

**CITY—COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, October 26, 1981**

A Regular Meeting of the City—County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City—County Building, at 7:17 p.m., Monday, October 26, 1981. President SerVaas in the Chair. Mrs. Beulah Coughenour opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

PRESENT: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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

ABSENT: Mr. Gilmer, Mr. Miller

OFFICIAL COMMUNICATIONS

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

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

Ladies and Gentlemen:

You are hereby notified that there will be a **REGULAR MEETING** of the City—County Council held in the City—County Building, in the Council Chambers, on Monday, October 26, 1981, 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:

Purasant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on October 15 and 22, 1981 a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 446, 447, 451, 452, and 449, 1981, to be held on Monday, October 26, 1981, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

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

Ladies and Gentlemen:

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

FISCAL ORDINANCE NO. 86, 1981, amending the City—County Annual Budget for 1981, and appropriating an additional eleven thousand eight hundred dollars in the Park General Fund for purposes of the Community Recreation Division, Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund.

FISCAL ORDINANCE NO. 87, 1981, amending the City-County Annual Budget for 1981, and appropriating an additional one hundred fifty thousand dollars in the Park General Fund for purposes of the Administration Division, Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund.

GENERAL ORDINANCE NO. 88, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 89, 1981, 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.

GENERAL ORDINANCE NO. 90, 1981, amending the "Code of Indianapolis and Marion County, Indiana," Chapter 29, Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 91, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 92, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, and Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 93, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, and Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 94, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 95, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 96, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29-283, 29-271 and 29-267.

GENERAL ORDINANCE NO. 97, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, and Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 98, 1981, amending 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.

GENERAL ORDINANCE NO. 99, 1981, amending the "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-331, Passenger and materials loading zones.

SPECIAL ORDINANCE NO. 31, 1981, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond, Series 1981 (Frederick E. Meyer and John R. Meyer Project)," in the principal amount of four hundred thousand dollars and approving and authorizing other actions in respect thereof.

SPECIAL RESOLUTION NO. 69, 1981, in memorial of James Manfred Core.

SPECIAL RESOLUTION NO. 75, 1981, honoring James C. Cummings, Jr.

SPECIAL RESOLUTION NO. 76, 1981, honoring Art Blakley.

SPECIAL RESOLUTION NO. 77, 1981, recognizing the problems and supporting work towards a solution to the problems of maintaining records of the Marion County Clerk.

SPECIAL RESOLUTION NO. 78, 1981, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 79, 1981, 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. 510, 1981. Introduced by Councillor SerVaas. This proposal authorizes appeals to the State Board of Tax Commissioners for an increase in the

tax rate and levy for the Consolidated City and County. Councillor SerVaas read the proposal and moved for its adoption, seconded by Councillor Tintera. Council consent was given. Proposal No. 510, 1981, was retitled SPECIAL RESOLUTION NO. 85, 1981, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 85, 1981

A SPECIAL RESOLUTION authorizing the officers of the Consolidated City of Indianapolis and Marion County to appeal to the State Board of Tax Commissioners for an increase in the tax rate and levy as fixed by the County Board of Tax Adjustment and for an approval of a tax rate and levy sufficient to fund certain appropriations as originally submitted to the Marion County Board of Tax Adjustment.

WHEREAS, on October 20, 1981, the Marion County Board of Tax Adjustment modified and reduced the budgets of Marion County for the calendar year, 1982; and

WHEREAS, unless the tax rate and levy are increased to provide funding for the budgets as submitted to the Marion County Board of Tax Adjustment, the County, the Consolidated City and those agencies whose budgets are approved by the City—County Council will have insufficient funds to carry out their governmental functions during the calendar year 1982; and

WHEREAS, the County and the Consolidated City may appeal to the State Board of Tax Commissioners the decision of the County Board of Tax Adjustment by filing a statement of objections with the State Board of Tax Commissioners within ten days after publication by the County Board of Tax Adjustment of the notice of tax rates; and

WHEREAS, the City—County Council must authorize the filing of the statement of objections by adopting a resolution; now, therefore:

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

SECTION 1. The Mayor of the City and the President of the City—County Council are hereby authorized to prepare and file a statement of objections with the State Board of Tax Commissioners, thereby appealing for an increase in the tax rate and levy relevant to all budgets adopted or approved by the City—County Council in a manner which is sufficient to fund those budgets as originally submitted to the Marion County Board of Tax Adjustment.

SECTION 2. The Mayor of the City and the President of the City—County Council are hereby authorized to prepare and file a statement of objections with the State Board of Tax Commissioners, thereby appealing for a reestablishment of all budgets adopted or approved by the City—County Council as originally submitted to the Marion County Board of Tax Adjustment.

SECTION 3. The Mayor of the City and the President of the City—County Council are hereby authorized to execute such documents and furnish such information as may be necessary or proper to initiate and prosecute the appeal authorized by this Resolution.

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

PROPOSAL NO. 518, 1981. This proposal requests the Center Township Trustee to allow an employee of the County Auditor's Office full access to the office in order to evaluate the distribution of funds for poor relief. Councillor Tintera requested that this proposal be discussed with companion Proposal No. 434, 1981. Consent was given and the President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

INTRODUCTION OF GUESTS

Councillor Vollmer introduced Joe Kerr, a senior from Brebeuf Preparatory School.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 470, 1981. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$17,500 for the Director, Department of Administration, for purposes of providing funds for a study to burn high sulfur coal"; and the President referred it to the Administration Committee.

PROPOSAL NO. 471, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$3,442 for the Marion County Surveyor for purposes of purchasing cornerstone survey markers to replace old markers"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 472, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$3,021 for the Decatur Township Assessor to purchase postage"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 473, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Wolverine World Wide, Inc. in the amount of \$1,500,000". Councillor Tintera requested that this proposal be advanced on the agenda. Consent was given and the President referred it to the Committee of the Whole to be heard under Modification of Special Orders.

PROPOSAL NO. 474, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of \$1,750,000 Economic Development Revenue Bonds, for Metal Service and Supply, Inc.". Councillor Tintera requested that this proposal be advanced on the agenda. Consent was given and the President referred it to the Committee of the Whole to be heard under Modification of Special Orders.

PROPOSAL NO. 475, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Wulsin Associates in the amount of \$2,500,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 476, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Majestic Partnership Project in the amount of \$2,300,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 477, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Canal Commons Associates in the amount of \$6,000,000"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 478, 1981. Introduced by Councillor Holmes. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Section 7-75, dealing with fishing in Eagle Creek Reservoir from the Lafayette Road Bridge"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 479, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$10,000 for the Circuit Court for remodeling"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 480, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$3,600 for the Marion County Jury Pool to employ a Superintendent to administer the Jury Pool Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 481, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$100,000 for the Marion County Jury Pool to provide funds for unexpected increases created by the additional criminal courts and several criminal trials"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 482, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code, Section 29-331, Passenger and material loading zones on New Jersey Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 483, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE designating portions of 7th and Walnut Streets as one-way"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 484, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE designating a portion of Oakland Street as one-way"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 485, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE repealing a portion of Section 29-266 pertaining to Special parking privileges for certain persons or vehicles in certain locations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 486, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE designating a portion of Cruse Street as one-way and changing intersection controls"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 487, 1981. Introduced by Councillor McGrath. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE prohibiting stopping, standing and parking on a portion of Whittier Place"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 488, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$100 to allow purchase of supplies by the Probation Department"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 489, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$710 for Law Library to purchase supplies, postage and subscriptions"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 490, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$133,748 for Marion County Sheriff for the payments of deputy 1st year, educational bonus for deputies, purchase of new equipment and for criminal investigation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 491, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$35,000 in the Juvenile Division to overhaul the air conditioner at the Court building"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 492, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$874 in the Family Relations Division for contractual consultants, supplies, computer scoring of psychological tests and subscriptions"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 493, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$7,596 for the Superior Court, Probate Division, to purchase equipment and furniture for the Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 494, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$75,000 to Municipal Court for Contractual Services, Current Charges and Properties"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 495, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,347 to Superior Court, Civil Division, Room 5, for supplies, jury meals, furniture and machine rental"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 496, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$52,943 for the County Prosecutor to provide funds for U.S. Marshall fees, data processing costs, and office furniture"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 497, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$7,159 to Superior Court, Criminal Division, Room 5, to provide for postage, phones, equipment repair, stationery, copy machine and court remodeling"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 498, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$7,287 for the Marion County Prosecutor, Child Support Division, to reduce the vacancy factor and purchase supplies"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 499, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,000 for the Marion County Superior Court, Civil Division, Room 1, to provide funds for lodging, jury meals and jurors per diem fees"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 500, 1981. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$2,183 for Superior Court, Civil Division, Room 2, to provide funds for continued Court business, purchase a memory typewriter and tapes"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 501, 1981. Introduced by Councillor Parker. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,062 to Cooperative Extension Service for purchase of paper goods; adjusts personnel schedule"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 502, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$32,000 for the Marion County Auditor for insurance premiums and to supplement funds available for residents in State institutions"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 503, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$1,000 to provide the Perry Township Assessor with supplies"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 504, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$750 for the Washington Township Assessor to purchase chairs and pay Building Authority for electrical and telephone outlets"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 505, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring

\$20,000 for Information Services Agency for moving expenses, management assisting software and additional office furniture"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 506, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$5,000 for the Marion County Treasurer to purchase a microfiche printer-reader and for contracting personnel"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 507, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$11,350 for the Marion County Clerk to provide funds for microfilming and to purchase a computer register for the Juvenile Center"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 508, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$20,000 for Voter's Registration to provide for equipment"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 509, 1981. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$20,000 for the County Clerk for purposes of purchasing a cash register for traffic violations"; and the President referred it to the County and Townships Committee.

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 proposals may be introduced, although not timely submitted under the Rules.]

PROPOSAL NO. 510, 1981. This proposal authorizing appeals to the State Board of Tax Commissioners for an increase in the tax rate and levy for the Consolidated City and County, was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled SPECIAL RESOLUTION NO. 85, 1981.

PROPOSAL NO. 511, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Realty Investment Limited in the amount of \$1,925,000". Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given and the President referred it to the Committee of the Whole to be heard later in this portion of the agenda.

PROPOSAL NO. 512, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Washington Street Associates in the amount of \$1,713,000". Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given and the President referred it to the Committee of the Whole to be heard later in this portion of the agenda.

PROPOSAL NO. 513, 1981. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to Economic Development Bonds for Meridian Partners in the amount of \$5,810,000". Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given and the President referred it to the Committee of the Whole to be heard later in this portion of the agenda.

PROPOSAL NOS. 514-517, 1981. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for REZONING ORDINANCES certified from the Metropolitan Development Commission on October 22, 1981". Council consent was given. Proposal Nos. 514-517, 1981, were retitled REZONING ORDINANCE NOS. 120-123, 1981, respectively, and read as follows:

**REZONING ORDINANCE NO. 120, 1981 81-Z-156 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

8202 SOUTH EMERSON AVENUE, INDIANAPOLIS

R.J. Realty, Inc., by Michael J. Kias, requests rezoning of 40.00 acres, being in D-3 district, to D-12 classification, to provide for platting for two-family residence development.

**REZONING ORDINANCE NO. 121, 1981 81-Z-94 PERRY TOWNSHIP
COUNCILMANIC DISTRICT NO. 25**

8320 MADISON AVENUE, INDIANAPOLIS

Pioneer National Title Insurance, by Michael J. Kias, requests rezoning of 4.41 acres, being in D-6 district, to C-1 classification, to provide for business and professional office use.

**REZONING ORDINANCE NO. 122, 1981 81-Z-113 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13**

8809 EAST WASHINGTON STREET, INDIANAPOLIS

Carl R. and Imogene M. Myers, by Charles Pfeiffer, request rezoning of 2.02 acres, being in D-2 district, to C-5 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 123, 1981 81-Z-116 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 11
3601 EAST 38TH STREET, INDIANAPOLIS**

Frank DuPras, d/b/a Trade Show Association & Union Oil of California, by Howard DeTrude, request rezoning of 0.17 acre, being in D-5 district, to C-3 classification, to provide for commercial use.

PROPOSAL NO. 473, 1981. This proposal authorizes proceedings with respect to Economic Development Bonds for Wolverine World Wide, Inc. in the amount of \$1,500,000. Councillor Tintera stated that the Economic Development Committee approved this proposal on October 22, 1981. Wolverine World Wide, Inc. is the parent company for Indianapolis Glove Company, which is presently located in the Lockerbie Square area and plans to relocate in Park Fletcher in an approximate 100,000 square foot building at 5820-32 Fortune Circle, West Drive. Councillor Tintera stated that Wolverine World Wide, Inc. had looked at other cities to relocate, but they will stay in Indianapolis and retain the 100 jobs if the Company receives revenue bonds to purchase and renovate the building. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 473, 1981, was adopted on the following roll call vote; viz:

26 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

3 NOT VOTING: *Mr. Clark, Mr. Gilmer, Mr. Miller*

Proposal No. 473, 1981, was retitled SPECIAL RESOLUTION NO. 80, 1981, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 80, 1981

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 I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Wolverine World Wide, Inc., or its designee (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 to be an approximately 100,000 square foot building which will be purchased and renovated to be used by the Company for their offices and as a warehouse for their glove operations, and the machinery and equipment to be installed therein, to be located at 5820-32 Fortune Circle West Drive, Indianapolis, Indiana, on approximately 7 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 4 additional jobs at the end of one year and 5 additional jobs at the end of three years) plus the saving of the existing 100 jobs in Indianapolis to be achieved by the acquisition, renovation 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, renovation and equipping 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 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 amount not to exceed \$1,500,000 under the Act to be privately placed for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to the Company or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation 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, renovation 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.

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

PROPOSAL NO. 474, 1981. This proposal authorizes the issuance of \$1,750,000 Economic Development Revenue Bonds for Metal Service and Supply, Inc. The Economic Development Committee approved this proposal on October 22, 1981. Councillor Tintera stated that Merchants Bank will be the purchaser and trustee for the bonds, which will be used by Metal Service and Supply, Inc. to construct an approximate 20,000 square foot expansion to the current structure located at 916 Harrison Street. He reported that the principal amount will be amortized commencing January 1, 1985, at a level rate with the last principal payment due in 1996.

Interest on the bonds will be at a rate of 12% per annum from the date of issuance through 1984, and then at a rate of 65% of Merchants National Bank prime through 1996. Councillor Tintera moved, seconded by Councillor Cottingham, for adoption. Proposal No. 474, 1981, was adopted on the following roll call vote; viz:

23 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Cottingham, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

6 NOT VOTING: *Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Gilmer, Mr. Miller*

Proposal No. 474, 1981, was retitled SPECIAL ORDINANCE NO. 32, 1981, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 32, 1981

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1981 (Metal Service and Supply, Inc. Project)", in the principal amount of One Million Seven Hundred and Fifty Thousand Dollars (\$1,750,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Metal Service and Supply, 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 October 23, 1981, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Metal Service and Supply, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 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, and Mortgage and Indenture of Trust and Promissory Note, (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12) 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 the City—County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Metal Service and Supply, 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 Metal Service and Supply, Inc. to be evidenced and secured by a promissory note of Metal Service and Supply, 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 36-7-12.

SECTION 2. The forms of the Loan Agreement, and Mortgage and Indenture of Trust 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 36-7-12) 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. Two (2) copies of the Financing Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1981 (Metal Service and Supply, Inc. Project) in the principal amount of One Million Seven Hundred and Fifty Thousand Dollars (\$1,750,000) for the purpose of procuring funds to loan to Metal Service and Supply, 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 Metal Service and Supply, Inc. on its promissory note in the principal amount of One Million Seven Hundred and Fifty Thousand Dollars (\$1,750,000) which will be executed and delivered by Metal Service and Supply, 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 City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser thereof at a stated per annum rate of interest on the Bonds not to exceed twelve percent (12%) per annum to October 1, 1984, and thereafter not to exceed sixty-five percent (65%) of the prime commercial lending rate publicly announced by Merchants National Bank & Trust Company of Indianapolis at its principal office, each change in said prime rate to be effective on the first payment date following the change in said prime rate, or such higher rate as may be provided for in the Mortgage and Indenture of Trust, 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 the City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser 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 Revenue Bonds, Series 1981 (Metal Service and Supply, 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 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 IC 36-3-4-14.

PROPOSAL NO. 511, 1981. This proposal authorizes proceedings with respect to Economic Development Bonds for Realty Investment Limited in the amount of \$1,925,000, and received a "Do Pass" from the Economic Development Committee on October 22, 1981. Councillor Tintera reported that Stewart Bainum, Chairman of the Board and principal stockholder of Manor Care, Inc., will be the general partner in Proposal Nos. 511, 512 and 513, 1981, all of which are limited partnerships. Realty Investment Limited plans to purchase the existing vacant Lombard Building located at 22-24 East Washington Street for \$325,000. Once renovated,

there will be commercial space on the first floor and the remaining floors will serve as office space. Councillor Tintera added that Martin Miller is the President of Realty Investment, Inc. He then moved, seconded by Councillor Brinkman, for adoption. Proposal No. 511, 1981, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Mr. Gilmer, Mr. Miller, Mr. Rader

Proposal No. 511, 1981, was retitled SPECIAL RESOLUTION NO. 81, 1981, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 81, 1981

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 I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Realty Investment Limited, a limited partnership, or another entity in which Stewart Bainum will be a general partner (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 to be the acquisition, renovation and equipping of the Lombard Building containing approximately 43,936 square feet and the machinery and equipment to be installed therein, located at 22-24 East Washington Street on approximately 7,692 square feet of land, Indianapolis, Indiana, for the purpose of commercially leasing units in such building to various users (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 4 additional jobs at the end of one year and 4 additional jobs at the end of three years) plus the creation of approximately 30 temporary construction jobs in Indianapolis to be achieved by the acquisition, renovation, equipping and leasing 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 and leasing of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, renovation, equipping and 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 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 amount not to exceed \$1,925,000, however, not to exceed eighty-five percent (85%) of the total cost of the project, under the Act to be privately placed and the Project to be designated as an Urban Development Area for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Realty Investment Limited, a limited partnership, or another entity in which Stewart Bainum will be a general partner (the "Company"), or the loaning of the proceeds of such financing to the Company for such purposes and the leasing of the Project to various users 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, renovation, equipping and leasing 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation 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.

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

PROPOSAL NO. 512, 1981. This proposal authorizes proceedings with respect to Economic Development Bonds for Washington Street Associates in the amount of \$1,713,000. Washington Street Associates will be a limited partnership with Stewart Bainum as the general partner. The Company plans to renovate a 35,000 square foot building which they will purchase for \$250,000. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 512, 1981, was adopted on the following roll call vote; viz:

25 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

NO NAYS

4 NOT VOTING: Mr. Durnil, Mr. Gilmer, Mr. Miller, Mr. Rader

Proposal No. 512, 1981, was retitled SPECIAL RESOLUTION NO. 82, 1981, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 82, 1981

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 I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Washington Street Associates, a limited partnership, or another entity in which Stewart Bainum will be a general partner (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 to be the acquisition, renovation and equipping of a building containing approximately 35,000 square feet and the machinery and equipment to be installed therein, located at 18-20 East Washington Street on approximately 3,840 square feet of land, Indianapolis, Indiana, for the purpose of commercially leasing units in such building to various users (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 2 additional jobs at the end of one year and 2 additional jobs at the end of three years) plus the creation of approximately 30 temporary construction jobs in Indianapolis to be achieved by the acquisition, renovation, equipping and leasing 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 and leasing of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, renovation, equipping and 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 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 amount not to exceed \$1,713,000, however, not to exceed eighty-five percent (85%) of the total cost of the project, under the Act to be privately placed and the Project to be designated as an Urban Development Area for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Washington Street Associates, a limited partnership, or another entity in which Stewart Bainum will be a general partner (the "Company"), or the loaning of the proceeds of such financing to the Company for such purposes and the leasing of the Project to various users 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, renovation, equipping and leasing 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation 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.

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

PROPOSAL NO. 513, 1981. This proposal authorizes proceedings with respect to Economic Development Bonds for Meridian Partners in the amount of \$5,810,000. The Economic Development Committee approved this proposal on October 22, 1981. Councillor Tintera reported that Meridian Partners proposes to purchase three contiguous buildings. The first floors will be leased as commercial and the remaining floors will be leased as offices. After brief discussion, Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 513, 1981, was adopted on the following roll call vote; viz:

27 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

2 NOT VOTING: Mr. Gilmer, Mr. Miller

Proposal No. 513, 1981, was retitled **SPECIAL RESOLUTION NO. 83, 1981**, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 83, 1981

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 I.C. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, renovation and equipping of said facilities either directly owned or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, Meridian Partners, a limited partnership, or another entity in which Stewart Bainum will be a general partner (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 to be the acquisition, renovation and equipping of a building located at 201 South Meridian Street containing approximately 30,000 square feet located on approximately 8,000 square feet of land, a building located at 207 South Meridian Street containing approximately 36,000 square feet located on approximately 6,000 square feet of land, and a building located at 211-213 South Meridian Street containing approximately 60,000 square feet located on approximately 12,000 square feet of land, Indianapolis, Indiana, for the purpose of commercially leasing units in such building to various users (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 6 additional jobs at the end of one year and 6 additional jobs at the end of three years) plus the creation of approximately 30 temporary construction jobs in Indianapolis to be achieved by the acquisition, renovation, equipping and leasing 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 and leasing of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition, renovation, equipping and 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 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 amount not to exceed \$5,810,000, however, not to exceed eighty-five percent (85%) of the total cost of the project, under the Act to be privately placed and the Project to be designated as an Urban Development Area for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Meridian Partners, a limited partnership, or another entity in which Stewart Bainum will be a general partner (the "Company"), or the loaning of the proceeds of such financing to the Company for such purposes and the leasing of the Project to various users 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, renovation, equipping and leasing 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation 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.

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

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 408, 1981. This proposal appropriates \$147,668 for the Legal Division. Councillor Dowden moved, seconded by Councillor Jones, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 408, 1981, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 408, 1981, Committee Recommendation".

s/Councillor Dowden

Council consent was given. Councillor Dowden reported that this proposal appropriates money to the Legal Division for attorneys that have been paid out of another department's budget. The President called for public testimony at 7:55 p.m. There being no one present to testify, Councillor Dowden moved, seconded by Councillor Jones, for adoption. Proposal No. 408, 1981, As Amended, was adopted on the following roll call vote; viz:

26 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Jones, Mrs. Journey, 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 NAYS

3 NOT VOTING: Mr. Gilmer, Mr. Howard, Mr. Miller

Proposal No. 408, 1981, As Amended, was retitled FISCAL ORDINANCE NO. 89, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 89, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) and appropriating an additional One Hundred Forty-five Thousand One Hundred Sixty-eight dollars (\$145,168) in the Consolidated County Fund for purposes of the Legal Division, Department of Administration, and reducing certain other appropriations for the Legal, Personnel and Purchasing Divisions of the Department of Administration and the unappropriated and unencumbered balance in the Consolidated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to complete the structural and staff adjustments by moving Labor Relations into the office, physically relocating the Legal Division and staffing to handle the increased caseload.

SECTION 2. The sum of One Hundred Forty-five Thousand One Hundred Sixty-eight dollars (\$145,168) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION	CONSOLIDATED COUNTY FUND
LEGAL DIVISION	
10. Personal Services	\$134,168
21. Contractual Services	2,500
50. Properties	<u>8,500</u>
Total Increase	145,168

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

DEPARTMENT OF ADMINISTRATION	
LEGAL DIVISION	
21. Contractual Services	7,000
24. Current Charges	12,500
PERSONNEL DIVISION	
10. Personal Services	50,000
25. Current Obligations	5,500
PURCHASING DIVISION	
10. Personal Services	24,500
24. Current Charges	20,000
Unappropriated and Unencumbered	
Consolidated County Fund	<u>25,668</u>
Total Reduction	145,168

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

PROPOSAL NO. 446, 1981. This proposal appropriates \$850,000 for The Central Equipment Management Division to purchase supplies. At 7:56 p.m., Councillor Dowden requested that this proposal be postponed in Council until November 9, 1981. Council consent was given.

PROPOSAL No. 447, 1981. This proposal authorizes \$3,000,000 Tax Anticipation Time Warrants for the County Welfare Fund. Councillor Parker moved, seconded by Councillor Borst, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 447, 1981, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 447, 1981, Committee Recommendation".

s/Councillor Parker

Council consent was given. The President called for public testimony at 7:57 p.m. There being no one present to testify, Councillor Parker moved, seconded by Councillor Hawkins, for adoption. Proposal No. 447, 1981, As Amended, was adopted on the following roll call vote; viz:

24 YEAS: Dr. Borst, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

1 NAY: Mr. McGrath

4 NOT VOTING: Mrs. Brinkman, Mr. Dowden, Mr. Gilmer, Mr. Miller

Proposal No. 447, 1981, As Amended, was retitled FISCAL ORDINANCE NO. 90, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 90, 1981

A FISCAL ORDINANCE authorizing Marion County to borrow on a temporary loan for the use of the County Welfare Fund during the period January 1, 1982, to June 30, 1982, in anticipation of current taxes levied in the year 1981 and collectible in the year 1982, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

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

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

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

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

SECTION 2. That the maximum amount of said loan and the Tax Anticipation Warrants issued to evidence the same shall not exceed three million dollars (\$3,000,000). Said Tax Anticipation Warrants shall be dated as of date of delivery thereof to the purchaser and shall bear interest at a rate or rates not exceeding the maximum rate provided by law, and shall mature and be payable on the 30th day of June, 1982, and the amount of three million dollars (\$3,000,000) of the taxes now in process of collection for the County Welfare Fund in the year 1982, together with such amount of said taxes as is necessary to pay the interest on said warrants, is hereby appropriated and pledged for the purposes of paying said tax anticipation warrants together with the interest thereon when due, deductions to be made from semi-annual settlement of said taxes in amounts hereinbefore indicated to the total amount of said warrants coming due on the date of such settlements, with accrued interest thereon.

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

STATE OF INDIANA, COUNTY OF MARION

No. _____ \$ _____

MARION COUNTY WELFARE FUND
TAX ANTICIPATION WARRANT

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

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

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

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

SEAL

COMMISSIONERS OF MARION COUNTY

COUNTERSIGNED:

ATTEST:

MAYOR, CITY OF INDIANAPOLIS

AUDITOR OF MARION COUNTY

PROPOSAL NO. 449, 1981. This proposal authorizes Tax Anticipation Time Warrants in the amount of \$13,000,000 for the County General Fund. Councillor Brinkman reported that the County and Townships Committee technically amended this proposal by changing the dates. Councillor Brinkman moved, seconded by Councillor Cottingham, for adoption of the amended version. Council consent was given. The President called for public testimony at 7:58 p.m. Mr. Don Christensen stated that the interest paid on this warrant will be almost equivalent to the budget of Eagle Creek. He added that City Government needs to operate within its departmental budgets and stop borrowing money. Councillor Brinkman responded that the reason the City needs to borrow money is due to the way the State collects its taxes, thereby, justifying the need of this type of proposal. Councillor Brinkman then moved, seconded by Councillor Cottingham, for adoption. Proposal No. 449, 1981, As Amended, was adopted on the following roll call vote; viz:

21 YEAS: *Dr. Borst, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mr. McGrath, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NAYS

8 NOT VOTING: *Mr. Boyd, Mrs. Coughenour, Mr. Gilmer, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. Miller, Mr. Strader*

Proposal No. 449, 1981, As Amended, was retitled FISCAL ORDINANCE NO. 91, 1981, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 1981

A FISCAL ORDINANCE authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period January 1, 1982, to June 30, 1982, in anticipation of current taxes levied in the year 1981 and collectible in the year 1982, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

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

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

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

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

SECTION 2. That the maximum amount of said loan and the Tax Anticipation Warrants issued to evidence the same shall not exceed thirteen million dollars (\$13,000,000). Said Tax Anticipation Warrants shall be dated as of date of delivery thereof to the purchaser and shall bear interest at a rate or rates not exceeding the maximum rate provided by law, and shall mature and be payable on the 30th day of June, 1982, and the amount of thirteen million dollars (\$13,000,000) of the taxes now in process of collection for the County General Fund in the year 1982, together with such amount of said taxes as is necessary to pay the interest on said warrants, is hereby appropriated and pledged for the purposes of paying said tax anticipation warrants together with the interest thereon when due, deductions to be made from semi-annual settlement of said taxes in amounts hereinbefore indicated to the total amount of said warrants coming due on the date of such settlements, with accrued interest thereon.

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

STATE OF INDIANA, COUNTY OF MARION

No. _____ \$ _____

**MARION COUNTY GENERAL FUND
TAX ANTICIPATION WARRANT**

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

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

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

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

SEAL

COMMISSIONERS OF MARION COUNTY
COUNTERSIGNED:

ATTEST:

MAYOR, CITY OF INDIANAPOLIS

AUDITOR OF MARION COUNTY

PROPOSAL NO. 451, 1981. This proposal appropriates \$489,000 in the Park General Fund for various Divisions of the Parks Department. Councillor Holmes reported that the Parks and Recreation Committee technically amended this proposal by changing a Section number. Councillor Holmes moved, seconded by Councillor Rader, to substitute the amended version for the introduced version. Council consent was given. The President called for public testimony at 8:04 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Rader, for adoption. Proposal No. 451, 1981, As Amended, was adopted on the following roll call vote; viz:

25 YEAS: *Dr. Borst, Mr. Boyd, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

4 NOT VOTING: *Mrs. Brinkman, Mr. Clark, Mr. Gilmer, Mr. Miller*

Proposal No. 451, 1981, As Amended, was retitled FISCAL ORDINANCE NO. 92, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 92, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) and appropriating an additional Four Hundred Eighty-nine Thousand dollars (\$489,000) in the Park General Fund for purposes of various Divisions, Department of Parks and Recreation, and reducing certain other appropriations for various Divisions, Department of Parks and Recreation.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for the purchase of supplies, materials, issuance of contracts, etc., within all Divisions in order to accomplish priority projects and goals.

SECTION 2. The sum of Four Hundred Eighty-nine Thousand dollars (\$489,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PARKS AND RECREATION	PARK GENERAL FUND
Administration Division	
21. Contractual Services	\$128,000
Eagle Creek Division	
21. Contractual Services	9,000
23. Materials	5,000
50. Properties	4,000
Community Recreation Division	
10. Personal Services	57,000
21. Contractual Services	68,000
22. Supplies	10,000
24. Current Charges	10,000
25. Current Obligations	3,000
Parks Management Division	
21. Contractual Services	105,000
24. Current Charges	12,000
Sports and Special Facilities Division	
21. Contractual Services	16,000
22. Supplies	62,000
Total Increases	<u>\$489,000</u>

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

DEPARTMENT OF PARKS AND RECREATION	PARK GENERAL FUND
Administration Division	
10. Personal Services	\$60,000
22. Supplies	7,000
23. Materials	15,000
24. Current Charges	8,000
Eagle Creek Division	
10. Personal Services	15,000
22. Supplies	5,000
24. Current Charges	7,000
25. Current Obligations	6,000

Parks Management Division	
10. Personal Services	160,000
22. Supplies	40,000
25. Current Obligations	25,000
Sports and Special Facilities Division	
10. Personal Services	115,000
24. Current Charges	16,000
25. Current Obligations	10,000
Total Reductions	<u>\$489,000</u>

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

PROPOSAL NO. 452, 1981. This proposal appropriates \$1,900 in the County General Fund for Marion County Superior Court, Room 2, for supplies. Councillor West reported that the Public Safety and Criminal Justice Committee voted in favor of this request for a new appropriation by Judge Brewer for additional funds to obtain office supplies, telephone services and new recording equipment. The President called for public testimony at 8:06 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Howard, for adoption. Proposal No. 452, 1981, was adopted on the following roll call vote; viz:

22 YEAS: *Mr. Boyd, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

1 NAY: *Dr. Borst*

6 NOT VOTING: *Mrs. Brinkman, Mr. Clark, Mr. Dowden, Mr. Gilmer, Mr. Miller, Mrs. Parker*

Proposal No. 452, 1981, was retitled FISCAL ORDINANCE NO. 93, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 93, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) and appropriating an additional One Thousand Nine Hundred dollars (\$1,900) 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 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for postage, telephones, office supplies and equipment maintenance agreement for the remainder of 1981.

SECTION 2. The sum of One Thousand Nine Hundred dollars (\$1,900) 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	COUNTY GENERAL FUND
Criminal Division-Room 2	
21. Contractual Services	<u>\$1,900</u>
Total Increases	<u>\$1,900</u>

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

MARION COUNTY SUPERIOR COURT	COUNTY GENERAL FUND
Criminal Division-Room 2	
Unappropriated and Unencumbered	
County General Fund	<u>\$1,900</u>
Total Reduction	<u>\$1,900</u>

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

SPECIAL ORDERS, UNFINISHED BUSINESS

PROPOSAL NO. 419, 1981. This proposal appropriates an additional \$6,500 for Superior Court, Criminal Division, Room 2, for pauper appeal costs. This proposal was postponed in Council on October 12, 1981, until November 9, 1981.

SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 199, 1981. This proposal establishes the 1981 Annual Budget parameters for City and County government. Councillor Cottingham moved to Strike Proposal No. 199, 1981, seconded by Councillor Borst. Council consent was given.

PROPOSAL NO. 348, 1981. This proposal amends the Code dealing with unauthorized opening of fire hydrants. Councillor Campbell moved, seconded by Councillor Howard, to Strike this proposal. Proposal No. 348, 1981, was stricken by consent of the Council.

PROPOSAL NO. 350, 1981. This proposal amends the Code by adding a new Division 3 dealing with the removal, storage and disposition of abandoned vehicles. Councillor Coughenour reported that the Public Works Committee recommended passage of this proposal by a vote of 4-0-1. Councillor Coughenour briefly explained the ordinance and moved for its adoption, seconded by Councillor Jones. Proposal No. 350, 1981, was adopted on the following roll call vote; viz:

27 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

2 NOT VOTING: Mr. Gilmer, Mr. Miller

Proposal No. 350, 1981, was retitled GENERAL ORDINANCE NO. 100, 1981, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 100, 1981

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by adding a new Division 3 of Article VI of Chapter 29 which deals with the removal, storage and disposition of abandoned vehicles.

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

SECTION 1. Division 3 of Article VI of Chapter 29 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by repealing the existing Division 3 of Article VI of Chapter 29 and adding a new Division 3 to read as follows:

Sec. 29-385. Purpose.

The purpose of this division shall be to implement the procedures contained in I.C. 9-9-1.1 which govern the removal, storage, and disposal of abandoned vehicles.

Sec. 29-386. Definitions.

a. The terms used in this section shall have the meanings ascribed to them in I.C. 9-9-1.1-2.

b. In addition to the definition of "officer" contained in I.C. 9-9-1.1-2, "officer" shall also mean a member of the department of public works who is authorized to impound vehicles.

Sec. 29-387. Responsibilities of the department of public works.

(1) The department of public works shall be charged with the responsibility for the removal, storage, and disposal of abandoned vehicles.

(2) The department of public works may employ personnel, and acquire equipment, property and facilities, to facilitate the removal of abandoned vehicles.

(3) The department of public works may enter into contractual arrangements with a towing service to provide for the removal, storage and disposal of abandoned vehicles.

a. The contract for these services shall be awarded on the basis of specifications prepared by the department of public works.

b. As a prerequisite for submitting a bid or quote, a towing service must maintain processing equipment capable of disposing vehicles by crushing or similar means.

Sec. 29-388. Storage of abandoned vehicles.

Abandoned vehicles which are removed pursuant to I.C. 9-9-1.1 shall be towed and stored in an area designated by the department of public works.

Sec. 29-389. Appraisals of vehicles.

If a tagged vehicle or parts are not removed within 72 hours of tagging, and the officer suspects the market value of the vehicle is less than \$100, the vehicle shall be towed to a storage area, and an appraisal shall be performed by an individual designated by the director of the department of public works. If the appraisal confirms the market value of the vehicle is less than \$100, the authorized towing service shall be instructed to provide for the immediate disposal of the vehicle. The department of public works shall retain a copy of the appraisal for two years after the disposal of the vehicle.

If the appraisal indicates the market value of the vehicle is greater than \$100, the notification and disposal procedures in I.C. 9-9-1.1 shall be followed.

Sec. 29-390. Disposal of vehicles.

Vehicles which have been towed to a storage area and have not been claimed by the record owner or lienholder within the statutory period shall be disposed by means of a public sale in the manner provided by I.C. 9-9-1.1-7.

Sec. 29-340. Towing and storage charges.

An owner or lienholder who claims a vehicle shall be charged a \$15 towing fee and a \$2 per day storage fee. The storage fee shall be allowed to accumulate for a maximum period of sixty days.

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

PROPOSAL NO. 356, 1981. This proposal amends the Code dealing with penalties for violations of the Code. Councillor Cottingham stated that this proposal would increase the rate for penalties not more than \$2,500 and that the Rules and Policy Committee recommended passage. He then moved, seconded by Councillor Tintera, for adoption. Proposal No. 356, 1981, was adopted on the following roll call vote; viz:

27 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

2 NOT VOTING: *Mr. Gilmer, Mr. Miller*

Proposal No. 356, 1981, was retitled GENERAL ORDINANCE NO. 101, 1981, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 101, 1981

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by amending Section 1-8 which deals with penalties for violations of the Code.

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

SECTION 1. Section 1-8 of Chapter 1 of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by inserting the words underlined and deleting the words crosshatched as follows:

Sec. 1-8. General penalties for violations of code.

(a) Whenever in any chapter, article, division or section of this Code, or of any ordinances amendatory thereof or supplemental thereto, the doing of any act, or the omission to do any act or to perform any duty, is declared to be a violation of this Code, or of any such amendatory or supplemental ordinance, or of any provision thereof, or is declared to be unlawful, and if there shall be no fine or penalty otherwise specifically prescribed or declared for any such violation, or for doing or for omitting to do any such act or to perform any such duty, any person who shall be convicted of any such violation, or of doing or of omitting to do any such act or to perform any such duty shall be fined, by way of a penalty therefor, not more than ~~999 | 1199999 | 101177~~ two thousand five hundred dollars (\$2,500.00) for each such violation, act or omission.

(b) In addition to the foregoing penalty, the city may enjoin or abate any violation of this Code by appropriate action.

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

PROPOSAL NO. 385, 1981. This proposal transfers \$298 for Superior Court, Civil Division, Room 2, for modification of recorder-transcriber units to double capacity of cassettes. This Court currently uses an older cassette recorder and the modification would increase the unit's efficiency. Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 385, 1981, was adopted on the following roll call vote; viz:

25 YEAS: *Dr. Borst, Mr. Boyd, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

4 NOT VOTING: *Mrs. Brinkman, Mr. Cottingham, Mr. Gilmer, Mr. Miller*

Proposal No. 385, 1981, was retitled FISCAL ORDINANCE NO. 94, 1981, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) transferring and appropriating Two Hundred Ninety-eight dollars (\$298) in the County General Fund for purposes of the Marion County Superior Court, Civil Division - Room II, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City-County Annual Budget for 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the modification of recorder-transcriber units to double the capacity of cassettes.

SECTION 2. The sum of Two Hundred Ninety-eight dollars (\$298) 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	
CIVIL DIVISION - ROOM II	COUNTY GENERAL FUND
21. Contractual Services	<u>\$298</u>
Total Increase	<u>\$298</u>

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

MARION COUNTY SUPERIOR COURT	
CIVIL DIVISION - ROOM II	COUNTY GENERAL FUND
24. Current Charges	<u>\$298</u>
Total Reductions	<u>\$298</u>

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

PROPOSAL NO. 406, 1981. This proposal authorizes changes in the personnel schedule of the Marion County Prosecutor. Councillor West reported that the Public Safety and Criminal Justice Committee approved this proposal by a unanimous vote and he moved for its adoption, seconded by Councillor Tintera. Proposal No. 406, 1981, was adopted on the following roll call vote; viz:

25 YEAS: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

4 NOT VOTING: Dr. Borst, Mr. Cottingham, Mr. Gilmer, Mr. Miller

Proposal No. 406, 1981, was retitled FISCAL ORDINANCE NO. 95, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 95, 1981

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 Prosecutor's office.

**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. 73, 1980, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(b) (9) PROSECUTING ATTORNEY

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Admin. Staff	2	21,085	37,230
Admin. Supervisor	6	19,168	118,770 <u>78,290</u>
Admin. Secretary	9	14,100	86,237
General Secretary	12	13,884	95,356
Computer Supervisor	4	12,000	35,000
Investigator	3	32,888	163,776 <u>65,100</u>
Law Clerk	14	13,000	60,505
Paralegal	14	16,000	119,820
Chief Counsel	1	32,888	127,000 <u>32,888</u>
Supervisor of Professionals	7	32,888	120,000
Full & Part-time Deputy			
Prosecutors	43	29,629	1630,430 <u>670,000</u>
Clerical - CETA	4	10,000	30,000
Temporary Help			20,000
Witness Fees			13,000
Vacancy Factor			(108,804) <u>(140,126)</u>

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 \$1,323,300.

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

PROPOSAL NO. 409, 1981. This proposal amends Code Section 17-92, Soliciting business on street or sidewalk. The Administration Committee met on October 14, 1981, and voted to Strike Proposal No. 409, 1981. Councillor Dowden noted that there were some law enforcement officers present at the meeting who informed the Committee that this proposal would present some difficulties in determining who had a legitimate license to solicit on the street. Councillor Dowden moved, seconded by Councillor Tintera, to Strike Proposal No. 409, 1981. Council consent was given.

PROPOSAL NO. 418, 1981. This proposal transfers \$6,076 for the Marion County Prosecutor. Councillor West explained that these funds were left over from an L.E.A.A. grant which was not spent due to a decrease in college interns serving in the Prosecutor's Office. Councillor West moved, seconded by Councillor Tintera, for adoption. Proposal No. 418, 1981, was adopted on the following roll call vote; viz:

19 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mr. Jones, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Vollmer

NO NAYS

10 NOT VOTING: Mr. Campbell, Mr. Gilmer, Mr. Holmes, Mrs. Journey, Mr. McGrath, Mr. Miller, Mrs. Parker, Mr. Strader, Mr. Tintera, Mr. West

Proposal No. 418, 1981, was retitled FISCAL ORDINANCE NO. 96, 1981, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 1981

A FISCAL ORDINANCE amending the City-County Annual Budget for 1981 (City-County Fiscal Ordinance No. 73, 1980) transferring and appropriating Six Thousand Seventy-six dollars (\$6,076) in the Crime Control Fund for purposes of the Marion County Prosecutor and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.05 of the City-County Annual Budget for 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing a return of local match funds from the expired Legal Intern Grant to the County General Fund.

SECTION 2. The sum of Six Thousand Seventy-six dollars (\$6,076) 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 PROSECUTOR	CRIME CONTROL FUND
36. Federal, State and Local Refund	<u>\$6,076</u>
Total Increase	<u>\$6,076</u>

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

MARION COUNTY PROSECUTOR	CRIME CONTROL FUND
31. Personnel	<u>\$6,076</u>
Total Reduction	<u>\$6,076</u>

SECTION 5. Section 2.05 of the City-County Fiscal Ordinance No. 73, 1980, be amended by deleting the crosshatched portions and adding the new amounts herein:

PROSECUTOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Prosecutor	12	24,000	277,332
Witness Coordinator	3	17,000	52,578
Secretary	7	12,000	55,039
Legal Intern	13	9,500	1193,025 86,949
Paralegals	3	15,000	42,500
Investigator	4	19,000	61,224
Computer Analyst	3	18,000	27,500

Data Collection Clerk	1	10,000	10,000
Discovery Clerk	1	10,500	10,500
Vacancy Factor			(-0-)

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 ~~\$629,698~~ \$623,622.

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

PROPOSAL NO. 429, 1981. This proposal changes intersection controls on Holt Road. Councillor McGrath stated that the Transportation Committee amended this proposal as requested by the Department of Transportation. He added that construction has been underway at this intersection area since 1978 but still needs to be widened to permit traffic to move more freely. Councillor McGrath moved, seconded by Councillor Rader, for substitution of the amended version for the introduced version. Council consent was given. Councillor McGrath then moved, seconded by Councillor Howard, for adoption. Proposal No. 429, 1981, As Amended, was adopted on the following roll call vote; viz:

27 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, 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 NAYS

2 NOT VOTING: *Mr. Gilmer, Mr. Miller*

Proposal No. 429, 1981, As Amended, was retitled GENERAL ORDINANCE NO. 102, 1981, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 102, 1981

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

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

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
23 Pg. 3	Holt Rd. & Olin Ave.	Olin Ave.	Stop

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
23 Pg. 3	Holt Rd. & W. 11th St.	Holt Rd.	Stop
23 Pg. 5	Olin Ave. & W. 11th St.	W. 11th St. (WB) Olin Ave. (SB)	Stop

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

PROPOSAL NO. 518, 1981. This proposal requests the Center Township Trustee to allow an employee of the County Auditor full access to his Office to evaluate the distribution of funds for poor relief. Councillor Tintera read the proposal and moved for its adoption, seconded by Councillor Jones. Councillor Schneider asked if the Auditor was in a position to assign one of his employees to this full-time position. Councillor Tintera interjected that this would provide for an additional employee. Councillor Boyd voiced opposition to the proposal. Councillor West interjected that the purpose of this proposal was not to oversee, but to intercede with the Center Township Trustee. Councillor Clark stated that there is a need to investigate to see if there is an opportunity to save money, adding that this proposal could apply to other Trustees and that the Council needs to find out where the bond money will be spent. Councillor Vollmer questioned the gains from this proposal and inquired as to how it would help the operations of the Trustee's Office. Mr. Harry Eakin stated that the intent of this proposal is to get a better look at the poor relief situation, and pointed out that if there are problems, he feels they are in the area of mismanagement. Councillor Hawkins questioned the power of the Council in regards to sending a person to an elected officials office to oversee the operations. Councillor Tintera stated that the first measure is getting an outside person in because presently, all of the burden is falling on the downtown businesses and home owners in Center Township who will have the responsibility of paying off the bond request. Councillor Brinkman requested the cooperation from Democrat members of the Council in looking at this situation of poor relief. She added that the Council needs to look not only at Center Township but also other townships in Marion County. She stated that something must be done and it may necessitate laws being changed. Councillor Borst agreed that there are problems and someone needs to study the situation. Councillor Strader concurred with Councillor Borst, adding that there isn't a need for a "watch dog situation", but possibly an audit to find out what is going out to the "poor folks". Councillor Boyd suggested, due to the amount of time spent on discussing this proposal, that it be sent to a Committee for further discussion. Councillor Schneider then moved to send Proposal No. 518, 1981, to the Rules and Policy Committee, seconded by Councillor Boyd.

After further consideration, the President stated that a vote would be taken and a red, or NAY, vote would keep the matter before the Council for further discussion, and a green, or YEA, vote would send it to Committee. The President called for the vote and Proposal No. 518, 1981, was sent to the Rules and Policy Committee on the following roll call vote; viz:

14 YEAS: Mr. Boyd, Mr. Campbell, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Hawkins, Mr. Howard, Mr. McGrath, Mr. Page, Mr. Rader, Mr. Schneider, Mr. Strader, Mr. Vollmer, Mr. West

12 NAYS: Dr. Borst, Mrs. Brinkman, Mr. Clark, Mr. Durnil, Mr. Holmes, Mr. Jones, Mrs. Nickell, Mrs. Parker, Mr. Rhodes, Dr. SerVaas, Mrs. Stewart, Mr. Tintera

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

PROPOSAL NO. 434, 1981. This proposal authorizes the issuance and sale of bonds by the Board of Commissioners for Center Township for poor relief purposes. Councillor Cottingham stated that this proposal was recommended for passage by the Rules and Policy Committee. He then moved, seconded by Councillor Howard, for adoption. Councillor Rhodes moved to "postpone" action until Proposal No. 518, 1981, was resolved, seconded by Councillor Tintera. Councillor Durnil stated that the Rules and Policy Committee was told that the Council was under a mandate on this matter. General Counsel Robert G. Elrod outlined the proceedings that have taken place leading up to this proposal. He stated that he found some difficulty in agreeing that this is a matter that can be delayed. After discussion, the President called for the vote on Councillor Rhodes' motion to "postpone" and the motion failed by a voice vote. President SerVaas then called for a vote on the main motion. Proposal No. 434, 1981, was adopted on the following roll call vote; viz:

21 YEAS: Dr. Borst, Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West

5 NAYS: Mrs. Brinkman, Mr. Jones, Mr. McGrath, Mr. Rhodes, Mr. Tintera

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

Proposal No. 434, 1981, was retitled SPECIAL ORDINANCE NO. 33, 1981, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 33, 1981

A SPECIAL ORDINANCE authorizing the issuance and sale of bonds by the Board of Commissioners of the County of Marion for the purpose of making a loan to procure funds necessary to be advanced by said County to Center Township for poor relief purposes.

WHEREAS, the Board of Commissioners of the County of Marion did, on the 16th day of September, 1981, make and enter of record a finding that the amount of funds necessary to be advanced to Center Township of Marion County for financing the cost of poor relief heretofore incurred in said Township and for the remaining months of 1981, is in excess of the amount that can be reasonably advanced by the County out of any funds now available and the Board of Commissioners has requested the City-County Council of the City of Indianapolis and Marion County to authorize the making of a loan to procure the funds necessary for said purpose; and

WHEREAS, the City-County Council of the City of Indianapolis and Marion County now finds that the request of the Board of Commissioners of the County of Marion should be granted and that the City-County Council of the City of Indianapolis and Marion County should authorize such loan and the issuance of bonds of Marion County to evidence the same pursuant to the provisions of IC 12-2-5; now, therefore:

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

SECTION 1. That the Board of Commissioners of the County of Marion is hereby authorized to make a loan for and on behalf of said County for the purpose of procuring funds necessary to pay indebtedness heretofore incurred by Center Township on account of poor relief furnished by said Township and for the continued financing of poor relief in said Township for the remaining months of 1981 including an amount required for the payment of incidental expenses incurred in the making of such loan, as authorized by law, and to that end to issue and sell bonds of the County in the manner and form provided for by IC 12-2-5 and IC 6-1.1-20.

SECTION 2. The maximum amount of said loan and bonds issued to evidence the same shall not exceed the amount of Three Million Dollars (\$3,000,000) and the bonds shall bear interest at a rate not exceeding twelve percent (12%) per annum. The bonds issued pursuant to this ordinance shall mature and be paid in six (6) semi-annual series.

SECTION 3. As soon as can be done after passage of this ordinance the Board of Commissioners of the County of Marion shall enter an order fixing the exact amount of the proposed loan but in no event exceeding the amount of Three Million Dollars (\$3,000,000) and providing that the interest rate shall be the lowest interest rate bid on said bonds but in no event exceeding the rate of twelve percent (12%) per annum.

Said bonds shall be issued in denominations of Five Thousand Dollars (\$5,000) each. The Board of Commissioners of the County of Marion shall also adopt the form of the bond and said form shall be substantially followed in the issuance of the same.

SECTION 4. As soon as can be done after adoption of said final order by the Board of Commissioners of the County of Marion, the County Auditor shall give notice to the taxpayers of the determination to make the loan and to issue the bonds herein authorized. Said notice shall be published in Marion County and shall also be posted in three public places in the County, all as provided by IC 6-1.1-20-5.

In the event an objecting petition shall be filed with the County Auditor by owners of taxable real estate under the provisions of IC 6-1.1-20-5, then no further steps toward the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the Auditor shall be authorized to advertise and sell a lesser amount of bonds and the bonds not issued and sold shall be the bonds of the longest maturity or maturities.

SECTION 5. The proceeds from the sale of said bonds, in the amount of Three Million Dollars (\$3,000,000) are hereby appropriated in accordance with the finding and order of the Board of Commissioners of the County of Marion dated the 16th day of September, 1981.

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

PROPOSAL NO. 448, 1981. This proposal transfers and appropriates \$6,304 in the County General Fund for the Center Township Assessor to remodel his office. Councillor Brinkman stated that this proposal is a result of an employee injury due to overcrowding. She added that the County and Townships Committee approved this proposal by a vote of 3-1-1. Councillor Brinkman then moved for adoption, seconded by Councillor Howard. Proposal No. 448, 1981, was adopted on the following roll call vote; viz:

22 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Howard, Mr. Jones, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer*

NO NAYS

7 NOT VOTING: *Mr. Cottingham, Mr. Gilmer, Mr. Hawkins, Mr. Miller, Mr. Rhodes, Mr. Schneider, Mr. West*

Proposal No. 448, 1981, was retitled FISCAL ORDINANCE NO. 97, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 97, 1981

A FISCAL ORDINANCE amending the CITY—COUNTY ANNUAL BUDGET FOR 1981 (City—County Fiscal Ordinance No. 73, 1980) transferring and appropriating Six Thousand Three Hundred and Four dollars (\$6,304) in the County General Fund for purposes of the Center Township Assessor and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.04 of the City—County Annual Budget for 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of remodeling the office prompted by the need for additional computer stations.

SECTION 2. The sum of Six Thousand Three Hundred and Four dollars (\$6,304) 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:

CENTER TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
21. Contractual Services	<u>\$6,304</u>
Total Increases	<u>\$6,304</u>

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

CENTER TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
22. Supplies	\$4,600
24. Current Charges	168
50. Capital Expenditures	<u>1,536</u>
Total Reductions	<u>\$6,304</u>

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

PROPOSAL NO. 450, 1981. This proposal authorizes the issuance of \$3,500,000 Economic Development Revenue Bonds for Engineering Research, Inc. Councillor Tintera requested that this Proposal be Tabled in Council. Consent was given.

PROPOSAL NO. 455, 1981. This proposal transfers \$5,400 for the Crime Watch Program. Councillor West stated that these are L.E.A.A. funds that will be used to purchase two video slide projectors and one video projector. There is also a need for funds to be transferred to Supplies to allow for the continuation of newsletters, brochures, and other publications. Councillor West advised that the Public Safety and Criminal Justice Committee recommended passage by a unanimous vote, and moved for adoption, seconded by Councillor Borst. Proposal No. 455, 1981, was adopted on the following roll call vote; viz:

21 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Howard, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mrs. Parker, Mr. Rhodes, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Vollmer, Mr. West*

1 NAY: *Mr. Schneider*

7 NOT VOTING: *Mr. Cottingham, Mr. Gilmer, Mr. Hawkins, Mr. Jones, Mr. Miller, Mr. Rader, Mr. Tintera*

Proposal No. 455, 1981, was retitled FISCAL ORDINANCE NO. 98, 1981, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 98, 1981

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1981 (City-County Fiscal Ordinance No. 73, 1980) transferring and appropriating Five Thousand Four Hundred dollars (\$5,400) in the Consolidated County Fund for purposes of the Criminal Justice Coordinating Council, 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 expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1981 be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to provide the Crime Watch Program with supplies, postage, mileage, newsletter publication and the purchase of audio-visual aid equipment for the remainder of 1981.

SECTION 2. The sum of Five Thousand Four Hundred dollars (\$5,400) 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:

**DEPARTMENT OF PUBLIC SAFETY
Criminal Justice Coordinating Council**

CONSOLIDATED COUNTY FUND

21. Contractual Services	\$1,400
22. Supplies	2,500
50. Properties	<u>1,500</u>
Total Increase	<u>5,400</u>

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

**DEPARTMENT OF PUBLIC SAFETY
Criminal Justice Coordinating Council**

CONSOLIDATED COUNTY FUND

10. Personal Services	\$5,400
Total Reduction	<u>\$5,400</u>

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

PROPOSAL NO. 456, 1981. This proposal adds a traffic signal at North Mitthoeffer Road and East 30th Street. PROPOSAL NO. 457, 1981. This proposal adds a traffic signal at Zionsville Road and West 79th Street. PROPOSAL NO. 458, 1981. This proposal is for intersection control changes at Corporate Center North and Eagle Nest Subdivisions. Councillor McGrath stated that all three proposals are routine requests for traffic ordinances. He then moved, seconded by Councillor Rader, for adoption. Proposal Nos. 456, 457 and 458, 1981, were adopted on the following roll call vote; viz:

23 YEAS: *Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Holmes, Mr. Jones, Mrs. Journey, Mr. McGrath, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

NO NAYS

6 NOT VOTING: *Mr. Durnil, Mr. Gilmer, Mr. Hawkins, Mr. Howard, Mr. Miller, Mrs. Parker*

Proposal Nos. 456, 457 and 458, 1981, were retitled GENERAL ORDINANCE NOS. 103, 104, and 105, 1981, respectively, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 103, 1981

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by providing for intersection controls at certain 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 addition of the following, to wit:

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
21, Pg. 3	N. Mitthoeffer Rd. & E. 30th St.	None	Signal

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

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
21, Pg. 3	N. Mitthoeffer Rd. & E. 30th St.	None	4-way

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

CITY-COUNTY GENERAL ORDINANCE NO. 104, 1981

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

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

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

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
2 Pg. 1	Zionsville Rd. & W. 79th St.	None	4-way Stop

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

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
2 Pg. 1	Zionsville Rd. & W. 79th St.	None	Signal

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

CITY-COUNTY GENERAL ORDINANCE NO. 105, 1981

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

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

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

BASE MAP	INTERSECTION	PREFERENTIAL	TYPE OF CONTROL
6 Pg. 2	Hummingbird Ct. & Teel Way	Teel Way	Yield
6 Pg. 2	Teel Way & Tern Court	Teel Way	Yield

6 Pg. 2	Osprey Circle & Teel Way	Teel Way	Yield
6 Pg. 3	Teel Way & 75th St.	75th St.	Stop
6 Pg. 2	Mallard Way & Teel Way	Teel Way	Stop
9 Pg. 1	Corporate Dr. & W. 71st St.	W. 71st St.	Stop

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

PROPOSAL NO. 460, 1981. This proposal provides for regulation of open burning. Councillor Coughenour moved to postpone action for two weeks, seconded by Councillor Brinkman. Councillor Jones stated that there are changes happening in Washington that could affect the open burning regulations; therefore, he moved to postpone action for six months, seconded by Councillor Cottingham. Councillor Coughenour then amended her motion and moved to Table Proposal 460, 1981, seconded by Councillor Tintera. The President then called for on the motion to Table. The motion failed on the following roll call vote; viz:

13 YEAS: *Dr. Borst, Mrs. Coughenour, Mr. Durnil, Mr. Holmes, Mr. Howard, Mrs. Nickell, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

14 NAYS: *Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Hawkins, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Page, Mr. Rhodes, Mr. Schneider, Mrs. Stewart*

2 NOT VOTING: *Mr. Gilmer, Mr. Miller*

The President then instructed the Council to take a vote on Councillor Jones' motion to amend Councillor Coughenour's original motion, postponing Proposal No. 460, 1981, for six months. Councillor Jones' motion was adopted on the following roll call vote; viz:

14 YEAS: *Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Hawkins, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Page, Mr. Rhodes, Mr. Schneider, Mrs. Stewart*

13 NAYS: *Dr. Borst, Mrs. Coughenour, Mr. Durnil, Mr. Holmes, Mr. Howard, Mrs. Nickell, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West*

2 NOT VOTING: *Mr. Gilmer, Mr. Miller*

Councillor Dowden then moved for the previous question on the main motion. General Counsel Robert G. Elrod clarified that the substitution which will be voted on will be to Postpone Proposal No. 460, 1981, for six months. The Council agreed to take a three minute recess. Upon convening, President SerVaas reiterated that the Council has passed the motion amending Councillor Coughenour's original motion of two weeks and substituting six months, but this motion has not been adopted. Therefore, the Council will vote with a green, or YEA, vote representing a motion to postpone for six months and a red, or NAY, vote to sustain the original proposal. The President then called for the vote and the original proposal was sustained on the following roll call vote; viz:

13 YEAS: Mr. Boyd, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Hawkins, Mr. Jones, Mrs. Journey, Mr. McGrath, Mr. Page, Mr. Rhodes, Mr. Schneider, Mrs. Stewart

14 NAYS: Dr. Borst, Mrs. Brinkman, Mrs. Coughenour, Mr. Durnil, Mr. Holmes, Mr. Howard, Mrs. Nickell, Mrs. Parker, Mr. Rader, Dr. SerVaas, Mr. Strader, Mr. Tintera, Mr. Vollmer, Mr. West

2 NOT VOTING: Mr. Gilmer, Mr. Miller

Councillor Rhodes then moved, seconded by Councillor Stewart, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend "Proposal No. 460, 1981, Committee Recommendation" providing for the regulation of open burning, as follows:

(1) In Section 1, change Section 4-151 (b) (1) to read: "Burning may only take place on and between March 1 and May 30, and on and between September 1 and December 15 of each year;"

(2) In Section 1, change Section 4-151 (b) (2) to read: "Burning shall only be permitted between daylight hours as prescribed by the United States Naval Observatory, on days when the wind speed is greater than 5 miles per hour;"

(3) In Section 1, change Section 4-153 (a) (5) (ii) to read: "Any open burning permitted only during daylight hours as prescribed by the United States Naval Observatory, and only at times when the actual or forecast wind speed as given by the local National Weather Service is 5 miles per hour or greater."

(4) In Section 1, change Section 4-153 by adding a subsection (6), as follows: "Open burning of household waste paper, the burning in an approved container of ordinary waste paper accumulated in a single family or double residence shall be permitted when such fire does not create an air pollution problem, a nuisance, or fire hazard."

s/Councillor Rhodes

This amendment failed by voice vote. Councillor Coughenour moved to send Proposal No. 460, 1981, back to Committee, seconded by Councillor West. After further discussion and upon no decision, Councillor Brinkman then suggested granting Councillor Coughenour, as sponsor, consent to withdraw the proposal. Councillor Coughenour then moved to withdraw this proposal, seconded by Councillor Tintera. Council consent was given.

PROPOSAL NO. 462, 1981. This proposal transfers \$4,679 for the Lawrence Township Assessor to install a terminal at the branch office. Councillor Brinkman stated that the County and Townships Committee approved this proposal by a vote of 5-0. She then moved, seconded by Councillor Durnil, for adoption. Proposal No. 462, 1981, was adopted on the following roll call vote; viz:

24 YEAS: Dr. Borst, Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mrs. Coughenour, Mr. Dowden, Mr. Durnil, Mr. Hawkins, Mr. Holmes, Mr. Howard, Mr. Jones, Mr. McGrath, Mrs. Nickell, Mr. Page, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. West

NO NAYS

5 NOT VOTING: Mr. Gilmer, Mrs. Journey, Mr. Miller, Mrs. Parker, Mr. Vollmer

Proposal No. 462, 1981, was retitled **FISCAL ORDINANCE NO. 99, 1981**, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 99, 1981

A FISCAL ORDINANCE amending the **CITY—COUNTY ANNUAL BUDGET FOR 1981** (City—County Fiscal Ordinance No. 73, 1980) transferring and appropriating Four Thousand Six Hundred and Seventy-nine dollars (\$4,679) in the County General Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for that division, and authorizing changes in the personnel compensation schedule.

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 1981, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of installing a terminal at the branch office and office renovation in the City—County Building.

SECTION 2. The sum of Four Thousand Six Hundred and Seventy-nine dollars (\$4,679) 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:

LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
21. Contractual Services	\$3,679
50. Properties	<u>1,000</u>
Total Increase	<u>\$4,679</u>

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

LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
10. Personal Services	\$3,700
24. Current Charges	<u>979</u>
Total Reduction	\$4,679

SECTION 5. Section 2.03 (d) of the City-County Fiscal Ordinance No. 73, 1980, be amended by deleting the crosshatched portions and adding the new amounts herein:

(d)(4) LAWRENCE TOWNSHIP ASSESSOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	25,583	25,583
Chief Deputy	1	19,184	19,184
Deputy	8	18,067	91,481 60,581
Clerk	3	10,012	17,872 17,322
Temporary Help			11,111 9,121
Vacancy Factor			-0-

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 ~~\$133,401~~ **\$131,791**.

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

PROPOSAL NO. 468, 1981. This proposal supports the increase in inmate capacity of the Marion County Jail. Councillor West reported that the Public Safety and Criminal Justice Committee had agreed on 900 inmate population. He stated that the vote on this amount was 3-2, but that since the Committee meeting there had been additional information, therefore, he felt that the cell capacity should be increased to 950. Mr. Phillip Swager stated that statistics show there will be a higher number of persons in the jail between the years 1984 through 1990. He noted that the birth rate is down and the "age at risk" will diminish. Councillor West advised that David Bowen had been working out additional calculations and had presented data recommending that the number of cells be increased to 950. After discussion, Councillor Hawkins moved to amend Proposal No. 468, 1981, by providing for 1,000 cells, seconded by Councillor Campbell. Councillor Borst moved to amend Councillor Hawkins' motion, reducing it to 950 cells, seconded by Councillor Rader. Councillor Brinkman moved for the vote on Councillor Borst's amendment to Councillor Hawkins' motion, seconded by Councillor Borst. Council consent was given. Councillor Borst's motion carried on the following roll call vote; viz:

17 YEAS: Dr. Borst, Mr. Cottingham, Mrs. Cougehnour, Mr. Dowden, Mr. Durnil, Mr. Holmes, Mr. Jones, Mrs. Nickell, Mrs. Parker, Mr. Rader, Mr. Rhodes, Mr. Schneider, Dr. SerVaas, Mrs. Stewart, Mr. Strader, Mr. Tintera, Mr. West

10 NAYS: Mr. Boyd, Mrs. Brinkman, Mr. Campbell, Mr. Clark, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. McGrath, Mr. Page, Mr. Vollmer

2 NOT VOTING: Mr. Gilmer, Mr. Miller

Councillor Boyd then moved, seconded by Councillor Tintera, for a vote on the main motion. Proposal No. 468, 1981, As Amended, was adopted on the following roll call vote; viz:

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

Proposal No. 468, 1981, As Amended, was retitled SPECIAL RESOLUTION NO. 84, 1981, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 84, 1981

A SPECIAL RESOLUTION to increase the inmate capacity of the Marion County Jail.

WHEREAS, this City—County Council did adopt on April 6, 1981, a Special Resolution No. 28 relating to the expansion and improvement of the Marion County Jail; and

WHEREAS, such Special Resolution authorized the Indianapolis-Marion County Building Authority (“Building Authority”) to proceed with the expansion of the Marion County Jail and the Council concurrently therewith adopted Fiscal Ordinance No. 30 on April 6, 1981, appropriating \$1,500,000 to the Building Authority for preliminary funds for the Marion County Jail project; and

WHEREAS, the Special Resolution No. 28 requested the Building Authority to report to the Council for its additional direction on certain proposals and options; and

WHEREAS, pursuant to such Resolutions the Building Authority engaged a firm of architects for the project and also employed an advisor firm independent of the architects to consult with it concerning jail capacity and related matters; and

WHEREAS, such architect firm and independent advisor have now submitted reports to the Building Authority and also have reported directly to the Council on their recommendations; 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 having heard and considered the reports of the Building Authority presented by its architect employed on the Marion County Jail Project and presented by its independent advisor employed on such Project does hereby determine that the improved and enlarged Marion County Jail should be designed for an inmate bed capacity of 950, and any new construction which is added to present jail shall be single cells.

SECTION 2. The City—County Council desires that the Marion County Jail Project proceed as previously authorized in accordance with the statutory authority of the Building Authority at all deliberate speed.

SECTION 3. This resolution shall be in effect upon adoption and signing of the Mayor.

ANNOUNCEMENTS AND ADJOURNMENT

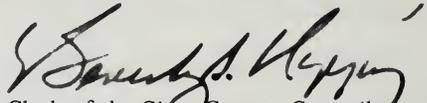
There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:29 p.m.

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 26th day of October, 1981.

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)