + \text{H}^+$ .

"Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

"Non-industrial user" shall mean all users of the waste water works not included in the definition of "industrial user".

"Person" shall mean any individual, partnership, trust, firm, company, association, society, corporation, group, governmental agency, including but not limited to, the United States of America, the State of Indiana, and all political subdivisions, authorities, districts, departments, agencies, bureaus, and instrumentalities thereof, or any other legal entity.

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Property shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particule greater than one-half inch (1.27 centimeters) in any dimension.

"Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

"Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"Sewage normally discharged by a residence" shall mean the liquid waste contributed by a residential living unit and shall not exceed a volume of ten thousand five hundred (10,500) gallons per month, thrity (30) pounds of BOD per month and thirty-five (35) pounds of suspended solids per month.

"Sewer" shall mean a pipe or conduit for carrying sewage.

"Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four hour concentration or flow during normal operation.

"Storm drain or storm sewer" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

"Suspended solids (S.S.)" shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

"Waste water" shall mean a combination of the water-carried wastes from residences, business building, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

"Waste water treatment plant" shall mean any arrangement of devices and structures used for treating sewage.



"Waste water works" shall mean all facilities for collecting, pumping, treating and disposing of sewage and/or industrial waste.

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 2. Article 4 of Chapter 27 of the "Code of Indianapolis and Marion County, Indiana", be and is hereby amended by adding the words underlined and deleting the words crosshatched, as follows:

**DIVISION 3. SEWER USER CHARGE AND INDUSTRIAL COST RECOVERY CHARGE**

Sec. 27-101. Sewer User Charge Imposed. Effective November 1, 1977, there is hereby imposed a sewer user charge payable to the department of public works upon each person owning or occupying real estate that is connected with and uses the waste water works whether or not real estate taxes are imposed pursuant to IC 19-2-14 upon such real estate.

Sec. 27-102. Rates Established. The sewer user charge imposed by this division shall be based upon the following general formulas:

$$V_T = V_{u_1} + V_{u_2} \dots + V_{u_n}$$

$$V_c = \frac{C_T - C_I - C_{I'} - C_C - C_{E-I} + 0.25 (C_I + C_{I'} + C_u)}{V_T}$$

$$C_c = \frac{0.75 (C_I + C_{I'} + C_u) - 12}{T_c}$$

Non-Industrial User

$$R = V_u (V_c) = C_c$$

Industrial User

$$R = V_u (V_c) = B_c (b) + S_c (S) + N_c (N) + P_c (P) = V_u (I_u) + C_c$$

Where

$C_c$  is Availability of service charge per month.

$C_T$  is Total operation and maintenance cost per a unit of time.

$C_I$  is Operation and maintenance cost to transport and treat infiltration per a unit of time

$C_{I'}$  is Operation and maintenance cost to transport and treat inflow per a unit of time.

$C_u$  is Operation and maintenance cost to transport and treat unmetered water per a unit of time.

$C_E$  is Operation and maintenance cost to treat wastes in excess of base level strength.

$V_c$  is Operation and maintenance cost to transport and treat a unit of users wastes equal to or below the base level strength.

$B_c$  is Operation and maintenance cost to treat a unit of BOD.

$S_c$  is Operation and maintenance cost to treat a unit of SS.

$N_c$  is Operation and maintenance cost to treat a unit of Ammonia Nitrogen.

$P_c$  is Operation and maintenance cost to treat any other pollutant.

B is Amount of BOD from a user above a base level.

S is Amount of SS from a user above a base level.

N is Amount of Ammonia Nitrogen from a use above a base level.

P is Amount of any other pollutant from a use above a base level.

$V_u$  is Volume contribution per user per a unit of time.

$V_T$  is Total volume contribution from all users per a unit of time (does not include infiltration, inflow and unmetered.)

I is Industrial surveillance cost per a unit of time.

$I_u$  is Industrial surveillance cost per a unit of industrial volume per a unit of time.

R is user's charge for operation and maintenance per a unit of time.

$V_R$  is Total Wastewater contributed by residential customers per a year.

$T_c$  is Total number of connections to the system.

#### Application of Rates

Until amended, the following rates or factors shall apply effective January 1, 1981, except as hereinafter provided:

$V_c = \text{\$/142/} \text{ } \underline{\$0.6268}$  per 1,000 gallons

$I_c = \text{\$/075} \text{ } \underline{\$0.0345}$  per 1,000 gallons

$B_c = \text{\$/026/} \text{ } \underline{\$0.0559}$  per pound

$S_c = \text{\$/045/} \text{ } \underline{\$0.0639}$  per pound

$C_c = \text{\$/117} \text{ } \underline{\$2.30}$  per month

$N_c = \underline{\$0.1546}$  per pound (rate to be imposed on discharge beginning in July, 1981).

#### Minimum Charge and Base Level

The minimum charge on any monthly billing for an industrial user shall be ~~\\$/13~~ \\$5.28 and non-industrial user shall be ~~\\$/307~~ \\$5.12. Further, for the purpose of the foregoing



formulas, the BOD base level shall be 250 milligrams per liter, and SS base level shall be 300 milligrams per liter, and  $\text{NH}_3\text{-N}$  base level shall be 20 milligrams per liter. The industrial and non-industrial rates and charges will be based on the quantity of water used on or delivered to the property or premises subject to such rates and charges, as the same is measured by the water meters in use and the strength of the waste where applicable except as hereinafter provided.

Sec. 27-103. Industrial Cost Recovery Charge Imposed. For each industrial user of the waste water works, or part thereof that was constructed in whole or in part with Federal Construction Grants made to the City pursuant to the Federal Water Pollution Control Act Amendments of 1972, said industrial user shall be charged and pay to the City that portion of the cost of construction of the waste water works which is allocable to the treatment and transportation of such industrial waste to the extent attributable to the Federal share of the cost of construction. The board of public works is hereby empowered to establish, by resolution, such industrial cost recovery rates consistent with Federal law, U.S. Environmental Protection Agency Rules and Guidelines, as soon as practical after the final Federal grant or grants amounts have been determined. No such rate shall be established until after a public hearing. Said public hearing shall be in accordance with the procedures set forth in IC 19-2-144.

Sec. 27-104. Billing Estimates and Reports.

(a) In the event a non-industrial user subject to such rates and charges is not served by a public water supply or water used is not completely metered, the director shall have the authority to estimate the volume and strength of the waste and use such estimate for the purposes of billing rates and charges. The estimates shall be based upon analysis and volumes of a similar installation or the volume and analysis as determined by measurements and samples taken by the director or an estimate determined by the director or by any combination of the foregoing or other equitable method.

(b) Unless otherwise established by the director, each industrial user subject to the rates and charges shall report to the director by the 10th day of the following month on a form prescribed by the director or an estimate of the volume discharged in the prior month and a representative value of the strength of the waste, including, but not limited to BOD, S.S. and Nitrogen. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation consistent with 40 CFR Part 136 or by other methods generally accepted under established sanitary engineering practices and approved by the director. The reports submitted shall be subject to verification by the director but may serve as the basis for billing with all necessary adjustments in the amount to be made after verification. In the event an analysis and volume of the industrial waste is not furnished to the director by the aforementioned time, the charges shall be based upon estimates made by the director, as provided in Section 27-104(a).

(c) The director shall have the right to enter upon the land of the industrial user and to set up such equipment as is necessary to certify the reports submitted. It shall be the duty of the industrial user to provide all necessary clearance before entry and not to unnecessarily delay or hinder the director in carrying out the measuring and sampling. The right of entry shall exist during any time the industrial user is operating or open for business.

(d) In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get, or where other methods of measurement are necessitated for other sound engineering reasons as determined by the director, the director shall have the authority to use such other basis for determining said charges as shall be reliably indicative of volume, and BOD, S.S., and Nitrogen strengths of particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the industrial user data and collected data from like industries.

(e) The cost of all tests, measurement and analyses taken by the Director pursuant to the Department of Public Works' responsibility to perform "Industrial Monitoring Programs" defined and directed by local, state and Federal agencies shall be charged to

the Industrial User tested in an amount equal to the actual average cost of said test, measurement or analyses as determined at the close of each calendar year. These costs shall be due and payable as provided in this Division.

Sec. 27-105. Contract for Billing by the Indianapolis Water Company.

(a) The board is authorized to enter into a contract with the Indianapolis Water Company for the use of its services in ascertaining water volume to be utilized in determining charges imposed by this Ordinance and in billing for and collecting such charges and for the payment to it of just and reasonable compensation for its said services.

(b) Billings for such rates and charges provided for by this Ordinance shall be made in a cycle which coincides with the billing procedure of the Indianapolis Water Company, or in the case where the person subject to such rates and charges is not a customer of the Indianapolis Water Company, such billing cycle shall be determined by the director.

(c) Rates and charges shall be due to the department of public works within seventeen (17) days after mailing of billings. All payments made by a person based upon the reports submitted as provided for in this division shall become final unless verification is made and notice given by the director of necessary adjustments within on (1) year of said payment. Underpayment of charges based on errors in users' reports and estimates shall be billed on ascertainment thereof. Overpayment of charges arising from any cause shall first be applied to unpaid billings.

Sec. 27-106. Use by Other Political Subdivisions. No use of the waste water works shall be allowed by any other political subdivision of the State unless and until the director shall have determined that all rates and charges including industrial costs recovery of such political subdivision are consistent with this Ordinance, the laws of the United States and regulations of the U.S. Environmental Protection Agency.

Sec. 27-107. Applicable to Sewer Service Agreements. All sewer service agreements to which the department of public works is a party shall be amended to reflect the rates and charges as provided for in this Ordinance.

Sec. 27-108. Rules and Regulations Authorized. After the passage of this Ordinance, and from time to time thereafter as may be needed, the board may by resolution promulgate rules and regulations necessary to implement and carry out the provisions of this Ordinance and not inconsistent therewith.

Sec. 27-109. Appeals to the Board.

(a) Any person subject to this division may appeal the charges assessed against him to the board and shall have a hearing upon the following conditions:

- (1) That the person submits billing estimates or ~~authorizes the director~~ to make such estimates;
- (2) That the person has good cause to believe that the charges assessed are in error;
- (3) That notice in writing has been given to the board within sixty (60) days of receipt of the charges in question.

(b) The board is directed to notify the person making appeal of the time and place when his appeal will be heard. Upon evidence sufficient to the board submitted at the hearing that the charges are in error, the board shall make adjustments in the charges. Adjustments may be in the form of a refund or a credit against subsequent assessments of the charges provided for in this division.

Sec. 27-110. Exceptions.

(a) In the case of one, two, or multi-family residences the billing for sewage service for the months of June, July and August shall be based upon the water used or delivered for the previous months of March and April. In the event the water used for said previous months of March and April is greater than the water used for said months of June, July and August, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered.

(b) Where a metered water supply is used for fire protection as well as for other uses, the director may, at his discretion, make adjustments in the sewer user charge as may be equitable. In such cases the burden of proof as to the type of water usage shall be upon the user.

(c) Where a metered water supply is used for fire protection only, the sewer user charge shall not apply.



Sec. 27-110.1 Rate Review. Each year at a time deemed appropriate by the director, the director shall cause a financial study to be conducted to determine the various costs identified in the foregoing, and report to the City-County Council the need for any necessary adjustments in the rates and charges.

Sec. 27-110.2 Charges not Duplicated and Repeal of Divisions 1 and 2.

(a) Division 3 is intended to confirm and effectuate the sewer user and industrial cost recovery charges provided for in the Confirming Rate Resolution of the Department of Public Works, Resolution Number ~~2243~~ 2444 adopted ~~November 11, 1977~~ November 10, 1980, and does not impose any charges duplicating or in addition to the identical charges provided for in that resolution. Such charges shall be payable under that resolution if it is legally effective to impose the charges and not under this division. If said resolution is not legally effective to impose the charges, then the charges shall be imposed by this division.

(b) Division 3 of Article IV of Chapter 27, "Code of Indianapolis and Marion County, Indiana", as set forth in this ordinance, is intended to confirm and effectuate the sewer user charge and industrial cost recovery system of funding mandated by regulation of the U.S. Environmental Protection Agency and are designed to replace charges established by Divisions 1 and 2 of Article IV of Chapter 27, "Code of Indianapolis and Marion County, Indiana", and such charges established by Divisions 1 and 2 of Article IV are hereby expressly repealed when the charges set forth in Division 3 become legally effective. If this ordinance for any reason does not become legally effective to impose said charges then the charges of Divisions 1 and 2 of Article IV of Chapter 27, "Code of Indianapolis and Marion County, Indiana", shall be preserved and remain in full force and effect.

## SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 417, 1980. Councillor Schneider reiterated to the full Council, the Committee report from the County & Townships Committee. Mr. Schnieder, pursuant to the Committee report of "do pass as amended", moved, seconded by Councillor Vollmer, to amend Proposal No. 417, 1980, by deleting the introduced version and substituting the Committee Recommendations Version which amends the introduced figure to \$400,000; consent was given. Mr. Schneider, stated briefly that this proposal appropriates additional moneys in the County General Fund for the County Auditor. These moneys will be used to pay transfer tuition costs for dependents of military personnel who reside in the school district, but do not live on a military installation, all being verified by the Auditor. Mr. Schneider added that legislation to bring about a change in the law is being pursued in hopes that the County will not have to reimburse the schools for tuitions in 1981. The Council recessed to a Committee of the Whole for a public hearing at 8:45 p.m. and reconvened at 8:46 p.m. After further discussion, Proposal No. 417, 1980, As Amended, was adopted on the following roll call vote; viz:

29 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, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

Proposal No. 417, 1980, As Amended, was retitled FISCAL ORDINANCE NO. 140, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 140, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Four hundred thousand dollars (\$400,000) in the County General Fund for purposes of County Auditor, and reducing the unappropriated and unencumbered balance in the County General Fund.

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

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of funding transfer tuitions as required by law.

**SECTION 2.** The sum of Four hundred thousand dollars (\$400,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

**SECTION 3.** The following additional appropriations are hereby approved:

COUNTY AUDITOR	COUNTY GENERAL FUND
25. Current Obligations	<u>\$400,000</u>
<b>TOTAL INCREASES</b>	<b>\$400,000</b>

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

COUNTY AUDITOR	COUNTY GENERAL FUND
Unencumbered and Unappropriated County General Fund	<u>\$400,000</u>
<b>TOTAL REDUCTIONS</b>	<b>\$400,000</b>

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

PROPOSAL NO. 614, 1980. Councillor West again reported for the Public Safety and Criminal Justice Committee that this proposal appropriates an additional \$25,000 in the County General Fund for the Marion County Superior Court, Criminal Division, Room 2, funding the payment of a large number of outstanding bills for personal services and pauper appeals fees; it received a "do pass" recommendation by a vote of 6-0. Judge Brewer testified as to the necessity of the need for the funds at the recent committee meeting, stating that many persons need to have psychiatric examinations before standing trial, in addition to jurors and other court costs which have not been properly budgeted for in 1980. The Council recessed to a Committee of the Whole for public hearing at 8:55 p.m. and reconvened at 8:56 p.m. After Council discussion and debate, Proposal No. 614, 1980, was adopted on the following roll call vote; viz:

25 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, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer



NO NOES

4 NOT VOTING: Mr. Clark, Mr. Jones, Mrs. Parker, Mr. West

Proposal No. 614, 1980, was retitled FISCAL ORDINANCE NO. 141, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 141, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Twenty-five Thousand Dollars (\$25,000) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 2, 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 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the payment of a large number of outstanding bills for attorneys' fees for Pauper Appeals Fees.

SECTION 2. The sum of Twenty-five Thousand Dollars (\$25,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SUPERIOR COURT, CRIMINAL DIV., ROOM 2	COUNTY GENERAL FUND
10. Personal Services	\$25,000
TOTAL INCREASES	\$25,000

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

MARION COUNTY SUPERIOR COURT, CRIMINAL DIV., ROOM 2	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$25,000
TOTAL REDUCTIONS	\$25,000

SECTION 5. The following sections 203(b) of the City-County Fiscal Ordinance No. 106, 1979, is amended by deleting the crosshatched numbers and inserting the underlined numbers.

(6) SUPERIOR COURT - CRIMINAL DIVISION - ROOM 2

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Court Reporter	2	\$13,363	\$26,726
Bailiff	2	10,917	21,830
Chief Clerk	1	11,530	11,530
Clerk	2	10,409	20,463
Master Commissioner	1	14,400	14,400
Secretary	1	10,914	10,914
Professional Salaries			48,000
Pauper Attorney Appeal Fees			<del>\$3,000</del> 88,000
Jury Per Diem			47,150
Temporary Help			2,000

The official responsible for hiring and fixing compensation for this room shall limit the number of personnel or the compensation or both so that the total compensation paid shall not exceed the amount of the total personal services appropriation of ~~\$275,513~~ \$300,513.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 620, 1980. Councillor West reported for the Public Safety and Criminal Justice Committee that this proposal appropriates additional moneys in the County General Fund for the Marion County Superior Court, Criminal Division, Room 3, providing funds for additional Jury Per Diem, Pauper Attorney Fees, Witness Fees, and Jury Meals, not properly budgeted for in 1980. Mr. West requested that the Councillors refer to the introduced version which incorporates the Committee's recommendations, amending the total appropriated figure to \$9,000. After discussion, Proposal No. 620, 1980, As Amended, was adopted on the following roll call vote; viz:

24 AYES: Mr. Boyd, Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer

NO NOES

5 NOT VOTING: Mr. Clark, Mr. Cottingham, Mr. Jones, Mr. Tintera, Mr. West

Proposal No. 620, 1980, As Amended, was retitled FISCAL ORDINANCE NO. 142, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 142, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) and appropriating an additional Nine Thousand Dollars (\$9,000) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 3, and reducing certain other appropriations for the Marion County Municipal Court.

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

SECTION 1. To provide for the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for Jury Per Diem, Pauper Attorney Fees, Witness Fees, and Jury Meals.

SECTION 2. The sum of Nine Thousand Dollars (\$9,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT, CRIMINAL DIV., ROOM 3	COUNTY GENERAL FUND
10. Personal Services	\$8,750
24. Current Charges	250
TOTAL INCREASES	<u>\$9,000</u>

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



MARION COUNTY  
MUNICIPAL COURT  
10. Personal Services  
21. Contractual Services  
TOTAL REDUCTIONS

COUNTY GENERAL  
FUND  
\$2,000  
7,000  
\$9,000

SECTION 5. Section 2.03 (b) of the City-County Fiscal Ordinance No. 106, 1979, be, and is hereby amended by deleting the crosshatched portions and adding the new amounts herein:

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Court Reporter	2	\$13,363	\$26,726
Bailiff	2	12,385	21,830
Chief Clerk	1	12,673	12,673
Record Clerk	2	9,660	19,320
Master Commissioner	1	14,400	14,400
Secretary	1	10,914	10,914
Professional Salaries			48,000
Pauper Attorney Appeals Fees			<del>69,500</del> 75,550
Jury Per Diem			<del>143,200</del> 45,900
Temporary Help			500
Grand Jury Bailiff- Serves all four rooms	1	6,694	6,694

The official responsible for the hiring and fixing compensation shall limit the number of personnel or the compensation or both so that the total compensation shall not exceed the total personal services appropriation of ~~\$283,277~~ \$292,007.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

### SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 499, 1980. Councillor Brinkman, sponsor of this proposal which provides an appeal to the City-County Council for persons denied a variance by the Air Pollution Control Board, requested that this proposal be sent back to the Public Works Committee for further study. The proposal was then sent back to Committee by consent of the full Council.

PROPOSAL NO. 618, 1980. President SerVaas stated that two amendments to the calendar provided for in this proposal were submitted to him, and if the Council would by consent adopt these two changes, the proposal could then be adopted, setting a schedule of regular Council meeting dates for the year 1981. Consent was given to change the two meeting dates as proposed by Councillors Rhodes and Coughenour. After discussion, Proposal No. 618, 1980, As Amended, was then adopted by unanimous voice vote. Proposal No. 618, 1980, As Amended, was retitled COUNCIL RESOLUTION NO. 38, 1980, and reads as follows:

#### CITY-COUNTY COUNCIL RESOLUTION NO. 38, 1980

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 1981.

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

**SECTION 1.** The City-County Council hereby approves the following schedule for regular meetings for the year 1981:

(1) January 5, 1981	7:00 p.m.	(12) July 6, 1981	7:00 p.m.
(2) January 19, 1981	7:00 p.m.	(13) July 20, 1981	7:00 p.m.
(3) February 9, 1981	7:00 p.m.	(14) August 17, 1981	7:00 p.m.
(4) February 23, 1981	7:00 p.m.	(15) September 14, 1981	7:00 p.m.
(5) March 9, 1981	7:00 p.m.	(16) September 28, 1981	7:00 p.m.
(6) March 23, 1981	7:00 p.m.	(17) October 12, 1981	7:00 p.m.
(7) April 6, 1981	7:00 p.m.	(18) October 26, 1981	7:00 p.m.
(8) April 27, 1981	7:00 p.m.	(19) November 9, 1981	7:00 p.m.
(9) May 11, 1981	7:00 p.m.	(20) November 23, 1981	7:00 p.m.
(10) May 26, 1981	7:00 p.m.	(21) December 14, 1981	7:00 p.m.
(11) June 8, 1981	7:00 p.m.		

**SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 12, 1980. Mr. Miller stated that this proposal amends the language found in the licensing procedures specified in the "Code of Indianapolis and Marion County, Indiana". As a result of court action, the terminology in this Section of the Code was ruled too vague. Mr. Miller moved for substitution of the "Committee Recommendation" version of this proposal which deletes a Section 2 of the introduced version of the proposal, leaving the granting or denying of any license to the discretion of the Controller until City Legal can come back to the Council with some guidelines for the granting or denying of the licenses; consent of the Council was given for the substitution. After further discussion, Councillor Miller moved, seconded by Councillor Parker, for adoption, after which, Proposal No. 12, 1980, As Amended, was adopted on the following roll call vote; viz:

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

NO NOES

3 NOT VOTING: *Mr. Gilmer, Mr. Rhodes, Mrs. Stewart*

Proposal No. 12, 1980, As Amended, was retitled GENERAL ORDINANCE NO. 91, 1980, and reads as follows:



CITY-COUNTY GENERAL ORDINANCE NO. 91, 1980

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 17-6 to streamline the licensing procedures.

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

SECTION 1. Section 17-6 of Article I of Chapter 17 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by deleting the words crosshatched as follows:

Sec. 17-6. General duties of Licensees. Every licensee, his agents and employees, shall:

(4) Not permit any sort of illegal ~~conduct or practices to take place on his premises or in the conduct of his business.~~ conduct or practices to take place on his premises or in the conduct of his business.

SECTION 3. This ordinance shall be in effect from and after its passage by the Council and compliance with IC 18-4-5-2.

PROPOSAL NO. 455, 1980. Mr. West reported that the Public Safety and Criminal Justice Committee recommended 7-0 that the Council "do pass as amended" this proposal which clarifies the procedures for the adoption of impounded animals. Mr. West then moved, seconded by Councillor Coughenour, the following amendment:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 455, 1980, by deleting the introduced version and substituting therefor, the proposal entitled: " Proposal No. 455, 1980, Committee Recommendations" and I further amend this version by striking the first sentence in Section (c) and inserting in lieu thereof, the following: "Following the six (6) day impoundment period, any person wishing to adopt an unclaimed impounded animal shall pay to the City of Indianapolis not less than fifteen dollars (\$15.00). The fee shall cover the expenses in handling the animal and related paperwork".

Councillor West

Council consent was given; the preceding amendment was then adopted by unanimous voice vote. During discussion, Mrs. Coughenour stressed that this proposal is an enabling proposal and the Board of Public Safety or the Department of Public Safety shall make the final decisions regarding the capture, impounding, sale and destruction of animals. After further discussion, Proposal No. 455, 1980, As Amended, was adopted on the following roll call vote; viz:

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

NO NOES

3 NOT VOTING: Mr. Clark, Mr. Gilmer, Mrs. Parker

Proposal No. 455, 1980, As Amended, was retitled GENERAL ORDINANCE NO. 92, 1980, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 92, 1980

A GENERAL ORDINANCE amending Section 6-142 of the "Code of Indianapolis and Marion County, Indiana", to clarify procedures for adoption of impounded animals.

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

SECTION 1. Chapter 6 of the "Code of Indianapolis and Marion County, Indiana", specifically, Section 6-142, be and is hereby amended by striking the words crosshatched and inserting the words underlined to read as follows:

Sec. 6-142. Disposition of animals generally.

(a) Animals impounded pursuant to this article shall, if claimed by their owners, be returned to their owners upon compliance with the provisions of this article.

(b) ~~Animals except for animals under six (6) months of age, impounded pursuant to this article and which~~ are not claimed by their owners, such animals shall be confined by the impounding authority in a humane manner for a period after capture of not less than six (6) days. ~~Animals not claimed within said six days~~ may be kept or otherwise humanely disposed of, in the discretion of the impounding authority, but consistent with such provisions as the safety board or the department of public safety shall make regarding the capture, impounding, sale and destruction of animals.

(c) Following the six (6) day impoundment period, any person wishing to adopt an impounded animal, if such animal is not claimed by its owner, such person shall pay to the city a fee of fifteen dollars (\$15.00) to cover expenses in handling the animal and related paperwork. Such person shall agree in writing to abide by Sections 6-7, 6-4, and 6-144 of the "Code of Indianapolis and Marion County, Indiana", before the animal is released.

(d) Any person who violates any of the provisions of sections 6-7, 6-4, or 6-144 shall be given written notice of the practices or conditions which constitute the violation, and the enforcing authority may, where appropriate, suggest remedies. Upon any subsequent failure to comply with section 6-7, 6-4, or 6-144, for reasons specified in the written notice, such person shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00).

~~Any~~ (e) No animal impounded pursuant to this article shall be used or disposed of for purposes of research or experimentation by use of the animal.

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

PROPOSAL NO. 469, 1980. Councillor Miller commented on this proposal, stating that the Administration Committee had recommended that the full Council "do pass as amended" this proposal which establishes, governs, and regulates a Charity Solicitations Commission. Mr. Miller stated that this proposal provides for tiering of solicitation and keeps the public informed as to the route of procedures the charities must take and where their money will go, and if the cost of solicitation exceeds 50% of the gross amount to be collected that the solicitor



or agent must disclose these facts to the public. The "Committee Recommendation" version of this proposal was substituted by consent of the Council. After further Council discussion, Proposal No. 469, 1980, As Amended, was adopted on the following roll call vote; viz:

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

NO NOES

3 NOT VOTING: Mr. Cottingham, Mr. Gilmer, Mrs. Journey

Proposal No. 469, 1980, As Amended, was retitled GENERAL ORDINANCE NO. 93, 1980, and reads as follows:

#### CITY-COUNTY GENERAL ORDINANCE NO. 93, 1980

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County", by adding a new Article to provide for the establishment of a Charity Solicitation Commission, and further to regulate and govern charity solicitation and licensing.

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

SECTION 1. Division 1 and Division 2 of Article IV of Chapter 17 of the "Code of Indianapolis and Marion County" are hereby repealed.

SECTION 2. Article IV of Chapter 17 of the "Code of Indianapolis and Marion County" is hereby amended by adding new Divisions 1, 2, and 3 as follows:

#### Division 1: GENERAL PROVISIONS

##### Sec. 17-111. Definitions.

For the purposes of this Article:

(a) "Charity solicitation," or "solicitation," is any oral or written request made directly or indirectly for money, credit, property, financial assistance, volunteer service or other thing of value (to be given now or on a deferred basis) on the plea, representation or implication that it will be used for charitable, patriotic, benevolent, educational, civic, fraternal or other philanthropic purposes. It does not mean an appeal conducted by a hospital, school or college, church, or fraternal, civic, professional or trade group if the appeal (1) is confined and directed exclusively to the organization's voting membership or alumni; (2) is an invitation to voting membership (unless directed to the general public, with a contribution being the only requirement for membership); or (3) is a request for support without any charitable purpose associated with the appeal. Such solicitation shall be deemed to have taken place when the request is made, whether or not the person making the request received any contribution or makes any sale referred to in this section.

(b) "Commission" is the Charity Solicitations Commission.

(c) "Promoter" is any individual, organization, trust, foundation, group, association, partnership, corporation, society or any combination of them, who for compensation, plans, promotes, conducts, manages, or carries on or attempts to plan, promote, conduct, manage or carry on any drive or campaign for the purpose of engaging in charity solicitation on behalf of any other person or organization.

(d) "Cost of Solicitation" is the difference between (1) the total sum received as a result of the solicitation, and (2) the amount which directly inures to the charity or to the charitable function of the organization licensed under this Article, and such cost of solicitation shall include, but not be limited to, salaries or commissions to employees or independent contractors, telephone expense, printing expense, postage expense, delivery expense, office rent, utilities, supplies, typists, advertising, costs of entertainment, costs of performers, insurance, entertainment location expense, and amounts paid to persons, promoters, business agents, the license itself or any of its members, shareholders, director, officers or persons connected with the licensee.

**Sec. 17-112. Charity Solicitations Commission.**

(a) There is hereby created a Charity Solicitations Commission which shall be composed of six (6) members who shall serve without remuneration for such services and who shall be appointed by the Mayor. In each year two (2) of the commission members shall be appointed to serve for a term of three (3) years. Vacancies occurring in the commission shall be filled for the remaining term in the same manner as provided for in the original appointment. Members of the commission serving as such immediately prior to the effective date hereof shall continue to serve their respective terms as if appointed hereunder.

(b) Four (4) members of the commission shall constitute a quorum, and a quorum must vote in favor of all recommendations and findings of the commission.

(c) The commission may establish its own rules of procedure consistent with those required for administrative agencies. The commission shall hold its meetings and keep all its official records in space provided by the Controller.

(d) The commission shall have such duties as established in this Article as well as all powers reasonably necessary to perform those duties, including but not limited to the power to investigate matters concerning charity solicitations license applications.

**Secs. 17-113 - 17-119. Reserved.**

**SECTION 3.** Article IV of Chapter 17 of the "Code of Indianapolis and Marion County" is hereby amended by adding a new Division 2 as follows:

**Division 2: CHARITY SOLICITATIONS LICENSES**

**Sec. 17-120. Charity Solicitations License Required.**

It shall be unlawful for any person to engage in any charity solicitation without first obtaining a license therefor from the Controller.

**Sec. 17-121. Application for Charity Solicitations License.**

(a) All applications for charity solicitations licenses shall be made to the Controller by the organization whose charitable function is to benefit from the solicitation, on the forms prescribed by the Controller. The application shall call for the following information:

- (1) the name and address of the organization applying for a license;
- (2) the names and addresses of its principal officers;
- (3) such information as may be necessary to describe the character of the organization under whose auspices the solicitation will be conducted, including information as to the corporate, financial, organizational and civic nature and type of the organization;
- (4) the names and addresses of any other organizations or associations with which the applicant may be affiliated;
- (5) the purpose for which such solicitation is to be made;
- (6) the gross amount of funds proposed to be collected;
- (7) the use or disposition to be made of any receipts therefrom;
- (8) the name and address of the person who will be connected with or in charge of organizing, conducting, managing, supervising or promoting the solicitation;
- (9) the name of the person by who the receipts or funds of such solicitation will be handled or disbursed;
- (10) a full and complete description of the method or methods to be used in conducting the solicitation;
- (11) the time when such solicitations will be made, giving the proposed dates for the beginning and ending of such solicitation;



- (12) an itemized statement of the proposed cost of solicitation, including the amount of any wages, fees, commissions, expenses, costs or emoluments proposed to be expended or paid to or for all persons in connection with such solicitation, together with the manner in which the same are to be expended or paid and the names of the several persons who are to be so paid, with the amount to be paid each such person;
- (13) a financial statement which includes a balance sheet and income expenses statement, for the last preceding fiscal year, or any lesser period if not existing that long, showing all funds solicited for any purpose by the organization or persons seeking a license, which statement shall give the amount of money raised, together with the cost of raising it and final distribution thereof; and,
- (14) a statement to the effect that if a license is granted, it will not be used or represented in any way as an endorsement by the city, or by any department or officer thereof.

(b) Further, if the applicant intends to use or uses a promoter or business agent, and the promoter or agent is to receive any payment or benefit for such services out of the contributions, such facts shall be set forth in a written contract or agreement between the organization and the promoter or agent, and a copy of such contract or agreement shall be attached to and filed with the license application.

**Sec. 17-122. Consideration of Application.**

(a) Upon receipt of an application for a license required by this division, the Controller shall refer the application to the Charity Solicitations Commission. The Commission then shall investigate the matters which concern the application, and conduct a hearing on the application where the applicant or the applicant's representatives may appear.

(b) Before it may approve the application, the commission shall find all or the following to be true:

- (1) All of the statements in the application are true.
- (2) The applicant organization is conducted in an honest, businesslike manner, and it has not engaged in any fraudulent or unlawful transaction.
- (3) The applicant will maintain an accepted system of accounting and will maintain accurate records of all funds received and disbursed, which will be made available to the Controller.
- (4) None of the funds of the applicant are on loan to any of its members, agents or employees.
- (5) The solicitation will not use a charitable appeal for any purpose other than that which it has expressed, and the conduct of the solicitation will not be deceptive or misleading in any way.
- (6) In the event the solicitation is to be conducted by means of receptacles maintained in public locations, each receptacle shall have plainly marked thereon the name and address of the sponsoring organization and all receptacles will be sealed and handled in such a manner that their contents will properly be accounted for.

(c) Further before approving the application, the commission shall make a specific finding that the cost of solicitation is reasonable. If it appears from the investigation of the information on the application, that the proposed cost of solicitation is less than thirty-five percent (35%) of the gross amount expected to be collected, there shall be a presumption that such cost is reasonable, and the commission shall not recommend denial of the application on this basis.

(d) If the proposed cost of solicitation is greater than thirty-five percent (35%) of the gross amount expected to be collected, there shall be a presumption that the cost is unreasonable, and the applicant may present evidence to the commission to overcome this presumption. To determine the reasonableness of any cost of solicitation which exceeds thirty-five percent (35%) of the gross amount to be collected, the commission shall consider any evidence presented at the hearing, as well as the following:

- (i) the length of time the charitable organization has been in existence;
- (ii) its purposes and programs;
- (iii) its selection of fund-raising methods;
- (iv) acts of God or other unforeseeable circumstances;

- (v) its estimates of fund-raising costs and monies and property to be raised or received during the immediately succeeding 24-month period, and its reasons therefor, including any program for reducing its annual fund-raising costs; and
- (vi) other information brought to the attention of the commission.

If the presumption of unreasonableness is not overcome, the commission shall recommend denial of the application.

(e) If the presumption of unreasonableness is overcome and the cost of solicitation exceeds fifty percent (50%) of the gross amount to be collected, the commission shall recommend approval of the application, and shall recommend that each license, or each solicitor or agent representing a licensee under this article, be required to provide information regarding the cost of solicitation to each prospective contributor.

**Sec. 17-123. Issuance of License.**

Except as provided in Section 17-124, upon the recommendation of approval and certification of the required findings by the commission to the Controller, the Controller shall issue a license under this Article after receiving payment of the license fee of twenty-five dollars (\$25.00). Upon the recommendation by the commission, the Controller shall issue a license subject to the requirement that information regarding the cost of solicitation be provided to each person or group of persons solicited.

**Sec. 17-124. Refusal To Issue License.**

(a) If the Controller refuses to issue a license even though the commission has recommended approval of the license application, the reasons for the refusal shall be stated in writing and the application shall be remanded to the commission for further investigation.

(b) If the Controller refuses to issue a license based upon a recommendation by the commission that the application be denied, or if the Controller fails to issue a license after the application has been remanded and the commission for the second time recommends approval of the application, the Controller shall advise the applicant in writing of the refusal and the reasons therefore.

(c) The applicant may then appeal the decision of the Controller to the License Review Board, pursuant to the ordinances which regulate such appeals.

**Sec. 17-125. License Duration, Transferability and Revocation.**

(a) The term of a charity solicitation license issued pursuant to this Article shall be for a period of three (3) months from the date of issue, and may in the discretion of the Controller be renewed for one like period upon the payment of a renewal fee of twenty-five dollars (\$25.00).

(b) No charity solicitations license shall be transferable.

(c) A charity solicitation license may be suspended or revoked pursuant to the conditions and procedure established by Section 17-49 of this code.

**Secs. 17-126 - 17-133. Reserved.**

**SECTION 4.** Article IV of Chapter 17 of the "Code of Indianapolis and Marion County" is hereby amended by adding a new Division 3 as follows:

**Division 3: ACTIONS OF LICENSEES**

**Sec. 17-134. Solicitor; Credentials.**

(a) Each solicitor or agent representing any licensee under this article shall be provided with proper credentials or an identification card, the form of which shall be approved by the Controller, which shall show clearly the name of the licensee; the number of the license issued; the name, number, and address of the solicitor; the expiration date of the license; and prominently displayed thereon shall appear the words "Solicitor's Identification; This Is Not an Endorsement by the City."

(b) No person shall solicit under a license granted under the provisions of this Article without a copy of the credentials described in subsection (a) in his possession. Such credentials shall be shown, upon request, to all persons solicited and to any representative of the Controller or to any police officer of the city.

**Sec. 17-135. Representations of Cost of Solicitation.**



When the Controller so requires, each licensee or each solicitor or agent representing any licensee under this Article, shall provide information regarding the cost of solicitation to prospective contributors, prior to accepting any contribution. Such licensee, solicitor or agent shall include in any written materials distributed to prospective contributors, a written statement that "the cost of solicitation shall not be less than \_\_\_\_\_% (the percentage as determined by the commission)." If any solicitation is done without written materials, the solicitor or agent must make this same statement to the prospective contributor, prior to accepting any contribution.

**Sec. 17-136. Telephone Solicitations.**

No person shall solicit charitable contributions by telephone unless he first identifies himself and explains his relationship to the organization whose charitable function is to benefit from the solicitation.

**Sec. 17-137. Ledger.**

All licensees under this Article shall maintain, for public inspection, a ledger in which shall be recorded each receipt of money or thing, the amount, description and date thereof, the person from whom said money or thing is received and for which solicitation the money or thing is received; and, each disbursement of money or thing, the amount or description thereof, and the person to whom such disbursement is made.

**Sec. 17-138. Reports.**

(a) All licensees under this Article shall submit a written report to the Controller, with a copy to the Charity Solicitations Commission, within thirty (30) days after the completion of the solicitation. The Controller may extend the time period for submitting such report if he decides that a failure to do so would work an unnecessary hardship on the licensee.

(b) Each report required by subsection (a) shall contain a detailed financial statement showing the amount of funds raised by the solicitation, a description of any property and the approximate value of any property acquired by the solicitation, the cost of solicitation, and the disposition of the balance of the funds or property received by the solicitation.

(c) All licensees under this article shall retain and make available to the Controller all records and documents by which the accuracy of the report filed pursuant to this section may be verified.

(d) The Controller may require reports or other information from any licensee under this Article at any time during or after the expiration of the license, which he deems necessary to protect the public welfare or to properly administer the provisions of this Article.

**Sec. 17-139. Receipts.**

(a) Licensees under this Article and their agents shall give a written receipt signed by the solicitor stating the name and license number of the licensee, the amount received and the date to each donor giving anything having a value of one dollar (\$1.00) or more. The provisions of this section may be waived by the Controller where the licensee received donations by receptacles placed in public places or where the donation is received anonymously.

(b) If a receipt is required pursuant to subsection (a), the receipt, ticket or something in writing acknowledging the contribution shall be offered to the contributor. Such receipt, ticket or acknowledgement must plainly contain the information that a promoter or business agent is to receive payment or benefit from the solicitations and that a copy of the agreement between the organization and promoter or business agent is on file with the charity solicitations commission and available for inspection. If the contribution is made prior to the receipt by the contributor of the ticket, receipt or acknowledgement, the contributor may receive a full refund of the contribution by notifying the organization in writing of his desire for a refund within ten (10) days after the ticket, receipt or acknowledgement is mailed by the organization or received by the contributor, whichever occurs first. Upon return of the receipt, ticket or acknowledgement by the contributor to the organization, as provided in this subsection, the contributor may demand and receive a full refund of his contribution within thirty (30) days.

**Sec. 17-140. Prohibited Actions.**

It shall be unlawful for any licensee, or any solicitor or agent representing any licensee under this Article, to commit any of the following acts or omissions:

(a) To solicit from any other person after said other person has indicated that he or she is not interested in said solicitation, does not wish to be solicited or does not wish to buy from or contribute to the charity for which the solicitation is being conducted;

(b) to directly or indirectly solicit contributions by misrepresentation of his name, occupation, relation to the charity solicited for, or to perpetrate any fraud or deception in connection with any solicitation for charity;

(c) to solicit funds by promising a person solicited that his funds will, directly or indirectly, be used to purchase tickets for any event which tickets will be given to any other person for charitable purposes unless said other person gives his written approval for said allegation and said tickets are in fact given to said other person for a benevolent use and the value of said tickets is not reflected in any financial report to increase the gross or net income of the solicitation; and,

(d) to refuse or fail to comply with any requirement established for such person by this Article.

**Sec. 17-141 - 17-148. Reserved.**

**SECTION 5.** (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

**SECTION 6.** Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if, such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

**SECTION 7.** This ordinance shall be in effect from and after its passage by the Council and compliance with IC 18-4-5-2.

PROPOSAL NO. 575, 1980. Councillor Schneider stated that the County and Townships Committee had recommended that the full Council "strike" this proposal, so that another proposal may be introduced at the next meeting incorporating the Pike Township Trustee's request for additional personnel, changing the personnel schedule for 1981, instead of 1980. Mr. Schneider moved to strike Proposal No. 575, 1980, seconded by Councillor Howard. Proposal No. 575, 1980, was then stricken by unanimous voice vote.

PROPOSAL NO. 583, 1980. Councillor Tintera reported for the Economic Development Committee that this proposal authorizes proceeding with economic development bond financing for Maul Technology Corporation Project in the amount of \$8,500,000; it received a "do pass" recommendation by a vote of 4-0. Mr. Tintera explained that this Corporation wishes to expand its operations associated with the production of aerospace precision gears for aircraft and helicopters; the Parent Company will guarantee the bonds. After discussion, Proposal No. 583, 1980, was adopted on the following roll call vote; viz:



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

NO NOES

4 NOT VOTING: Dr. Borst, Mr. Clark, Mr. Cottingham, Mr. Hawkins

Proposal No. 583, 1980, was retitled SPECIAL RESOLUTION NO. 99, 1980, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 99, 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, Maul Technology 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 facility to be an approximately 260,000 square foot aerospace precision gear machinery facility, and the machinery and equipment to be installed therein to be located at 9000 Precision Drive (30th & Post Road), Indianapolis, Indiana, in Warren Township, on an approximate 25 acre tract of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 100 new jobs at the end of one year and 350 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, equipping, and construction 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 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 \$8,500,000 under the Act for the acquisition, construction, and equipping of the Project and the sale or the leasing of the Project 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 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 sell or lease the same to the Company or loan the proceeds of the revenue bonds to the Company for the Project.

PROPOSAL NO. 584, 1980. This proposal, which authorizes the issuance of economic development bonds for Whittaker Corporation Project in the amount of \$3,500,000, received a "do pass" recommendation from the Economic Development Committee by a vote of 3-0. Mr. Tintera reported that this project will consist of the acquisition of a facility located in Park 100, purchase of equipment and machinery, purchase of land, and incidental costs relative to the facility's use as a regional distribution center for medical supplies and instruments to serve outlets throughout the midwest; the facility will be used by the Whittaker General Medical Corporation, a wholly owned subsidiary. After discussion, Proposal No. 584, 1980, was adopted on the following roll call vote; viz:

22 AYES: Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

7 NOT VOTING: Dr. Borst, Mr. Campbell, Mrs. Coughenour, Mr. Holmes, Mr. Jones, Mr. Page, Mrs. Stewart

Proposal No. 584, 1980, was retitled SPECIAL ORDINANCE NO. 32, 1980, and reads as follows:



CITY-COUNTY SPECIAL ORDINANCE NO. 32, 1980

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bond (Whittaker Corporation Project)" in the principal amount of Three Million Five Hundred Thousand Dollars (\$3,500,000) 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 Whittaker Corporation, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on November 5, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Whittaker Corporation and the leasing of the economic development facilities to Whittaker General Medical Corporation, a wholly owned subsidiary of Whittaker Corporation, for the use in the business of distribution of medical supplies and instruments, 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 the Promissory Note, Mortgage and Trust Indenture, Bond Purchase Agreement, and Loan Agreement 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 a revenue bond, the loan of the net proceeds thereof to Whittaker Corporation, for the purposes of financing the acquisition, construction, and installation and equipping of the economic development facilities in Indianapolis, Indiana, and the repayment of said loan by Whittaker Corporation, to be evidenced and secured by a promissory note of Whittaker Corporation, and the leasing of the economic development facilities to Whittaker General Medical Corporation, a wholly owned subsidiary of Whittaker Corporation, for the use in the business of the distribution of medical supplies and instruments 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 Loan Agreement, Mortgage and Trust Indenture, Promissory Note, and Bond Purchase Agreement 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 City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development Mortgage Revenue Bond (Whittaker Corporation Project) in the principal amount of Three Million Five Hundred Thousand Dollars (\$3,500,000) for the purpose of procuring funds to loan to Whittaker Corporation, in order to finance the economic development facilities, as more particularly set out in the Loan Agreement incorporated herein by reference which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Whittaker Corporation, on its promissory note which will be executed and delivered by Whittaker, to evidence and secure said loan, and as otherwise provided in the Financing Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The Mayor, City-Clerk or City Controller is authorized and directed to sell the City of Indianapolis, Indiana, Economic Development Mortgage Revenue Bond (Whittaker Corporation Project) at a price not less than 100% of the principal amount thereof and at a stated per annum interest rate on the outstanding principal balance of not greater than 65 percent (65%) of the Prime Commercial Rate of the Indiana National Bank (with any change in said interest rate resulting from a change in the Prime Commercial Rate to be and become effective as of and on the date of the relevant change in such Prime Commercial Rate); provided, however, as described in the Mortgage and Trust Indenture, should a Determination of Taxability occur with respect to such Bond, the registered owner of such Bond shall have the right to change the rate of interest on such Bond to a per annum rate equal to 105% of the Prime Commercial Rate of the Indiana National Bank (with any change in said interest rate resulting from a change in the Prime Commercial Rate to be and become effective as of and on the date of the relevant change in such Prime Commercial Rate.)

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 Bond authorized herein. The signatures of the Mayor and City Clerk on the Bond shall be manual signatures. The City Clerk or City Controller is authorized to arrange for the delivery of such Bond to the purchaser thereof, The Indiana National Bank.

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement securing the Bond shall constitute a contract binding between the City of Indianapolis, Indiana, and the holder of the City of Indianapolis, Indiana, Economic Development Mortgage Revenue Bond (Whittaker Corporation Project), and after the issuance of said Bond, this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as any of said Bond 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. 585, 1980. Councillor Tintera explained that this proposal authorizes the issuance of economic development bonds for the Marietta Facilities, Inc., Project in the amount of \$1,000,000; it received a "do pass" recommendation from the Economic Development Committee by a vote of 3-0. The project will include the construction of a subterranean limestone mine which is presently beneath an existing gravel operation, and the purchase of equipment necessary to extract it. The mine is located at 2605 Kentucky Avenue. After Council discussion, Proposal No. 585, 1980, was adopted on the following roll call vote; viz:

27 AYES: Mr. Boyd, 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, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Dr. Borst, Mrs. Stewart

Proposal No. 585, 1980, was retitled SPECIAL ORDINANCE NO. 31, 1980, and reads as follows:



CITY-COUNTY SPECIAL ORDINANCE NO. 31, 1980

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1980 (Marietta Facilities, Inc. Project)" in the aggregate 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 Marietta Facilities, 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 November 5, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Marietta Facilities, 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 the Loan Agreement, Guaranty Agreement, Preliminary Official Statement (with respect to the Indianapolis Project only), Official Statement (with respect to the Indianapolis Project only), Bond Purchase Agreement, Inducement Letter, Trust Indenture, and Promissory 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 Loan 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 Marietta Facilities, Inc., for the purposes of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by Marietta Facilities, Inc., to be evidenced and secured by a promissory note of Marietta Facilities, 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 Loan Agreement, Promissory Note, Guaranty Agreement, Preliminary Official Statement (with respect to the Indianapolis Project only), Bond Purchase Agreement, Inducement Letter, Trust Indenture and Official Statement (with respect to the Indianapolis Project only) 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 City Controller.

**SECTION 3.** The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1980 (Marietta Facilities, Inc. Project), in the principal amount of One Million Dollars (\$1,000,000) for the purpose of procuring funds to loan to Marietta Facilities, 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 Marietta Facilities, Inc., on its promissory note in the principal amount of One Million Dollars (\$1,000,000) which will be executed and secure said loan, and as otherwise provided in the above described Trust Indenture, Inducement Letter and Guaranty 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 Mayor, 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 11.0% per annum and at a price not less than 97.75% 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 Trust Indenture.

**SECTION 6.** The provisions of this ordinance and Trust Indenture securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1980 (Marietta Facilities, 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. 586, 1980. Councillor Tintera reported for the Economic Development Committee that this proposal, authorizing the issuance of economic development bonds for D & E Properties Project in the amount of \$350,000, received a "do pass" recommendation from the Committee by a vote of 3-0. Mr. Tintera further clarified the proposed project by stating that D & E Properties is a newly formed partnership owned by Donald and Eugene M. Dodd, for the purpose of owning and building a new structure to be located at 88th Place and Hague Road to lease to Dodd Electric Service for a period of time equal to the term of the bonds. This company would like to develop its sales and services of energy control systems for residential and commercial facilities, through this new facility. Mr. Tintera moved for adoption, seconded by Councillor Holmes. After discussion, Proposal No. 586, 1980, was adopted on the following roll call vote; viz:

22 AYES: *Mrs. Brinkman, Mr. Campbell, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NOES

7 NOT VOTING: *Mr. Boyd, Dr. Borst, Mr. Clark, Mr. Cottingham, Mr. Gilmer, Mr. Hawkins, Mrs. Nickell*

Proposal No. 586, 1980, was retitled SPECIAL ORDINANCE NO. 33, 1980, and reads as follows:



CITY—COUNTY SPECIAL ORDINANCE NO. 33, 1980

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds (D & E Properties Project)" in the aggregate principal amount of Three Hundred Fifty Thousand Dollars (\$350,000) 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 D & E Properties, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 11, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for D & E Properties and the lease of the economic development facilities to Dodd Electric Service Company (the "User") for warehouse and other use by the User in its operations 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 the Mortgage and Indenture of Trust, Guaranty Agreement, Lease, Conditional Assignment of Lease, Lessee's Consent and Agreement to Conditional Lease Assignment, Loan Agreement, and Promissory Note, (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, the loan of the net proceeds thereof to D & E Properties for the purposes of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by D & E Properties, and the leasing of the economic development facilities to the User for the aforementioned purposes 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. and the proposed lease of the economic development facilities is hereby approved.

SECTION 2. The forms of the Mortgage and Indenture of Trust, Guaranty Agreement, Lease, Conditional Assignment of Lease, Lessee's Consent and Agreement to Conditional Lease Assignment, and Promissory 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 City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds (D & E Properties Project) in the aggregate principal amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the purpose of procuring funds to loan to D & E Properties 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 D & E Properties, on its promissory note in the principal amount of Three Hundred Fifty Thousand Dollars (\$350,000) which will be executed and delivered by D & E Properties to evidence and secure said loan, and as otherwise provided in the

above described Mortgage and Indenture of Trust, Guaranty Agreement, Lease, Conditional Assignment of Lease, Lessee's Consent and Agreement to Conditional Lease 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 Mayor, City-Clerk or City Controller is authorized and directed to sell such Bonds to the purchasers thereof at a stated per annum rate of interest on the Bonds not to exceed sixty-five percent (65%) of the prime commercial lending rate established by The Indiana National Bank at its principal office from time to time, each change in such applicable rate to be effective on the date such change in said prime rate is established, 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 City Controller is authorized to arrange for the delivery of the 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 (D & E Properties 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. 587, 1980. This proposal, authorizing the issuance of economic development bonds for Calderon Bros. Vending Machines, Inc. Project in the amount of \$250,000 received a "do pass" recommendation from the Economic Development Committee by a vote of 3-0. Mr. Tintera expounded on the project, which will consist of the construction of a new 15,000 square foot building to house and provide a facility for maintenance of the vehicles and equipment of Calderon Bros. Vending Machine, Inc., and also provide storage and service in order to allow for expansion of the services performed at the existing plant. The new building will be located at 2646 Brill Road. After discussion, Proposal No. 587, 1980, was adopted on the following roll call vote; viz:

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

NO NOES

5 NOT VOTING: *Mr. Boyd, Dr. Borst, Mr. Clark, Mr. Cottingham, Mr. Gilmer*

Proposal No. 587, 1980, was retitled SPECIAL ORDINANCE NO. 34, 1980, and reads as follows:



CITY-COUNTY SPECIAL ORDINANCE NO. 34, 1980

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1980 (Calderon Bros. Vending Machines, Inc. Project)" in the aggregate principal amount of Two Hundred Fifty Thousand Dollars (\$250,000) 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 Calderon Bros. Vending Machines, 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 November 5, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Calderon Bros. Vending Machines, 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 the Mortgage and Indenture of Trust, Loan Agreement, and Promissory Note, (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, the loan of the net proceeds thereof to Calderon Bros. Vending Machines, Inc. for the purposes of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by Calderon Bros. Vending Machines, Inc. to be evidenced and secured by a promissory note of Calderon Bros. Vending Machines, 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 Loan Agreement, Promissory Note, Mortgage and Indenture of Trust, 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 City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1980 (Calderon Bros. Vending Machines, Inc. Project) in the aggregate principal amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the purpose of procuring funds to loan to Calderon Bros. Vending Machines, 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 Calderon Bros. Vending Machines, Inc. on its promissory note in the principal amount of Two Hundred Fifty Thousand Dollars (\$250,000) which will be executed and delivered by Calderon Bros. Vending Machines, Inc. 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 Mayor, City-Clerk or City Controller is authorized and directed to sell such Bonds to the purchasers thereof at a stated per annum rate of interest on the Bonds not to exceed sixty-five (65%) of the prime commercial lending rate established by American Fletcher National Bank and Trust Company at its principal office from time to time, each change in such applicable rate to be effective on the date such change in said prime rate is established, 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 City Controller is authorized to arrange for the delivery of the 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 Bond shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1980 (Calderon Bros. Vending Machines, 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. 588, 1980. Councillor Tintera outlined this proposal by stating that it authorizes the issuance of economic development bonds for Wulsin Associates Project in the amount of \$2,100,000; it received a "do pass" recommendation from the Economic Development Committee by a vote of 4-0. During discussion, Mr. Tintera commented on the project, which will consist of the acquisition, construction and equipping of an approximate 63,450 square foot office building to include possible retail space to be leased or sub-leased to the general public and the machinery and equipment to be installed therein, to be located at 222 East Ohio Street. Mr. Tintera added that this area has been designated as an urban renewal area and will house the new offices of Health & Hospital Corporation of Marion County. Mr. Tintera requested substitution of the "Committee Recommendation" version of this proposal which incorporates technical amendments; consent for substitution was given. After discussion, Proposal No. 588, 1980, As Amended, was adopted on the following roll call vote; viz:

19 AYES: Dr. Borst, Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Holmes, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Rader, Mrs. Parker, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. West

7 NOES: Mr. Boyd, Mr. Campbell, Mr. Hawkins, Mr. Howard, Mr. Jones, Mr. Page, Mr. Vollmer

3 NOT VOTING: Mrs. Coughenour, Mrs. Journey, Mr. Strader

Proposal No. 588, 1980, As Amended, was then retitled SPECIAL ORDINANCE NO. 35, 1980, and reads as follows:



CITY—COUNTY SPECIAL ORDINANCE NO. 35, 1980

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1980 (Wulsin Associates Project)" in the aggregate principal amount of Two Million One Hundred Thousand Dollars (\$2,100,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Wulsin Associates, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on November 5, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for Wulsin Associates and the leasing or sub-leasing of the economic development facilities to The Health and Hospital Corporation of Marion County and to other Users as general office and retail space 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 the Mortgage and Indenture of Trust, Guaranty Agreement, Lease, Conditional Assignment of Lease and Rentals, Lessee's Consent and Agreement to Conditional Lease Assignments, Loan Agreement and Promissory Note, (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, the loan of the net proceeds thereof to Wulsin Associates for the purposes of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by Wulsin Associates, to be evidenced and secured by a promissory note of Wulsin Associates, and the leasing of the economic development facilities to The Health and Hospital Corporation of Marion County and to other Users as general office and retail space 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, and the proposed lease of the economic development facilities is hereby approved.

SECTION 2. The forms of the Mortgage and Indenture of Trust, Guaranty Agreement, Lease, Conditional Assignment of Lease and Rentals, Lessee's Consent and Agreement to Conditional Lease Assignment, Loan Agreement and Promissory 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 City Controller.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1980 (Wulsin Associates Project), in the aggregate principal amount of Two Million One Hundred Thousand Dollars (\$2,100,000) for the purpose of procuring funds to loan to Wulsin Associates, 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 Wulsin Associates, on its promissory note in the principal amount of Two Million One Hundred Thousand Dollars (\$2,100,000) which will be executed and delivered by Wulsin Associates to evidence and secure said loan, and as otherwise provided in the above described Mortgage and Indenture of Trust, Guaranty Agreement, Conditional Assignment of Lease and Rentals, Lessee's Consent and Agreement to Conditional Lease Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis. It is recognized that the aggregate principal amount of revenue bonds herein authorized may not be sufficient to complete the economic development facilities and that the documents relating to the bond issue permit the issuance of additional bonds from time to time to complete the economic development facilities, to add to the economic development facilities, or to refund such bonds, if refunding such bonds is then permitted by law, at rates more favorable than the rates which are currently available, in that Wulsin Associates is proceeding at this time in contemplation of requesting refunding bonds if more favorable rates become available.

SECTION 4. The Mayor, City-Clerk or City Controller is authorized and directed to sell such Bonds to the purchasers thereof at a stated rate per annum not to exceed sixty-five percent (65%) of the prime commercial lending rate established by American Fletcher National Bank and Trust Company at its principal office from time to time, each change in such applicable rate is established, 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 City Controller is authorized to arrange for the delivery of the 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 (Wulsin Associates 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. 589, 1980. Councillor Tintera stated that this proposal authorizes the issuance of economic development bonds for The Majestic Partnership Project; it received a "do pass as amended" recommendation from the Economic Development Committee by a vote of 4-0. Mr. Tintera moved for substitution of the "Committee Recommendation" version for the introduced version of this proposal, which amends the amount of the project to \$2,000,000, and adds a hearing date of December 11, 1980; consent was given for substitution. This project will primarily rehabilitate the existing ten-story commercial building located at 47 South Pennsylvania Street to be leased or subleased to various users, 40% of which is preleased. The building is listed on the National Registry of Historic Places and will be renovated to restore much of its original facade. Woollen Associates will occupy one floor of the building. Mr. Tintera moved, seconded by Councillor Campbell, for adoption of Proposal No. 589, 1980, As Amended. Proposal No. 589, 1980, As Amended, was then adopted on the following roll call vote; viz:



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

NO NOES

5 NOT VOTING: Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mrs. Nickell, Mrs. Parker

Proposal No. 589, 1980, As Amended, was retitled SPECIAL ORDINANCE NO. 36, 1980, and reads as follows:

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

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1980 (Majestic Partnership Project)" in the aggregate 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 The Majestic Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 11, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities for The Majestic Partnership and the leasing of the economic development facilities to Users as general office and retail space 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 the Mortgage and Indenture of Trust, Guaranty Agreement, Conditional Assignments of Leases and Rentals, Lessees' Consents and Agreements to Conditional Lease Assignments, Loan Agreement and Promissory Note, (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 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, the loan of the net proceeds thereof to The Majestic Partnership, for the purposes of financing the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said loan by The Majestic Partnership and the leasing of the economic development facilities to other Users for general office and retail space 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, and the proposed lease of the economic development facilities is hereby approved.

**SECTION 2.** The forms of the Mortgage and Indenture of Trust, Guaranty Agreement, Conditional Assignments of Leases and Rentals, Lessees' Consents and Agreements to Conditional Lease Assignments, and Promissory 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 City Controller.

**SECTION 3.** The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1980 (Majestic Partnership Project), in the aggregate principal amount of Two Million Dollars (\$2,000,000) for the purpose of procuring funds to loan to The Majestic Partnership 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 The Majestic Partnership on its promissory note in the principal amount of Two Million Dollars (\$2,000,000) which will be executed and delivered by The Majestic Partnership to evidence and secure said loan, and as otherwise provided in the above described Mortgage and Indenture of Trust, Guaranty Agreement, Conditional Assignments of Leases and Rentals, Lessees' Consents and Agreements to Conditional Lease Agreements. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis. It is recognized that the aggregate principal amount of revenue bonds herein authorized may not be sufficient to complete the economic development facilities and that the documents relating to the bond issue permit the issuance of additional bonds from time to time to complete the economic development facilities, to add to the economic development facilities, or to refund such bonds, if refunding such bonds is then permitted by law, at rates more favorable than the rates which are currently available, in that The Majestic Partnership is proceeding at this time in contemplation of the requesting refunding bonds if more favorable rates become available.

**SECTION 4.** The Mayor, City-Clerk or City Controller is authorized and directed to sell such Bonds to the purchasers thereof at a stated per annum rate of interest on the Bonds not to exceed seventy percent (70%) of the prime commercial lending rate established by The Indiana National Bank at its principal office from time to time, each change in such applicable rate to be effective on the date such change in said prime rate is established, 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 City Controller is authorized to arrange for the delivery of the 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 Bond shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1980 (Majestic Partnership 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. 591, 1980. Councillor Tintera reported for the Economic Development Committee that this proposal authorizes the amendment of the form of the Loan Agreement used in the previously authorized Westside Christian Retirement Village, Inc. Project bond issue; it received a "do pass" recommendation by a vote of 4-0. Mr. Tintera explained this amendment by stating that, due to



the construction being ahead of schedule by approximately four months, Westside will need to transfer \$100,000 from their Interest Account to the Construction Account. After discussion, Proposal No. 591, 1980, 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, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

2 NOT VOTING: Mrs. Coughenour, Mrs. Nickell

Proposal No. 591, 1980, was retitled SPECIAL ORDINANCE NO. 37, 1980, and reads as follows:

#### CITY-COUNTY SPECIAL ORDINANCE NO. 37, 1980

A SPECIAL ORDINANCE approving an amendment to the form of Loan Agreement pursuant to which the City of Indianapolis has loaned the proceeds of its "Economic Development First Mortgage Revenue Bonds, Series A (Westside Christian Retirement Village, Inc. Project)", in the aggregate principal amount of Twelve Million Two Hundred Forty-five Thousand Dollars (\$12,245,000) to Westside Christian Retirement Village, Inc., and approving and authorizing the execution and delivery of said Loan Agreement, as amended.

WHEREAS, the Indianapolis Economic Development Commission, after due notice of its meeting conducted on November 5, 1980, adopted a Resolution on that date, which Resolution has been previously transmitted hereto approving the form of Loan Agreement, as amended, and finding that said amended Loan Agreement complies with the purposes and provisions of the Indiana Code 18-6-4.5, and that the amendment will be of benefit to the health and welfare of the City of Indianapolis; now, therefore:

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

SECTION 1. The form of the Loan Agreement, as amended at Section 3.01 (b), to wit:

"(b) A sum shall be deposited in the Interest Account from the proceeds of the Original Bonds, including accrued interest thereon, which shall upon the investment thereof, be sufficient to and would be used to pay interest on the Original Bonds for approximately twenty-eight (28) months."

is hereby approved by this City-County Council of the City of Indianapolis and Marion County, Indiana. Such documents as amended shall be incorporated herein by reference and should be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller.

SECTION 2. The amendment to said Loan Agreement complies with the purposes and provisions of Indiana Code 18-6-4.5 and will be of benefit to the health and welfare of the City of Indianapolis.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, as amended and approved herein, and any other document which may be necessary or desirable to accomplish the effect of said amendment.

**SECTION 4.** This ordinance does not in any way repeal or amend City-County Special Ordinance No. 23, 1980, except to the extent of amending the Loan Agreement previously approved thereby, and this ordinance shall be in full force and effect from and after compliance with the procedure required by Indiana Code 18-4-5-2.

PROPOSAL NO. 608, 1980. President SerVaas opened debate on this proposal which was held out for public hearing at the last meeting of the Council. This proposal is for a Rezoning Ordinance, Docket Number 80-AO-2, certified from the Metropolitan Development Commission on November 20, 1980, which defines and establishes dwelling suburban district regulations, along with group home requirements. Mr. Nick Shelley, Director of Planning and Zoning, stated that this was, in his estimation, the Commission's best effort to comply with the State statutes associated with the zoning of group homes and dwelling district regulations. Mr. John Ryan, Corporation Counsel, stated that the definition found in this Docket complies with the State law and is constitutionally sound. After brief discussion and contemplation as to the correct square footage permissible to house persons living in the group homes, Councillor Tintera moved, seconded by Councillor West, the following amendment:

#### CITY-COUNTY COUNCIL MOTION

**Mr. President:**

I move to amend Proposal No. 608, 1980, by deleting in Section 2.19 Definitions, 29. Group Home, the words "by the Indiana, Federal, or local government agency having jurisdiction" and substituting in lieu thereof, the words "pursuant to IC 16-10.2.1".

**Councillor Tintera**

A roll call vote was then taken on Mr. Tintera's motion to amend. The amendment was then adopted on the following roll call vote; viz:

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

2 NOES: Dr. Borst, Mrs. Journey

2 NOT VOTING: Mrs. Brinkman, Mr. Durnil

After further lengthy discussion, Proposal No. 608, 1980, As Amended, was defeated on the following roll call vote; viz:



4 AYES: Mr. Boyd, Mrs. Journey, Mr. Tintera, Mr. West

24 NOES: 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, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schnieder, Mr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer

1 NOT VOTING: Mr. Howard

Mr. Shelley was advised and expressed his commitment to revise and further amend this proposal before it comes back to the Council for adoption again.

PROPOSAL NO. 594, 1980. Councillor West reported for the Public Safety and Criminal Justice Committee that this proposal authorizes changes in the personnel compensation schedule of the Marion County Superior Court, Juvenile Division; it received a "do pass" recommendation from the Committee by a vote of 6-0. This ordinance transfers \$2,000 from Temporary Help and increases Jury Per Diem by that amount, and does not affect the total level of the budget. After discussion, Mr. West moved, seconded by Councillor Tintera, for adoption. Proposal No. 594, 1980, was then adopted on the following roll call vote; viz:

24 AYES: Dr. Borst, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

5 NOT VOTING: Mr. Boyd, Mrs. Brinkman, Mr. Gilmer, Mr. Hawkins, Mr. Howard

Proposal No. 594, 1980, was retitled FISCAL ORDINANCE NO. 143, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 143, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Superior Court, Juvenile Division.

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

SECTION 1. Section 2.03 (b) of the City-County Fiscal Ordinance No. 106, 1979, be amended by deleting the crosshatched portions and adding the new amounts herein:

(b) (4) JUVENILE DIVISION			
PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Jury Per Diem			<del>\$8,000</del> \$10,000
Temporary Help			<del>\$23,000</del> \$23,000
SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.			

PROPOSAL NO. 595, 1980. This proposal transfers \$300 in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 2, funding the purchase of office equipment and furniture for the court. Mr. West added that it received a "do pass" recommendation from the Public Safety and Criminal Justice Committee by a vote of 6-0. These moneys will enable the court to purchase dictaphone equipment which would back-up courtroom hearings. After discussion, Mr. West moved for adoption, seconded by Councillor Hawkins. Proposal No. 595, 1980, was adopted on the following roll call vote; viz:

24 AYES: Dr. Borst, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NOES

5 NOT VOTING: Mr. Boyd, Mrs. Brinkman, Mr. Gilmer, Mr. Hawkins, Mr. Howard

Proposal No. 595, 1980, was retitled FISCAL ORDINANCE NO. 144, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 144, 1980**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Three Hundred dollars (\$300) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division, Room 2, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for the purchase of office equipment and furniture for the court.

SECTION 2. The sum of Three Hundred dollars (\$300) 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:

MARION COUNTY SUPERIOR COURT	COUNTY GENERAL
CRIMINAL DIVISION, ROOM 2	FUND
50. Properties	<u>\$300</u>
TOTAL INCREASES	<u>\$300</u>

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

MARION COUNTY SUPERIOR COURT	COUNTY GENERAL
CRIMINAL DIVISION, ROOM 2	FUND
21. Contractual Services	<u>\$300</u>
TOTAL REDUCTIONS	<u>\$300</u>

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

PROPOSAL NO. 596, 1980. This proposal transfers \$21,600 in the County General Fund for the Marion County Sheriff's Department for the purchase of twelve ten-frequency capability motorcycle radios; it received a "do pass" recommendation from the Public Safety and Criminal Justice Committee by a vote of 7-0. During discussion, it was brought out that this will enable the Sheriff's Department to begin its campaign to equip its motorcycles with the same forms of communication capabilities as the cars. After brief discussion, Mr. West moved, seconded by Councillor Hawkins, for adoption of this proposal. Proposal No. 596, 1980, was then adopted 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. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NOES

5 NOT VOTING: *Mr. Boyd, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Strader*

Proposal No. 596, 1980, was retitled FISCAL ORDINANCE NO. 145, 1980, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 145, 1980**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Twenty-one Thousand Six Hundred dollars (\$21,600) in the County General Fund for purposes of the Marion County Sheriff's Department, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for the purchase of twelve ten-frequency capability motorcycle radios to replace existing ten to fifteen year old radios with only two frequencies.

SECTION 2. The sum of Twenty-one Thousand Six Hundred dollars (\$21,600) 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:

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
50. Properties	<u>\$21,600</u>
TOTAL INCREASES	\$21,600

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
21. Contractual Services	<u>\$21,600</u>
TOTAL REDUCTIONS	\$21,600

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

PROPOSAL NOS. 597-599, 1980. Councillor McGrath requested that these proposals for routine traffic ordinances, all receiving "do pass" recommendations by votes of 6-0 by the Transportation Committee, be heard jointly; consent was given. Mr. McGrath outlined each proposal, stating that Proposal Nos. 597 and 598 provide for intersection control changes in certain subdivisions and directional controls for certain streets in College Park Estates, respectively. Proposal No. 599, 1980, restricts load limits on W. 25th Street; all of these proposals received approval of the Department of Transportation. After brief discussion, Proposal Nos. 597-599, 1980, were adopted on the following roll call vote; viz:

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

NO NOES

4 NOT VOTING: *Mr. Boyd, Mr. Gilmer, Mr. Hawkins, Mr. Howard*

Proposal Nos. 597-599, 1980, were retitled GENERAL ORDINANCE NOS. 94-96, 1980, respectively, and read as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 94, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by providing for intersection control changes in six new subdivisions.(Amends Code Sec. 29-92).

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



SECTION 1. The "Code of Indianapolis and Marion County, Indiana" specifically Chapter 29, Section 29-92, Schedule of intersection control, be, and the same is hereby amended by the addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
15, Pg. 2	Waterfront Pky. W. Dr. & Crawfordsville Rd.	Crawfordsville Rd.	Stop
15, Pg. 2	Waterfront Dr. & Waterfront Pky., W. Dr.	Waterfront Pky., W. Dr.	Stop
15, Pg. 2	Waterfront Pky., E. Dr. & Crawfordsville Rd.	Crawfordsville Rd.	Stop
27, Pg. 3	Edmondson St. & Perry Ct.	Edmondson St.	Yield
27, Pg. 3	Edmondson St. & Shelley Ct.	Edmondson St.	Yield
29, Pg. 2	Summitcrest Dr. & Balmoral Rd.	Balmoral Rd.	Stop
29, Ph. 2	Summitcrest Dr. & Westdrum Rd.	Summitcrest Dr.	Stop
29, Pg. 2	Westdrum Rd. & Kokomo Ln.	Kokomo Ln.	Stop
29, Pg. 1	Balmoral Rd. & Kokomo Ln.	Kokomo Ln.	Stop
29, Pg. 2	Stonewall Dr. & Bridgeport Rd.	Bridgeport Rd.	Stop
29, Pg. 2	Lighthorse Dr. & Stonewall Dr.	Stonewall Dr.	Stop
29, Pg. 2	Spring Valley Dr. & Stonewall Dr.	Stonewall Dr.	Stop
48, Pg. 1	Woodford Ln. & Breeds Hill Dr.	Woodford Ln.	Stop
48, Pg. 1	Valley Forge Ln., Valley Forge Ct. & Breeds Hill Dr.	Breeds Hill Dr.	Stop
48, Pg. 1	Valley Forge Ln. & Shelbyville Rd.	Shelbyville Rd.	Stop
48, Pg. 1	Revere Ln. & Stearns Hill Dr.	Stearns Hill Dr.	Stop
48, Pg. 1	Woodford Ln. & Stearns Hill Dr.	Stearns Hill Dr.	Stop
48, Pg. 1	Stop 11 Rd. & Inverness Dr.	Stop 11 Rd.	Stop
48, Pg. 1	Inverness Ct. & Inverness Dr.	Inverness Dr.	Stop
48, Pg. 1	Inverness Way & Inverness Dr.	Inverness Dr.	Stop
48, Pg. 1	Five Points Rd. & Dornock Way	Five Points Rd.	Stop
48, Pg. 1	Dornock Dr. & Dornock Way	Dornock Dr.	Stop
48, Pg. 1	Ardwell Ct., Ardwell Dr. & Muirfield Way	Muirfield Way	Stop
48, Pg. 1	Dornock Dr. & Muirfield Way	Dornock Dr.	Stop
48, Pg. 1	Ardwell Dr. & Turnberry Way	Turnberry Way	Stop
48, P. 1	Troon Way, Dornock Dr. & Turnberry Way	Turnberry Way	Stop
48, Pg. 1	Gordon Way & Dornock Dr.	Dornock Dr.	Stop
48, Pg. 1	Turnberry Way & Five Points Rd.	Five Points Rd.	Stop

**SECTION 2.** Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations of the sections amended by this ordinance.

**SECTION 3.** This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

**CITY—COUNTY GENERAL ORDINANCE NO. 95, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by providing for intersection control changes and directional control for certain streets in College Park Estates (Amends Code Sec. 29-92).

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

**SECTION 1.** The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-92, Schedule of intersection control, be, and the same is hereby amended by the addition of the following, to wit:

<b>BASE MAP</b>	<b>INTERSECTION</b>	<b>PREFERENTIAL</b>	<b>TYPE OF CONTROL</b>
3, Pg. 3	Grinnell St. & Amherst St.	Amherst St.	Stop
3, Pg. 3	Grinnell St. & Holyoke Ct.	Grinnell St.	Stop
3, Pg. 3	Grinnell St. & Oglethorpe Ct.	Grinnell St.	Stop
3, Pg. 2	Colgate St. & Rollins Ct.	Colgate St.	Stop
3, Pg. 2	Colgate St. & Stanford Ct.	Colgate St.	Stop
3, Pg. 1	Amherst St. & Fordham St.	Amherst St.	Stop

**SECTION 2.** The "Code of Indianapolis and Marion County, Indiana", specifically Chapter 29, Section 29-167, subsection (e), Direction of Travel on certain alleys, diagonal streets and circles, be, and the same is hereby amended by the addition of the following, to wit:

(e): on the following circular streets, traffic shall move in a counterclockwise direction only:

Holyoke Ct.  
Oglethorpe Ct.  
Rollins Ct.  
Stanford Ct.

**SECTION 3.** Violations of this ordinance shall be subject to those penalties now provided in the "Code of Indianapolis and Marion County, Indiana" for violations of the sections amended by this ordinance.

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

**CITY—COUNTY GENERAL ORDINANCE NO. 96, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by restricting truck weight limits on a portion of W. 25th Street (Amends Code Sec. 29-224).

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



**SECTION 1.** The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, section 29-224, Trucks on certain streets restricted be, and the same is hereby amended by the addition of the following, to wit:

**11,000 POUNDS GROSS WEIGHT**  
Twenty-fifth Street, from Harding Street  
to Burton Avenue

**SECTION 2.** 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.

**SECTION 3.** This ordinance shall be in full force and effect from and after its adoption and compliance with IC 18-4-5-2.

PROPOSAL NO. 600, 1980. Councillor McGrath reported for the Transportation Committee that this proposal, sponsored by Councillor Miller, received a "do pass" recommendation from the Committee by a vote of 6-0. It amends the "Code of Indianapolis and Marion County, Indiana", Section 29-295, dealing with charges for parking in parking metered zones. This proposal, if adopted, will increase the rates outside the the downtown area for parking in parking metered zones from five cents to ten cents, and inside the downtown area the fees will be increased from ten cents to twenty cents per half hour of parking, resulting in increased generated revenue to be used on such projects as sidewalks, curb repair and re-surfacing near parking meter areas. After discussion, Proposal No. 600, 1980, was adopted on the following roll call vote; viz:

18 AYES: Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Jones, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. West

8 NOES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mr. Hawkins, Mrs. Journey, Mr. Page, Mr. Strader, Mr. Vollmer

3 NOT VOTING: Mrs. Brinkman, Mr. Gilmer, Mr. Howard

Proposal No. 600, 1980, was retitled GENERAL ORDINANCE NO. 97, 1980, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 97, 1980**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-295, dealing with charges for parking in any parking meter zone.

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

SECTION 1. Chapter 29 of the "Code of Indianapolis and Marion County, Indiana", specifically, Section 29-295, Charges for parking, be, and the same is hereby amended by deleting the words crosshatched and inserting the words underlined as follows, to wit:

Sec. 29-295. Charges for parking.

The general rule in all areas to which this division shall be applicable, subject only to such specific exceptions as are set out elsewhere in this Code, shall be that the charge for parking in any parking meter zone or space where a parking meter has been installed and is in operation shall be at the rate of ~~ten~~ ten cents (~~10.00~~) (\$0.10) each half-hour or fraction thereof, for the maximum period of time applicable to each meter location; provided, however, in the area bounded by East Street on the east, South Street on the south, West Street on the west, and Interstate Route No. 65 on the north, the charge for parking in any parking meter zone or space where a parking meter has been installed and is in operation shall be at the rate of ~~twenty~~ twenty cents (~~20.00~~) (\$0.20) for each half-hour or fraction thereof, for the maximum period of time applicable to each meter location.

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

PROPOSAL NO. 615, 1980. Councillor West stated that this proposal transfers \$2,680 in the County General Fund for purposes of the Marion County Superior Court, Probate Division, for the replacement of a copy machine; it received a "do pass" recommendation from the Public Safety and Criminal Justice Committee. After brief discussion, Mr. West moved, seconded by Councillor Clark, for adoption of Proposal No. 615, 1980. Proposal No. 615, 1980, was then adopted on the following roll call vote; viz:

23 AYES: Mr. Boyd, Dr. Borst, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mr. Strader, Mr. Vollmer, Mr. West  
NO NOES

6 NOT VOTING: Mrs. Brinkman, Mr. Cottingham, Mr. Gilmer, Mr. Howard, Mrs. Stewart, Mr. Tintera

Proposal No. 615, 1980, was retitled FISCAL ORDINANCE NO. 146, 1980, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 146, 1980

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1980 (City-County Fiscal Ordinance No. 106, 1979) transferring and appropriating Two Thousand Six Hundred Eighty dollars (\$2,680) in the County General Fund for purposes of the Marion County Superior Court, Probate Division, 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 the expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1980, be, and is hereby amended by the increases and reductions hereinafter stated for the purpose of providing funds for the replacement of a copy machine. The current copier is old and requires frequent repair.

SECTION 2. The sum of Two Thousand Six Hundred Eighty Dollars (\$2,680) 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:

MARION COUNTY SUPERIOR COURT, PROBATE DIVISION	COUNTY GENERAL FUND
50. Properties	\$2,680
TOTAL INCREASES	\$2,680

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

MARION COUNTY SUPERIOR COURT, PROBATE DIVISION	COUNTY GENERAL FUND
10. Personal Services	\$1,680
24. Current Charges	1,000
TOTAL REDUCTIONS	\$2,680

SECTION 5. Section 2.03(b) of the City-County Fiscal Ordinance No. 106, 1979, be, and the same is hereby amended by deleting the crosshatched portions and adding the new amounts herein, as follows:

(5) SUPERIOR COURT — PROBATE DIVISION

PERSONNEL CLASSIFICATION	MAXIMUM NUMBER	MAXIMUM SALARY	MAXIMUM PER CLASSIFICATION
Court Attorney	1	\$12,100	\$12,100
Guardianship and Estate Clerk	2	10,285	20,570
Adoption Clerk	1	10,285	10,285
Hearing Judge	1	31,350	31,350
Commissioner	4	23,100	49,385
Court Reporter	2	15,000	30,000
Bailiff	1	11,500	11,500
Court Administrator	1	6,500	6,500
Jury Per Diem			2,500
Temporary Help			2,000
Vacancy Factor			(1,680)

The official responsible for hiring and fixing salaries for this office shall limit the number of personnel or the salaries or both so that the total salaries paid shall not exceed the amount of the total personal services appropriation of ~~\$185,490~~ \$184,010.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 18-4-5-2.

PROPOSAL NOS. 644-647, 1980. No action was taken by the Council on these proposals, they were retitled REZONING ORDINANCE NOS. 162-165, 1980, respectively, and read as follows:

REZONING ORDINANCE NO. 162, 1980 80-Z-172 WARREN TOWNSHIP  
 COUNCILMANIC DISTRICT NO. 13  
 802 SOUTH FRANKLIN ROAD, INDIANAPOLIS  
 Christian Tabernacle, Inc., by Rev. Paul Jordan, requests rezoning of 12.00 acres, being in D-6 district, to SU-1 classification, to permit church use.

REZONING ORDINANCE NO. 163, 1980 80-Z-174 WAYNE TOWNSHIP  
 COUNCILMANIC DISTRICT NO. 18  
 104 NORTH ROENA STREET, INDIANAPOLIS  
 Edwin C.J. Ristow, by Tim D. Mosby, requests rezoning of 10.01 acres, being in A-1 district, to C-ID classification, to provide for commercial-industrial uses.

REZONING ORDINANCE NO. 164, 1980 80-Z-189 A DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19

3641 SOUTH LYNHURST DRIVE, INDIANAPOLIS

Elden J. Cox, 3750 Kentucky Ave., by Lloyd DeWester, requests rezoning of 2.30 acres, being in C-7 and SU-15 districts, to SU-15 classification, to provide for animal research laboratory and commercial use.

REZONING ORDINANCE NO. 165, 1980 80-Z-198 B DECATUR TOWNSHIP  
COUNCILMANIC DISTRICT NO. 19

3643 SOUTH LYNHURST DRIVE, INDIANAPOLIS

Elden J. Cox, 3750 Kentucky Avenue, by Lloyd DeWester, requests rezoning of 0.91 acre, being in SU-15 district, to C-7 classification, to conform parcel to surrounding commercial zoning.

ANNOUNCEMENTS AND ADJOURNMENT

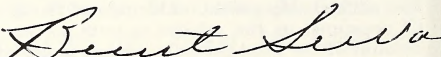
Mr. Vollmer announced the re-election of Rozelle Boyd as Minority Leader and submitted a petition to the Clerk in support of the same.

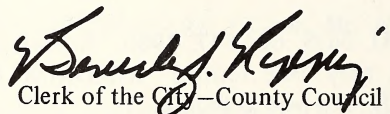
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:48 p.m.

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 December, 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)