

POLICE SPECIAL SERVICES DISTRICT COUNCIL

SPECIAL MEETING

Monday, January 17, 1972, 5:30 P.M.

The Police Special Service District Council of the City of Indianapolis met in the auditorium of the American United Life Insurance Company on Monday, January 17, 1972, at 5:45 P.M.

President Egenes in the Chair.

The Clerk read the call for the Special Meeting as follows:

TO THE MEMBERS OF THE POLICE SPECIAL SERVICE DISTRICT COUNCIL, INDIANAPOLIS, INDIANA:

Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the Police Special Service District Council, to be held on Monday, January 17, 1972, at 5:30 P.M., in the auditorium of the American United Life Insurance Company.

The purpose of such SPECIAL MEETING being to receive Communications from the Mayor and other City-County Officials, introduce new ordinances, hold a public hearing on and consider for final passage, Police Special Service District Appropriation Ordinance Nos. 1 and 2, 1972, and to consider General Ordinance No. 1, 1972; and to

conduct any and all other business requiring the attention of this Council.

Respectfully,

HAROLD J. EGENES,
President, Police Special Service District
Council

I, Marjorie H. O'Laughlin, Clerk of the City-County Council of the City of Indianapolis, Indiana do hereby certify that I have served the above and foregoing notice to each and every member of the Police Special Service District Council prior to the time of such SPECIAL MEETING pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

MARJORIE H. O'LAUGHLIN
Clerk

SEAL

The Clerk called the roll.

Present: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Elmore, Mrs. Gibson, Mr. Gorham, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. Leak, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. West, and President Egenes.

Absent: Mr. Brown.

Mr. McPherson moved, seconded by Mr. Gorham, to dispense with the reading of the journal of the previous meeting.

The motion carried by unanimous voice vote.

President Egenes called for the reading of Communications.

COMMUNICATIONS FROM THE MAYOR AND OTHER CITY OFFICIALS

January 17, 1972

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY
OF INDIANAPOLIS, MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published twice, in the Indianapolis Commercial, and the Indianapolis News, once on January 6, and once on January 13, 1972, a "Notice to Taxpayers", of a public hearing on Police Special Service District Appropriation Ordinance Nos. 1 and 2, 1972, to be held on Monday, January 17, 1972, in the auditorium of the American United Life Insurance Company, at 5:30 P.M.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

The Council recessed for public hearings by the Committee of the Whole at 5:50 P.M. and reconvened at 6:20 P.M.

President Egenes called for ordinances on second reading.

ORDINANCES ON SECOND READING

Mr. Leak called for a second reading of Police Special Service District Appropriation Ordinance No. 1, 1972.

The Clerk read the ordinance for the second time.

On motion of Mr. Leak, seconded by Mr. McPherson, Police Special Service District Appropriation Ordinance No. 1, 1972, was passed on the following roll call vote:

Ayes 14, viz: Mr. Bayt, Mrs. Gibson, Mr. Gorham, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. Leak, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. West, and President Egenes.

Noes 5, viz: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, and Mr. Elmore.

POLICE SPECIAL SERVICES DISTRICT COUNCIL APPROPRIATION ORDINANCE NO. 1, 1972

AN ORDINANCE appropriating the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) to pay the costs of purchasing fully-equipped police vehicles.

WHEREAS, the Mayor and this Council have found and determined that it would be for the best interest of the Police Special Services District Council of the City of Indianapolis, Indiana, to acquire sufficient new police vehicles to allow replacement of a large number of old police vehicles; and

WHEREAS, the Mayor and this Council have determined to issue certificates of obligation as evidence of permanent loans to finance the purchase of such fully equipped police vehicles, secured by granting purchase money security interest in such vehicles, the Police Special Services District having insufficient funds available or provided for in the existing budget and tax levy which may be applied to said purchase; and,

WHEREAS, repayment of permanent loans for additional police vehicles within two successive years may be from funds otherwise levied for annual replacement of permanently operating police vehicles without materially increasing future tax levies; and

WHEREAS, no contract may be let for purchasing such fully equipped police patrol vehicles in advance of appropriating loans evidenced by certificates of obligation.

NOW, THEREFORE, BE IT ORDAINED BY THE POLICE SPECIAL SERVICES DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) be, and the same is hereby, appropriated out of the proceeds from the sale of certificates of obligation heretofore authorized by this Council to be issued and sold for the purpose of financing purchase of fully equipped police vehicles to pay the cost of such purchases and all preliminary and incidental expenses necessarily incurred in connection therewith, including the issuance of certificates of obligation secured by grant of purchase money security interests. Said funds are hereby appropriated as follows:

DEPARTMENT OF PUBLIC SAFETY
POLICE DIVISION

7. Properties \$1,200,000.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, publication as provided by law, and approval of the State Board of Tax Commissioners.

Mr. Leak called for a second reading of Police Special Service District Appropriation Ordinance No. 2, 1972.

The Clerk read the ordinance for the second time.

Mr. Leak moved, seconded by Mr. McPherson, for the passage of Police Special Service District Appropriation Ordinance No. 2, 1972.

The ordinance passed on the following roll call vote:

Ayes 11, viz: Mr. Elmore, Mr. Gorham, Mr. Hasbrook, Mr. Kimbell, Mr. Leak, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. West, and President Egenes.

Noes 8, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mrs. Gibson, Mr. Hawkins, and Mrs. Noel.

POLICE SPECIAL SERVICE DISTRICT
COUNCIL APPROPRIATION ORDINANCE NO. 2, 1972

AN ORDINANCE transferring and appropriating the sum of Two hundred ninety-nine thousand nine hundred thirteen dollars (\$299,913.00) from the unappropriated Police Service District Fund to certain designated purposes of the Police Division of the Department of Public Safety as created by virtue of the Police Force Budget for 1972, Police Special Service District General Ordinance No. 4, 1971, as amended.

WHEREAS, the United States Department of Transportation has funded an Alcohol Safety Action Project to be administered through the Department of Public Safety of the City of Indianapolis; and

WHEREAS, it is necessary to appropriate certain monies for the budget of said program for the calendar year 1972; and

WHEREAS, the monies to be spent will be reimbursed by the United States Department of Transportation and there are therefore monies available unencumbered and unexpended in the Police Service District Fund which may be transferred without detriment in sufficient amounts to meet such necessity; Now, therefore,

BE IT ORDAINED BY THE POLICE SPECIAL SERVICES
DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS:

Section 1. The sum of Two hundred ninety-nine thousand nine hundred thirteen dollars (\$299,913.00) be, and the same is hereby, transferred from the unappropriated Police Service District Fund as shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes as shown below under the heading INCREASE, as follows, to-wit:

REDUCE:	POLICE SERVICE DISTRICT FUND	
Unappropriated Police Service		
District Fund		\$299,913.00
TOTAL REDUCTIONS		<u>\$299,913.00</u>
INCREASE:	POLICE SERVICE DISTRICT FUND	
Department of Public Safety		
Police Division		
1—Services, Personal		\$227,226.00
2—Services, Contractual		800.00
3—Supplies		39,650.00
5—Current Charges		12,600.00
6—Current Obligations		287.00
7—Properties		19,350.00
TOTAL INCREASES		<u>\$299,913.00</u>

Section 2. This ordinance shall be in full force and effect from and after its adoption, after public hearing, approval by the Mayor, publication according to law and approval by the State Board of Tax Commissioners.

Mr. Leak called for a second reading of Police Special Service District General Ordinance No. 1, 1972.

The Clerk read the ordinance for the second time.

On motion of Mr. Leak, seconded by Mr. McPherson, Police Special Service District General Ordinance No. 1, 1972, passed on the following roll call vote:

Ayes 12, viz: Mr. Bayt, Mr. Elmore, Mr. Gorham, Mr. Hasbrook, Mr. Kimbell, Mr. Leak, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. West, and President Egenes.

Noes 7, viz: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mrs. Gibson, Mr. Hawkins, and Mrs. Noel.

POLICE SPECIAL SERVICE DISTRICT
COUNCIL GENERAL ORDINANCE NO. 1, 1972

AN ORDINANCE authorizing the Police Special Service District of the City of Indianapolis to make secured Permanent Loans in amounts totaling One million two hundred thousand dollars (\$1,200,000) for the use of the Police District Fund of the City of Indianapolis for the purpose of financing purchase of fully equipped police vehicles and to make agreements granting purchase money security interests; providing for the interest to be charged therefore; empowering the Controller to issue certificates of obligation to evidence such loan at such time and amount and for the duration as needed, secured by purchase money security interests in such police vehicles, providing for the legal notice of sale, and the time when said loan shall mature; and fixing a time when this Ordinance shall take effect.

WHEREAS, the Police Special Service District of the City of Indianapolis has need to replace police patrol vehicles in large numbers to achieve maximum utility;

WHEREAS, replacement of a greater number of such vehicles would facilitate maintenance and increase availability of police protection;

WHEREAS, the cost of replacing sufficient vehicles is in excess of the amount available for appropriation in the current fiscal year;

WHEREAS, payment for such police vehicles may be made over a period of years if purchase money loans are secured; and

WHEREAS, the Police Special Service District of the City of Indianapolis is authorized to issue securities for permanent loans not to be paid out of the current tax levy;

NOW, THEREFORE, BE IT ORDAINED BY THE POLICE
SPECIAL SERVICES DISTRICT COUNCIL OF THE CITY
OF INDIANAPOLIS:

Section 1. That the City Controller is hereby authorized and empowered in the year 1972 to negotiate permanent loans for and in behalf of the Police Special Services District of the City of Indianapolis, not to exceed the sum of One Million Two Hundred Thousand Dollars (\$1,200,000) without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this Ordinance, at a rate of interest not to exceed five per cent (5%) per annum, the rate of interest to be fixed by the lowest interest bid for said loans. Said loans shall be used for the purpose of financing purchase of police vehicles and shall be secured by grant of purchase money security interest for the period set out in Section 2 of this Ordinance for repayment of such permanent loans.

The City Controller is authorized to make sale of certificates of obligation for said permanent loans after notice of the sale of certificates of obligation, and purchase money security interests in police vehicles, in a total amount not exceeding One Million Two Hundred Thousand Dollars (\$1,200,000), shall have been published by the City Controller once each week for two (2) consecutive weeks in two (2) newspapers of general circulation, printed in the English language and published in the City of Indianapolis; said sale is to be not less than fifteen (15) days after the first publication nor less than five (5) days after the second publication of said notice. Said certificates of obligation shall be secured by purchase money security interests in police patrol vehicles and shall be signed by the Mayor of the City of Indianapolis and the City Controller, and attested to by the City Clerk, and the seal of the City of Indianapolis shall be attached thereto. Said certificates of obligation shall be payable at the office of the County Treasurer (ex officio, City Treasurer) in the City of Indianapolis, Indiana. The form of such certificate shall be as follows:

No. _____ Principal and Interest \$ _____

POLICE SPECIAL SERVICE DISTRICT OF THE
CITY OF INDIANAPOLIS CERTIFICATES OF OBLIGATION
(POLICE DISTRICT FUND)

On the _____ day of _____, 19____, the Police Special Services District of the City of Indianapolis in Marion County, Indiana, promises to pay the Bearer, at the Office of the Marion County Treasurer, Ex Officio Treasurer of the City of Indianapolis, the sum of _____ including interest on the principal amount of this certificate from the date hereof to maturity, secured by the purchase money security interests in police vehicles. This certificate may be prepaid prior to maturity at the principal amount hereof plus accrued interest to the date of prepayment.

This certificate of obligation is one of a series of certificates aggregating a sum of \$1,200,000.00 exclusive of interest added thereto to maturity, evidencing a permanent loan secured by purchase money security interests in police vehicles.

Said Permanent Loan was authorized by an Ordinance duly adopted by the Police Special Services District Council of the City of Indianapolis, at a meeting thereof duly and legally convened and held on the _____ day of _____, 19____, for the purpose of providing funds for the Police District Fund of said City of Indianapolis in compliance with Acts of the General Assembly of the State of Indiana, entitled, "An Act concerning Municipal Corporations," approved March 6, 1905, and all Acts amendatory thereof and supplemental thereto and "An Act concerning reorganization of government in counties containing a city of the first class" approved March 13, 1969, as amended.

The consideration of said certificates is a loan made to the Police Special Services District of the City of Indianapolis secured by a purchase money security interest in police vehicles of said City payable in the year 1973.

It is hereby certified and recited that all Acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution, and delivery of said certificates have been done and performed as provided by law.

IN WITNESS WHEREOF, THE CITY OF INDIANAPOLIS FOR ITS POLICE SPECIAL SERVICES DISTRICT, has caused this Certificate to be signed in its corporate name by its Mayor and attested by the Clerk of the City-County Council, the Corporate Seal of said City hereunto affixed, and counter-signed by the Controller of the City of Indianapolis.

Dated this _____ day of _____, 19_____.

CITY OF INDIANAPOLIS
POLICE SPECIAL SERVICES DISTRICT

ATTEST:

Clerk of the City-County
Council

BY: _____
Mayor of the City of
Indianapolis

Countersigned:

Controller of the City of
Indianapolis

Section 2. The Lenders shall make available to the Police District Fund of the City of Indianapolis, the following specific sums on the dates indicated:

March 1, 1972 \$1,200,000.00

The City Controller shall, upon the issuing of a Certificate of Obligation for the amount of cash funds herein specified, be entitled to borrow for the Police Special Services District of said City the amount set out in said certificate, the total of each certificate and the combined total of all said certificates for such period not however to exceed the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00). Said permanent loan shall be due and payable on or before December 31, 1974. Said City Controller shall be authorized to fix the loan and maturity dates on each certificate and compute the interest due in accordance with this Ordinance.

Section 3. The City Controller shall, after negotiating sale of certificates of obligation secured by purchase money security interests, determine the proportion of the permanent loan here authorized which was made by each lender and the number of police vehicles purchased with such part of the total. He shall thereupon supervise the preparation of security agreements in form sufficient under the Uniform Commercial Code, listing the particular vehicles and their equipment which constitute the collateral to be given to secure each certificate of obligation.

The terms and tenor of the security agreements shall be a recital that the Lender advanced to the Police Special Services District of the City of Indianapolis money to enable the District to purchase specified police vehicles, fully equipped, and that the proceeds of the permanent loan authorized by this Ordinance, and lent by the holder of certain specified certificates of indebtedness, was used to purchase such vehicles; that the lender shall be entitled to enforce its purchase money security interest as provided by law in the event that the Police Special Services District of the City of Indianapolis shall fail or refuse to repay its full indebtedness as provided by the evidence of such indebtedness. Such security agreement may warrant the ownership of the Police Special Services District of the City of Indianapolis free and clear of any other incumbrances on the police vehicles specified in such security agreement. The security agreements here authorized may include all parts, fittings and accessories as well as equipment.

The Mayor shall, thereupon, be authorized to execute said security agreements, which shall be attested by the Clerk of the City-County Council, under the seal of the corporation, and counter-signed by the City Controller.

Following execution of the security agreements, the City Controller shall deliver them to the various holders of certificates of obligation who have made permanent loans to the Police Special Services District of the City of Indianapolis under authority of this ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

NEW BUSINESS

Mr. Hasbrook announced that the Mayor wishes to appoint a member of the Council as Director of Public Safety. He also stated that Mr. Leak has a letter of resignation prepared, effective upon his appointment.

Mr. Hasbrook made a motion that the Police Special Service District Council recommend Mr. Leak's appointment to the full Council.

The motion was seconded by Mr. McPherson.

Mr. Cantwell requested a recess.

The Chair granted a 6 minute recess at 6:33 P.M.

The Council reconvened at 6:40 P.M.

(After the recess, Mr. Brown was present in the Council Chamber)

Mr. Gorham called for the question.

The Chair recognized Lt. Don Wolf, President of the Indianapolis Firefighters Association, who asked the Council to support Mr. Leak as Director of Public Safety.

Mr. Boyd requested the reading of a letter from the Mayor on the pending appointment.

The Clerk read the letter as follows:

January 12, 1972

Honorable Thomas C. Hasbrook
President, City-County Council
of Indianapolis and Marion County
241 City-County Building
Indianapolis, Indiana 46204

Dear Mr. Hasbrook:

I would like to request the Council's consideration and approval of the following appointment:

William A. Leak to the position of Director of Public Safety

This appointment is made pursuant to the authority granted to the Mayor of Indianapolis by the laws of the State of Indiana and the ordinances of the City-County Council.

Sincerely,

RICHARD G. LUGAR
Mayor

Mr. Cantwell moved, seconded by Mr. Boyd to table Mr. Hasbrook's motion indefinitely.

The motion to table failed on the following roll call vote:

Ayes 7, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mrs. Gibson, and Mrs. Noel.

Noes 13, viz: Mr. Brown, Mr. Elmore, Mr. Gorham, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. Leak, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. West, and President Egenes.

Mr. Boyd requested a legal opinion on a point of order, as to whether or not the motion was proper at this time.

Legal counsel ruled that the motion was in order.

Mr. Cantwell expressed the opinion that the Mayor should be present to answer questions on this appointment as a point of courtesy, and should also tell the Council what Mr. Leaks' qualifications are for this particular job.

Mr. Boyd requested Mr. Leak's resignation before voting on the motion.

Mr. Leak presented his letter of resignation from the Council, which was read as follows:

January 17, 1972

Mr. Thomas C. Hasbrook
President, City-County Council
241 City-County Building
Indianapolis, Indiana

Dear Tom:

This letter will serve as my resignation from the City-County Council, effective as of this date.

I have enjoyed my association with you, and hope our relationship in the future will be a good one.

Sincerely,

WILLIAM A. LEAK

Mr. Boyd moved, seconded by Mr. Gorham, to accept Mr. Leak's resignation.

The motion was carried by unanimous voice vote.

President Egenes called for a roll call vote on Mr. Hasbrook's motion.

The motion was carried by the following roll call vote:

Ayes 13, viz: Mr. Bayt, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Elmore, Mr. Gorham, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. West, and President Egenes.

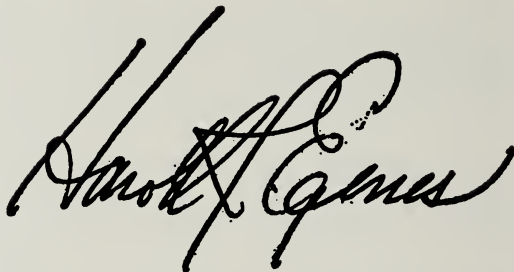
Noes 6, viz: Mr. Boyd, Mr. Cantwell, Mrs. Gibson, Mr. Hawkins, Mrs. Noel, and Mr. Ruckelshaus.

There being no further business before the Council, on motion of Mr. Gorham, seconded by Mr. Hasbrook, the Council adjourned at 6:55 P.M.

We hereby certify that the above and foregoing is a

full, true and complete record of the proceedings of the Police Special Service District Council of the City of Indianapolis held on the 17th day of January, 1972, at 5:30 P.M.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

A large, stylized handwritten signature in black ink, appearing to read "H. H. Jones".

ATTEST

PresidentA large, stylized handwritten signature in black ink, appearing to read "Maryaie N. O'Laughlin".

(SEAL)

Clerk of the City-County Council