

**CITY-COUNTY COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
REGULAR MEETING  
Monday, September 13, 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 7:05 p.m., Monday, September 13, 1982. President SerVaas in the Chair. Councillor William A. Dowden 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: Boyd, Borst, 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*

**CORRECTION OF THE JOURNAL**

The Chair called for additions or corrections to the Journal of August 30, 1982. There being no additions or corrections, the minutes were approved as distributed.

**OFFICIAL COMMUNICATIONS**

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

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

**Ladies and Gentlemen:**

You are hereby notified that there will be a **REGULAR MEETING** of the City-County Council held in the City-County Building, in the Council Chambers, on Monday, September 13, 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 August 25, 1982, and September 1, 1982, a copy of NOTICE TO TAXPAYERS on General Ordinance No. 69, 1982.

Respectfully,

s/Beverly S. Rippy  
City Clerk

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

**Ladies and Gentlemen:**

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on September 2 and 9, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 311, 320, 322, 323, 325, 326, and 327, 1982, to be held on Monday, September 13, 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. 55, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981), appropriating an additional Ten Thousand One Hundred Forty dollars (\$10,140) 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.**

**SPECIAL ORDINANCE NO. 23, 1982, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project)," in the principal amount of One Million Six Hundred Fifty Thousand dollars (\$1,650,000) in coupon bond form and authorizing other actions in respect thereto.**

**SPECIAL RESOLUTION NO. 61, 1982, commending the Cosmo Knights Social Club.**

**SPECIAL RESOLUTION NO. 62, 1982, urging the adoption of a national strategy of Peace through Strength by the United States.**

**SPECIAL RESOLUTION NO. 63, 1982, 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. 373, 1982. Introduced by Councillor Miller. This proposal requests the Board of the Indianapolis Public Transportation Corporation to raise the fare per ride to seventy-five cents. Councillor Clark explained that the Board is requesting a 20% increase in the farebox and a 38% increase in the property tax rate. Councillor Clark moved, seconded by Councillor Miller, for adoption. After discussion, Councillor Boyd moved, seconded by Councillor Howard, to send Proposal No. 373, 1982, back to Committee. Councillor Tintera spoke in support of this Resolution. The President called for the vote on the motion to send the proposal to Committee. This motion failed on the following roll call vote; viz:

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

The President called for the vote on the main motion. The motion carried on the following roll call vote; viz:

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

Proposal No. 373, 1982, was retitled SPECIAL RESOLUTION NO. 64, 1982, and reads as follows:

**CITY-COUNTY SPECIAL RESOLUTION NO. 64, 1982**

A SPECIAL RESOLUTION requesting the Board of the Indianapolis Public Transportation Corporation to raise the fare per ride to 75 cents.

WHEREAS, the Indianapolis Public Transportation Corporation has proposed to meet increased operating expenses by a 20% increase in fares and a substantially higher increase in property taxes; and

WHEREAS, the City-County Council deems it inappropriate to increase the property tax burden for support of the Public Transportation System; now, therefore:

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

SECTION 1. The Board of the Indianapolis Public Transportation Corporation is requested to raise the fare per ride to 75 cents from the current 50 cents.

**SECTION 2.** The Marion County Board of Tax Adjustment is requested to deny any increase in the property tax levy in excess of that approved for collection in 1982.

**SECTION 3.** The Clerk is directed to send copies of this resolution to each member of the Indianapolis Public Transportation Corporation Board and the County Board of Tax Adjustment.

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

## INTRODUCTION OF PROPOSALS

[Clerk's Note: By Council consent, Proposal Nos. 351, 355, and 356, 1982, were advanced on the agenda to be heard and acted upon in this session of the Council.]

PROPOSAL NO. 350, 1982. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$527,151 for the Finance Division-City Debt Service to meet bond maturities due January 1, 1983"; and the President referred it to the Administration Committee.

PROPOSAL NO. 351, 1982. Introduced by Councillor Parker. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$475,000 for the Welfare Department to provide for the Continuation of Aid to Dependent Children payments"; and the President referred it to the Committee of the Whole to be heard under Special Orders, Public Hearing.

PROPOSAL NO. 352, 1982. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel schedule of the Marion County Auditor"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 353, 1982. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$41,000 for the Information Services Agency for increased cost in Voter's Registration and the Tax Billing System"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 354, 1982. Introduced by Councillor Brinkman. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$27,942 for the County Auditor to pay the fringe benefits of employees paid with Crime Control Funds"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 355, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to proposed economic development bonds for Geiger & Peters,

Inc. in an amount not to exceed \$2,000,000"; and the President referred it to the Committee of the Whole to be heard under Special Orders, Public Hearing.

PROPOSAL NO. 356, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing proceedings with respect to proposed economic development bonds for Shepard & Poorman Investments, an Indiana General Partnership, in an amount not to exceed \$1,800,000"; and the President referred it to the Committee of the Whole to be heard under Special Orders, Public Hearing.

PROPOSAL NO. 357, 1982. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION that reviews, modifies and approves the operating budget of the Capital Improvements Board of Managers of Marion County, Indiana, for 1983"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 358, 1982. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION that reviews, modifies and approves the operating budget of the Health and Hospital Corporation of Marion County, Indiana, for 1983"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 359, 1982. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION that reviews, modifies and approves the operating budget of the Indianapolis Airport Authority District of Indianapolis, Indiana, for 1983"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 360, 1982. Introduced by Councillor Clark. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION that reviews, modifies and approves the operating budget of the Indianapolis-Marion County Public Library Board of Marion County, Indiana, for 1983"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 361, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$3,320 for the Prosecutor for operating expenses and equipment for the Student Jury Diversionary Grant"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 362, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$204,000

for the Sheriff for increased utility expenses, to complete the renovation of the lock-up and to continue Criminal Investigations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 363, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$4,440 for the Juvenile Detention Center for additional funding and extension of the LEAA Grant for the Coordination for the Exploration of Detention Needs"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 364, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking restrictions on Davidson Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 365, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a 4-way stop at the intersection of Epler Avenue and Old Meridian Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 366, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking restrictions on Emerson and English Avenue"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 367, 1982. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a REZONING ORDINANCE certified from the Metropolitan Development Commission on September 2, 1982"; and the President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 368, 1982. Introduced by Councillor Parker. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION supporting the Federation of Multi-Service Centers"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 369, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requesting all township trustees to permit an employee of the City-County Council full access to the trustee's office to evaluate distribution of funds to the poor"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 370, 1982. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the appropriate officers of Marion County to execute an appeal to the State Board of Tax Commissioners and the Indiana Local Government Tax Control Board for authority for excess levies for Marion County"; and the President referred it to the Committee of the Whole.

PROPOSAL NO. 371, 1982. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION authorizing the appropriate officers of the Consolidated City to execute an appeal to the State Board of Tax Commissioners and the Indiana Local Government Tax Control Board for excess levies for the Consolidated City"; and the President referred it to the Committee of the Whole.

PROPOSAL NO. 372, 1982. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE levying taxes and fixing the Rate of Taxation to meet the expenses of Indianapolis and Marion County Government and its institutions for 1983"; and the President referred it to the Committee of the Whole.

PROPOSAL NO. 373, 1982. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION requesting the Board of the Indianapolis Public Transportation Corporation to raise the fare per ride to 75 cents." This proposal was heard by the Committee of the Whole under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions.

#### SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 269, 1982. This proposal appropriates \$88,503 for the County Sheriff and Auditor to continue operations of the Community Corrections Center. Councillor West moved to amend the proposal by decreasing the maximum per classification for the Sheriff's secretary from \$17,000 to \$16,000, seconded by Councillor Tintera. The amendment carried by voice vote. Councillor West explained that the psychological counsellors have been funded by CETA and Title XX, but after October 1, 1982, CETA will no longer fund this operation, therefore, part of this proposal would cover those operations. There are other Community Corrections Programs being funded in the proposal for the last six months of 1982. Councillor West moved for a vote on a main amendment, seconded by Councillor Tintera. The President called for a public hearing at 7:48 p.m. There being no one present to testify, the President called for the vote. The motion failed on the following roll call vote; viz:

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12 YEAS: *Boyd, Campbell, Hawkins, Holmes, Howard, Journey, Page, Parker, Strader, Tintera, Vollmer, West*

16 NAYS: *Borst, Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Jones, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, Stewart*

1 NOT VOTING: *Rhodes*

Due to a misunderstanding of what the motion was, Councillor Brinkman moved, seconded by Councillor Coughenour, to reconsider the vote on the motion to amend Proposal No. 269, 1982. The motion carried on the following roll call vote; viz:

20 YEAS: *Borst, Boyd, Brinkman, Campbell, Coughenour, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Page, Parker, Rhodes, SerVaas, Strader, Tintera, Vollmer, West*

7 NAYS: *Clark, Cottingham, Gilmer, Jones, Rader, Schneider, Stewart*

2 NOT VOTING: *Dowden, Nickell*

The President then called for the vote to amend Proposal No. 269, 1982, from \$88,503 to \$46,997. The motion carried on the following roll call vote; viz:

22 YEAS: *Boyd, Brinkman, Campbell, Clark, Coughenour, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Parker, Rhodes, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

6 NAYS: *Borst, Cottingham, Gilmer, Jones, Rader, Schneider*

1 NOT VOTING: *Dowden*

The President then called for the vote on Proposal No. 269, 1982, As Amended, and the motion carried on the following roll call vote; viz:

15 YEAS: *Boyd, Campbell, Coughenour, Hawkins, Holmes, Howard, Journey, Nickell, Page, Parker, SerVaas, Strader, Tintera, Vollmer, West*

14 NAYS: *Borst, Brinkman, Clark, Cottingham, Dowden, Durnil, Gilmer, Jones, McGrath, Miller, Rader, Rhodes, Schneider, Stewart*

Proposal No. 269, 1982, As Amended, was retitled FISCAL ORDINANCE NO. 57, 1982, and reads as follows:

**CITY—COUNTY FISCAL ORDINANCE NO. 57, 1982**

**A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGT FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Forty-six Thousand Nine Hundred Ninety-seven dollars (\$46,997) in the County General Fund for purposes of the Marion County Sheriff and the Marion County Auditor and reducing the unappropriated and unencumbered balance in the County General Fund.**



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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(a)(7) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the continued operation of the Community Corrections Center the last six months of 1982, and adjustment of the personnel schedule. Reimbursement of \$27,741 will be made by Federal 2B-CETA Funds.

SECTION 2. The sum of Forty-six Thousand Nine Hundred Ninety-seven dollars (\$46,997), 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 SHERIFF	COUNTY GENERAL FUND
1. Personal Services	\$43,181
2. Supplies	<u>1,000</u>
	\$44,181
 MARION COUNTY AUDITOR	
1. Personal Services (Fringes)	<u>2,816</u>
Total Increase	\$46,997

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

MARION COUNTY SHERIFF	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$46,997</u>
Total Reductions	\$46,997

SECTION 5. The personnel schedule changes made by deleting the crosshatched portions and adding the new amounts as underlined herein are hereby approved:

**MARION COUNTY SHERIFF**

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Sheriff	1	20,750	20,750
Executive Officer	1	30,919	30,919
Deputy Chief	5	29,185	145,925
Major	5	24,935	124,675
Captain	9	23,045	207,405
Lieutenant	29	21,469	622,601
Sergeant	98	20,366	1,995,868
Corporal	51	19,499	994,449
Deputy 3rd Year	261	19,028	4,922,113
Deputy 2nd Year	2	17,453	33,909
Deputy 1st Year	11	14,859	163,449
<b>CIVILIAN EMPLOYEES:</b>			
First Deputy	1	28,720	28,720
Admin. Assistant	1	21,940	10,970
Civil Major	1	19,476	19,476
Civil Captain	1	17,406	17,406
Civil Lieutenant	2	15,987	31,974
Civil Sergeant	9	14,113	127,017
Civil Deputy	54	12,550	677,700
Division Secretary	5	9,876	49,380
Clerk/Typist	35	12,757	322,672
Mechanic	9	17,406	143,417
Attendant	7	10,088	70,616
Chaplain	1	16,425	16,425
Crime Watch Coord.	1	15,044	15,044
Executive Secretary	2	16,000	26,733
Comm. Resource Staff	5	20,000	<u>54,069</u>
Career Explor. Staff	6	20,000	<u>68,465</u>

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Merit Board Per Diem		960
Reserve Salaries		625
Temporary Help		44,785
CARE Program		23,000
OTHER COMPENSATION:		
Longevity		267,000
Clothing Allowance		36,000
Educational Bonus		100,975
Shift Differential and Overtime		238,875
Professional Fees		58,799
Vacancy Factor		(258,102)
TOTAL	613	<u>11,455,064</u>

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

PROPOSAL NO. 351, 1982. This proposal transfers \$475,000 for the Welfare Department to provide for the continuation of Aid to Dependent Children payments and was recommended for passage by the Community Affairs Committee on September 8, 1982, by a vote of 6-0. Councillor Parker explained that the Welfare Department salaries have been frozen by the Governor, therefore, funds will be transferred from personal services to be used for ADC payments. Councillor Parker moved, seconded by Councillor Holmes, for adoption. Proposal No. 351, 1982, was adopted on the following roll call vote; viz:

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

1 NAY: *McGrath*

1 NOT VOTING: *Borst*

Proposal No. 351, 1982, was retitled FISCAL ORDINANCE NO. 58, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 58, 1982**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Four Hundred Seventy-five Thousand dollars (\$475,000) in the County Welfare Fund for purposes of the Marion County Department of Public Welfare 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 3.03 of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to provide for the continuation of Aid to Dependent Children Payments and adjusting the personnel schedule.

SECTION 2. The sum of Four Hundred Seventy-five Thousand dollars (\$475,000), be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY DEPARTMENT  
OF PUBLIC WELFARE

COUNTY WELFARE FUND

3. Other Services & Charges \$475,000  
Total Increase \$475,000

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

MARION COUNTY DEPARTMENT  
OF PUBLIC WELFARE

COUNTY WELFARE FUND

1. Personal Services \$475,000  
Total Reduction \$475,000

SECTION 5. Section 3.02 is amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

MARION COUNTY WELFARE DEPARTMENT - Dept. 84

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Director	1	46,870	46,870
Super. & Admin. Pers.	75	28,650	1,543,080
Caseworkers	289	24,329	4,591,574
Clerical	108	16,802	1,158,675
Custodian	2	12,290	23,310
Attorney	4	26,520	93,366
Per Diem - Board Mem.	5	400	2,000
Vacancy Factor		<del>(\$999,975)</del>	(833,675)
<b>TOTAL</b>	<u>484</u>	<u>17,100,200</u>	<u>6,625,200</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 ~~\$71,100,200~~ \$6,625,200.

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

PROPOSAL NO. 355, 1982. This proposal authorizes proceedings with respect to proposed economic development bonds for Geiger & Peters, Inc. in an amount not to exceed \$2,000,000, and was recommended for passage by the Economic Development Committee on September 10, 1982, by a vote of 3-0. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 355, 1982, was adopted on the following roll call vote; viz:

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

1 NAY: Jones

1 NOT VOTING: Dowden

Proposal No. 355, 1982, was retitled SPECIAL RESOLUTION NO. 65, 1982, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 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 either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Geiger & Peters, Inc. (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction and equipping of an expansion of the Company's facility for structural steel fabrication and erection including 3 additional crane runways with approximately 83,460 square feet under the cranes and the machinery and equipment to be installed therein plus certain site improvements located at 761 South Sherman Drive, Indianapolis, Indiana, on the present site of the Company (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 3 additional jobs at the end of one year and 55 additional jobs of which approximately 40 would be part-time jobs at the end of three years) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, 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 and equipping of the facilities will not have an adverse competitive effect in 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 or 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 \$2,000,000 under the Act, for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to Geiger & Peters, Inc. (the "Company"), or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

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

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the 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. 356, 1982. This proposal authorizes proceedings with respect to proposed economic development bonds for Shepard & Poorman Investments, an Indiana General Partnership, in an amount not to exceed \$1,800,000. The Economic Development Committee recommended passage by a vote of 3-0 on September 10, 1982. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 356, 1982, was adopted on the following roll call vote; viz:

21 YEAS: *Borst, Brinkman, Campbell, Clark, Cottingham, Coughenour, Durnil, Hawkins, Holmes, McGrath, Miller, Nickell, Page, Parker, Rader, Rhodes, SerVaas, Stewart, Tintera, Vollmer, West*

5 NAYS: *Boyd, Howard, Jones, Journey, Strader*

3 NOT VOTING: *Dowden, Gilmer, Schneider*

Proposal No. 356, 1982, was retitled SPECIAL RESOLUTION NO. 66, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 66, 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 either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Shepard & Poorman Investments, an Indiana General Partnership (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, construction and equipping of a new building for a comprehensive graphic communications production and printing facility and the machinery and equipment to be installed therein, plus certain site improvements to be located in the Park 100 Industrial Park at 73rd Street and Woodland Drive, Indianapolis, Indiana, on approximately 9 acres of land (the "Project"), which Project will be leased to various users for the above purposes including Shepard & Poorman Printing Co., Inc., Indy Type, Inc., New York Truck Exchange, Inc., California Trucker, Inc., Cascade Trucker, Inc., Allied Publications, Inc., and New England Truck Exchange, Inc.; and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 22 additional jobs at the end of one year and 79 additional jobs at the end of three years) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, it would appear that the financing and leasing 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, equipping and leasing of the facilities will not have an adverse competitive effect in 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 or 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 \$1,800,000 under the Act with an assignment of leases of the users for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to Shepard & Poorman Investments, an Indiana General Partnership (the "Company"), and the leasing of the Project to various users for the above purposes, including Shepard & Poorman Printing Co., Inc., Indy Type, Inc., New York Truck Exchange, Inc., California Trucker, Inc., Cascade Trucker, Inc., Allied Publications, Inc., and New England Truck Exchange, Inc., 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, equipping and leasing of the Project, this 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; and that (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter sell the same to the Company or loan the proceeds of the revenue bonds to the Company for the 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. 311, 1982. This proposal authorizes issuance and sale of bonds in the principal amount of \$2,700,000 for funding certain judgment obligations of the Marion County Department of Public Welfare. Councillor Parker moved, seconded by Councillor Gilmer, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 311, 1982, by deleting the introduced version and substituting therefor the proposal entitled: "Proposal No. 311, 1982, Committee Recommendations."

s/Councillor Parker

Council consent was given. Councillor Parker advised that the Community Affairs Committee amended and recommended passage by a vote of 6-0 on September 8, 1982. The President called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Parker moved, seconded by Councillor Gilmer, for adoption. Proposal No. 311, 1982, As Amended, was adopted on the following roll call vote; viz:

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

Proposal No. 311, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 24, 1982, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 24, 1982**

A SPECIAL ORDINANCE authorizing the issuance and sale of bonds of the County of Marion in the principal amount of Two Million Seven Hundred Thousand dollars (\$2,700,000) for the purpose of funding certain judgment obligations of the Marion County Department of Public Welfare.

WHEREAS, Methodist Hospital of Indiana, Inc. ("Methodist"), has heretofore asserted claims, pursuant to I.C. 12-5-2 and I.C. 12-5-1-15, against the Marion County Department of Public Welfare ("Department") for the payment of the costs incurred by Methodist in providing medical services to certain persons; and

WHEREAS, on April 13, 1982, Methodist and the Department entered into a Settlement Agreement ("Agreement") whereby the parties agreed to enter into stipulations concerning said claims and the Department agreed to pay Methodist an amount equal to .5 times each claim, but not to exceed \$2,700,000 in the aggregate; and

WHEREAS, all such claims which Methodist has asserted against the Department have been reduced to judgments rendered in favor of Methodist in the aggregate amount of \$5,445,996.55, all as more particularly set forth in judgment entries rendered by the Circuit Court of Marion County and by the Superior Court of Marion County under the following cause numbers:

C79-2825	C81-1934	C81-2726
C79-2826	C81-2112	C81-2758
C79-2828	C81-2135	C81-2760
C79-2832	C81-2136	C81-2772
S680-0914	C81-2137	C81-2774
S280-0947	C81-2330	C81-2780
C80-0061	C81-2388	C81-2785
C81-0451	C81-2350	C81-2789
C80-2686	C81-2389	C81-2814
C80-3284	C81-2513	C81-2884
C81-0773	C81-2538	C81-3074
C81-0911	C81-2573	C81-3076
C81-0923	C81-2652	C81-3192
C81-1115	C81-2680	C81-3193
C81-1173	C81-2684	C81-3195
C81-1451	C81-2686	C81-3213
C81-1691	C81-2687	C82-1265; and

WHEREAS, pursuant to the Agreement, the Department is obligated to pay Methodist the sum of Two Million Seven Hundred Thousand dollars (\$2,700,000) in satisfaction of said judgments; and

WHEREAS, the Marion County Auditor has presented to the City-County Council an Estimate and Statement of the Marion County Board of Public Welfare, adopted July 28, 1982, in which the Board finds that, on account of the judgment obligation owed to Methodist, the County Welfare Fund will be exhausted before the close of the 1982 fiscal year and that, in addition to funds already made available, the amount of Two Million Seven Hundred Thousand dollars (\$2,700,000) will be necessary to defray the expenses and pay the obligations of the Board of Public Welfare in the administration of the County Welfare activities for the remainder of the 1982 fiscal year, and specifically that said amount will be necessary to pay the judgment obligation referred to above; and

WHEREAS, the Marion County Auditor has presented to the City-County Council the Findings and Order of the Board of Commissioners of the County of Marion, Indiana, adopted July 29, 1982, in which said Board of Commissioners finds that on account of the obligation owed by the Department to Methodist, the amount of money which will be required, in addition to any money already available, to defray the expenses and to pay the obligations of the Marion County Board of Public Welfare in the administration of the welfare services of the County for the unexpired portion of the 1982 fiscal year is greater than the amount of money which can be advanced from the General Fund of the County; that the amount of money which will be required by the Board of Public Welfare to pay the aforementioned judgment obligation, which is in excess of the money already available, is Two Million Seven Hundred Thousand dollars (\$2,700,000); and that in order to fund such obligation it will be necessary to issue judgment funding bonds of the County of Marion in the amount of Two Million Seven Hundred Thousand dollars (\$2,700,000); and

WHEREAS, the Board of Commissioners has determined to issue said bonds subject to the approval of the City-County Council, and the Council now finds that it is necessary to issue said bonds in order to fund the judgment obligation owed by the Department to Methodist; and

WHEREAS, the Council now finds that the County has no funds available or provided for in the existing budgets and tax levies which may be applied to satisfy said judgment obligation, making it necessary to authorize the issuance of bonds of the County in order to procure the funds to be furnished by the County, and that a necessity exists for the making of the additional appropriation hereinafter set out; now, therefore:

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

SECTION 1. 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 required, in addition to the money already available, to defray the expenses and to pay the obligations of the Marion County Board of Public Welfare in the administration of the welfare services of the County for the unexpired portion of the 1982 fiscal year, and specifically for the purpose of funding the judgment obligation of the Marion County Department of Public Welfare in the amount of Two Million Seven Hundred Thousand dollars (\$2,700,000). The payment of said judgment obligation is made pursuant to the Agreement entered into on April 13, 1982, by and between Methodist and the Department, and such payment is in full and complete satisfaction of judgments entered against the Department in favor of Methodist by the Circuit Court of Marion County and by the Superior Court of Marion County under the following cause numbers:

C79-2825	C81-1934	C81-2726
C79-2826	C81-2112	C81-2758
C79-2828	C81-2135	C81-2760
C79-2832	C81-2136	C81-2772
S680-0914	C81-2137	C81-2774



S280-0947	C81-2330	C81-2780
C80-0061	C81-2388	C81-2785
C81-0451	C81-2350	C81-2789
C80-2686	C81-2389	C81-2814
C80-3284	C81-2513	C81-2884
C81-0773	C81-2538	C81-3074
C81-0911	C81-2573	C81-3076
C81-0923	C81-2652	C81-3192
C81-1115	C81-2680	C81-3193
C81-1173	C81-2684	C81-3195
C81-1451	C81-2686	C81-3213
C81-1691	C81-2687	C82-1265

SECTION 2. For the purpose of procuring said loan the Board of Commissioners of the County is hereby authorized and directed to have prepared and to issue and sell negotiable general obligation bonds of the County, to be designated as "Marion County, Indiana, General Obligation Public Welfare Judgment Funding Bonds," in the aggregate principal amount of Two Million Seven Hundred Thousand dollars (\$2,700,000), which bonds shall be issued in the denomination of One Thousand Dollars (\$1,000), shall be numbered consecutively from 1 upwards, shall be dated as of the date said bonds are delivered to the purchaser thereof, and shall bear interest at a rate or rates not to exceed five per cent (5%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semi-annually on June 30 and December 31 of each year commencing June 30, 1983, and shall be evidenced by coupons attached to such bonds. Both bonds and interest coupons shall be payable at the office of the Treasurer of Marion County in the City of Indianapolis, Indiana, in lawful money of the United States of America. The bonds shall mature serially and be payable on the dates and in the amounts as follows:

<u>DATE</u>	<u>AMOUNT</u>
June 30, 1983	\$338,000
December 31, 1983	\$337,000
June 30, 1984	\$338,000
December 31, 1984	\$337,000
June 30, 1985	\$338,000
December 31, 1985	\$337,000
June 30, 1986	\$338,000
December 31, 1986	\$337,000

The bonds shall be executed in the name of the County of Marion by the facsimile signatures of the Commissioners of Marion County, and attested by the signature of the Auditor, who shall cause to be affixed thereto or imprinted thereon the seal of the Board of Commissioners of the County. The interest coupons attached to the bonds shall be executed with the facsimile signatures of the Commissioners of the County and the Auditor. The bonds shall, in the hands of bona fide holders, have all of the qualities of negotiable instruments.

SECTION 3. The form and tenor of the bonds and the interest coupons to be attached thereto shall be substantially as follows (all blanks to be properly completed prior to the printing of the bonds):

UNITED STATES OF AMERICA

State of Indiana

County of Marion

NO. \_\_\_\_\_

\$1,000

MARION COUNTY, INDIANA, GENERAL OBLIGATION  
PUBLIC WELFARE JUDGMENT FUNDING BOND

The County of Marion, in the State of Indiana, for value received, hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal amount of

ONE THOUSAND DOLLARS

On \_\_\_\_\_, 19\_\_ , and to pay interest thereon from the date hereof until the principal is paid, at the rate of \_\_\_\_\_ per cent ( \_\_\_\_ %) per annum, payable semi-annually on June 30 and December 31 of each year commencing June 30, 1983, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Office of the Treasurer of Marion County, in the City of Indianapolis, Indiana.

This bond is one of an authorized issue of Two Thousand Seven Hundred (2,700) bonds of the County of Marion, of like date, denomination, tenor and effect, except as to interest rates and dates of maturity, aggregating Two Million Seven Hundred Thousand dollars (\$2,700,000), numbered consecutively from 1 upwards, issued pursuant to an ordinance adopted by the City-County Council of said County on \_\_\_\_\_, 19\_\_ , entitled "A SPECIAL ORDINANCE authorizing the issuance and sale of bonds of the County of Marion in the principal amount of Two Million Seven Hundred Thousand dollars (\$2,700,000) for the purpose of funding certain judgment obligations of the Marion County Department of Public Welfare" and Titles 12 and 36 of the Indiana Code, and particularly Title 12, Article 1, Chapter 11, Title 36, Article 2, Chapter 6, and Title 36, Article 3, Chapter 4.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the County of Marion, together with all of its taxable property, both real and personal, are hereby irrevocably pledge to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the County of Marion, in the State of Indiana, by ordinance of its City-County Council, has caused this bond to be executed in its corporate name by the facsimile signatures of its Board of County Commissioners, its corporate seal to be imprinted hereon and attested by the signature of its Auditor, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said Commissioners and Auditor as of the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ .

COUNTY OF MARION, INDIANA

By: \_\_\_\_\_ (Facsimile)

\_\_\_\_\_ (Facsimile)

\_\_\_\_\_ (Facsimile)

Board of Commissioners of the  
County of Marion, Indiana

ATTEST:

\_\_\_\_\_  
Auditor, County of Marion, Indiana

(Interest Coupon)

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

On \_\_\_\_\_, \_\_\_\_\_, the County of Marion, Indiana, will pay to bearer at the office of the Treasurer of Marion County, in the City of Indianapolis, Indiana, the amount shown hereon in lawful money of the United States of America, being the interest then due on its Marion County, Indiana, General Obligation Public Welfare Judgment Funding Bond, dates \_\_\_\_\_, \_\_\_\_\_, No. \_\_\_\_\_.

COUNTY OF MARION, INDIANA

By: \_\_\_\_\_ (Facsimile)

\_\_\_\_\_ (Facsimile)

\_\_\_\_\_ (Facsimile)

Board of Commissioners of the  
County of Marion, Indiana

Auditor, County of Marion, Indiana

SECTION 4. As soon as can be done after the passage of this ordinance, the Auditor and the Clerk of the Council shall give notice of the determination to issue bonds. Such notice shall be published in Marion County, and shall also be posted in three public places in the County, as provided by IC 6-1.1-20-5.

In the event an objecting petition or petitions are filed by taxpayers under the provision of IC 6-1.1-20-5, then no further steps towards the issuance of the bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of such 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. Prior to the sale of bonds the Auditor shall cause to be published in The Indianapolis Star, The Indianapolis News and The Indianapolis Commercial, newspapers published in Marion County, a notice of such sale two (2) times at least one (1) week apart. The date fixed for the sale shall not be earlier than fifteen (15) days after the first of the publications in the Marion County newspapers nor earlier than three (3) days after the last of said publications. The bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, the fact that specifications of said bonds and information concerning same are on file in the Office of the Auditor and may be obtained on application, and such other information as the Auditor shall deem necessary.

All bids for bonds shall be sealed and shall be presented to the Auditor at his office, and the Auditor shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider each bid. Bidders for the bonds shall be required to name the rate or rates of interest which the bonds are to bear, not exceeding five per cent (5%) per annum, and such interest rate or rates shall be in multiples of one-eighth (1/8) or one-tenth (1/10) of one percent (1%), and not more than four (4) different interest rates shall be named by each bidder. All bonds maturing on the same date shall bear the same single rate of interest, and the interest due on any bond on any interest payment date shall be represented by a single interest coupon. The interest rate bid on the bonds in any maturity shall be equal to or greater than the interest rate on the immediately preceding maturity. The Auditor shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the County, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds will be considered. The Auditor shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in the notice for the sale of said bonds, the Auditor shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without re-advertising, but during such continuation no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of the bonds the Auditor shall be authorized to obtain a legal opinion as to the validity of the bonds from Baker & Daniels, bond counsel, of Indianapolis, Indiana, and to furnish such opinion to the purchaser of the bonds. The cost of this opinion shall be paid by the purchaser of the bonds.

SECTION 6. The Auditor is hereby authorized and directed to have such bonds and coupons prepared and caused to be imprinted thereon or affixed thereto the County's seal, and the Board of County Commissioners and Auditor are hereby authorized and directed to execute the bonds and the interest coupons to be attached thereto in the form and manner herein provided. After the bonds have been properly executed, the Auditor and the Treasurer of Marion County shall deliver the bonds to the purchasers in the manner provided by law.

SECTION 7. The proceeds from the sale of said bonds, in the amount of Two Million Seven Hundred Thousand dollars (\$2,700,000), are hereby appropriated to the Marion County Department of Public Welfare for the purpose of satisfying the judgment obligation referred to herein.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 320, 1982. This proposal appropriates \$140,500 for various divisions of the Parks Department for additional program activities. Councillor Gilmer explained that this proposal was recommended for passage by the Parks and Recreation Committee by a vote of 5-0 on September 2, 1982. The President called for public testimony at 8:10 p.m. There being no one present to testify, Councillor Gilmer moved, seconded by Councillor Miller, for adoption. Proposal No. 320, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Hawkins, Parker*

Proposal No. 320, 1982, was retitled FISCAL ORDINANCE NO. 59, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 59, 1982**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional One Hundred Forty Thousand Five Hundred dollars (\$140,500) in the Park General Fund for purposes of the Administration, Eagle Creek, Community Recreation and Sports, and Special Facilities Divisions, Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of construction and development of the Velodrome, funding of additional program activities to include the National Public Links Golf Tournament at Eagle Creek, and providing free or low-cost recreation and aquatics for Inter City Youth in the Community Recreation and Sports and Special Facilities.

SECTION 2. The sum of One Hundred Forty Thousand Five Hundred dollars (\$140,500), be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	
<u>ADMINISTRATION DIVISION</u>	<u>PARK GENERAL FUND</u>
3. Other Services & Charges	\$53,000
<u>EAGLE CREEK DIVISION</u>	
2. Supplies	2,500
<u>COMMUNITY RECREATION DIVISION</u>	
3. Other Services & Charges	55,000
<u>SPORTS AND SPECIAL FACILITIES DIV.</u>	
3. Other Services & Charges	30,000
Total Increase	<u>\$140,500</u>

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

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered	
Park General Fund	<u>\$140,500</u>
Total Reduction	<u>\$140,500</u>

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

PROPOSAL NO. 322, 1982. This proposal appropriates \$7,500 for Weights and Measures Division to continue current staffing. Councillor West reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 5-0 on September 7, 1982. The President called for public testimony. There being no one present to testify, Councillor West moved, seconded by Councillor Rhodes, for adoption. Proposal No. 322, 1982, was adopted on the following roll call vote; viz:

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

Proposal No. 322, 1982, was retitled FISCAL ORDINANCE NO. 60, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 60, 1982**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Seven Thousand Five Hundred dollars (\$7,500) in the Consolidated County Fund for purposes of the Department of Public Safety, Weights and Measures Division, and reducing certain other appropriations for the Office of the Director, Department of Metropolitan Development.

**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 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the continuation of current staffing within the division.

SECTION 2. The sum of Seven Thousand Five Hundred dollars (\$7,500), 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 Public Safety	
Weights and Measures Division	Consolidated County Fund
1. Personal Services	<u>\$7,500</u>
Total Increase	<u>\$7,500</u>

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

Department of Metropolitan Development  
Office of the Director

1. Personal Services  
Total Reduction

Consolidated County Fund

\$7,500

\$7,500

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

PROPOSAL NO. 323, 1982. This proposal appropriates \$17,025 for Civil Defense Division to continue current operations and for the Hazardous Materials Study. Councillor West moved, seconded by Councillor Borst, the following:

CITY—COUNTY COUNCIL MOTION

Mr President:

I move to amend Proposal No. 323, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 323, 1982, Committee Recommendations."

s/Councillor West

Council consent was given. After discussion, Councillor West moved, seconded by Councillor Borst, to send Proposal No. 323, 1982, As Amended, back to the Public Safety and Criminal Justice Committee for further consideration. Council consent was given.

PROPOSAL NO. 325, 1982. This proposal approves issuance of special taxing district bonds of the Flood Control District in the amount of \$5,000,000. Councillor Coughenour reported that the Public Works Committee recommended passage on September 7, 1982, by a vote of 3-0. The President called for public testimony at 7:14 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Miller, for adoption. Proposal No. 325, 1982, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Gilmer, Hawkins, McGrath*

Proposal No. 325, 1982, was retitled GENERAL RESOLUTION NO. 4, 1982, and reads as follows:

CITY—COUNTY GENERAL RESOLUTION NO. 4, 1982

A GENERAL RESOLUTION approving a Confirmatory Resolution of the Board of Public Works of the City of Indianapolis, Indiana, and approving the issuance of "City of Indianapolis Flood Control District Bonds of 1982, First Issue" in the amount of Five Million Dollars (\$5,000,000).

WHEREAS, On July 13, 1982, the Board of Public Works of the City of Indianapolis, Indiana, adopted a Declaratory Resolution, declaring that it is necessary for the general welfare, safety and security of the Flood Control District of the City of Indianapolis and will be of public utility and benefit in providing flood prevention and control to undertake the following projects of construction, reconstruction, redefinition and upgrading the flood handling capacity of water courses and drainage systems within the Flood Control District:

**DEPW-DR-004-001**

Drainage improvement to holly Creek Watershed north of 86th Street.

**DPW-DR-10-003**

Drainage improvement in channel beginning in vicinity of 67th Street and Northwestern Avenue and ending at Crooked Creek and 66th Street.

**DWP-DR-10-004**

Drainage improvement of residential area within an area roughly bounded by Grandview Avenue, Fox Hill Drive, Woodside Drive, 62nd Street, Coburn Avenue and 64th Street.

**DPW-DR-10-005**

Drainage improvement of residential area within an area roughly bounded by Woodside Drive, Fox Hill Drive, Knollton Road, 63rd Street, Northwestern Avenue, Mayfair Drive, Coburn Avenue and 62nd Street.

**DPW-DR-20-002**

Channel and drainage system improvement in the vicinity of Ruskin Place and Payton Avenue.

**DPW-DR-26-002**

Channel improvement to Hartman-Shimer Ditch from Arlington Avenue to English Avenue.

**DPW-DR-30-001**

Channel improvement to State Ditch from Bradbury Avenue to Kentucky Avenue.

**DPW-DR-30-002**

Drainage improvement to Neeld Ditch from the vicinity of High School Road and Morris Street to its confluence with Big Eagle Creek.

**DPW-DR-32-001**

Drainage improvement in residential area and bounded by Troy Avenue, Keystone Avenue, I-65 and Rural Street.

**DPW-DR-34-003**

Drainage improvement to residential area bounded by Troy Avenue, Fisher Road and Southeastern Avenue.

**DPW-DR-34-004**

Channel improvement to Sloan Ditch south and west of Southeastern Avenue.

**DPW-DR-37-001**

Diversion of drainage from vicinity of Olender Drive and Kentucky Avenue to Seerly Creek.

**DPW-DR-45-001**

Drainage improvement to channel in vicinity of Forest Park Drive and Stop 11 Road.

**DPW-DR-46-001**

Drainage improvement in residential area in the vicinity of East Street and Hickory Lane.

**DPW-FC-101-002**

Channel improvements and channel cleanout of Pleasant Run from Washington Street to 34th and Franklin Road.

DPW-FC-109-001

Channel redefinition and improvement of Delaware Creek from Tulane Road to 86th Street.

DPW-FC-110-001

Channel improvement to Pogue's Run from 38th Street to Sheridan Avenue.

DPW-FC-112-001

Channel improvement to Bean Creek from Pleasant Run Creek to Raymond Street.

DPW-FC-116-001

Channel improvement of Devon Creek.

DPW-FC-117-001

Channel improvement of Berkshire Creek.

DPW-FC-118-001

Channel improvement of Laurel Run.

DPW-FC-119-001

Channel improvement of Moon Creek.

DPW-FC-120-001

Channel improvement and redefinition of Feather Run.

DPW-FC-121-001

Channel improvement and redefinition of Bunker Creek from Shelbyville Road to its confluence with Buck Creek.

DPW-FC-122-001

Seerly Creek channel improvement.

DPW-FC-123-001

Channel improvement of Lowman Creek from Dearborn Street to Keystone Avenue

DPW-FC-124-001

Channel improvement to Fawn Run from Shelby Street to Little Buck Creek along Edgewood Avenue.

DPW-FC-125-001

Channel improvement to Falcon Run from 38th Street to Eagle Creek.

DPW-FC-126-001

Channel improvement to Topp Creek.

and to pay all expenses necessary to be incurred in connection with the proceedings and all of said projects; and has heretofore estimated that the cost of such projects, and the incidental expenses necessary to be incurred in connection therewith, including the issuance of bonds, will be in the amount of \$5,600,000, of which \$600,000 will be provided from other funds and \$5,000,000 from the proceeds of a bond issue; and

WHEREAS, on August 2, 1982, after notice and hearing as provided by law, the Board of Public Works adopted its Confirmatory Resolution, Resolution No. 2538-1982, confirming said Declaratory Resolution and finding that the projects set forth in said Declaratory Resolution are necessary for the general welfare, safety and security of the Flood Control District, and will be of public utility and benefit in providing flood prevention and control; and

WHEREAS, a petition has been filed under the provisions of I.C. 6-1.1-20-3 by more than fifty (50) owners of taxable real estate located within the Flood Control District, requesting the Board of Public Works to issue bonds of said District in an amount not exceeding Five Million Dollars (\$5,000,000) for the purpose of procuring funds to be applied on the cost of one or more of the projects set out in said petition, which projects include those above set out, including the expenses in connection with said projects and the issuance of said bonds, which petition the Board has found to be sufficient under the provisions of the law; and



WHEREAS, the Board of Public Works of the City of Indianapolis, Indiana, on August 2, 1982, adopted a Preliminary Bond Resolution, Resolution No. 2539-1982, authorizing the issuance of special taxing district bonds of the Flood Control District of the City of Indianapolis, Indiana, as a special taxing district, including all of the territory of Marion County, to be designated as "City of Indianapolis Flood Control District Bonds of 1982, First Issue," in the aggregate principal amount of Five Million Dollars (\$5,000,000), and to bear interest at a rate or rates not exceeding twelve percent (12%) per annum (the exact rate or rates to be determined by bidding); and

WHEREAS, the Board of Public Works of the City of Indianapolis, Indiana, has requested the approval of the City-County Council of the issuance of said special taxing district bonds pursuant to I.C. 36-3-5-8, and the City-County Council now finds that the issuance of said Bonds should be approved; 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 does hereby approve the Confirmatory Resolution, Resolution No. 2538-1982, of the Board of Public Works of the City of Indianapolis, Indiana, adopted on August 2, 1982, and all projects approved by said Board in its Confirmatory Resolution.

**SECTION 2.** The City-County Council does hereby approve the issuance of special taxing district bonds of the Flood Control District of the City of Indianapolis, Indiana, to be designated as "City of Indianapolis Flood Control District Bonds of 1982, First Issue," in the aggregate principal amount of Five Million Dollars (\$5,000,000).

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

PROPOSAL NO. 326, 1982. This proposal appropriates \$853,455 for the Sanitary Division for sanitary sewers for the area contiguous to the Town of Homecroft. The Public Works Committee recommended passage by a vote of 3-0-1 on September 7, 1982. The President called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Miller, for adoption. Proposal No. 326, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Gilmer, Hawkins*

Proposal No. 326, 1982, was retitled FISCAL ORDINANCE NO. 61, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 61, 1982**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Eight Hundred Fifty-three Thousand Four Hundred Fifty-five dollars (\$853,455) in the Sanitation General Fund for purposes of the Sanitary Division, Department of Public Works, and reducing the unappropriated and unencumbered balance in the Sanitation General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for sanitary sewers for the area contiguous to the Town of Homecroft to eliminate the health hazards of the failure of septic systems and resulting pollution of Debryshire and Little Buck Creek.

SECTION 2. The sum of Eight Hundred Fifty-three Thousand Four Hundred Fifty-five dollars (\$853,455), be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

Department of Public Works	
Sanitary Division	Sanitation General Fund
3. Other Services & Charges	<u>\$853,455</u>
Total Increase	<u>\$853,455</u>

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

Department of Public Works	
Sanitary Division	Sanitation General Fund
Unappropriated and Unencumbered	
Sanitation General Fund	<u>\$853,455</u>
Total Reduction	<u>\$853,455</u>

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

PROPOSAL NO. 327, 1982. This proposal transfers and appropriates \$600,000 for the Flood Control Division to acquire property easements. The Public Works Committee recommended passage by a vote of 4-0 on September 7, 1982. The President called for public testimony at 8:16 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor Rader, for adoption. Proposal No. 327, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Page

Proposal No. 327, 1982, was retitled FISCAL ORDINANCE NO. 62, 1982, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 62, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating an additional Six Hundred Thousand dollars (\$600,000) in the Flood Control General Fund for purposes of the Department of Public Works, Flood Control Division, and reducing certain other appropriations for the Flood Control Division and the unappropriated and unencumbered balance in the Flood Control General Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to acquire property easements required for projects proposed to be constructed from the bond issue.

SECTION 2. The sum of Six Hundred Thousand dollars (\$600,000), 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 Public Works Flood Control Division	Flood Control General Fund
4. Capital Outlay	<u>\$600,000</u>
Total Increase	\$600,000

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

Department of Public Works Flood Control Division	Flood Control General Fund
3. Other Services & Charges	\$200,000
Unappropriated and Unencumbered Flood Control General Fund	<u>400,000</u>
Total Reductions	\$600,000

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. 313, 1982. This proposal transfers \$350,000 for CEMD for the contractual repair of City-owned equipment that is being done by private vendors. Councillor Dowden moved, seconded by Councillor McGrath, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 313, 1982, by deleting the introduced version and substituting therefor the proposal entitled: "Proposal No. 313, 1982, Committee Recommendations."

s/Councillor Dowden

Council consent was given. Councillor Dowden moved, seconded by Councillor McGrath, for adoption. Proposal No. 313, 1982, As Amended, was adopted on the following roll call vote; viz:

29 YEAS: 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

Proposal No. 313, 1982, As Amended, was retitled FISCAL ORDINANCE NO. 63, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 63, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Three Hundred Fifty Thousand dollars (\$350,000) in the City General Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for the contractual repair of City-owned equipment that is being done by private vendors.

SECTION 2. The sum of Three Hundred Fifty Thousand dollars (\$350,000), be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

Department of Administration	
Central Equipment Management Division	City General Fund
3. Other Services & Charges	<u>\$350,000</u>
Total Increase	<u>\$350,000</u>

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

Department of Administration	
Central Equipment Management Division	City General Fund
2. Supplies	<u>\$350,000</u>
Total Reductions	<u>\$350,000</u>

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

PROPOSAL NO. 316, 1982. This proposal authorizes issuance of a \$995,000 Economic Development First Mortgage Revenue Bond, Series 1982, for Payless Cashways, Inc. Councillor Tintera moved, seconded by Councillor Brinkman, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 316, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 316, 1982, Committee Recommendations."

s/Councillor Tintera

Council consent was given. Councillor Tintera advised that the Economic Development Committee amended and recommended passage on September 10, 1982, by a vote of 3-0. He moved, seconded by Councillor Brinkman, for adoption. Proposal No. 316, 1982, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Coughenour, Durnil*

Proposal No. 316, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 25, 1982, and reads as follows:

**CITY—COUNTY SPECIAL ORDINANCE NO. 25, 1982**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1982 (Payless Cashways, Inc. Project)," in the aggregate principal amount of Nine Hundred Ninety-five Thousand dollars (\$995,000) and authorizing other actions in respect thereto.

WHEREAS, Payless Cashways, Inc. (the "Company"), previously in 1975 had advised the Indianapolis Economic Development Commission and the City that it proposed that the City acquire, construct and equip two economic development facilities and sell or lease the same to the Company or that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facilities to be 28,000 and 37,000 square foot redistribution centers (including the real estate on which they are located and the equipment to be installed therein), to be located near the intersection of 71st Street on Guion Road, Indianapolis, Indiana, on an approximate seven acre tract of land (the "Project"); and

WHEREAS, pursuant to City-County Special Ordinance No. 1, 1979, adopted on January 22, 1979, this City-County Council authorized the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1978 (Payless Cashways, Inc. Project)," in the principal amount of Seven Hundred and Fifty Thousand dollars (\$750,000) and approved and authorized other actions in respect thereto, and approved the final forms of the documents being thereafter referred to collectively as the "Financing Agreement" referred to then in Indiana Code 18-6-4.5); and

WHEREAS, Section 2.12 of the Mortgage and Indenture of Trust among Payless Cashways, Inc., the City of Indianapolis, and The Indiana National Bank, as Trustee, dated as of December 1, 1978, provided in part that additional bonds may be issued, authenticated and delivered for the purpose of providing funds for completing the Project or making additions to the Project; 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 revenue bonds to construct, expand and equip certain economic development facilities and that the City loan the proceeds of such a financing to the Company for such purposes, said economic development facility to be the expansion of an existing warehouse redistribution center by 15,000 square feet and construction of one new warehouse redistribution center of 33,000 square feet, and the machinery and equipment to be installed therein, to be located at 6740 North Guion Road, Indianapolis, Indiana (the "Project"); and

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 Payless Cashways, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 1, 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 Payless Cashways, 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 Series 1982 Supplemental and Amendatory Loan Agreement, First Amendatory Loan Agreement, and Promissory Note (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, Official Statement, and the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Payless Cashways, Inc. Project), 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 economic development facilities referred to in the Series 1982 Supplemental and Amendatory Loan Agreement previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Payless Cashways, 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 Payless Cashways, 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 Series 1982 Supplemental and Amendatory Loan Agreement, First Amendatory Loan Agreement, and Promissory Note (collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, Official Statement, and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Payless Cashways, Inc. Project), approved by the Indianapolis Economic Development Commission are hereby approved and all such documents 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, Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, Official Statement, and the form of the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bonds, Series 1982 (Payless Cashways, Inc. Project), 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 First Mortgage Revenue Bonds, Series 1982 (Payless Cashways, Inc. Project), in the principal amount of Nine Hundred Ninety-five Thousand dollars (\$995,000) for the purpose of procuring funds to loan to Payless Cashways, Inc. in order to finance the economic development facilities, as more particularly set out in the Series 1982 Supplemental and Amendatory 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 Payless Cashways, Inc. on its Promissory Note in the principal amount of Nine Hundred Ninety-five Thousand dollars (\$995,000) which will be executed and delivered by Payless Cashways, Inc. to evidence and secure said loan, and as otherwise provided in the above described Series 1982 Supplemental and Amendatory Loan Agreement, Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, First Amendatory Loan Agreement, and Promissory Note. 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 George K. Baum & Company (the "Underwriter"), at a price not less than 99% of the aggregate principal amount thereof, plus accrued interest, if any, who will re-offer the bonds for sale at a stated per annum rate of interest on the bonds equal to 11¼%, or at such higher rate as may be provided for in the Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, Promissory Note, or the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement, Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, Official Statement, and the City of Indianapolis, Indiana Economic Development First Mortgage Revenue Bond, Series 1982 (Payless Cashways, Inc. Project), approved herein, and their execution is hereby confirmed on behalf of the City of Indianapolis and any other documents which may be necessary or

desirable to consummate the transaction. 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 Indiana National Bank, as Trustee, payment for which will be made to said Trustee. The execution and delivery of the Bonds shall occur within one hundred twenty (120) days from the passage of this ordinance. The Mayor and City Clerk may by their execution of the Financing Agreement, the Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust, and the Bonds approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11).

**SECTION 6.** The provisions of this ordinance and the Series 1982 Supplemental and Amendatory Mortgage and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1982 (Payless Cashways, 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 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. 317, 1982. This proposal authorizes issuance of a \$350,000 Economic Development Revenue Note, Series 1982, for John and Betty Ober. Councillor Tintera moved, seconded by Councillor Gilmer, the following:

**CITY-COUNTY COUNCIL MOTION**

**Mr. President:**

I move to amend Proposal No. 317, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 317, 1982, Committee Recommendations."

*s/Councillor Tintera*

Council consent was given. Councillor Tintera advised that the Economic Development Committee amended and recommended passage on September 10, 1982, by a vote of 3-0. He moved, seconded by Councillor Gilmer, for adoption. Proposal No. 317, 1982, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Brinkman, Coughenour, Durnil, Howard*

Proposal No. 317, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 26, 1982, and reads as follows:

**CITY-COUNTY SPECIAL ORDINANCE NO. 26, 1982**

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Note, Series 1982 (1300 North Meridian Street Project)," in the principal amount of Three Hundred Fifty Thousand dollars (\$350,000) 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 John Ober and Business Furniture 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 September 1, 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 John and Betty L. Ober complies with the purposes and provisions of Indiana Code 36-7-12, and that such financing and leasing of the facilities to Business Furniture Corporation and to VanAusdall & Farrar, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Promissory Note, and Note Purchase, and Loan Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), and the City of Indianapolis Economic Development Revenue Note, Series 1982 (1300 North Meridian Street Project), the Collateral Assignment and Mortgage of Vendee's Interest, Collateral Assignment of Rents and Leases, 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 economic development facilities referred to in the Note Purchase and Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the waiver of the requirement contained in City-County Special Resolution No. 105, 1981, that the Revenue Note be guaranteed by Business Furniture Corporation since the purchaser of the Revenue Note has not required such, the issuance and sale of Revenue Note, the loan of the net proceeds thereof to John Ober and Betty L. Ober for the purposes of financing the economic development facilities under renovation or to be renovated in Indianapolis, Indiana, the leasing of said economic development facilities to Business Furniture Corporation and to VanAusdall & Farrar, Inc., and the repayment of said loan by John Ober and Betty L. Ober 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 Promissory Note, and Note Purchase and Loan Agreement (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Collateral Assignment and Mortgage of Vendee's Interest, Collateral Assignment of Rents and Leases, and the form of the City of Indianapolis Economic Development Revenue Note, Series 1982 (1300 North Meridian Street Project), approved by the Indianapolis Economic Development Commission are hereby approved and all such documents 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 and the form of the City of Indianapolis Economic Development Revenue Note, Series 1982 (1300 North Meridian Street Project), the Collateral Assignment and Mortgage of Vendee's Interest, and Collateral Assignment of Rents and Leases 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 Note, Series 1982 (1300 North Meridian Street Project), in the principal amount of Three Hundred Fifty Thousand dollars (\$350,000) for the purpose of procuring funds to loan to John Ober and Betty L. Ober in order to finance the economic development facilities, as more particularly set out in the Note Purchase and Loan Agreement, incorporated herein by reference, which Note will be payable as to principal, premium, if any, and interest solely from the payments made by John and Betty L. Ober on their Promissory Note in the principal amount of Three Hundred Fifty Thousand dollars (\$350,000) which will be executed and delivered by John Ober and Betty L. Ober to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Note Purchase and Loan Agreement, Collateral Assignment and Mortgage of Vendee's Interest, and Collateral Assignment of Rents and Leases. The Note 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 Note to the purchaser thereof at a price not less than 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest on the Note equal to seventy percent (70%) of the prime rate of interest quoted and announced by The Indiana National Bank from time to time, or at such higher rate as may be provided for in the Note Purchase and Loan Agreement, Promissory Note, or the Note.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement, the Collateral Assignment and Mortgage of Vendee's Interest and the City of Indianapolis Economic Revenue Note, Series 1982 (1300 North Meridian Street Project), approved herein, and their execution is hereby confirmed on behalf of the City of Indianapolis and any other documents which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Note may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Note to the Purchaser thereof, payment for which will be made by the Purchaser in the manner set forth in the Note Purchase and the Loan Agreement. The execution and delivery of the Note shall occur within one hundred twenty (120) days from the passage of this ordinance. The Mayor and City Clerk may by their execution of the Financing Agreement, the Collateral Assignment and Mortgage of Vendee's Interest and imprinting of their facsimile signature on the Note, or their manual execution thereof, approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Note Purchase and Loan Agreement shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Note, Series 1982 (1300 North Meridian Street Project), and after the issuance of said Note this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Note 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. 318, 1982. This proposal authorizes issuance of a \$800,000 Economic Development First Mortgage Revenue Bond, Series 1982, for Asphalt Material and Construction, Inc. Councillor Tintera advised that the Economic Development Committee amended and recommended passage on September 10, 1982, by a vote of 3-0. He moved for substitution of the amended version, seconded by Councillor Gilmer. Council consent was given. Councillor Tintera then moved for adoption, seconded by Councillor Gilmer. Proposal No. 318, 1982, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Coughenour, Durnil*

Proposal No. 318, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 27, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 27, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, Inc. Project)," in the principal amount of Eight Hundred Thousand dollars (\$800,000) 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 Asphalt Material and Construction Inc., and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on September 1, 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 Asphalt Material and Construction, 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 Promissory Note and Loan Agreement (such documents being hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), and the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, Inc. Project), the Mortgage and Indenture of Trust, and Collateral Assignment of Leases and Rents, 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 economic development facilities referred to in the Loan Agreement previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of Revenue Bonds, the loan of the net proceeds thereof to Asphalt Material and Construction, Inc. for the purposes of financing the economic development facilities constructed and equipped in Indianapolis, Indiana, and the repayment of said loan by Asphalt Material and Construction, 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 Promissory Note and Loan Agreement (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), Mortgage and Indenture of Trust, Collateral Assignment of Leases and Rents, and the form of the City of Indianapolis Economic First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, Inc. Project), approved by the Indianapolis Economic Development Commission are hereby approved and all such documents 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 and the form of the City of Indianapolis Economic First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, Inc. Project), Mortgage and Indenture of Trust, and Collateral Assignment of Leases and Rents 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 First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, Inc. Project), in the principal amount of Eight Hundred Thousand dollars (\$800,000) for the purpose of procuring funds to loan to Asphalt Material and Construction, 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 Asphalt Material and Construction, Inc. on its Promissory Note in the principal amount of Eight Hundred Thousand

dollars (\$800,000), which will be executed and delivered by Asphalt Material and Construction, Inc. to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan Agreement, Mortgage and Indenture of Trust, and Collateral Assignment of Leases and Rents. 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 price not less than 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest on the Bond not to exceed sixty-five percent (65%) of the prime rate from the date of issue of the Bond to and through August 31, 1985, and not to exceed sixty-seven percent (67%) of the prime rate until the principal is paid from and after September 1, 1985, such prime rate to be the base rate of interest charged by The Indiana National Bank on loans to its most creditworthy borrowers from time to time, each change in such applicable rate to be effected on the date such change in said prime rate is established, or at such higher rate as may be provided for in the Loan Agreement, the Mortgage and Indenture of Trust, or the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement, the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, Inc. Project), and the Mortgage and Indenture of Trust approved herein, and their execution is hereby confirmed on behalf of the City of Indianapolis and any other documents which may be necessary or desirable to consummate the transaction. 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 Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust. The execution and delivery of the Bonds shall occur within one hundred twenty (120) days from the passage of this ordinance. The Mayor and City Clerk may by their execution of the Financing Agreement, the Mortgage and Indenture of Trust, and imprinting of their facsimile signatures on the Bonds or their manual execution thereof, approve changes therein without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I. C. 36-7-12-27(a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Mortgage and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1982 (Asphalt Material and Construction, 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 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. 319, 1982. This proposal authorizes issuance of a \$500,000 Economic Development First Mortgage Revenue Bond, Series 1982, for ADE, Inc. The Economic Development Committee recommended that this proposal be stricken by a vote of 3-0 on September 10, 1982. Councillor Tintera moved, seconded by Councillor Clark, to strike Proposal No. 319, 1982, and it was stricken by consent of the Council.

PROPOSAL NO. 321, 1982. This proposal amends the Code concerning the disposition of impounded animals. Councillor West reported that the Public Safety and Criminal Justice Committee recommended passage on September 7, 1982, by a vote of 5-0. Councillor West moved, seconded by Councillor Borst, for adoption. Proposal No. 321, 1982, was adopted on the following roll call vote; viz:

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

Proposal No. 321, 1982, was retitled GENERAL ORDINANCE NO. 85, 1982, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 6, Article III, Sec. 6-142 concerning the disposition of impounded animals.

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

SECTION 1. Section 6-142 of Article III of Chapter 6 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. 6-142. Disposition of animals generally.

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

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

(c) Following the six-day impoundment period, any person wishing to adopt an impounded animal, if such animal is not claimed by its owner, such person shall pay to the city a fee of twenty-five dollars (\$25.00) to cover expenses in handling the animal and related paperwork. Such person shall agree in writing to immunize the animal against rabies as required by law and to abide by sections 6-7, 6-4 and 6-144 of the "Code of Indianapolis and Marion County, Indiana," before the animal is released.

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

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

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

PROPOSAL NO. 324, 1982. This proposal transfers \$5,300 for Criminal Division Probation Department for supplies for two new criminal courts. Councillor West noted that the Public Safety and Criminal Justice Committee recommended passage on September 7, 1982, by a vote of 5-0. He moved for adoption, seconded by Councillor Hawkins. Proposal No. 324, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

1 NOT VOTING: Coughenour

Proposal No. 324, 1982, was retitled FISCAL ORDINANCE NO. 64, 1982, and reads as follows:

**CITY-COUNTY FISCAL ORDINANCE NO. 64, 1982**

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Five Thousand Three Hundred dollars (\$5,300) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division Probation Department, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(b)(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 providing funds to purchase supplies and office equipment for new personnel required by the addition of two Criminal Courts and to adjust the personnel schedule.

SECTION 2. The sum of Five Thousand Three Hundred dollars (\$5,300), be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

Marion County Superior Court Criminal Division Probation Department	County General Fund
2. Supplies	\$ 800
4. Capital Outlay	<u>4,500</u>
Total Increase	\$5,300

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

Marion County Superior Court Criminal Division Probation Department	County General Fund
1. Personal Services	\$4,500
3. Other Services & Charges	<u>800</u>
Total Reduction	\$5,300

SECTION 5. The personnel compensation schedule is amended by deleting the cross-hatched portions and adding the new amounts as underlined herein:

(b)(1) Superior Court - Criminal Division Probation Department - Dept. 64

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Probation Admin.	2	21,400	41,200
Probation Officers	30	16,760	415,040
Admin. Secretaries	2	11,880	22,700
Secretaries	10	10,600	91,730
Vacancy Factor			<del>(70,485)</del> (75,485)
TOTAL	44		<del>119,885</del> <u>495,185</u>

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

PROPOSAL NO. 367, 1982. No action taken. Proposal No. 367, 1982, was retitled REZONING ORDINANCE NO. 60, 1982, and reads as follows:

**REZONING ORDINANCE NO. 60, 1982 82-Z-64 WARREN TOWNSHIP  
COUNCILMANIC DISTRICT NO. 12  
2901 NORTH POST ROAD, INDIANAPOLIS  
Central National Bank, by William F. LeMond, requests rezoning of 6.00 acres, being in C-2 district, to SU-1 classification, to provide for church purposes.**

### ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:32 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 13th day of September, 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)