

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, February 8, 1982**

A Regular Meeting of the City-County Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building, at 7:15 p.m., Monday, February 8, 1982. President SerVaas in the chair. Mrs. Patricia Nickell opened the meeting with a prayer, followed by the Pledge of Allegiance.

**ROLL CALL**

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

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

**OFFICIAL COMMUNICATIONS**

The President 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, February 8, 1982, at 7:00 p.m. The purpose of such MEETING being to conduct any and all business that may properly come before the regular meeting of the Council.**

**Respectfully,**

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

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

**Ladies and Gentlemen:**

**Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on January 28, 1982, and February 4, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 32, 33,**

and 39, 1982, to be held on Monday, February 8, 1982, 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. 7, 1982, amending the City—County Annual Budget for 1982, and appropriating an additional thirteen thousand eight hundred dollars in the County General Fund for purposes of the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.**

**GENERAL ORDINANCE NO. 5, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” Section 29-269, parking prohibited at all times on specified days.**

**GENERAL ORDINANCE NO. 6, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” Section 29-92, schedule of intersection controls.**

**GENERAL ORDINANCE NO. 7, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” Section 29-331, passenger and materials loading zones.**

**GENERAL ORDINANCE NO. 8, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” Section 29-92, schedule of intersection controls.**

**GENERAL ORDINANCE NO. 9, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” specifically, Chapter 29, Section 29-224, trucks on certain streets restricted.**

**GENERAL ORDINANCE NO. 10, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” specifically, Chapter 29, Section 29-136, alteration of prima facie speed limits.**

**GENERAL ORDINANCE NO. 11, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” specifically, Chapter 29, Section 29-136, alteration of prima facie speed limits.**

**GENERAL ORDINANCE NO. 12, 1982, amending the “Code of Indianapolis and Marion County, Indiana,” to permit thirty minute parking on the outer curbs of Monument Circle.**

**GENERAL RESOLUTION NO. 1, 1982, approving the actions of the Transportation Board with respect to certain capital improvements within the Metropolitan Thoroughfare District for the year 1982.**

**SPECIAL RESOLUTION NO. 1, 1982, honoring radio station WTLC for outstanding community service.**

**SPECIAL RESOLUTION NO. 2, 1982, honoring the Ben Davis Giants as 1982 Marion County Basketball Champions.**

**SPECIAL RESOLUTION NO. 3, 1982, honoring David R. Frick for his outstanding service as Corporation Counsel and Deputy Mayor.**

**SPECIAL RESOLUTION NO. 4, 1982, designating the book Indianapolis, Hoosier's Circle City, as an official history of Marion County.**

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

## CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journal of January 25, 1982. There being no additions or corrections, the minutes of January 25, 1982, were approved as distributed.

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

PROPOSAL NO. 76, 1982. Introduced by Councillors Dowden, Vollmer, and Page. Councillor Vollmer read the proposal which honors Cathedral High School Basketball Team on their recent 1982 City Championship. Councillor Vollmer moved, seconded by Councillor Page for adoption. Proposal No. 76, 1982, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 5, 1982, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 5, 1982

**A SPECIAL RESOLUTION honoring the Cathedral Irish as the 1982 City Basketball Champions.**

**WHEREAS, the Cathedral Irish have won the 1982 City Basketball Title by defeating the competitive Arlington Golden Knights; and**

**WHEREAS, this is the first City Basketball Championship won by Cathedral in the school's history; and**

**WHEREAS, Coach Tom O'Brien; Assistant Coaches, Steve Hodgson, Mike Miller, and Brad Lennon; Athletic Director, Jean Ancelet; Managers, Jay Kirkoff, Steve Farrell and Rick Gin and Team Members, Scott Hicks, Shelton Smith, Jr., Rob Taylor, Scott Fath, Jeff Ewing, Kim Hoffman, Randy Knox, Ken Barlow, Brad Montgomery, Carl Daniels and Tim Healy have done an outstanding job representing their school and their City and should be commended on their championship; now therefore:**

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

**SECTION 1. The Council congratulates Coach Tom O'Brien and the Cathedral Irish on their 1982 City High School Basketball Title.**

**SECTION 2. The Mayor is invited to join with the Council by affixing his signature hereto.**

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

## INTRODUCTON OF GUESTS

Councillor Boyd acknowledged members of the Mapleton Fall Creek Girls Club. Dr. SerVaas introduced Ms. Hortense Meyers, Lecturer in Journalism at I.U.P.U.I. and a 39-year veteran of the United Press International, and he also acknowledged journalism students from her class.

## INTRODUCTION OF PROPOSALS

PROPOSAL NO. 56, 1982. This proposal was withdrawn on February 8, 1982.

PROPOSAL NO. 57, 1982. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$18,515 for the Warren Township Assessor for new office furniture"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 58, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for an inducement resolution in the amount not to exceed \$625,000 for Paper Manufacturers Company". Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given. The President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 59, 1982. This proposal was withdrawn on February 4, 1982.

PROPOSAL NO. 60, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION for a supplemental inducement resolution in an amount not to exceed \$2,800,000 for The Majestic Partnership." Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given. The President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 61, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing an amendment of documents executed in connection with previously issued Economic Development First Mortgage Revenue Bonds for Retirement Living, Inc. d/b/a Marquette Manor"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 62, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance of a \$125,000 economic development revenue bond for Rogers Typesetting



Company, Inc.” Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given. The President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

**PROPOSAL NO. 63, 1982.** Introduced by Councillor Tintera. The Clerk read the proposal entitled: “A Proposal for a **SPECIAL ORDINANCE** authorizing the issuance of a \$575,000 economic development first mortgage revenue bond for The Bosley Corporation.” Councillor Tintera requested that this proposal be advanced on the agenda. Council consent was given. The President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

**PROPOSAL NO. 64, 1982.** Introduced by Councillor SerVaas. The Clerk read the proposal entitled: “A Proposal for a **COUNCIL RESOLUTION** appointing David E. Carley as Director of the Department of Metropolitan Development”; and the President referred it to the Metropolitan Development Committee.

**PROPOSAL NO. 65, 1982.** Introduced by Councillor Gilmer. The Clerk read the proposal entitled: “A Proposal for a **GENERAL RESOLUTION** approving the issuance of special taxing district bonds of the Park District in the amount of \$10,000,000”; and the President referred it to the Parks and Recreation Committee.

**PROPOSAL NO. 66, 1982.** Introduced by Councillor West. The Clerk read the proposal entitled: “A Proposal for a **FISCAL ORDINANCE** appropriating \$93,165 for the Sheriff to continue the operations of the Community Corrections Center”; and the President referred it to the Public Safety and Criminal Justice Committee.

**PROPOSAL NO. 67, 1982.** Introduced by Councillor West. The Clerk read the proposal entitled: “A Proposal for a **FISCAL ORDINANCE** authorizing changes in the personnel compensation schedule of the Probation Department”; and the President referred it to the Public Safety and Criminal Justice Committee.

**PROPOSAL NO. 68, 1982.** Introduced by Councillor West. The Clerk read the proposal entitled: “A Proposal for a **FISCAL ORDINANCE** appropriating \$20,677 for the Municipal Court to continue the Central Case Entry Grant”; and the President referred it to the Public Safety and Criminal Justice Committee.

**PROPOSAL NO. 69, 1982.** Introduced by Councillor West. The Clerk read the proposal entitled: “A Proposal for a **GENERAL ORDINANCE** amending the Indianapolis Fire Code”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 70, 1982. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing John L. Krauss as Deputy Mayor of the City of Indianapolis"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 71, 1982. Introduced by Councillor Rader. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE replacing 4-way stop signs at North Denny and East 15th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 72, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Arlington Avenue and Thompson Road"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 73, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing speed limits on various streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 74, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION allocating revenue generated from the collection of fines of traffic violations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 75, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE providing a minimum \$10 fine for traffic violations"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 76, 1982. This proposal was adopted under Presentations of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled SPECIAL RESOLUTION NO. 5, 1982.

#### 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. 77, 1982. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending Chapter 6 of the Code dealing with dog licenses"; and the President referred it to the Administration Committee.

PROPOSAL NOS. 78-80, 1982. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for REZONING ORDINANCES certified from the Metropolitan Development Commission on February 4, 1982." The President referred them to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 81, 1982. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a COUNCIL RESOLUTION appointing Donald J. Hargadon to the Cable Franchise Board"; and the President referred it to the Administration Committee.

#### SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 39, 1982. President SerVaas announced that Robert G. Elrod, General Counsel, met with the petitioners and remonstrators who requested an additional ten minutes for a total of thirty minutes for deliberation, in addition to the time for public comment and Council inquiries. This allowance for additional time was granted by the Metropolitan Planning Commission. The President ruled that a motion would be in order to Suspend the Rules to allow an additional ten minutes for the presentation. Councillor Parker moved, seconded by Councillor West, to Suspend the Rules, thereby, allowing an additional ten minutes for the presentations by the petitioners and remonstrators. This motion failed by voice vote. Councillor Howard moved, seconded by Councillor Boyd, to Suspend the Rules to allow a total of twenty-five minutes for deliberation. This motion failed by voice vote. President SerVaas Ruled that Councillor Gilmer, as the Councillor requesting the public hearing, would be allowed two minutes for opening comments. Councillor Gilmer stated that on January 25, 1982, he had called out Proposal No. 39, 1982, for a public hearing to be held on February 8, 1982. He noted that the Metropolitan Planning Commission had approved this petition by a vote of 4-2 on a land use basis. Since this petition had the potential of more than land use, Councillor Gilmer, as Councillor for the district in question, felt it proper to hold a hearing before the entire Council. He added that the Council, as well as the public, has been "bombarded with conflicting statistics." Councillor Coughenour then stated that land use value is the area that the Council knows best and that land use should be the primary basis on what is dealt with during this hearing. She then moved, seconded by Councillor Brinkman, to restrict comments to the question of land use.

The President called for a voice vote on the motion and Councillor Coughenour called for a division of the vote. The vote failed on the following roll call vote; viz:

*10 YEAS: Brinkman, Coughenour, Hawkins, Holmes, Jones, Miller, Page, Parker, Rader, Vollmer*

*17 NAYS: Boyd, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Howard, Journey, McGrath, Nickell, Schneider, SerVaas, Stewart, Strader, Tintera, West*

*2 NOT VOTING: Borst, Rhodes*

Mr. James E. Hughes, Attorney representing Humana, Inc., stated that he would be presenting a land use case, although he was prepared to comment on negative charges. Mr. Hughes displayed Vu-graph slides of the site, as well as the surrounding development. During this time, Attorney Hughes assured the Council that the trees would be preserved, thereby allowing privacy for patients and the residents nearby. Humana is requesting rezoning of 20 acres currently zoned HD-2 district to HD-1 classification. Attorney Hughes reiterated that Humana, Inc. proposes to construct a three-story womens hospital for obstetrics and gynecology containing 150 beds at an estimated cost of the project of \$23,400,000. This project will be privately financed and will be on the tax roll in Marion County. The hospital will be designed to handle normal and high-risk pregnancies and it will not have emergency rooms. Therefore, there will not be any normal ambulance traffic generated from this facility. Humana will employ approximately 350 qualified people to staff the hospital on three shifts. Humana has agreed with the Department of Transportation to give up any Right-of-Ways necessary for expansion of the thoroughfare in the future. Humana will work with the Department of Transportation on deceleration and acceleration lanes on the Township Line Road entrance. Mr. Richard Wetzel of Wetzel Engineers, presented statistics regarding the number of vehicles traveling this route during peak hours. Because this new facility will peak approximately one hour before the normal thoroughfare peak hour, 7:00 a.m. to 8:00 p.m., and because the volume will be relatively small, no appreciable affect will be realized on the adjacent roadway network of Township Line Road, 86th Street, 79th Street and Dugan Road. Humana, as proposed, will generate 980 vehicle trips per day, of which an estimated 186 trips will occur during the peak hour of 6:00 a.m. to 7:00 p.m. Mr. James Dankert, Civil Engineer of Paul Cripe Inc., was employed to investigate this property. Mr. Dankert reported that the sanitary storm system would support this facility. Mr. Hughes informed Councillors that Humana, Inc. has received endorsements from Pike Township Residents Association, Nora Community Council, Robert Messick, a member of the Metropolitan Development Commission, and a number of physicians.



Mr. William LeMond, Attorney for the remonstrators representing St. Vincents Hospital, pointed out that in 1968 the Metropolitan Planning Commission had approved an amendment to the Hospital District Zoning Ordinance, resulting from a two-year study which contained the plans for St. Vincents. The plan included enough land for St. Vincents in the event additional land would be needed for expansion. Attorney LeMond said that St. Vincents Hospital was built eight years ago and he contended that this rezoning would take away land for the supportive needs of the hospital. He spoke of the master plan which incorporated other hospitals in Indianapolis, and added that this proposed project would disrupt the plan which had been previously approved by the Council. Attorney LeMond and Attorney Ted B. Lewis also presented Vu-graph slides of the site. Mr. Lewis disagreed with figures presented by the petitioner regarding the number of vehicles, adding that the figures did not reflect a true picture due to the fact that St. Vincents is almost doubling their facility, thus creating more traffic. The remonstrators reiterated that they were not contending that Humana should not be built, but rather that it should not be built in the area requested.

The President, after presentations from the petitioners and remonstrators, called for public testimony.

Mary Butler stated that when the petitioner referred to persons endorsing this project, she wanted the Council to know that adequate time, in her opinion, was not given for residents to speak at the Nora Community Council's meeting. She pointed out that the Nora Community Council's 13-0 decision did not, in her views, reflect the sentiment of the neighborhood.

Curtis Baker, speaking for the 16,000-member Central Building Trades Union, stated that Humana represents the type of economic development that the Indiana State and local government administration encourages. He reiterated that Humana would create 350 new jobs, pay taxes, and would be a "good citizen" in Marion County. He noted that additional jobs would also be created during the construction of the facility.

Louise White stated that Humana would not spend \$23,400,000 in our community unless the need existed for such a hospital and she strongly endorsed Humana, Inc. bringing such a facility to Indianapolis.

John McClain questioned the possibility of building the facility downtown. He noted that this would increase the tax base within the old city limits and help to support the special service districts, i.e., police and fire departments.

Howard Young, a member of the Board for Marquette Manor Retirement Center, stated that statistics given during this Council meeting and at their Board meeting do not coincide. Mr. Young is against the construction of the hospital.

Dr. Janet W. Griffith, who is also a registered nurse and has been involved in the field of maternal child health for the past twenty years, stated that unfortunately many nurses are not working in their field of expertise. She noted that the Indianapolis area has only one birthing room. Dr. Griffith added that she would hope that the Council would support Humana, thereby, allowing Indianapolis the kinds of services that are given on the coast.

Mrs. Jerry Hoffman-Meadows spoke in favor of Humana, Inc.

Evelyn Pitschke, Attorney, told the Council that there was only one question before them and that was the question of zoning.

Fran Rybak, an inactive registered nurse, expressed that the quality of womens care is denoted by the total care of a female patient and she is in favor of this proposed hospital.

James Chepulis said the question was whether or not to build another hospital in the same neighborhood as an institution that has served the community well. He did not agree with statements made regarding room for traffic expansion. Mr. Chepulis reiterated that he was against taking away from St. Vincents.

Rick Johnson, President of the Emergency Center, stated that the land for the expansion of St. Vincents or any other related ancillaries would limit competition. He did not want the land use question confused with the issue of competition.

Keith Thomas, Principal Planner for the Department of Metropolitan Development, when asked why the staff was in favor of the rezoning, replied that if one cannot put a hospital in a hospital district, where could one put a hospital. Mr. Thomas answered questions raised by Councillors regarding other zoning locations that might be suitable in the City, traffic in the area, and he also gave a brief history of the Hospital District Zoning Ordinance, amended in 1979, which incorporated St. Vincents.

Councillor McGrath asked the remonstrators why, if they did not want another hospital to build in the area, did St. Vincents not purchase the land. Mr. LeMond replied that it was not feasible for St. Vincents to purchase the land.

Councillor Borst questioned how Humana would handle the care given to indigents. Mrs. Betty Holmes, Project Director of Humana, Inc., stated that she had been employed by Humana since 1972. In reference to care given to indigents, Mrs. Holmes replied that Humana will handle indigent care to the law as do the other hospitals. She pointed out that in Louisville where there are three Humana hospitals, \$10,988,000 of unreimbursed care was rendered compared to a total of \$15,028,000 at the other seven tax-exempt hospitals in the area.

Councillor Schneider then moved for the presentation of closing arguments. Council consent was given.

Attorney James E. Hughes stated that there is going to be a hospital built. The decision before the Council now is whether or not it is going to be built in Marion County, pay taxes in Marion County, employ 350 people, plus inject an element of competition. Attorney Hughes then rested his case.

Attorneys LeMond and Lewis restated that they were not in favor of Humana, Inc. locating a hospital at 8111 Township Line Road, but were not opposed to the hospital being located in another part of the City. They reiterated that traffic congestion would pose a problem with this new facility and they encouraged the Councillors to deny this request for rezoning. The remonstrators rested their case.

The President instructed the Councillors that a green-Yea vote would sustain the petitioner and a red-Nay vote would override the ruling of the Metropolitan Development Commission. He added that it would take at least twenty red-Nay votes by State law to override the decision made by the Commission. The President then called for a vote and the petition was sustained by the following roll call vote; viz:

*17 YEAS: Borst, Brinkman, Campbell, Clark, Durnil, Gilmer, Hawkins, Holmes, Jones, McGrath, Miller, Nickell, Parker, Rader, Schneider, Tintera, West*

*12 NAYS: Boyd, Cottingham, Coughenour, Dowden, Howard, Journey, Page, Rhodes, SerVaas, Stewart, Strader, Vollmer*

Proposal No. 39, 1982, was retitled REZONING ORDINANCE NO. 15, 1982, and it reads as follows:

**REZONING ORDINANCE NO. 15, 1982 81-Z-137 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 1**

**8111 TOWNSHIP LINE ROAD, INDIANAPOLIS**

**Humana, Inc., by James E. Hughes, requests rezoning of 20.00 acres, being in HD-2 district to HD-1 classification, to provide for a 150-bed womens hospital for obstetrics and gynecology.**

Councillor Borst moved, seconded by Councillor Jones, for a five minute recess. The Council reconvened at 9:55 p.m.

PROPOSAL NO. 6, 1982. This proposal establishes a General Improvement Fund for the Department of Public Works. Councillor Coughenour moved to postpone action on Proposal No. 6, 1982, indefinitely, seconded by Councillor Miller. Council consent was given.

PROPOSAL NO. 32, 1982. This proposal appropriates \$172,179 for the Prosecutor and Auditor to reappropriate Crime Control funds for LEAA Grants. Councillor West moved, seconded by Councillor Borst, to postpone action on Proposal No. 32, 1982, in Council until March 1, 1982. Council consent was given.

PROPOSAL NO. 33, 1982. This proposal appropriates \$110,082 for the Sheriff to provide funds for Civil Deputies. Councillor West moved, seconded by Councillor Borst, to postpone action on Proposal No. 33, 1982, in Council until March 1, 1982. Council consent was given.

#### SPECIAL ORDERS, UNFINISHED BUSINESS

PROPOSAL NO. 592, 1981. This proposal appoints Rosemary Clarke to the Metropolitan Development Commission. Councillor West moved, seconded by Councillor Parker, to postpone action on Proposal No. 592, 1981, in Council. Consent was given.

PROPOSAL NO. 606, 1982. Councillor Miller stated that this proposal confirms the Council board and commission appointments. He then moved, seconded by Councillor Tintera, the following:

#### CITY—COUNTY COUNCIL MOTION

**Mr. President:**

**I move that City-County Proposal No. 606, 1981, be amended as follows:**

**In Section 8, delete the name "Clarence W. Prentice," and in Section 9, delete the name, "Michael Young."**

**s/Councillor Miller**

The amendment carried by voice vote. Councillor Miller then moved, seconded by Councillor Tintera, for adoption. Proposal No. 606, 1981, As Amended, was adopted on the following roll call vote; viz:



26 YEAS: Borst, Campbell, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

1 NAY: Boyd

2 NOT VOTING: Brinkman, Clark

Proposal No. 606, 1981, As Amended, was retitled COUNCIL RESOLUTION NO. 4, 1982, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 4, 1982**

**A COUNCIL RESOLUTION confirming the Board and Commission appointments.**

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

**SECTION 1. As a member of the Marion County Liquor Board, the Council appoints:**  
Harry Kent Wick

**SECTION 2. As members of the Metropolitan Development Commission, the Council appoints:**

Robert I. Samuelson  
George M. Bixler

**SECTION 3. As members of the Parks Board the Council appoints:**

Richard E. Lahr  
Barbara E. O'Laughlin

**SECTION 4. As members of the Public Safety Board, the Council appoints:**

Dwight W. Schuster  
William S. Gardiner

**SECTION 5. As members of the Public Works Board, the Council appoints:**

Thomas O. Hale  
Donald R. Hudson

**SECTION 6. As members of the Transportation Board, the Council appoints:**

Carlton E. Curry  
William Wayne Burking

**SECTION 7. As members of the Board of Zoning Appeals I, the Council appoints:**

JoAnna Walker  
Richard T. Hunter

**SECTION 8. As members of the Board of Zoning Appeals II, the Council appoints:**

Fred J. Imhausen

**SECTION 9. As members of the Board of Zoning Appeals III, the Council appoints:**

Steve H. Brizendine

**SECTION 10. The foregoing appointments shall each be for terms of one (1) year beginning January 1, 1981, at the pleasure of the Council, and until their respective successors are appointed.**

PROPOSAL NO. 1, 1982. This proposal amends Code Chapter 23 dealing with holidays and lay-offs. Councillor Dowden reported that the Administration Committee amended and recommended passage by a vote of 7-0. Councillor Dowden moved, seconded by Councillor Miller, for adoption. Proposal No. 1, 1982, As Amended, was adopted on the following roll call vote; viz:

20 YEAS: *Boyd, Cottingham, Coughenour, Dowden, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

7 NAYS: *Borst, Campbell, Clark, Holmes, Jones, Rhodes, Schneider*

2 NOT VOTING: *Brinkman, Durnil*

Proposal No. 1, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 13, 1982, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 13, 1982**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 23 dealing with holidays and lay-offs.

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

SECTION 1. Section 23-25 of Article II of Chapter 23 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by adding a new paragraph (b).

Sec. 23-25. Leave allowances generally.

(a) Leave allowances shall be as indicated in the categories set out in this article. All leave periods are for the total time in any calendar year. Any employee transferring between city and county offices and departments covered by this chapter, within thirty (30) days of terminated employment, shall be considered to be in continued employment for leave purposes and such transfer shall not affect the employee's status as to accrued leave or eligibility for leave.

(b) In accordance with the Reduction in Force Plan, in the case of a lay-off, those employees laid off will receive credit for their previously accumulated sick leave and years of service at the time of their reinstatement, provided they are recalled within one year from the date they were laid off.

SECTION 2. Section 23-32 of Article II of Chapter 23 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. 23-32. Holidays.

(a) The following are designated as city holidays for full-time employees:

New Year's Day (January 1st);  
Martin Luther King Day (January 15th);  
Presidents Day (third Monday of February);  
Good Friday (Friday preceding Easter);  
Memorial Day (last Monday of May);  
Independence Day (July 4th);  
Labor Day (first Monday of September);  
Thanksgiving Day (fourth Thursday of November);  
Friday after Thanksgiving;  
Christmas Day (December 25);  
Primary Election Day; and  
General Election Day in years with state and municipal elections.

(b) Day celebrated as holidays in continuing operations. In continuing seven (7) day a week operations, employees will observe the actual holiday, and be paid in accordance with the following provisions.

(b) (c) Days celebrated as holidays in Monday through Friday operations. In Monday through Friday operations, when any of these holidays occur on Sunday, the Monday succeeding shall be designated as the legal holiday. For employees who are employed in functions which must necessarily be continued at all times, a policy of compensatory leave or overtime for work on holidays shall be determined by the competent authority of each office in cooperation with the direction of the department of administration. When any holiday occurs on Saturday, the Friday preceding shall be designated as the legal holiday.

(b) (d) Holiday pay for unworked holiday. Full-time employees shall receive holiday pay at the employee's regular straight time rate for each of the designated holidays.

(b) (e) Pay for working on a holiday. Eligible employees shall be paid time and one-half (1/2) in addition to holiday pay for any and all time authorized for work on the day designated as the holiday or compensatory time and one-half (1/2) off as the case may be.

(b) (f) Eligibility. To be eligible the employee must work the full scheduled workday before and the full scheduled workday following the holiday, unless the employee is on a paid leave of absence. In Monday through Friday operations, there shall be no duplication or pyramiding of holiday pay for holidays falling on Saturday or Sunday but which are observed on other days.

(b) (g) Failure to report for scheduled work. Any employee scheduled to work on a day designated as holiday, who fails to report for work or absents himself or herself for that day, shall not be eligible for holiday pay or compensatory time off as the case may be.

(b) (h) Part-time employees shall receive holiday pay only if they are normally scheduled to work on the day that has been designated as a holiday and only the hours the employee would normally be scheduled to work.

(b) (i) Temporary/seasonal and part-time/temporary employees do not receive holiday pay.

SECTION 3. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted. (b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

## SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 566, 1981. This proposal appoints Dallas Schnitzius to the Air Pollution Control Board. Councillor Coughenour pointed out that Dallas Schnitzius had been a previous member of this Board, but due to business obligations, he was not able to continue serving. She stated that he now has the time to dedicate to this

Board and has conveyed his willingness to serve. Councillor Coughenour stated that the Public Works Committee recommended passage by a vote of 6-0-1. She then moved for adoption, seconded by Councillor Miller. Proposal No. 566, 1981, was adopted on the following roll call vote: viz:

*27 YEAS: Borst, Boyd, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

*NO NAYS*

*2 NOT VOTING: Brinkman, Hawkins*

Proposal No. 566, 1981, was retitled COUNCIL RESOLUTION NO. 5, 1982, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 5, 1982**

**A COUNCIL RESOLUTION appointing Dallas Schnitzius to the Air Pollution Control Board.**

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

**SECTION 1. As a member of the Air Pollution Control Board, the Council appoints:**

**DALLAS SCHNITZIUS**

**SECTION 2. The appointee shall serve for the balance of a three year term, ending December 31, 1983, or until a successor is appointed.**

**SECTION 3. The term of the foregoing appointment shall commence upon its adoption by the full Council.**

PROPOSAL NO. 4, 1982. This proposal adds Section 2-307 requiring the Economic Development Commission to request entities who obtain bonds to submit reports on new jobs created. Councillor Tintera moved, seconded by Councillor West, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President:**

**I move to amend Proposal No. 4, 1982, by inserting the word "revenue" in Section 1, paragraph 1, line 2 to read: "economic development revenue bonds". Also, in Section 1, paragraph 3, line 2, change 30 days to 60 days.**

**s/Councillor Tintera**

Council consent was given on the amendment. Councillor West moved, seconded by Councillor Brinkman, to further amend Proposal No. 4, 1982, by deleting in Section 1 the entire third paragraph, as follows: "An individual. . . penalties found herein". Councillor Clark called for the question on the motion. Councillor West's amendment was defeated on the following roll call vote; viz:



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

The President then called for a vote on Proposal No. 4, 1982, As Amended; it was adopted on the following roll call vote; viz:

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

Proposal No. 4, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 14, 1982, and reads as follows:

**CITY—COUNTY GENERAL ORDINANCE NO. 14, 1982**

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by adding Section 2-307 which requires the Economic Development Commission to require entities obtaining bonds to submit reports on new jobs.

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

SECTION 1. Article 7 of Chapter 2 of the "Code of Indianapolis and Marion County, Indiana," is amended by adding a new Section 2-307 as follows:

Sec. 2-307. Reports after bonds are issued.

The economic development commission shall request individuals or business entities that have obtained economic development revenue bonds to submit reports on the first and third anniversaries of the bonds issuance setting forth the number and type of additional jobs achieved by the bond project.

The commission shall file a report with the clerk of the council each January setting forth the responses which have been received from individuals and business entities, who have been requested to file a report on the number and type of additional jobs achieved by the bond project.

An individual or business entity that has obtained economic development bonds but refuses to submit a report within 60 days of a request by the economic development commission violates the Code and is subject to the general penalties found herein.

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

PROPOSAL NO. 20, 1982. Councillor Brinkman reported that this proposal transfers \$194,268 for the Information Services Agency to purchase equipment now being leased. She noted that the County and Townships Committee recommended passage by a vote of 6-0 on February 2, 1982. The lease price of the equipment would be \$90,000 more than the purchase price because the equipment has been

leased over a period of several years. Councillor Brinkman moved, seconded by Councillor Cottingham, for adoption. Proposal No. 20, 1982, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Dowden, Durnil, Gilmer, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*  
NO NAYS

3 NOT VOTING: *Clark, Coughenour, Hawkins*

Proposal No. 20, 1982, was retitled FISCAL ORDINANCE NO. 9, 1982, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 9, 1982**

A FISCAL ORDINANCE amending the City—County Annual Budget for 1982 (City—County Fiscal Ordinance No. 78, 1981) transferring and appropriating One Hundred Ninety-four Thousand Two Hundred Sixty-eight dollars (\$194,268) in the County General Fund for purposes of the Information Services Agency 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 2.03(c)(1) of the City—County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of purchasing equipment now being leased which will result in a savings.

**SECTION 2.** The sum of One Hundred Ninety-four Thousand Two Hundred Sixty-eight dollars (\$194,268), be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

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

<b>INFORMATION SERVICES AGENCY</b>	<b>COUNTY GENERAL FUND</b>
4. Capital Outlay	<u>\$194,268</u>
Total Increase	<u>\$194,268</u>

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

<b>INFORMATION SERVICES AGENCY</b>	<b>COUNTY GENERAL FUND</b>
3. Other Services and Charges	<u>\$194,268</u>
Total Reduction	<u>\$194,268</u>

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

PROPOSAL NO. 21, 1982. This proposal transfers \$1,000 for the Marion County Assessor for the additional cost to purchase a vehicle. Councillor Brinkman stated that the County and Townships Committee voted to strike this proposal on February 2, 1982, by a vote of 3-2-1. She moved, seconded by Councillor Cottingham, to strike Proposal No. 21, 1982, and it was stricken by consent of the Council.

PROPOSAL NO. 22, 1982. This proposal for an inducement resolution for Rogers Typesetting Co. Inc. in the amount of \$125,000, was heard by the Economic Development Committee on February 4, 1982, and recommended to be stricken by a vote of 5-0. Councillor Tintera stated that the Company has the financing already committed and documents ready and would prefer to go directly to the final bond ordinance. He then moved, seconded by Councillor Brinkman, to strike Proposal No. 22, 1982, and consent was given.

PROPOSAL NO. 23, 1982. Councillor Tintera reported that this proposal authorizes the issuance of economic development first mortgage revenue bonds in the amount of \$300,000 for Parahart Corporation. He moved, seconded by Councillor Rader, the following:

**CITY—COUNTY COUNCIL MOTION**

**Mr. President :**

I move to amend Proposal No. 23, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 23, 1982, Committee Recommendations."

s/Councillor Tintera

Council consent was given. Councillor Tintera reported that the Economic Development Committee amended and recommended passage on this proposal on February 4, 1982, by a vote of 5-0. After brief discussion, he moved, seconded by Councillor Parker, for adoption. Proposal No. 23, 1982, As Amended, was adopted on the following roll call vote; viz:

- 24 YEAS: *Borst, Boyd, Brinkman, Campbell, Cottingham, Dowden, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Strader, Tintera, Vollmer, West*
- NO NAYS
- 5 NOT VOTING: *Clark, Coughenour, Gilmer, Jones, Stewart*

Proposal No. 23, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 1, 1982, and reads as follows:

**CITY—COUNTY SPECIAL ORDINANCE NO. 1, 1982**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project)," in the principal amount of Three Hundred Thousand dollars (\$300,000) and approving and authorizing other actions in respect thereof.



WHEREAS, pursuant to City-County Council Special Ordinance No. 12, 1979, adopted on October 15, 1979, by the City-County Council of the City of Indianapolis, the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1979 (Parahart Corporation Project), in the principal amount of Six Hundred Thousand dollars (\$600,000) dated as of August 1, 1979, were issued to finance the acquisition, construction and equipping of an 18,000 square foot manufacturing facility, and the machinery and equipment to be installed therein, for the production of construction and industrial equipment located at 3617 Southeastern Avenue, Indianapolis, Indiana, on an approximate 7 acre tract of land which was leased to Parahart Corporation and sub-leased to State Equipment Company, Inc. (the "Original Project"), and approved and authorized other actions in respect thereto and approved the final forms of the Mortgage and Indenture of Trust, Lease Agreement, Guaranty Agreement and Sublease Agreement and Series 1979 Bonds; and

WHEREAS, it has been determined that Parahart Corporation and State Equipment Company, Inc. need additional facilities to complete and expand their operations and the Series 1979 bonds provide for the issuance of additional bonds to complete and to make additions to the Original Project; and

WHEREAS, the Indianapolis Economic Development Commission has rendered a Supplemental Report of the Indianapolis Economic Development Commission concerning the Proposed Financing of Economic Development Facilities for Parahart Corporation, as Developer, and State Equipment Company, as User, and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Mortgage and Indenture of Trust among the City of Indianapolis, Indiana, and the Indiana National Bank, as Trustee, dated as of August 1, 1979, provides in part that additional bonds may be issued, authenticated and delivered for the purpose of providing funds for completing the Original Project or making additions to the Original Project; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on January 6, 1982, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be added to the Original Project by Parahart Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and that supplemental 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 First Amendment To and Supplement of Mortgage and Indenture of Trust, First Amendment To and Supplement of Lease Agreement, Guaranty Agreement, Amended Sublease Agreement, and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), in the principal amount of \$300,000. (Such documents being referred to collectively as the "Financing Agreement" hereinafter 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 supplemental financing of the economic development facilities referred to in the First Amendment To and Supplement of Mortgage and Indenture of Trust, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds for the purpose of supplemental financing of the economic development facilities under construction or to be constructed in Indianapolis, Indiana, and the repayment of said bonds as provided in the First Amendment to and Supplement of Mortgage and Indenture of Trust, the lease of said facilities to Parahart Corporation and the sub-lease of said facilities to State Equipment Company, Inc., and the guaranty of the bond payments by Bramco, Inc., will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.



SECTION 2. The forms of the First Amendment To and Supplement of Mortgage and Indenture of Trust, First Amendment To and Supplement of Lease Agreement, Guaranty Agreement, Amended Sublease Agreement, and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), in the principal amount of \$300,000, 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 City-County Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), in the principal amount of Three Hundred Thousand dollars (\$300,000) for the purpose of procuring funds in order to complete financing of the economic development facilities, as more particularly set out in the Mortgage and Indenture of Trust, Lease Agreement, Guaranty Agreement, Sublease Agreement, First Amendment To and Supplement of Mortgage and Indenture of Trust, First Amendment To and Supplement of Lease Agreement, Guaranty Agreement, Amended Sublease Agreement, and the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), in the principal amount of \$300,000 incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Parahart Corporation, State Equipment Company, Inc. and/or Bramco, Inc. as provided in the above described First Amendment To and Supplement of Mortgage and Indenture of Trust, First Amendment To and Supplement of Lease Agreement, Guaranty Agreement, Amended Sublease Agreement, and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), in the principal amount of \$300,000. 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 purchasers thereof at a stated per annum rate of interest on the Bonds not to exceed seventy-five percent (75%) of the prime commercial lending rate announced by The Indiana National Bank, Indianapolis, Indiana, as such rate may change from day to day, each change in such applicable rate to be effective on the date such change in said prime rate is established, or such higher rate as may be provided for in the First Amendment To and Supplement of Mortgage and Indenture of Trust, First Amendment To and Supplement of Lease Agreement, Guaranty Agreement, Amended Sublease Agreement, and City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), in the principal amount of \$300,000, and at a price not less than 100% of the principal amount thereof.

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

SECTION 6. The provisions of this ordinance and the First Amendment To and Supplement of Mortgage and Indenture of Trust securing the Bonds shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1982 (Parahart Corporation Project), and after issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect from and after compliance with procedure by Indiana Code 36-3-4-14.

PROPOSAL NO. 58, 1982. This proposal for an inducement resolution in the amount not to exceed \$625,000 for Paper Manufacturers Company, was heard by the Economic Development Committee on February 4, 1982, and was approved by a vote of 6-0. Councillor Tintera reported that this project increases the capacity for the Indianapolis plant due to the consolidation of out-of-state operations to this facility. Councillor Tintera moved, seconded by Councillor Rader, for adoption. Proposal No. 58, 1982, was adopted on the following roll call vote; viz:

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

Proposal No. 58, 1982, was retitled SPECIAL RESOLUTION NO. 6, 1982, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 6, 1982**

**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, construction and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Paper Manufacturers Company (the "Company"), previously in 1975 had advised the Indianapolis Economic Development Commission and the City that they proposed that the City issue economic development revenue bonds and use the proceeds to acquire and install certain equipment and sell or lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes, said equipment to be installed in a 146,000 square foot facility located at 8525 East 33rd Street, Indianapolis, Marion County, Indiana, which would be leased from C. W. Jackson Realty Company, an Indiana partnership, and which would be used by the Company for the production of paper consumables for business machines, telecommunications systems, copiers, and general office use; and

WHEREAS, pursuant to the City-County Special Ordinance No. 1, 1976, adopted on July 12, 1976, this City-County Council authorized the City of Indianapolis to issue its "Economic Development Revenue Bonds (Paper Manufacturers Company Project)," in the principal amount of Five Hundred and Sixty Thousand dollars (\$560,000) and approved and authorized other actions in respect thereto and approved the final forms of the Loan Agreement, Note and Indenture of Trust; and

WHEREAS, the Company has grown and the Company has advised the Indianapolis Economic Development Commission and the City that it proposes that the City issue additional economic development revenue bonds for the acquisition and installation of machinery and equipment and the acquisition, construction, installation and equipping of various improvements, including approximately 1,000 square feet of additional office space, to the Company's existing 146,000 square foot facility referred to above (the "Project") for use in the Company's business of converting and coating paper and related packaging products for the paper and medical packaging industries (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (approximately 30 new jobs at the end of one year and a total of 40 new jobs at the end of three years) to be achieved by the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

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

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

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

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

**SECTION 2.** It further finds, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds of the City ("Issuer") in an amount not to exceed \$625,000 to be privately placed under the Act for the Project and the sale or leasing of the Project to Paper Manufacturers Company (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

**SECTION 3.** In order to induce the Company to proceed with the acquisition, construction, installation and equipping of the Project the City-County Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the City and the Company; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

**SECTION 4.** All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Company or loan the proceeds of such financing to the Company for the same 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. 60, 1982. This proposal for a supplemental inducement resolution in an amount not to exceed \$2,800,000 for The Majestic Partnership, was approved by the Economic Development Committee on February 4, 1982, by a vote of 5-0. Councillor Tintera reported that The Majestic Partnership is requesting that the inducement amount be increased from \$2,300,000 to \$2,800,000. Councillor Tintera moved, seconded by Councillor Cottingham, for adoption. Proposal No. 60, 1982, was adopted on the following roll call vote; viz:



26 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

3 NOT VOTING: *Coughenour, Jones, Rhodes*

Proposal No. 60, 1982, was retitled SPECIAL RESOLUTION NO. 7, 1982, and reads as follows:

**CITY—COUNTY SPECIAL RESOLUTION NO. 7, 1982**

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, rehabilitation and equipping of said facilities, and said facilities to be either sold or leased to a Company or the funds from said financing to be loaned to a Company and said facilities to be directly owned by a Company and leased or sub-leased to users; and

WHEREAS, The Majestic Partnership, An Indiana Limited Partnership (the "Company") has previously advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, rehabilitate 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 consist of acquisition of land and rehabilitation of the existing ten story commercial building located at 47 South Pennsylvania Street, Indianapolis, Indiana, to be leased or sub-leased substantially to various users (the "Project"); and

WHEREAS, pursuant to the City-County Special Ordinance No. 36, 1980, adopted on December 15, 1980, this City-County Council authorized the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1980 (The Majestic Partnership Project)," in the aggregate principal amount of Two Million dollars (\$2,000,000) and approved and authorized other actions in respect thereto and approved the final forms of the Loan Agreement, Mortgage and Indenture of Trust, Guaranty Agreement, Conditional Assignments of Leases and Rentals, Lessees' Consents and Agreements to Conditional Lease Assignments, and Promissory Note to fund the Project; and

WHEREAS, it was subsequently determined that the cost of completing the financing of the Project, including necessary expenses incidental thereto, required the issuance, sale and delivery of parity economic development first mortgage revenue bonds in the additional principal amount of \$300,000; and

WHEREAS, pursuant to and in accordance with the provisions of I.C. 18-6-4.5 as replaced by I.C. 36-7-12, the Indianapolis Economic Development Commission recommended to this Council that the City of Indianapolis, in furtherance of the purposes of the Act, make a supplemental loan to The Majestic Partnership, an Indiana Limited Partnership, for the purpose of completing the financing of the economic development facilities under construction or to be constructed in the City of Indianapolis, Indiana; and



WHEREAS, pursuant to the City-County Special Ordinance No. 25, 1981, adopted on September 3, 1981, this City-County Council authorized the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1981 (The Majestic Partnership Project)," in the principal amount of Three Hundred Thousand dollars (\$300,000) and approved and authorized other actions in respect thereto and approved the final forms of the First Supplemental and Amendatory Mortgage and Indenture of Trust, First Supplemental and Amendatory Loan Agreement, and Supplemental Guaranty Agreement to complete the financing of the Project; and

WHEREAS, it was anticipated by the City of Indianapolis and the Company that the bonds issued pursuant to both Special Ordinance No. 36, 1980, and Special Ordinance No. 25, 1981, would provide short term financing and that the Company would refund said bonds through the use of tax exempt economic development revenue bonds of the City of Indianapolis to provide permanent (long term) financing and that Special Ordinances No. 36, 1980, and No. 25, 1981, both contained language of that import; and

WHEREAS, the Company has advised the Indianapolis Economic Development Commission and the City that it proposes that the City loan the proceeds of an economic development revenue bond financing to the Company to provide permanent (long term) financing for the Project to refund those previously issued bonds and to issue an additional economic development revenue bond in an amount not to exceed Five Hundred Thousand dollars (\$500,000) for the purpose of completing the Project; and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 7 additional jobs at the end of one year and 11 additional jobs at the end of three years) to be achieved by the completion of the acquisition, renovation and equipping and leasing or sub-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 permanent (long term) financing of the Project to refund those previously issued bonds and the additional issuance of an economic development revenue bond in an amount not to exceed Five Hundred Thousand dollars (\$500,000) for the purpose of completing the Project will be of public benefit to the health, safety and general welfare of the City of Indianapolis and its citizens; and

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

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

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

**SECTION 2.** The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount not to exceed \$2,800,000 to refund those previously issued bonds and to complete the Project under the Act, to be backed by a bank Letter of Credit if underwritten as a public offering, 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 continue with the acquisition, renovation and equipping of the Project, on a permanent (long term) basis and to complete 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 to complete the Project will be permitted to be included as part of the bond issue to refund the existing bonds, and to provide permanent (long term) financing of 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. 62, 1982. Councillor Tintera reported that this proposal which authorizes the issuance of a \$125,000 economic development revenue bond for Rogers Typesetting Company, Inc., was heard by the Economic Development Committee on February 4, 1982, and recommended for passage by a vote of 5-0. He said that this project, located at 220 North Fulton Street, consists of renovating and purchasing new printing equipment. Councillor Tintera moved, seconded by Councillor Rhodes, for adoption. Proposal No. 62, 1982, was adopted on the following roll call vote; viz:

26 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

3 NOT VOTING: *Coughenour, Jones, Rhodes*

Proposal No. 62, 1982, was retitled SPECIAL ORDINANCE NO. 2, 1982, and reads as follows:

#### CITY-COUNTY SPECIAL ORDINANCE NO. 2, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Rogers Typesetting Company, Inc. Project)," in the principal amount of One Hundred Twenty-five Thousand dollars (\$125,000) and approving and authorizing other actions in respect thereof.

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 Rogers Typesetting Company, Inc., and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on February 3, 1982, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be renovated and equipped by Rogers Typesetting Company, 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, Mortgage and Security Agreement, Guaranty Agreement and Mortgage, Bond Purchase Agreement 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, Mortgage and Security Agreement previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to Rogers Typesetting Company, Inc. for the purpose of financing the economic development facilities under renovation or to be renovated in Indianapolis, Indiana, and the repayment of said loan by Rogers Typesetting Company, Inc. to be evidenced and secured by the Promissory Note of Rogers Typesetting Company, 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, Mortgage and Security Agreement, Guaranty Agreement and Mortgage, Bond Purchase Agreement and Promissory Note, and the form of the City of Indianapolis, Economic Development Revenue Bond (Rogers Typesetting Company, Inc., Project), 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 Bond (Rogers Typesetting Company, Inc., Project) in the principal amount of One Hundred Twenty-five Thousand dollars (\$125,000) for the purpose of procuring funds to loan to Rogers Typesetting Company, Inc. in order to finance the economic development facilities, as more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by Rogers Typesetting Company, Inc. on its Promissory Note in the principal amount of One Hundred Twenty-five Thousand dollars (\$125,000) which will be executed and delivered by Rogers Typesetting Company, Inc. to evidence and secure said loan, and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser thereof at a stated per annum rate of interest on the Bond not to exceed eighty percent (80%) of the prime commercial lending rate quoted and announced by the Indiana National Bank, Indianapolis, Indiana, at its principal office, from time to time, or such higher rate as may be provided in the Loan Agreement, Mortgage and Security Agreement and Bond Purchase Agreement 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 Bond



authorized herein. The signatures of the Mayor and City Clerk on the Bond shall be manual signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser thereof, payment for which will be made as directed in the Bond Purchase Agreement.

SECTION 6. The provisions of this ordinance and the Bond Purchase Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bond (Rogers Typesetting Company, Inc., Project) and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

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

PROPOSAL NO. 63, 1982. Councillor Tintera explained that this proposal authorizing the issuance of a \$575,00 economic development first mortgage revenue bond for The Bosley Corporation, was recommended for passage by the Economic Development Committee on February 4, 1982, by a vote of 5-0. He stated that The Bosley Corporation deals in audio-visual products and is located at 55 Kowebe Lane. Councillor Tintera moved, seconded by Councillor Cottingham, for adoption. Proposal No. 63, 1982, was adopted on the following roll call vote; viz:

27 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

2 NOT VOTING: *Coughenour, Schneider*

Proposal No. 63, 1982, was retitled SPECIAL ORDINANCE NO. 3, 1982, and reads as follows:

#### CITY—COUNTY SPECIAL ORDINANCE NO. 3, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bond, Series 1982 (The Bosley Corporation Project)," in the principal amount of Five Hundred Seventy-five Thousand dollars (\$575,000) and approving and authorizing other actions in respect thereof.

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

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on February 3, 1982, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by The Bosley Corporation and the lease of the economic development facilities by the City of Indianapolis, Indiana, to the Bosley Corporation 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 Bond Purchase Agreement, Lease Agreement, Mortgage and Security Agreement and form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1982 (The Bosley Corporation Project), (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 Lease Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bond, the purchase of the economic development facilities by the City of Indianapolis, Indiana, and the leasing of the economic development facilities to The Bosley Corporation which will renovate and equip said economic development facilities in Indianapolis, Indiana, and the repayment of said bond and mortgage from lease payments from The Bosley Corporation, 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 Bond Purchase Agreement, Lease Agreement, Mortgage and Security Agreement and form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (The Bosley Corporation Project), 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 City-County Council for public inspection.

**SECTION 3.** The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bond, Series 1982 (The Bosley Corporation Project), in the principal amount of Five Hundred Seventy-five Thousand dollars (\$575,000) for the purpose of procuring funds for the purchase of the economic development facilities by the City of Indianapolis, Indiana, and the leasing of the economic development facilities to The Bosley Corporation which will renovate and equip said economic development facilities, as more particularly set out in the Lease Agreement, incorporated here by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by The Bosley Corporation under the Lease Agreement which will be executed and delivered by The Bosley Corporation to evidence and secure said obligation, and as otherwise provided in the above described Bond Purchase Agreement, Lease Agreement, Mortgage and Security Agreement and form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1982 (The Bosley Corporation Project). The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

**SECTION 4.** The City Clerk or City Controller are authorized and directed to sell such Bond to the purchasers thereof at a stated per annum rate of interest on the Bond not to exceed twelve percent (12%) or such higher rate as may be provided in the Bond Purchase Agreement, Lease Agreement, Mortgage and Security Agreement or City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1982 (The Bosley Corporation Project), 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 Bond authorized herein. The signatures of the Mayor and City Clerk on the Bond shall be manual signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchasers thereof, payment for which will be made as directed in the Bond Purchase Agreement.

**SECTION 6.** The provisions of this ordinance and the Financing Agreement shall constitute a contract binding between the City of Indianapolis and the holders of the Economic Development First Mortgage Revenue Bond, Series 1982 (The Bosley Corporation Project), and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holders so long as said Bond or the interest thereon remains unpaid.

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

PROPOSAL NO. 48, 1982. Councillor Dowden stated that this proposal appoints Sheila Suess Kennedy to the Cable Franchise Board. He noted that Mr. Hargadon's name was amended out of this proposal due to the fact that he was not in attendance at the Administration Committee meeting of February 5, 1982. He added, however, that Mr. Hargadon's name appears in Proposal No. 81, 1982. Councillor Dowden pointed out that Mrs. Kennedy was approved by the Committee by a vote of 6-0. He then moved, seconded by Councilor Miller, for adoption, as amended. Proposal No. 48, 1982, As Amended, was adopted on the following roll call vote; viz:

24 YEAS: *Borst, Boyd, Brinkman, Campbell, Clark, Dowden, Durnil, Hawkins, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Strader, Vollmer, West*

NO NAYS

5 NOT VOTING: *Cottingham, Coughenour, Gilmer, Stewart, Tintera*

Proposal No. 48, 1982, As Amended, was retitled COUNCIL RESOLUTION NO. 6, 1982, and reads as follows:

**CITY—COUNTY COUNCIL RESOLUTION NO. 6, 1982**

**A COUNCIL RESOLUTION** appointing Sheila Suess Kennedy to the Cable Franchise Board.

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

**SECTION 1.** As a member of the Cable Franchise Board, the Council appoints:

**SHEILA SUESS KENNEDY**

**SECTION 2.** The foregoing appointee shall serve for a period of one year ending December 31, 1982, at the pleasure of the Council and until her successor is duly appointed and qualified.

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

PROPOSAL NOS. 78-80, 1982. Rezoning Ordinances certified from the Metropolitan Development Commission on February 4, 1982. Consent was given. Proposal Nos. 78-80, 1982, were adopted by unanimous voice vote, retitled REZONING ORDINANCE NOS. 16-18, 1982, respectively, and read as follows:

REZONING ORDINANCE NO. 16, 1982 81-Z-152 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 10

3359 NORTH RUCKLE STREET, INDIANAPOLIS

Church of the Living God, by Thomas Construction Company, requests rezoning of 0.75 acre, being in D-5 district, to SU-1 classification, to provide for church use.

REZONING ORDINANCE NO. 17, 1982 81-Z-161 WASHINGTON TOWNSHIP  
COUNCILMANIC DISTRICT NO. 6

604 EAST 38TH STREET, INDIANAPOLIS

Indianapolis Board of School Commissioners, by Clay Schilling, requests rezoning of 1.70 acres, being in D-5 and D-9 districts, to C-3 classification, to provide for office and retail commercial use.

REZONING ORDINANCE NO. 18, 1982 82-Z-1 CENTER TOWNSHIP  
COUNCILMANIC DISTRICT NO. 22

209 THRU 235 NORTH RURAL, INDIANAPOLIS

Englewood Christian Church, by William D. Hall, requests rezoning of 1.55 acres, being in D-5 district, to SU-1 classification, to provide for church use.

NEW BUSINESS

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:30 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 8th day of February, 1982.

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)