

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, August 2, 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 7:00 p.m., Monday, August 2, 1982. President SerVaas in the Chair, opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

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

CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journal of July 19, 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, August 2, 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 July 22 and 29, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 250, 265, 266, 268, 269, and 288, 1982, to be held on Monday, August 2, 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. 44, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional One Million One Hundred Thousand dollars (\$1,100,000) in the City General Fund for purposes of the Department of Administration, Central Equipment Management Division, and reducing the unappropriated and unencumbered balance in the City General Fund.

FISCAL ORDINANCE NO. 45, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional One Million One Hundred Thousand dollars (\$1,100,000) in the Transportation General Fund for purposes of the Department of Transportation and reducing the unappropriated and unencumbered balance in the Transportation General Fund.

FISCAL ORDINANCE NO. 46, 1982, amending the City-County Annual Budget for 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Thirty Thousand dollars (\$30,000) in the Park General Fund for purposes of the Department of Parks and Recreation, Community Recreation Division, and reducing the unappropriated and unencumbered balance in the Park General Fund.

GENERAL ORDINANCE NO. 59, 1982, amending the "Code of Indianapolis and Marion County, Indiana," Section 29-271, Stopping, standing and parking prohibited at these locations on certain days and hours.

GENERAL ORDINANCE NO. 60, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 17-809 which restricts the operation of outdoor retail sales of beverages, flowers and food from carts.

GENERAL ORDINANCE NO. 61, 1982, fixing the salaries to be paid all elected and appointed officers and employees of the various townships in Marion County, Indiana, pursuant to IC 36-6-6-10.

GENERAL ORDINANCE NO. 62, 1982, amending the "Code of Indianapolis and Marion County, Indiana," prohibiting parking on Virginia Avenue except to designated persons.

GENERAL ORDINANCE NO. 63, 1982, amending the "Code of Indianapolis and Marion County, Indiana," Chapter 29, Section 29-331, Passenger and materials loading zones.

GENERAL ORDINANCE NO. 64, 1982, amending the "Code of Indianapolis and Marion County, Indiana," Chapter 29, Section 29-92, Schedule of intersection control.

GENERAL ORDINANCE NO. 65, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 10½, which deals with drainage and sediment control.

GENERAL ORDINANCE NO. 66, 1982, establishing rules and procedures for preparation of the 1983 Annual Budgets for City and County Government.

SPECIAL ORDINANCE NO. 13, 1982, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1982 (Design Printing Company, Inc. Project)," in the principal amount of Eight Hundred Twenty-five Thousand dollars (\$825,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 14, 1982, authorizing the City of Indianapolis to issue its City of Indianapolis Economic Development Revenue Bonds, Series 1982-A (47 South Meridian Company Project), in the principal amount of (\$200,000) and City of Indianapolis Economic Development Revenue Bonds, Series 1982-B (47 South Meridian Company Project), in the principal amount of (\$350,000) and approving and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 15, 1982, authorizing the issuance and sale of revenue bonds up to the principal amount of Four Million Seven Hundred Eighty Thousand dollars (\$4,780,000) and the loaning of the proceeds derived therefrom to Firethorn Associates to finance the costs of construction of an economic development facility.

SPECIAL ORDINANCE NO. 16, 1982, authorizing the issuance and sale of revenue bonds up to the principal amount of Six Million Five Hundred Thousand dollars (\$6,500,000) and the loaning of the proceeds derived therefrom to Willow Glen Apartments to finance the costs of construction of an economic development facility.

SPECIAL ORDINANCE NO. 17, 1982, authorizing the issuance and sale of revenue bonds up to the principal amount of Thirteen Million Eight Hundred Thousand dollars (\$13,800,000) and the loaning of the proceeds derived therefrom to Marott Associates to finance the costs of construction of an economic development facility.

SPECIAL ORDINANCE NO. 18, 1982, authorizing the issuance and sale of revenue bonds up to the principal amount of Eight Million Two Hundred Fifty Thousand dollars (\$8,250,000) and the loaning of the proceeds derived therefrom to Chelsea Village to finance the costs of construction of an economic development facility.

SPECIAL ORDINANCE NO. 19, 1982, authorizing the issuance and sale of revenue bonds up to the principal amount of Nine Million Seventy Thousand dollars (\$9,070,000) and the loaning of the proceeds derived therefrom to The Woods of Castleton to finance the costs of construction of an economic development facility.

SPECIAL RESOLUTION NO. 47, 1982, honoring Benjamin Mordecai.

SPECIAL RESOLUTION NO. 48, 1982, commending Anthony D. Mangine for his service to the City of Indianapolis.

SPECIAL RESOLUTION NO. 49, 1982, honoring seven outstanding students.

SPECIAL RESOLUTION NO. 50, 1982, commending the Clearstream Gardens' "Repair a Month Plan".

SPECIAL RESOLUTION NO. 51, 1982, inviting the National Office of Alpha Phi Alpha Fraternity to relocate in Indianapolis, Indiana.

SPECIAL RESOLUTION NO. 53, 1982, authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 54, 1982, rendering advice to the Hospital Authority of Marion County regarding financing in the amount of Twenty Million Five Hundred Ninety Thousand dollars (\$20,590,000) for Univeristy Heights Hospital, Inc.

SPECIAL RESOLUTION NO. 55, 1982, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

Respectfully submitted,

s/William H. Hudnut, III
Mayor

The following is the 1983 Budget Message as presented to the City-County Council by The Honorable William H. Hudnut, III, Mayor, City of Indianapolis:

"Mr. President, Mr. Majority Leader, Mr. Minority Leader, Members of the City-County Council, ladies and gentlemen:

As is my duty each year as Mayor of the City of Indianapolis, I am tonight presenting to you a budget proposal for 1983, and am here to offer a brief report on the general condition of the city.

First, let me say that our City is alive and well, and full of great hopes and promises for the future. The magnificent success of the National Sports Festival -- the private money raised, the thousands of volunteers, the record attendance, the sparkling new facilities -- points to an exciting and prosperous future for our City in a new area of endeavor. These new facilities, which received so much national acclaim last week, were constructed through a partnership of public and private sector funding. They did not divert monies from essential City services. For example, there is not a dime in the natatorium or track-and-field facility that could have been spent on street resurfacing or policeman's salaries or DOT snow-removal equipment. The facilities have already had a positive short-term impact on job production and economic development in our community, and represent a long-term asset that will undoubtedly benefit our City for years to come.

At a time when we hear so often about the sagging spirit of Americans, and tales of heavy burdens weighting us down and sapping our strength, this past eight days of activity indicates to me that the people of Indianapolis are the exception to the national rule.

In the past two months, the Chicago Tribune has referred to Indianapolis as a "bullet train" of economic development, and the Wall Street Journal called our City the "star of the snowbelt." All of us have a right to be proud of what our City is becoming, and to announce to the world that Indianapolis is a city that will set the pace for the others in the rest of the century. We have approached our future progressively, but prudently; confidently, but cautiously; enthusiastically, but wisely. We have worked to lay a framework and build a foundation that will stand the test of time long after most of us are gone.

As you know, we are operating with a 1982 City budget that is \$23,000,000 less than it was in 1981, representing a reduction of seven percent (7%). Tonight, I propose to hold the line on that figure.

THE 1983 BUDGET

The budget we propose tonight for 1983 calls for operating expenses of \$241,400,000, compared with the budget introduced a year ago of \$240,700,000. That represents an increase of just three-tenths of one percent -- virtually no increase at all! The total 1983 budget amounts to about \$266,000,000 compared to roughly \$265,000,000 one year ago -- an increase of just four-tenths of one percent. The property tax rate being proposed this evening for the 1983 city operating and sinking fund budgets is \$4.401. Right now it is \$4.288. So the increase we are talking about in the property tax rate for next year is less than three percent -- 2.6 percent to be exact -- at a time when the Consumer Price Index in the last twelve months has increased by 7.1 percent.

I think it is notable that those who prepared the budget have been able to do so much with so little. Yes, inflation has abated in the past year, but it is certainly still with us. Nevertheless, this budget is balanced, and it is funded.

The budget contains two percent in new dollars for personal services, money that will be used for salaries, benefits and retirement programs. That is not much, and we would like to be able to do more, but you cannot spend money you do not have. The two percent figure is a total budget figure, and does not mean that everyone in City employment, across-the-board, can receive a two percent raise.

As always, our first priority in the budget-making process has been to fund, as best as we could, the police and fire departments. This budget anticipates no service reductions in either department, although the Director of Public Safety does anticipate some movement of resources in order to beef up service where it is needed, and reduce it where we are over-serviced.

Just as important as the full funding of Public Safety, however, is that we have been able to come up with a budget that puts a greater percentage of our limited resources into the front-line services that people expect. Budget for operations of government (Administration) and all of Metropolitan Development make up 30 percent of the entire 1982 budget. In 1983, those functions will take up less than 26 percent. The charts spell this out in greater detail.

What that means, of course, is that the main-line services -- police and fire protection, street maintenance and resurfacing, trash collection, sewer problems, recreational facilities and so on -- will have more money.

We think this is extremely important because it means that the never ending effort to become more productive, more efficient, more cost conscious, and more streamlined is paying off for the taxpayers of Indianapolis. It means that we are combatting the impact that inflation has had on our budget, and while inflation still has the upper hand, we are still doing more with less.

THE LONGER TERM

Let there be no doubt, however, that we continue to have serious funding problems. We cannot overlook the fact that federal assistance is declining, and will continue to do so. We cannot overlook the fact that this City has some \$86,000,000 in unfunded liabilities for police and fire pensions between now and 1990. We cannot overlook the fact that the Public Service Commission recently mandated an increase in our street lighting bill now calculated at \$1,200,000 annually.

Thus far, we have been able to cope. And I think we can be grateful that we have held it all together without massive lay-offs and without major service disruptions, although we are only kidding ourselves if we try to say that no reductions have occurred. We certainly are not resurfacing as many miles of streets as we did in 1978-79. We have fewer community centers in the Parks Department. Our heavy trash program has been scaled back, etc.

But we have been able to cope, and one of the major reasons is that we have restrained the growth of local government. In fact, we have reduced personnel. In 1973, the City employed 5,849 persons; in 1977, 5,202 and at the beginning of this year just 4,289. In other words, the past decade or so, we have reduced the number of City employees by some 27 percent. In contrast, the City of Seattle employs 6,600 persons in a city of only 500,000, and Detroit has four times as many employees as we have for a city only twice our size. Yet, I think our quality and quantity of government service to the people compares quite favorably with theirs.

At the same time, we have been able to hold the line on the cost of personal services in our budget. I hope most City employees recognize that these are difficult times, and will be willing to make financial sacrifices in order to better insure job security somewhat. The average wage settlement in the first quarter of this year around the country was 2.2 percent, and in many cases, workers accepted pay cuts across-the-board.

Still, the future requires us to make further adjustments. First, we must continue to be diligent about getting more from each taxpayer's dollar. The biggest room in the house is still the room for improvement, and we must continue our efforts to root out waste and combat inefficiency wherever that occurs. We must strive for new and better and more cost-effective ways of delivering the basic services, and limit the intrusion of government into taxpayers' pockets.

Secondly, we must continue to promote economic development. We have made great strides in this area as both the Chicago Tribune and Wall Street Journal have pointed out. After this week, our dream of becoming the amateur sports capital of the nation, and all that means to our economy has taken a giant step forward. We have already booked \$76,000,000 in firm convention business for the domed stadium, thus getting off to a good start in that direction. High technology and information industries are being aggressively recruited. Promotion of Indianapolis as a service and distribution center is bearing fruit. And more will take place in these areas in the near future I am confident.

The commitment to economic growth and development means a broadened tax base and more jobs and more prosperity for the people of this City, and is the only long term solution to resolving our nation's economic ills.

Third, local government must be granted more financial home rule. The General Assembly gave us the power to enact the vehicle tax, but much more remains to be done, particularly if we are to be able to pay for state mandated expenses like pensions and the cost of electric power. A couple of weeks ago, I outlined a package of proposals that I hope the state will enact next year -- not that I think all elements of the package should be adopted here in Indianapolis, but rather that local officials should be given greater flexibility in how local government will be financed in the State of Indiana, and what level, and for what purposes. Those are the kinds of decisions that should be made by local officials and the people who elect them.

Finally, we must continue to adjust our thinking about government. We must reduce our expectations about what government is going to do for us. We must end the expensive era of entitlement thinking, and think more about what we can do for ourselves, and in cooperation with others. The National Sports Festival and the eighteen other major events this City will host in 1982 demonstrate that an ethic of responsibility, or volunteerism and of community is operative in our City, and I am certain that spirit can be put to greater use by those of us in government.

The budget deliberation process upon which the City-County Council now embarks will be arduous. There are many, many good and worthy programs and projects deserving government support, but we cannot afford all of them nor at the level everyone would like. The prioritization process has become more difficult each year, and this budget does not contemplate things getting any easier. Our situation, for the reasons I have already discussed, is serious, and it will take great courage and foresight and a view of the bigger picture for it all to fit together.

But I am certain that we -- the Administration and Council, together with county and township officials -- can make sense of it all in such a way that we can continue to provide responsive government to the people of Indianapolis.

Thank you."

The following is the 1983 Budget Message as presented to the City-County Council by The Honorable Harry E. Eakin, Marion County Auditor:

"Mr. President and Ladies and Gentlemen of the Council:

As you entered the Public Assembly Room this evening, you found at your desk a copy of the proposed 1983 Marion County Budget. This is presented to you for your deliberation prior to passage on September 27th.

This booklet represents a tremendous amount of hard work on the part of all elected officials and department heads and I express my appreciation to them for their cooperation. Also, I express my appreciation to the staff in the Auditor's office for the physical preparation of this document. Their efforts were headed by Assistant Chief Deputy Ron Land, and while I am thanking people, I express my gratitude to the staff in your Council office.

Now for the budget itself. We are recommending a total budget of \$116,200,000 or \$6,700,000 over the 1982 budget. This is the 6 percent increase. Even though this seems like a tremendous increase (which it is), it is caused mainly by outside forces over which we have little or no control. In spite of the period of high inflation which we have just gone through, our operational budget is increasing by only 2 percent. Hospital care for the indigent outside of Wishard Hospital is adding an additional 2.6 percent, and other costs, such as Military Dependent Tuition and Residents in State Institutions, adds another 1.4 percent, and with these factors in mind, we think this to be a legitimate budget.

Keeping within the guidelines of your General Ordinance No. 66, we are recommending to you that a general salary increase be given all County employees of 2 percent. I might add, that when this guideline was presented to other elected officials and department heads, no one was particularly happy. However, all have accepted it and understand the situation we are in. All officials and employees should be complimented.

In order to fund this budget, the State will only allow an increase of .0477 in a frozen levy, and even though we were below the maximum in 1982, this will still not fund this budget. As a result, I am recommending to you that we petition the State for an excessive levy to fund the two and one-half new Courts and to fund the hospital care for the indigent. This excessive levy will amount to approximately \$4,800,000.

In the past years I have had a part in preparing approximately 10 budgets for local units of Government and I can say, without a doubt, this has been the toughest one to get balanced. Each year, under the property tax control program, it gets increasingly difficult to fund budgets for local units of government. In spite of the difficulty in funding budgets, I am a firm believer in the property tax control program, and I do not wish to see anything upset the basic concept. However, I believe some alternatives will have to be arrived at. At a recent meeting of the Governor's Task Force on financing local government, I testified along with the Mayor and others as to some suggestions for the future.

As you start your deliberations, our office stands ready to assist you in any way we can.

Thank you."

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

PROPOSAL NO. 301, 1982. Introduced by Councillors Gilmer and Brinkman. Councillor Gilmer read the proposal commending Mrs. Maxine Stevens for her dedicated service to the Pike Township Public School Service. He recognized her husband, Bob, and her son, John Stevens. Councillor Vollmer moved, seconded by Councillor Brinkman, for adoption. Councillors Gilmer and Brinkman presented Mrs. Stevens with the resolution. Proposal No. 301, 1982, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 56, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 56, 1982

A SPECIAL RESOLUTION honoring Mrs. Maxine Stevens.

WHEREAS, Mrs. Maxine Stevens has long served the educational community, showing interest and dedication through association with school administrative organizations; and

WHEREAS, throughout two decades the Pike Township Public School System has benefitted by her spirit, loyalty and skills; and

WHEREAS, the Indiana Association of Education Secretaries named her the 1982 Secretary of the Year and the National Association of Educational Office Personnel named her 1982 National Educational Office Employee of the Year; now, therefore:

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

SECTION 1. The Indianapolis City-County Council commends the contributions of Mrs. Maxine Stevens in serving the educational community and hereby recognizes her achievement as National Educational Office Employee of the Year.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

PROPOSAL NO. 310, 1982. Councillor Miller read the proposal commending the friends, followers and participants in the 1982 National Sports Festival. On behalf of the Indiana Sports Corporation and the Local Organizing Committee for the Sports Festival, Mike Haase received the resolution. Councillor Cottingham moved, seconded by Councillor Miller, for adoption. Proposal No. 310, 1982, was adopted by unanimous voice vote, retitled SPECIAL RESOLUTION NO. 57, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 57, 1982

A SPECIAL RESOLUTION commending the friends, followers and participants in the 1982 National Sports Festival.

WHEREAS, the goal of amateur athletics is to place skilled participants in a competitive non-remunerative environment; and

WHEREAS, in 1982, the City of Indianapolis served as host for the National Sports Festival, which engaged athletes from across the United States in top-flight amateur competition; and

WHEREAS, the City should be proud of the outpouring of participants, volunteers, followers and coordinators for this historic event; and

WHEREAS, the National Sports Festival held July 23rd through July 31st, 1982, marked the culmination of over a year and a half of planning: orchestrating an impressive opening ceremony; coordinating over 6,000 volunteers; supported by 250,000 spectators; and bringing in a gate of nearly One Million Dollars; and

WHEREAS, those who assisted in the National Sports Festival should recognize their contribution as being in the highest service of the City; 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 commends the friends, followers and participants in the 1982 National Sports Festival.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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

INTRODUCTION OF GUESTS

Councillor Parker introduced Dr. Robert Kirsch and students from his State and Local Government class. Councillor Vollmer introduced Mr. Henry Bayt, Center Township Assessor.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 293, 1982. Introduced by Councillor Durnil. This proposal authorizes changes in the personnel schedule of the Warren Township Trustee and was adopted under Modification of Special Orders.

PROPOSAL NO. 294, 1982. Introduced by Councillor Tintera. This proposal authorizes proceedings with respect to proposed economic development bonds for Master Equipment Lease, Inc. in an amount not to exceed \$300,000 and was adopted under Modification of Special Orders.

PROPOSAL NO. 295, 1982. Introduced by Councillor Tintera. This proposal authorizes the issuance of \$1,650,000 Economic Development First Mortgage Revenue Bonds, Series 1982, for Monsey Products Co. and was adopted under Modification of Special Orders.

PROPOSAL NO. 296, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a **SPECIAL ORDINANCE** authorizing the issuance of \$1,250,000 Economic Development First Mortgage Revenue Bonds, Series 1982, for Deflecto Corporation," which was adopted under Modification of Special Orders.

PROPOSAL NO. 297, 1982. Introduced by Councillor Nickell. The Clerk read the proposal entitled: "A Proposal for a **FISCAL ORDINANCE** appropriating \$52,326 for the Municipal Court to increase the number of public defenders and interns required by State legislation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 298, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** amending the Code by fixing an amount to be charged to owners of non-local governmental property benefiting from police protection"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 299, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** amending the Code by fixing the amount to be charged to owners of non-local governmental property benefiting from fire protection"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 300, 1982. Introduced by Councillors McGrath and Vollmer. The Clerk read the proposal entitled: "A Proposal for a **GENERAL ORDINANCE** amending the Code to require financial disclosure statements from City-County employees receiving over \$27,500 a year"; and the President referred it to the Rules and Policy Committee.

PROPOSAL NO. 301, 1982. Introduced by Councillors Brinkman and Gilmer. This proposal commending Mrs. Maxine Stevens was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions.

PROPOSAL NOS. 302-304, 1982. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for a **GENERAL ORDINANCE** and **REZONING ORDINANCES** certified by the Metropolitan Development Commission on July 22, 1982"; and the President referred it to the Committee of the Whole to be heard under Special Orders, Final Adoption.

MODIFICATION OF SPECIAL ORDERS

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

PROPOSAL NO. 305, 1982. Introduced by Councillor Tintera. This proposal authorizes proceedings with respect to proposed economic development bonds for National Liquor Corporation in an amount not to exceed \$2,000,000 and was adopted under Modification of Special Orders.

PROPOSAL NO. 306, 1982. Introduced by Councillor Boyd. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE placing a load limit on Keystone Avenue between 25th and 38th Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 307, 1982. Introduced by Councillor Stewart. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code to restrict, but not prohibit certain automatic telephone devices"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 308, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing the intersection control at Gale and Michigan Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 309, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Post Road and 18th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 310, 1982. Introduced by Councillor Miller. This proposal commends the friends, followers and participants in the 1982 National Sports Festival and was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions.

PROPOSAL NO. 311, 1982. Introduced by Councillor SerVaas. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing the issuance and sale of bonds in the principal amount of \$2,700,000 for the purpose of funding certain judgment obligations of the Marion County Department of Public Welfare"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 312, 1982. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE for the 1983 Annual Budget"; and the President referred it to various committees.

[Clerk's Note: Councillor Tintera moved to Suspend the Rules in order that action could be taken on Proposal Nos. 294, 295, 296, and 305, 1982. Councillor Brinkman moved to Suspend the Rules in order that action could be taken on Proposal No. 293, 1982. Council consent was given.]

PROPOSAL NO. 293, 1982. This proposal authorizes changes in the personnel schedule of the Warren Township Trustee and was recommended for passage by the County and Township Committee on July 27, 1982, by a vote of 4-0-1. Councillor Cottingham explained that a clerk/secretary for the Small Claims Court and a secretary for the Trustee's Office need to be changed to full-time positions because the workload has increased in the Township. Councillor Cottingham moved, seconded by Councillor Brinkman, for adoption. Proposal No. 293, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Borst, Gilmer, Howard, Parker*

Proposal No. 293, 1982, was retitled GENERAL ORDINANCE NO. 67, 1982, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 67, 1982

A GENERAL ORDINANCE amending City-County General Ordinance No. 68, 1981, authorizing changes in the personnel schedule of the Warren Township Trustee.

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

SECTION 1. Section 8 of City-County General Ordinance No. 68, 1981, be, and is hereby amended by deleting the crosshatched portions and adding the underlined amounts as follows:

POSITION	Number of Personnel	Annual Rate of Compensation	Total Compensation
Township Trustee	1	11,050	11,050
Township Clerk-Secretary, Bookkeeper, Investigator	1	13,469	13,469
Advisory Board Members	3	684	2,052
Clerk Supervisor for Small Claims Court	1	13,469	13,469
Secretaries for Small Claims Court	3	10,950	32,850
Judge for Small Claims Court	1	18,000	18,000

Clerk-Secretary for Small Claims Court (part-time)	<u>1/1 2</u>	5,475	13,147 <u>10,950</u>
Secretary - Trustee's Office (part-time)	<u>1/1 2</u>	5,475	13,147 <u>10,950</u>

FIRE DEPARTMENT PERSONNEL

First Class Firemen	27	18,900	510,300
Clerk Supervisor Fire Prev. Office	1	12,593	12,593
Secretary-Clerk for Fire Prev. Office	1	10,950	10,950
Secretary-Bookkeeper Pension Fund (part-time)	1	500	500

POOR RELIEF PERSONNEL

Investigator, Bkpr., Typist	2	10,950	21,900
TOTAL	<u>1/1/1 46</u>		669,033 <u>669,033</u>

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

PROPOSAL NO. 294, 1982. This proposal authorizes proceedings with respect to proposed economic development bonds for Master Equipment Lease, Inc. in an amount not to exceed \$300,000. Councillor Tintera stated that the Economic Development Committee recommended passage on July 30, 1982, by a vote of 4-0-1. The project consists of purchasing the building located at 1555 North Bellefontaine Street. The total project cost is \$825,000, of which \$300,000 is being requested. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 294, 1982, was adopted on the following roll call vote; viz:

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

Proposal No. 294, 1982, was retitled SPECIAL RESOLUTION NO. 58, 1982, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 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, Master Equipment Lease, Inc. (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either renovate and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the renovation

and equipping of an approximately 128,000 square foot structure to be used by the Company and various users for manufacturing and distribution facilities and the machinery and equipment to be installed therein plus certain site improvements located at 1555 North Bellefontaine Street, Indianapolis, Indiana, on approximately 5.903 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 22 additional jobs at the end of one year and 103 additional jobs at the end of three years) to be achieved by the renovation 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 renovation, equipping and leasing of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY—COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 \$300,000 under the Act to be privately placed, to have the personal guarantee of Jack A. Hagans, and to have an assignment of the leases and rentals as may be required by the bondholders, for the renovation and equipping of the Project and the sale or leasing of the Project to Master Equipment Lease, Inc. (the "Company"), or the loaning of the proceeds of such financing to the Company and leasing the Project to various users 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 renovation 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter 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. 296, 1982. This proposal authorizes issuance of \$1,200,000 Economic Development First Mortgage Revenue Bonds, Series 1982, for Deflecto Corporation. Councillor Tintera stated that the Economic Development Committee recommended passage on July 30, 1982, by a vote of 5-0. After discussion, Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 296, 1982, was adopted on the following roll call vote; viz:

24 YEAS: *Boyd, Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Gilmer, Holmes, Jones, Journey, McGrath, Miller, Page, Parker, Rader, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

5 NOT VOTING: *Borst, Hawkins, Howard, Nickell, Rhodes*

Proposal No. 296, 1982, was retitled SPECIAL ORDINANCE NO. 20, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 20, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series 1982 (Deflecto Corporation Project)," in the principal amount of One Million Two Hundred Thousand dollars (\$1,200,000) 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 Deflecto Corporation and the Metropolitan Development Commission of Marion County has received a copy thereof and had at least five (5) days to comment thereon; and

WHEREAS, the Indianapolis Economic Development Commission after a public hearing conducted on July 28, 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 Deflecto Corporation complies with the purposes and provisions of Indiana Code 36-7-12, and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the 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 (Deflecto Corporation Project), the Mortgage and Indenture of Trust and Guaranty Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, previously approved by the Indianapolis Economic Development Commission and presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Deflecto Corporation 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 Deflecto Corporation will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Promissory Note and Loan Agreement (collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Mortgage and Indenture of Trust, Guaranty Agreement, and the form of the City of Indianapolis Economic First Mortgage Revenue Bonds, Series 1982 (Deflecto Corporation 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 First Mortgage Revenue Bonds, Series 1982 (Deflecto Corporation Project), the Mortgage and Indenture of Trust and Guaranty Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development First Mortgage Revenue Bonds, Series 1982 (Deflecto Corporation), in the principal amount of One Million Two Hundred Thousand dollars (\$1,200,000) for the purpose of procuring funds to loan to Deflecto Corporation 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 Deflecto Corporation on its promissory note in the principal amount of One Million Two Hundred Thousand dollars (\$1,200,000) which will be executed and delivered by Deflecto Corporation to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan Agreement, Mortgage and Indenture of Trust and Guaranty Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The 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 bonds equal to seventy-five percent (75%) of the prime rate of interest (based on a 360-day year consisting of twelve thirty-day months) announced by American Fletcher National Bank and Trust Company, Indianapolis, Indiana, at its principal office from time to time, or at such higher rate as may be provided for in the Loan Agreement, 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 and the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Deflecto Corporation 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, Mortgage and Indenture of Trust, Guaranty Agreement, and the 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 (Deflecto Corporation 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. 295, 1982. This proposal authorizes issuance of \$1,650,000 Economic Development First Mortgage Revenue Bonds, Series 1982, for Monsey

Products Co., and was recommended for passage by the Economic Development Committee on July 30, 1982, by a vote of 5-0. Mr. Jim Crawford stated that Monsey headquarters is located outside of Philadelphia and the national office had requested that they locate in a central district, therefore, they are locating an office here in Indianapolis. After discussion, Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 295, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: Borst, Howard

Proposal No. 295, 1982, was retitled SPECIAL ORDINANCE NO. 21, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 21, 1982

A SPECIAL ORDINANCE 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) 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 Monsey Products Co. and the Metropolitan Development Commission of Marion County has received a copy thereof and had at least five (5) days to comment thereon; and

WHEREAS, the Indianapolis Economic Development Commission after a public hearing conducted on July 28, 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 Monsey Products Co. 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, Loan Agreement, Mortgage and Security 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 (Monsey Products Co. Project), the Trust Indenture by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement previously approved by the Indianapolis Economic Development Commission and presented to this

City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Monsey Projects Co. for the purposes of financing the economic development facilities under renovation or to be renovated in Indianapolis, Indiana, and the repayment of said loan by Monsey Products Co. 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, Loan Agreement, Mortgage and Security Agreement (hereinafter collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), Trust Indenture and the form of the City of Indianapolis Economic First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. 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 First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project), and the Trust Indenture 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 (Monsey Products Co.), in the principal amount of One Million Six Hundred Fifty Thousand dollars (\$1,650,000) for the purpose of procuring funds to loan to Monsey Products Co. in order to finance the economic development facilities, as more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Monsey Products Co. on its promissory note in the principal amount of One Million Six Hundred Fifty Thousand dollars (\$1,650,000) which will be executed and delivered by Monsey Products Co. to evidence and secure said loan, and as otherwise provided in the above described Promissory Note, Loan Agreement, Mortgage and Security Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The 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 bonds not to exceed 15%, or at such higher rate as may be provided for in the Loan Agreement, Mortgage and Security Agreement and Trust Indenture, or the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the documents constituting the Financing Agreement and the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project) and the Trust Indenture 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 Trust Indenture, payment for which will be made to the trustee named in the Trust Indenture. 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 Trust Indenture, and the 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 Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. 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. 305, 1982. Councillor Tintera stated that this proposal authorizes proceedings with respect to proposed economic development bonds for National Liquor Corporation in an amount not to exceed \$2,000,000. The Economic Development Committee recommended passage by a vote of 5-0 on July 30, 1982. The project includes \$150,000 for the land, \$1,500,000 for the building, \$200,000 for equipment and \$150,000 for contingencies. Mr. Jim Crawford stated that 10 jobs will be generated by the end of the first year and 30 jobs at the end of three years. After discussion, Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 305, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

2 NOT VOTING: *Borst, Howard*

Proposal No. 305, 1982, was retitled SPECIAL RESOLUTION NO. 59, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 59, 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, National Liquor Corporation (the "Company") has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation and equipping of an approximately 220,000 square foot structure to be used by the Company for warehousing and shipping facilities for the Company's inventory of wine, liquor and other items and the machinery and equipment to be installed therein plus certain site improvements located at 700 West Morris Street, Indianapolis, Indiana, on approximately 15 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 10 additional jobs at the end of one year and 30 additional jobs at the end of three years) to be achieved by the acquisition, renovation and equipping of the Project will be of public benefit to the health, safety and general welfare of the City 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, renovation and equipping of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

**BE IT RESOLVED BY THE CITY—COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND 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 to be privately placed or to have a Letter of Credit for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to National Liquor Corporation (the "Company") or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, renovation and equipping of the Project, 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 renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter 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.

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 236, 1982. This proposal appropriates \$14,992 for the County Auditor to pay six months rent on the space vacated by the Warren Township Assessor. Councillor Cottingham explained that no office/agency moved to the space vacated, therefore, this proposal appropriates funds for the Auditor for the rent. The County and Townships Committee recommended passage by a vote of 5-1 on July 27, 1982. The President called for public testimony at 7:49 p.m. There being no one present to testify, Councillor Cottingham moved, seconded by Councillor Hawkins, for adoption. Proposal No. 236, 1982, was adopted on the following roll call vote; viz:

18 YEAS: Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Hawkins, Holmes, Jones, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, Stewart, Strader, Vollmer

5 NAYS: Brinkman, Gilmer, Page, Rhodes, Tintera

6 NOT VOTING: Borst, Boyd, Howard, Journey, Parker, West

Proposal No. 236, 1982, was retitled FISCAL ORDINANCE NO. 47, 1982, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 47, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Fourteen Thousand Nine Hundred Ninety-two dollars (\$14,992) in the County General Fund for purposes of 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)(2) 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 pay six months rent on the space vacated by the Warren Township Assessor.

SECTION 2. The sum of Fourteen Thousand Nine Hundred Ninety-two dollars (\$14,992), 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 AUDITOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$14,992</u>
Total Increase	\$14,992

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

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$14,992</u>
Total Reduction	\$14,992

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

PROPOSAL NO. 250, 1982. This proposal appropriates \$84,000 for the County Auditor to hire personnel and an audit firm to prepare annual reports. Councillor Brinkman reported that this proposal would authorize the County Auditor to hire three auditors and one secretary who would collect information for an annual report with hopes of raising the County bond rating. Councillor Brinkman moved, seconded by Councillor Cottingham, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 250, 1982, by deleting the introduced version and

substituting therefor the proposal entitled, "Proposal No. 250, 1982, Committee Recommendations."

s/Councillor Brinkman

Council consent was given. The County and Townships Committee recommended Proposal No. 250, 1982, As Amended, for passage by a vote of 5-0-1 on July 27, 1982. The President called for public testimony at 7:54 p.m. There being no testimony, Councillor Brinkman moved, seconded by Councillor Cottingham, for adoption. Proposal No. 250, 1982, As Amended, was adopted on the following roll call vote; viz:

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

3 NOT VOTING: *Boyd, Journey, Nickell*

Proposal No. 250, 1982, As Amended, was retitled FISCAL ORDINANCE NO. 48, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Eighty-four Thousand dollars (\$84,000) in the County General Fund for purposes of 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)(2) 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 hire personnel and an audit firm to audit and prepare annual reports on an accrual accounting basis.

SECTION 2. The sum of Eighty-four Thousand dollars (\$84,000), be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
1. Personal Services	\$34,000
3. Other Services & Charges	<u>50,000</u>
Total Increase	\$84,000

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

MARION COUNTY AUDITOR	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	\$84,000
Total Reductions	<u>\$84,000</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts underlined as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Auditor	1	33,965	33,965
Chief Deputy	1	30,822	30,822
Assistant Chief Deputy	1	26,845	26,845
Assistant Auditor	<i>1/0</i> 3	<i>1/0</i> 25,000	<i>1/0</i> 75,000
Administrative Deputy	1	18,000	18,000
Department Manager	9	17,476	129,328
Assistant Depart. Mgr.	5	11,431	57,000
Administrative Secretary	<i>1/3</i> 4	14,002	34,000 46,043
General Office Clerical	14	10,455	132,438
Accounts Payable Clerk	2	10,797	21,000
Temporary Help			40,000
Vacancy Factor			(10,000) (68,000)
TOTAL	<i>137</i> 41	\$518,444	<u>\$542,441</u>

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

PROPOSAL NO. 265, 1982. This proposal appropriates \$10,000 for the County Prosecutor, Child Support Division, for temporary employees. The Public Safety and Criminal Justice Committee recommended passage on July 22, 1982, by a vote of 5-0. Councillor West reported that this reappropriates Title IV-D funds that were approved by the Council last year. The President called for public testimony at 7:56 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Hawkins, for adoption. Proposal No. 265, 1982, was adopted on the following roll call vote; viz:

23 YEAS: Borst, Boyd, Brinkman, Campbell, Coughenour, Dowden, Gilmer, Hawkins, Holmes, Jones, Journey, McGrath, Miller, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Vollmer, West

NO NAYS

6 NOT VOTING: Clark, Cottingham, Durnil, Howard, Nickell, Tintera

Proposal No. 265, 1982, was retitled FISCAL ORDINANCE NO. 49, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Ten Thousand dollars (\$10,000) in the County General Fund for purposes of the Marion County Prosecutor's Child Support Division 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(b)(12) 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 temporary employees to prepare IRS Tax Offset Program Cases. The total amount will be reimbursed by IV-D Funds.

SECTION 2. The sum of Ten Thousand dollars (\$10,000), be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY PROSECUTOR		
CHILD SUPPORT DIVISION		COUNTY GENERAL FUND
1. Personal Services		<u>\$10,000</u>
Total Increase		<u>\$10,000</u>

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

MARION COUNTY PROSECUTOR		
CHILD SUPPORT DIVISION		COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund		<u>\$10,000</u>
Total Reduction		<u>\$10,000</u>

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts underlined as follows:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Admin. Supervisor	3	20,988	54,000
General Sec./Clerks	18	15,202	186,137
Paralegal	18	17,520	220,500
Supervisor, Prof.	1	36,012	25,000
Deputy Prosecutor (Full and Part-time)	2	32,443	54,000
Temporary			36,000 <u>76,000</u>
Vacancy Factor			(48,843) <u>(78,643)</u>
TOTAL	42		183,694 <u>\$536,994</u>

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

PROPOSAL NO. 266, 1982. This proposal appropriates \$5,737 for Marion County Circuit Court to purchase, supply and maintain dictation equipment and furniture. Councillor West explained that these funds will be used to purchase dictation equipment for the new IV-D Courtroom. He added that all court facilities are 100% reimbursable, however, operating expenses are only 75% reimbursable. The Public Safety and Criminal Justice Committee recommended passage by a vote of 5-0 on July 22, 1982. The President called for public testimony at 7:58 p.m. Mr. John McClain stated he was not in favor of purchasing new dictation equipment. Councillor West reiterated that this equipment was to be used in a new courtroom. Councillor West moved, seconded by Councillor Campbell, for adoption. Proposal No. 266, 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, Miller, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West

NO NAYS

1 NOT VOTING: McGrath

Proposal No. 266, 1982, was retitled FISCAL ORDINANCE NO. 50, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Five Thousand Seven Hundred Thirty-seven dollars (\$5,737) in the County General Fund for purposes of the Marion County Circuit Court 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(b)(10) 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 maintain dictation equipment and furniture for the New IV-D courtroom. Reimbursement of seventy-five percent of the expenditures will be made by IV-D funds.

SECTION 2. The sum of Five Thousand Seven Hundred Thirty-seven dollars (\$5,737), 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 CIRCUIT COURT	COUNTY GENERAL FUND
2. Supplies	\$442
3. Other Services & Charges	385
4. Capital Outlay	<u>4,910</u>
Total Increase	\$5,737

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

MARION COUNTY CIRCUIT COURT	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$5,737</u>
Total Reductions	\$5,737

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

PROPOSAL NO. 268, 1982. This proposal appropriates \$10,140 for Superior Court, Criminal Division, Room 2, for typing of Pauper Appeal transcripts and other increases. Councillor West moved, seconded by Councillor Miller, to postpone Proposal No. 268, 1982, until August 30, 1982. Council consent was given.

PROPOSAL NO. 269, 1982. This proposal appropriates \$88,503 for the County Sheriff and Auditor to continue the operations of the Community Corrections Center. Councillor West moved, seconded by Councillor Cottingham, to postpone Proposal No. 269, 1982, until August 30, 1982. Council consent was given.

PROPOSAL NO. 288, 1982. This proposal appropriates \$5,277 for the Jury Pool to purchase audio-visual equipment and a slide program. Councillor West explained that these were LEAA funds that are 100% reimbursable. The Public Safety and

Criminal Justice Committee recommended passage by a vote of 6-0 on July 28, 1982. The President called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Brinkman moved, seconded by Councillor Hawkins, for adoption. Proposal No. 288, 1982, was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Brinkman, Clark, Cottingham, Coughenour, Dowden, Gilmer, Hawkins, Holmes, Howard, Journey, Miller, Parker, Rader, Rhodes, SerVaas, Stewart, Strader, Tintera, Vollmer, West

3 NAYS: Durnil, Jones, Schneider

4 NOT VOTING: Campbell, McGrath, Nickell, Page

Proposal NO. 288, 1982, was retitled FISCAL ORDINANCE NO. 51, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Five Thousand Two Hundred Seventy-seven dollars (\$5,277) in the Crime Control Fund for purposes of the Jury Pool and reducing the unappropriated and unencumbered balance in the Crime Control 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(e) 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 audio-visual equipment and slide program for the Jury Pool. The expenditure will be reimbursed through a Crime Control Grant.

SECTION 2. The sum of Five Thousand Two Hundred Seventy-seven dollars (\$5,277), 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:

JURY POOL	CRIME CONTROL FUND
34. Equipment	<u>\$5,277</u>
Total Increase	<u>\$5,277</u>

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

JURY POOL	CRIME CONTROL FUND
Unappropriated and Unencumbered Crime Control Fund	<u>\$5,277</u>
Total Reductions	<u>\$5,277</u>

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

SPECIAL ORDERS, UNFINISHED BUSINESS

PROPOSAL NO. 91, 1982. This proposal requires printed identification on exterior of commercial trucks. Councillor Holmes moved, seconded by Councillor Tintera, to strike. Proposal No. 91, 1982, was stricken by consent of the Council.

PROPOSAL NO. 216, 1982. This proposal amends the Code dealing with false alarms. Councillor West explained that Councillor Coughenour's amendment would exempt all private residence owners from obtaining a permit if a 15 minute timer accompanied the alarm. He noted that the Public Safety and Criminal Justice Committee recommended that this proposal be stricken on June 23, 1982. The Council, on July 19, 1982, moved to defer action on Proposal No. 216, 1982. Councillor Coughenour moved, seconded by Councillor Miller, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 216, 1982, by deleting the introduced version and substituting the proposal therefor entitled, "Proposal No. 216, 1982, As Amended."

s/Councillor Coughenour

Following discussion, Councillor Clark called for the question on the amendment, seconded by Councillor Rader. The amendment was adopted on the following roll call vote; viz:

19 YEAS: *Boyd, Clark, Cottingham, Coughenour, Dowden, Durnil, Holmes, Journey, McGrath, Miller, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Vollmer, West*

8 NAYS: *Borst, Brinkman, Campbell, Gilmer, Hawkins, Howard, Page, Tintera*

2 NOT VOTING: *Jones, Nickell*

Councillor Coughenour explained that this would involve one less regulation for home-owners and would leave the fine as stated in the ordinance. Councillor Durnil moved, seconded by Councillor Parker, for the main motion on Proposal No. 216, 1982, As Amended. Consent was given. President SerVaas called for the vote on the main motion and Proposal No. 216, 1982, As Amended, was adopted on the following roll call vote; viz:

19 YEAS: *Brinkman, Clark, Cottingham, Coughenour, Dowden, Durnil, Holmes, Jones, Journey, McGrath, Miller, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Vollmer*

9 NAYS: *Borst, Boyd, Campbell, Gilmer, Hawkins, Howard, Page, Tintera, West*

1 NOT VOTING: *Nickell*

Proposal No. 216, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 68, 1982, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 68, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 21½, which deals with false alarms.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," Chapter 21½, Section 3, is hereby amended by adding the portions underlined and deleting those crosshatched as follows:

ARTICLE II. ALARM SYSTEMS

SECTION 21½-3. Alarm system permit required.

(a) It shall be unlawful for a person in control of property to operate, cause to be operated, or permit the operation of an alarm system on that property unless a current alarm system permit has been obtained from the City Controller/ ; provided, however, no permit shall be required for an alarm system located on a private residence if so equipped that any externally sounding alarm is automatically disconnected within fifteen (15) minutes after activation.

(b) Any person who violates this section shall be subject to a \$25 fine unless an alarm system permit is obtained within ten days after receiving notification of the violation.

(c) Any person who operates an alarm system at the time this ordinance becomes effective shall have thirty (30) days after the effective date of the ordinance to apply for an alarm system permit if one is required by this section.

SECTION 2. 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. 118, 1982. This proposal eliminates building permit requirements for installation, maintenance and repair of storm windows and other exterior windows. The Metropolitan Development Committee amended and recommended passage by a vote of 5-0 on July 27, 1982. Councillor Durnil outlined the amendments to the Building Standards and Procedures, and moved the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 118, 1982, by deleting the introduced version and substituting the proposal therefor entitled, "Proposal No. 118, 1982, Committee Recommendations."

s/Councillor Durnil

Council consent was given. Councillor Durnil moved, seconded by Councillor Rader, for adoption. Proposal No. 118, 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
NO NAYS

Proposal No. 118, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 69, 1892, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 8 concerning Buildings and Construction.

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

SECTION 1. Section 8-7 of Chapter 8 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. 8-7. "Construction activity" defined.

As used herein the phrase "construction activity" means the erection, construction, placement, repair, alteration, conversion, removal, demolition, maintenance, moving, razing or remodeling of any new or existing structure or any part thereof; or the construction, installation, extension, repair, alteration, conversion, removal or maintenance of building equipment; provided, however, the phrase "construction activity" shall not include the construction, alteration, repair or maintenance of airplanes, boats, railroad rolling stock or motor vehicles; the manufacture or shop repair of building equipment; the installation, alteration, maintenance or repair of water supply lines from a public utility to a structure; the installation, alteration, maintenance or repair of gas supply lines from a public utility to a structure; ~~or~~ the construction, installation, alteration, repair or maintenance of apparatus and equipment used by telegraph companies, electrical utility and telephone companies in the direct provision of services to the public; or the installation, alteration, maintenance or repair by an electrical utility of a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park.

SECTION 2. Section 8-10 of Article I of Chapter 8 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. 8-10. "Heating system" defined.

~~As used herein the phrase "heating system" means a system which utilizes a source of energy, including, but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of more than one partitioned space in a structure or to accomplish the warming of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping; provided, however, that a structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure, shall not be considered a heating system for purposes of this definition.~~

As used herein the phrase "heating system" means a system which utilizes a source of energy, including, but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of more than one partitioned space in a structure or to accomplish the warming of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping; provided, however, that a structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure, shall not be considered a heating system for purposes of this definition.

SECTION 3. Section 8-17 of Article I of Chapter 8 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. 8-17. "Space heating equipment" defined.

~~As used herein the phrase "space heating equipment" means equipment which utilizes a source of energy, including, but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of an unpartitioned space within a structure in which the equipment is located without the use of air distribution ductwork which extends more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that the following shall not be considered space heating equipment for purposes of this definition:~~

As used herein the phrase "space heating equipment" means equipment which utilizes a source of energy, including, but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of an unpartitioned space within a structure in which the equipment is located without the use of air distribution ductwork which extends more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that the following shall not be considered space heating equipment for purposes of this definition:

- (a) plug-in electrical appliances such as freestanding room heaters that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts;
- (b) self contained fireplaces; and,
- (c) a structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure.

SECTION 4. Section 8-30 of Division 2 of Article III of Chapter 8 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by inserting the words underlined and deleting the words crosshatched as follows:

DIVISION 2. BUILDING PERMITS AND DESIGN AND SUPERVISION

Sec. 8-30. When building permits required.

No person, partnership or corporation shall engage in any construction activity in the consolidated city unless a written building permit issued by the division of buildings describing the activity has been obtained by and is in force relative to the person, partnership or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the building permit; provided, however, that a building permit shall not be required for:

- (a) Ordinary maintenance and repair of a structure or building equipment, except as provided below in this section; or
- (b) Construction activity other than that described in (a) above where the total value of labor and materials does not exceed five hundred dollars (\$500.00) except as provided below in this section; or
- (c) Erection of any sign in those categories of signs described in Section 8-330(c) of this chapter; or
- (d) Connection, provision or use of temporary electrical power for on-site construction activity; or
- (e) Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which is accomplished in connection with work in an existing one- or two-family residential structure which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued; or
- (f) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or

- (g) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in one- or two-family residential structures or apartment buildings when such installation does not include the installation of an electrical circuit; or
- (h) Installation of thermal insulation; or
- (i) Construction of a fence six (6) feet in height or less; or
- (j) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or
- (k) Placement of a one family factory constructed building not on a permanent foundation in a mobile home park licensed by the Indiana State Board of Health; or
- (l) Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Board of Health; or
- (m) Initial connection or reconnection of electric plug in cable connections from a mobile home not placed on a permanent foundation to service equipment supplying electrical power in a mobile home park licensed by the Indiana State Board of Health.

Relative to paragraphs (a) and (b) above, building permits shall be required for construction activity on either a structure or building equipment where the activity, if done improperly, is a potential health or safety hazard. Examples of construction activity relative to a structure which, if done improperly, would be a potential health or safety hazard include the construction or alteration of a chimney or venting system; stripping and reapplication of roofing material; a change in exterior bulk or facade; the creation or cutting away of any load-bearing wall, partition or portion thereof; the addition of concentrated roof loading; the creation, removal or change of any required means of egress; rearrangement of parts of a structure affecting the exitway requirements; or a change of the use, group occupancy or structure type. Examples of construction activity relative to building equipment which, if done improperly, would be a potential health or safety hazard include installation, significant alteration or relocation of any water distribution system within a structure, gas distribution system within a structure, soil, waste, vent or similar piping; relocation of plumbing fixtures; installation or significant alteration of an electrical power distribution system; installation of heating system, space heating equipment, cooling system or space cooling equipment; installation of a hot water heater; or replacement of a hot water heater with one that is not identical as to temperature or pressure protection, venting arrangement and type of fuel or energy input. Provided further, construction activity for which a permit is required may be accomplished without a permit being then in force, notwithstanding what is stated hereinabove in this section, where an emergency need for such construction activity occurs on a day when the office of the division of buildings is not open for business and the person, partnership or corporation which has accomplished such construction applies for a building permit on the first day the office of the division of buildings is open for business after the initiation of such construction activity.

SECTION 5. Section 8-31 of Division 2 of Article II of Chapter 8 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. 8-31. Eligibility to obtain and apply for a building permit.

To obtain a building permit a person, partnership or corporation must meet the requirements of and make application through a person possessing the qualifications stated in one of paragraphs (a) through (e) below and must be the person, partnership or corporation which will either actually accomplish, supervise accomplishment or be contractually responsible for accomplishment of the construction activity allowed by the building permit:

- (a) Any person, partnership or corporation which is a listed contractor under Article IV, Division 2, of this chapter may obtain a building permit to accomplish any construction activity except work for which Article IV, Division 3, 4 or 5 of this chapter requires licensure or Public Law 188 of the Acts of 1972,

as amended, requires a state license. If the listed contractor is a person, application for a building permit must be made by that person. If the listed contractor is a partnership or corporation, application for a building permit must be made by an employee, partner or officer designated in a written document filed with the division of buildings as having authority to act for that partnership or corporation.

- (b) Any person, partnership or corporation licensed under Article IV, Division 3, 4 or 5 of this chapter may obtain a building permit solely to accomplish construction activity allowed by the license or type of license held by the person, partnership or corporation. If the license holder is a person, application for a building permit must be made by that person. If the license holder is a partnership or corporation, application for a building permit must be made by an employee, partner or officer designated in a written document filed with the division of buildings as having authority to act for that partnership or corporation and who himself holds a license or type of license which allows accomplishment of the construction activity stated in the building permit.
- (c) Any person or corporation registered under Article IV, Division 6, of this chapter may obtain a building permit solely to accomplish construction activity for which state licensure as a plumbing contractor is required. If a person holding a state plumbing contractor license is registered under Article IV, Division 6, of this chapter, application for a building permit must be made by that person. If a corporation holding a state plumbing contractor license is registered, application for a building permit must be made either by the officer named in the state license or another officer or employee holding a plumbing contractor license.
- (d) Any person who is either a registered architect or registered engineer licensed to practice in the State of Indiana may obtain a building permit to accomplish any construction activity for which the approval of the administrative building council is required and has been given. Such architect or engineer, however, may not obtain a building permit for work relative to which Article IV, Division 3, 4 or 5 of this chapter required licensure or Public Law 188 of the Acts of 1972, as amended, requires a state license. Such architect or engineer must himself apply for the building permit which he is authorized to obtain.
- (e) Any person, partnership or corporation which owns, is a contract purchaser or is a long-term lessee of an improved or unimproved parcel of land which the person, partnership or corporation intends to utilize for its own purposes may obtain a building permit to accomplish construction activity on such parcel carried out through direct efforts of the person or direct efforts of employees or non-compensated volunteers of the person, partnership or corporation. Such a person, partnership or corporation may not obtain a building permit to wreck a structure for which Article IV, Division 5 requires licensure. Such a person, partnership or corporation may not obtain a building permit for work relative to which Public Law 188 of the Acts of 1972, as amended, requires a state license. The requirements of Section 8-200 and Section 8-230 must be met for such a person, partnership or corporation to obtain a building permit to accomplish construction activity relative to which Article IV, Division 3 and 4 require licensure. Such a person must himself apply for the building permit which he is authorized to obtain. Such a partnership must apply for the building permit which it is authorized to obtain through a partner. Such a corporation must apply for the building permit which it is authorized to obtain through an employee having authority to act for the corporation.

SECTION 6. Section 8-32 of Division 2 of Article II of Chapter 8 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by inserting the words underlined and deleting the words crossed out as follows:

Sec. 8-32. Building permits obtained by written application.

Application for a building permit shall be made to the division of buildings. The application shall be made in accordance with this section, unless each and every requirement of Section 8-36 is met and the administrator decides to issue a building permit on the basis of that section.

(a) The application shall be in writing on a form prescribed by the division of buildings and shall be supported with:

- (1) Two (2) copies of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. In lieu thereof, it shall be within the discretion of the administrator of the division of buildings to accept two (2) copies of a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.
- (2) Two (2) copies of a plot plan drawn to scale which reflect the location of the structure in relation to existing property lines and which show streets, curbs and sidewalks and proposed changes or additions to such streets, curbs and sidewalks; provided, however, such plot plan shall not be required in the instance where all of the construction activity is to occur inside an existing structure.
- (3) An improvement location permit, issued by the division of planning and zoning, department of metropolitan development, if required by the ordinance providing for the improvement location permit.
- (4) Written approval from the Marion County Health and Hospital Corporation for any contemplated ~~private sewage disposal~~ private sewage disposal system.
- (5) Written approval from the administrative building council, if required by Indiana law or any rule or standard of the administrative building council.
- (6) A drainage permit, issued by the department of public works, if required by the ordinance providing for a drainage permit.
- (7) A connection permit, issued by the department of public works, if required by the ordinance requiring a permit for connection to a sewer.

In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.

In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure which is in excess of seventy-five (75) feet in height, such application shall be supported by a certificate of insurance reflecting that the obtainer of the building permit has a public liability and property damage insurance policy naming the licensee and the Consolidated City of Indianapolis as the assured and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis in the minimum amounts of five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is injury to or death of one or more persons and two hundred fifty thousand dollars (\$250,000.00) for any occurrence relative to which there is property damage.

(b) Except as provided in Section 8-100 or 8-101, a building permit shall be issued if:

- (1) The application and supporting information required by this section have been properly prepared and submitted; and
- (2) The application and supporting information filed in accordance with this section reflect compliance with building standards and procedures; and
- (3) The fee has been paid in compliance with Article II, Division 6, of this chapter; and
- (4) The person, partnership or corporation obtaining the building permit complies with the requirements of Section 8-31; and
- (5) The person applying for the building permit complies with the requirements of Section 8-31.

(c) By making payment for the building permit, the applicant shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant shall within ten (10) days provide in writing to the division of buildings any additions or corrections to that information.

SECTION 7. Section 8-83 of Division 6 of Article II of Chapter 8 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. 8-83. Permit fees for plumbing activity.

- (a) Installation of a plumbing system in a new structure:
 - (1) Minimum fee - \$20.00.
 - (2) General rate - 15% of the fee for the building permit (as provided for in Section 8-81) which has been obtained for the new structure.
- (b) Alteration, addition, repair or replacement of plumbing in an existing structure:
 - (1) Minimum fee - \$15.00.
 - (2) General rate - \$5.00 per \$1,000.00 of total value.
- (c) Initial connection or reconnection of plumbing to a structure which has been removed from one location and is being placed at another location or to a factory constructed building - \$15.00.
- (d) ~~///~~ If plumbing activity is limited solely to replacement or installation of one or more water heaters in a structure:
 - (1) Minimum fee - \$10.00.
 - (2) General rate - \$5.00 per \$1,000.00 of total value.
- (e) ~~///~~ A permit may encompass plumbing activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

SECTION 8. Section 8-84 of Division 6 of Article II of Chapter 8 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. 8-84. Permit fees for electrical activity.

- (a) Installation of an electrical power distribution system in a new structure:
 - (1) Minimum fee - \$25.00.
 - (2) General rate - 20% of the fee for the building permit (as provided for in Section 8-81) which has been obtained for the new structure.
- (b) Repair, alteration or remodeling of an electrical power distribution system in an existing structure:
 - (1) Minimum fee - \$10.00.
 - (2) General rate - \$5.00 per \$1,000.00 total value.
- (c) Installation of space heating equipment using electricity as its primary source of energy:
 - (1) Minimum fee - \$15.00.
 - (2) General rate - \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh and \$0.05 per each additional 1,000 Btuh.
- (d) Replacement of space heating equipment using electricity as its primary source of energy:
 - (1) Minimum fee - \$15.00.
 - (2) General rate - \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh and \$0.05 per each additional 1,000 Btuh.
- (e) Installation of space cooling equipment using electricity as its primary source of energy:
 - (1) Minimum fee - \$15.00.
 - (2) General rate - \$0.19 per 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
- (f) Replacement of space cooling equipment using electricity as its primary source of energy:
 - (1) Minimum fee - \$15.00.
 - (2) General rate - \$0.19 per 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
- (g) Installation of combined space heating and space cooling equipment using electricity as their primary source of energy:

(1) Minimum fee - \$20.00.

(2) General rate - 70% of the sum of both general rates provided above in Section 8-84(c)(2) and (e)(2) as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment.

(h) Replacement of combined space heating and space cooling equipment using electricity as their primary source of energy:

(1) Minimum fee - \$20.00.

(2) General rate - 70% of the sum of both general rates provided above in Section 8-84(d)(2) and (f)(2) as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined space equipment.

(i) Initial connection or reconnection of electrical power to ~~any building or structure~~ any building or structure which has been removed from one location and is being placed at another location or to a factory constructed building - \$15.00.

(j) Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park:

(1) Minimum fee - \$15.00.

(2) General rate - \$5.00 per service equipment assembly located on property owned by the same person, partnership or corporation and available for inspection at one time.

(k) ~~(j)~~ "Electrical craft work certificate of completion and compliance" forms, as allowed in Section 8-63 -- \$3.00 each.

(l) ~~(k)~~ A permit may encompass electrical activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

SECTION 9. Section 8-85 of Division 6 of Article II of Chapter 8 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. 8-85. Permit fees for heating, cooling and refrigeration activity.

(a) Heating systems:

(1) Installation of a heating system:

a. Minimum fee - \$15.00.

b. General rate -- \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh, and \$0.05 per each additional 1,000 Btuh.

(2) Replacement of a heating system:

a. Minimum fee - \$15.00.

b. General rate - \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh, and \$0.05 per each additional 1,000 Btuh.

(3) Addition to an existing heating system to accommodate structural enlargements:

a. Minimum fee - \$10.00.

b. General rate - \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh, and \$0.05 per each additional 1,000 Btuh.

(b) Cooling systems:

(1) Installation of a cooling system:

a. Minimum fee -- \$15.00.

b. General rate - \$0.19 per each 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.

(2) Replacement of a cooling system:

a. Minimum fee - \$15.00.

b. General rate - \$0.19 per each 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.

(3) Addition to an existing cooling system to accommodate structural enlargements:

a. Minimum fee -- \$10.00.

- b. General rate -- \$0.19 per each 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
- (c) Combined heating systems and cooling systems, utilizing common ductwork or piping:
 - (1) Installation of a combined heating system and cooling system:
 - a. Minimum fee -- \$20.00.
 - b. General rate -- 70% of the sum of both general rates provided above Section 8-85(a)(1)b and 8-85(b)(1)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combines systems.
 - (2) Replacement of a combined heating system and cooling system:
 - a. Minimum fee -- \$20.00.
 - b. General rate -- 70% of the sum of both general rates provided above in Section 8-85(a)(2)b and 8-85(b)(2)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combines systems.
 - (3) Addition to an existing combined heating and cooling system to accommodate structural enlargements:
 - a. Minimum fee -- \$15.00.
 - b. General rate -- 70% of the sum of both general rates provided above in Section 8-85(a)(2)b and 8-85(b)(2)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined systems.
- (d) Space heating equipment:
 - (1) Installation of space heating equipment:
 - a. Minimum fee -- \$15.00.
 - b. General rate -- \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
 - (2) Replacement of space heating equipment:
 - a. Minimum fee -- \$15.00.
 - b. General rate -- \$0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
- (e) Space cooling equipment:
 - (1) Installation of space cooling equipment:
 - a. Minimum fee -- \$15.00.
 - b. General rate -- \$0.19 per each 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
 - (2) Replacement of space cooling equipment:
 - a. Minimum fee -- \$15.00
 - b. General rate -- \$0.19 per 1,000 Btuh of output capacity up to the first 600,000 Btuh, and \$0.05 per each additional 1,000 Btuh.
- (f) Combined space heating and space cooling equipment:
 - (1) Installation of combined space heating and space cooling equipment:
 - a. Minimum fee -- \$20.00.
 - b. General rate -- 70% of the sum of both general rates provided above in Section 8-85(d)(1)b and 8-85(e)(1)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combines space equipment.
 - (2) Replacement of combined space heating and space cooling equipment:
 - a. Minimum fee -- \$20.00.
 - b. General rate -- 70% of the sum of both general rates provided above in Section 8-85(d)(2)b and (e)(2)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combines space equipment.
- (g) Refrigeration equipment:
 - (1) Installation of refrigeration equipment:
 - a. Minimum fee - \$15.00.
 - b. General rate -- ~~\$0.10~~ \$2.00 per kva of equipment rating.
 - c. Maximum rate -- \$200.00.
 - (2) Alteration or repair of refrigeration equipment:
 - a. Minimum fee -- \$10.00.
 - b. General rate -- \$5.00 per \$1,000.00 of total value.

- (h) A permit may encompass heating, cooling and refrigeration activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

SECTION 10. Section 8-104 of Division 7 of Article II of Chapter 8 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. 8-104. Stop-work order.

Whenever the administrator of the division of buildings or his authorized representative discovers the existence of any of the circumstances listed below, he is empowered to issue an order requiring the suspension of the pertinent construction activity. The stop-work order shall be in writing and shall state to which construction activity it is applicable and the reason for its issuance. The stop-work order shall be posted on the property in a conspicuous place and, if conveniently possible, shall be given to the person doing the construction and to the owner of the property or his agent. The stop-work order shall state the conditions under which construction may be resumed.

- (a) Construction activity is proceeding in an unsafe manner, including, by way of example and not of limitation, in violation of any standard set forth in this chapter or any state standard pertaining to safety during construction; or
- (b) Construction activity is occurring in violation of building standards and procedures or in such a manner that if construction is allowed to proceed, there is a reasonable probability that it will be substantially difficult to correct the violation; or
- (c) Construction activity has been accomplished in violation of building standards and procedures and a period of time which is one-half the time period in which construction could be completed, but no longer than fifteen (15) calendar days has elapsed since written notice of the violation or noncompliance was either posted on the property in a conspicuous place or given to the person doing the construction, without the violation or noncompliance being corrected; or
- (d) Construction activity for which a building permit is required is proceeding without a building permit being in force; in such an instance, the stop-work order shall indicate that the effect of the order terminates if the required building permit is obtained; or
- (e) Construction activity for which a building permit was issued more than thirty (30) days earlier is proceeding without there being in force applicable permits and approvals required by governmental units (including, but not limited to, department of public safety, department of public works, department of transportation, Health and Hospital Corporation of Marion County, state board of health, state department of natural resources, state highway department) for compliance with standards for air quality, drainage, flood control, fire safety, private water supply, vehicular access, and waste treatment and disposal on the real estate on which the structure is located; in such an instance, the stop-work order shall indicate that the order is applicable to all construction activity allowed by the building permit and that the effect of the order terminates if the required permits and approvals are obtained; or
- (f) Construction activity is occurring for which a certificate of appropriateness from the Indianapolis Historic Preservation Commission is required pursuant to Indiana Code 18-4-22-1, et seq., without a certificate of appropriateness being in force; in such an instance, the stop-work order shall indicate that the effect of the order terminates if the required certificate of appropriateness is obtained.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

SECTION 11. Section 8-105 of Division 7 of Article II of Chapter 8 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. 8-105. Order forbidding occupancy.

The administrator of the division of buildings or his authorized representative is empowered to issue an order forbidding the occupancy of any structure or part of any structure if:

- (a) ~~The structure is in violation of applicable building standards and procedures;~~
(b) Some construction activity for which a building permit is required has been accomplished on the structure or applicable part of the structure within the previous one hundred eighty (180) days; and
- (b) ~~Construction activity on the structure or applicable part of the structure is not yet completed or has occurred in violation of applicable building standards and procedures;~~
(b) Construction activity on the structure or applicable part of the structure is not yet completed or has occurred in violation of applicable building standards and procedures; and
- (c) ~~The stage of completing or nature of violation is such that occupation of the structure or applicable part of the structure would pose a significant threat to the health or safety of persons.~~
(b) The stage of completing or nature of violation is such that occupation of the structure or applicable part of the structure would pose a significant threat to the health or safety of persons.

The order forbidding occupancy shall be in writing specifying whether it is applicable to the entire structure or to only a part of the structure, and shall state the reason for its issuance. The order forbidding occupancy shall be posted on the structure in a conspicuous place and, if conveniently possible, shall be given to the owner of the property or his agent and to any person doing work on the premises. The order forbidding occupancy shall state the conditions under which the structure or part of the structure may be occupied.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

SECTION 12. Section 8-145 of Division 3 of Article III of Chapter 8 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by adding a new section to read as follows:

Sec. 8-145. Factory constructed one and two family residential buildings placed on a permanent foundation.

- (a) Indiana Law specifies that rules adopted by the Administrative Building Council pursuant to I.C. 22-11-1 establish construction standards applicable throughout the State of Indiana. One rule, the Indiana One & Two Family Dwelling Code, establishes construction standards for most one and two family houses. This rule establishes set up and utility connection requirements for the following categories of factory constructed buildings located or used as a one or two family dwelling unit which are placed on a permanent foundation:
 - (1) one or two family dwelling units which bear a seal certifying compliance with the Indiana 1 & 2 Family Dwelling Code; and
 - (2) one family dwelling units which bear a seal certifying compliance with the Federal Manufactured Housing Construction and Safety Standards law.

The Indiana 1 & 2 Family Dwelling Code is, in accordance with state law, enforceable by the Division of Buildings in the Consolidated City of Indianapolis.

- (b) P. L. 312, 1981, authorizes local units of government to adopt underfloor space enclosure requirements for dwelling units, including those units designed and built in a factory which bear a seal certifying compliance with the Federal Manufactured Housing Construction and Safety Standards law. The following categories of factory constructed buildings located or used as a one or two family dwelling unit which are placed on a permanent foundation in Marion County must meet the requirements set forth in this subsection:
 - (1) one or two family dwelling units which bear a seal certifying compliance with the Indiana 1 and 2 Family Dwelling code and which are constructed in such manner as to allow the unit to be towed on its own chassis; and
 - (2) one family dwelling units which bear a seal certifying compliance with the Federal Manufactured Housing Construction and Safety Standards law.

Such units must be erected on foundations, footings and crawl spaces or basement walls, constructed in accordance with the Indiana 1 & 2 Family Dwelling Code. The space between the floor joists of the unit and the underfloor grade shall be completely enclosed with a permanent perimeter enclosure. The permanent perimeter enclosure shall

be constructed or materials allowed by Chapter 3 of the Indiana 1 & 2 Family Dwelling Code, shall have the number and type of access and ventilation openings required by such Code and shall be built in such a manner that it will not subject the unit to frost heaving as prescribed in the Indiana 1 & 2 Family Dwelling Code.

- (c) All factory constructed buildings located or used as a one or two family dwelling which are placed on a permanent foundation in Marion County shall contain in each kitchen an electrically driven garbage grinder meeting the requirements of Section 8-121 if the dwelling has in place or available to it a connection to the sewage facilities of the Indianapolis Sanitary District.

SECTION 13. Section 8-146 of Division 3 of Article III of Chapter 8 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by adding a new section to read as follows:

Sec. 8-146. Factory constructed one and two family residential buildings not placed on a permanent foundation.

All factory constructed buildings located or used as a one or two family dwelling unit in the consolidated city must comply with the following requirements if the building is not placed on a permanent foundation:

- (a) Be supported on footings which are placed on undisturbed earth or on controlled fill free of grass and organic material compacted to a minimum load bearing capacity of 2,000 pounds per square foot. The footings shall be of such area and spacing as to support the weight of the home when distributed among the piers specified by the manufacturer. The footings may be concrete pads or reinforced concrete slabs extending the length of the buildings.
- (b) Be supported above the footings by concrete block, approved pressure treated wood, concrete or steel piers which conform with the manufacturers instructions and published industry standards, which recognize height and attachment needs and which are acceptable to the Administrator of the Division of Buildings.
- (c) Be supported and anchored for not less than a wind pressure specified in the Indiana One & Two Family Dwelling Code in a manner compatible with the manufacturers instructions and acceptable to the Administrator of the Division of Buildings. Wind anchors shall equal the requirements of Section 11 of the State Board of Health Rule 410 IAC 6-6. If there is a continuous reinforced concrete support slab it may be designed to incorporate anchorage attachments. Vertical and diagonal ties between the anchors and the building shall attach to the building as specified by the manufacturer and be of material adequate to meet strength requirements. If anchors and building supports are not a single rigid combination, adjustment means must be provided to prevent damage to buildings due to frost heaving.
- (d) Have a minimum 12" servicing clearance between the structural members below the building and the earth or concrete. If water can accumulate in this space, drainage must be provided.
- (e) Provide electric service in accordance with either Article 230 or Article 550 of the National Electric Code - 1981.
- (f) Have potable water and sewer connections conforming with Section 10 and 11 of Indiana Plumbing Rules. Between grade level and the dwelling sufficient pipe flexure must be provided to absorb the effect of frost heaving. The potable water connection shall include a main shut-off valve and be protected against freezing in accord with the manufacturers instructions. A food disposal unit meeting the requirements of Sec. 8-121 shall be installed if the dwelling has a place or available to it a connection to the sewerage facilities of the Indianapolis Sanitary District.
- (g) Fuel piping from grade to the dwelling shall conform with Indiana Mechanical Rules and be able to flex enough to absorb the effect of frost heaving. Facilities for storing fuel oil or LP gas shall meet the requirements of the State Fire Marshal. If a furnace or water heater within the building draws in combustion air from space below the dwelling floor, a permanent opening of equivalent free area must be placed in the perimeter enclosure. If heating or cooling equipment if not installed within the delivered building, its construction and installation shall conform with the Indiana Mechanical Rules and Electrical Rules.
- (h) Have siding or skirting (or a more durable material) enclosing the entire perimeter of the home from grade level to the lower edge of the home. Such siding or skirting

and back-up framing shall be weather-resistant, non-combustible or self-extinguishing materials, which blend with the exterior siding of the home. Below grade level and for a minimum distance of six (6) inches above finish grade, the materials shall be unaffected by decay or oxidation. The siding shall be installed in accordance with manufacturer's recommendations or approved equal standards. The siding or skirting shall be ventilated by openings, which shall have a net area of not less than one and one-half (1½) square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion resistant wire mesh not larger than one half (½) inch in any dimension. The underfloor area shall be provided with an eighteen (18) inch by twenty-four (24) inch minimum size access panel, which shall not be blocked by pipes, ducts, or other construction interfering with the accessibility of the underfloor space, or other approved access mechanism.

If work at the site involves additional construction or use of components not certified by the dwelling manufacturer pursuant to standards and procedures of the federal department of Housing and Urban Development under the Federal Manufactured Housing Construction and Safety Standards law or the Administrative Building Council under P. L. 360, 1971, such work must conform with the Indiana One and Two Family Dwelling Code. Where the manufacturers instructions or procedures differ from those in the Indiana One and Two Family Dwelling Code or this division, the most restrictive requirements shall be followed.

SECTION 14. Section 8-147 of Division 3 of Article III of Chapter 8 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by adding a new section to read as follows:

Sec. 8-147. Application of this division.

(a) The division has not application to:

- (1) panelized construction and modular components of structures;
- (2) recreational vehicles such as land cruisers and travel trailers that are on wheels, capable of being moved and not suitable for permanent residential occupancy;
- (3) factory constructed buildings that:
 - a. were located for use as dwellings in Marion County prior to July 1, 1982;
 - b. have been actually used as dwellings without significant interruption since a date prior to July 1, 1982; and
 - c. have not been moved to another location on July 1, 1982, or after;
- (4) factory constructed buildings that are located in a mobile home park licensed by the Indiana State Board of Health.

(b) The intent of this Division is to recite and impose set-up, underfloor space enclosure and utility connection requirements for factory constructed buildings used as a dwelling that are in addition to other federal, state, and local government requirements including building, health and zoning requirements. This division shall not be interpreted as authorizing location or use of factory constructed buildings for dwelling purposes on the sole basis of compliance with requirements set forth in this division.

SECTION 15. Section 8-180 of Division 3 of Article IV of Chapter 8 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by inserting the words underlined and deleting the words crosshatched as follows:

DIVISION 3. LICENSING AND REGULATION OF ELECTRICAL CONTRACTORS

Sec. 8-180. License required.

Licensure as an electrical contractor is required to accomplish the connection of electrical power for on-site construction activity, to install, alter, replace, service or repair a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park and to install, modernize, replace, service or repair all or any part of an electrical power distribution system. An electrical contractor shall also be entitled to install, modernize, replace, service or repair space heating equipment or space cooling equipment using electricity as its primary source of energy, excluding work on any refrigerant cycle.

Construction activity which this division allows licensed electrical contractors to carry out is hereafter referred to in this division as "electrical work."

A person not licensed under this division who is employed by a licensed electrical contractor may, however, accomplish electrical work while working under the direction and control of a person who is a licensed electrical contractor, but shall not otherwise enter into or offer to enter into a contractual relationship to engage in the electrical work.

A person not licensed under this division may, however, accomplish electrical work in carrying out ordinary maintenance and repair if such work is accomplished by the person in the regular course of his sole, full-time employment by the owner of the premises where such ordinary maintenance and repair occurs.

SECTION 16. Section 8-240 of Division 5 of Article IV of Chapter 8 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. 8-240. License required.

Licensure as a wrecking contractor of the appropriate type is required to either engage or offer to engage in the business, trade or calling of demolishing, dismantling, dismembering, razing or removing structures; provided, however, that licensure as a wrecking contractor is not required:

- (a) To wreck a one-story detached accessory structure containing less than five hundred and seventy-seven (577) square feet of floor area which is located on the same premises as a one- or two-family residential structure or ~~to~~ wreck a structure containing less than five hundred (500) square feet of floor area; or
- (b) To wreck a one-story, one- or two-family residential structure if:
 - (1) The wrecking is accomplished by the person who owns the structure; and
 - (2) The person is a previous occupant of the structure; and
 - (3) No part of the structure is located nearer than ten (10) feet to another structure not owned by the person accomplishing the wrecking or any street, alley or sidewalk; and
 - (4) The wrecking will not create a substantial potential health or safety hazard; and
 - (5) If deemed reasonably necessary by the administrator of the division of buildings, the person who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy, in amounts established by the administrator (but not less than fifty thousand dollars (\$50,000.00) for personal injury or death and twenty-five thousand dollars (\$25,000.00) for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the assured; or
- (c) To wreck a one-story, wood-frame structure that is not a residential structure if:
 - (1) The wrecking is accomplished by the person who owns the structure or by permanent, full-time employees of the partnership or corporation which owns the structure; and
 - (2) The person, partnership or corporation which owns the premises where the structure is located is in possession of the premises where the structure is located; and
 - (3) No part of the structure is located nearer than ten (10) feet to another structure not owned by the person, partnership or corporation accomplishing the wrecking or any street, alley or sidewalk; and
 - (4) The wrecking will not create a substantial potential health or safety hazard; and
 - (5) If deemed reasonably necessary by the administrator of the division of buildings, the person, partnership or corporation who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy in amounts established by the administrator (but not less than fifty thousand dollars (\$50,000.00) for personal injury or death and twenty-five thousand dollars (\$25,000.00) for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the assured.

In determining whether to issue a permit for wrecking pursuant to paragraphs (a) through (c) above, the administrator of the division of buildings may consult with and seek the advice of the board of wrecking examiners.

A person not licensed under this division who is employed by a licensed wrecking contractor may, however, accomplish wrecking while working under the direction and control of a person who is a licensed wrecking contractor. The scope of activity of such nonlicensed person shall not extend beyond that allowed by the license type of the licensed wrecking contractor providing direction and control over the nonlicensed person. Such nonlicensed person shall not enter into or offer to enter into a contractual relationship with a consumer to himself engage in wrecking.

Construction activity which this division allows licensed wrecking contractors to carry out is hereafter referred to in this division as "wrecking."

SECTION 17. Section 8-254 of Division 5 of Article IV of Chapter 8 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. 8-254. Bond.

(a) Before a license is issued by the division of buildings to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license. The bond shall be maintained in full force and effect for each period between January 1st and December 31st (or the balance of the licensure period if it is shorter) and shall be:

- (1) Issued by a surety authorized to do business in Indiana;
- (2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;
- (3) Conditioned upon:
 - a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and
 - b. Prompt payment of all fees owed the Consolidated City as set forth in this chapter; and
 - c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by an action of the contractor, his agents or employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any wrecking or any related construction activity; and
 - d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:
 1. Losses arising out of violation;
 2. Expenses necessary to correct violations; and
 3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in wrecking or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of ~~thirty thousand dollars (\$30,000.00)~~ thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C license if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to ~~thirty thousand dollars (\$30,000.00)~~ thirty thousand dollars (\$30,000.00) in the case of a type A license, twenty thousand dollars (\$20,000.00) in the case of a type B license and ten thousand dollars (\$10,000.00) in the case of a type C

license. A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

SECTION 18. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 247, 1982. This proposal amends the Code by adding a new Section 20-120 to curb indecent solicitations in public areas. Councillor Dowden reported that the Administration Committee recommended passage by a vote of 6-0 on July 28, 1982. This proposal aids the Police Department with ammunition to further prohibit prostitution. Following discussion, Councillor Dowden moved, seconded by Councillor Clark, for adoption. Proposal No. 247, 1982, was adopted on the following roll call vote; viz:

22 YEAS: *Brinkman, Campbell, Clark, Cottingham, Coughenour, Dowden, Durnil, Holmes, Howard, Journey, McGrath, Nickell, Page, Parker, Rader, Rhodes, Schneider, SerVaas, Stewart, Tintera, Vollmer, West*

2 NAYS: *Jones, Miller*

5 NOT VOTING: *Borst, Boyd, Gilmer, Hawkins, Strader*

Proposal No. 247, 1982, was retitled GENERAL ORDINANCE NO. 70, 1982, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 70, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by adding a new section to curb indecent solicitations in public areas.

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

SECTION 1. Division 1 of Article V of Chapter 20 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by adding a new Section 20-120 to read as follows:

Sec. 20-120. Indecent solicitation; enforcement procedure; definitions; penalty.

(a) It shall be unlawful for any person to loiter or remain in a public place in a manner and under circumstances manifesting the purpose of engaging, or soliciting another person to engage in sexual activity. The circumstances which may be considered in determining whether such purposes are manifested are: that such person is a known prostitute or panderer, or repeatedly beckons to, stops or attempts to stop passersby, or repeatedly engages passersby in conversation, or repeatedly stops or attempts to stop motor vehicle operators by hailing, waving of arms or any other bodily gestures.

- (1) No arrest shall be made, or no citation shall be issued, for a violation of this section unless the arresting officer, first offers such person an opportunity to explain such conduct.
- (2) No person shall be convicted of a violation of this section if the arresting officer does not comply with the preceding subsection or if it appears at trial that the explanation offered was true and disclosed a lawful purpose.

(b) Definitions. As used in this section:

- (1) "known prostitute or panderer" means a person who, within one (1) year previous to the date of an arrest or issuance of a citation for a violation of this section, has to the knowledge of the arresting officer, been convicted of a violation of any ordinance of the Consolidated City of Indianapolis and Marion County or statute of the State of Indiana defining and punishing acts of prostitution, patronizing a prostitute, or promoting prostitution.
 - (2) "Loitering" means remaining idle in essentially one place and shall include the concepts of spending time idly, loafing or walking about aimlessly.
 - (3) "Public place" means an area, either publicly owned or to which the public has access.
 - (4) "Sexual activity" or "sexual conduct" means acts of prostitution, patronizing a prostitute, or promoting prostitution as such acts are proscribed and defined by Indiana Code 35-45-4-2, 35-45-4-3, and 35-45-4-4, or as these statutes hereafter shall be amended.
- (c) Any person who violates the provisions of this section and if found guilty of said violation shall be fined not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00). Each day that a violation occurs shall be considered as a separate offense.

SECTION 2. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 248, 1982. This proposal amends the Code to allow certain probationers of the Municipal Court to perform work for the Consolidated City. Councillor Dowden stated that the Administration Committee amended this proposal and recommended passage by a vote of 6-0 on July 28, 1982. Councillor Dowden moved, seconded by Councillor Clark, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 248, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 248, 1982, Committee Recommendations."

s/Councillor Dowden

Consent was given. After brief discussion, Councillor Dowden moved, seconded by Councillor Clark, for adoption. Proposal No. 248, 1982, As Amended, was adopted on the following roll call vote; viz:

22 YEAS: *Borst, Brinkman, Campbell, Clark, Coughenour, Dowden, Durnil, Hawkins, Howard, Jones, Journey, McGrath, Miller, Nickell, Parker, Rader, Rhodes, SerVaas, Stewart, Strader, Vollmer, West*

6 NAYS: *Cottingham, Gilmer, Holmes, Page, Schneider, Tintera*

1 NOT VOTING: *Boyd*

Proposal No. 248, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 71, 1982, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 71, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," to authorize certain probationers of the Municipal Court of Marion County, volunteers, and seasonal, part-time and/or temporary employees to perform work for the Consolidated City of Indianapolis.

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

SECTION 1. Section 23-2 of Article 1 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by inserting the words underlined as follows:

Sec. 23-2. Administration generally.

The director of administration is authorized and directed to take those steps necessary to implement compliance with the policies and procedures stated in this chapter by all departments and agencies of the consolidated city. The director is further authorized and directed to utilize probationers of the Municipal Court of Marion County whose conditions of probation include performing community work service. The director is further authorized and directed to utilize volunteers, seasonal, part-time and/or temporary employees to perform any and all work for the consolidated city. The director in conjunction with the other department directors shall determine how such persons shall be utilized.

SECTION 2. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 251, 1982. Councillor Brinkman explained that this proposal authorizes changes in the personnel compensation schedule of the Marion County Coroner and was recommended for passage by the County and Townships Committee by a vote of 6-0 on July 27, 1982. She stated that this proposal is necessary due to a full-time Deputy who retired and requested to receive compensation for all accrued sick time. A Special Deputy will be paid per call made. After discussion, Councillor Brinkman moved, seconded by Councillor Cottingham, for adoption. Proposal No. 251, 1982, was adopted on the following roll call vote; viz:

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

1 NAY: *Campbell*

2 NOT VOTING: *Boyd, Rhodes*

Proposal No. 251, 1982, was retitled FISCAL ORDINANCE NO. 52, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Coroner's office.

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

SECTION 1. Section 2.03(a)(5) of City-County Fiscal Ordinance No. 78, 1981, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(a)(5) MARION COUNTY CORONER

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	14,547	14,547
Chief Deputy	1	15,213	15,213
Deputies	4	11,297	44,569
Deputy Morgue Coord.	1	2,847	2,847
Deputy Physician	1	1,836	1,836
Admin. Secretary	1	11,864	11,864
Hospital Deputies	6	1,501	10,368
Medical Stenographer II	2	10,769	19,004
Medical Stenographer I	1	10,720	10,720
Temporary Salary			8,612 893
Special Deputies			6,050 7,969
Dental Identification			1,000
Other Compensation			90
TOTAL	18		140,920

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

PROPOSAL NO. 252, 1982. This proposal transfers \$1,616 for the Lawrence Township Assessor to pay costs of a CRT terminal and increased utility costs. Councillor Brinkman stated that the County and Township Committee recommended passage on July 27, 1982, by a vote of 6-0. She moved, seconded by Councillor Hawkins, for adoption. Proposal No. 252, 1982, was adopted on the following roll call vote; viz;

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

1 NAY: Page

1 NOT VOTING: Dowden

Proposal No. 252, 1982, was retitled FISCAL ORDINANCE NO. 53, 1982, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 53, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating One Thousand Six Hundred Sixteen dollars (\$1,616) in the County General Fund for purposes of the Lawrence Township Assessor and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.03(d)(4) 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 utility cost increases and for the cost of the CTR Terminal at the branch office for the remainder of 1982.

SECTION 2. The sum of One Thousand Six Hundred Sixteen dollars (\$1,616), be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$1,616</u>
Total Increase	<u>\$1,616</u>

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

LAWRENCE TOWNSHIP ASSESSOR	COUNTY GENERAL FUND
1. Personal Services	<u>\$1,616</u>
Total Reduction	<u>\$1,616</u>

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

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Assessor	1	28,013	28,013
Chief Deputy	1	21,006	21,006
Deputy	7	19,784	67,540
Clerk	3	11,000	19,624
Temporary Help			11,000 <u>10,161</u>
Vacancy Factor			/0 <u>(616)</u>
TOTAL	12		147,944 <u>145,728</u>

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

PROPOSAL NO. 253, 1982. This proposal authorizes changes in the personnel compensation schedule of the Marion County Assessor and was recommended for passage by the County and Townships Committee on July 27, 1982, by a vote of 6-0. Councillor Brinkman moved, seconded by Councillor Hawkins, for adoption. Proposal No. 253, 1982, was adopted on the following roll call vote; viz:

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

Proposal No. 253, 1982, was retitled FISCAL ORDINANCE NO. 54, 1982, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 54, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) authorizing changes in the personnel compensation schedule (Section 2.03) of the Marion County Assessor's office.

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

SECTION 1. Section 2.03 (a) of City-County Fiscal Ordinance No. 78, 1981, be amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(a)(1) MARION COUNTY ASSESSOR

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	30,575	30,575
Chief Deputy	1	22,781	22,781
Inheritance Tax I	1 <u>3</u>	17,520	17,520 <u>50,520</u>
Inheritance Tax II	1 <u>4</u>	16,206	16,206 <u>59,445</u>
Inheritance Tax III	1 <u>0</u>	11,388	11,388 <u>15,776</u>
Personal Property I	1 <u>1</u>	16,315	16,315 <u>27,645</u>
Real Estate III <u>(B of R)</u>	1	14,380	14,380 <u>10,380</u>
Real Estate II <u>(B of R)</u>	1	14,380	14,380
Real Estate <u>II</u>	2	11,000	11,000 <u>13,100</u>
Class	1 <u>0</u>	18,000 <u>0</u>	18,000 <u>0</u>
Temporary			3,000
Compensation of Board			4,000
Vacancy Factor			35,700 <u>(35,700)</u>
TOTAL	14 <u>14</u>		215,902

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

PROPOSAL NO. 255, 1982. This proposal authorizes the issuance of \$400,000 Economic Development Revenue Bonds, Series 1982, for Downtown Leasing Company, Inc. Councillor Tintera stated that the Economic Development Committee technically amended and recommended passage by a vote of 3-0-1 on July 30, 1982. He then moved, seconded by Councillor Rader, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 255, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 255, 1982, Committee Recommendations."

s/Councillor Tintera

Council consent was given. After discussion, Councillor Tintera moved, seconded by Councillor Rader, for adoption. Proposal No. 255, 1982, As Amended, was adopted on the following roll call vote; viz:

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

1 NAY: *Jones*

4 NOT VOTING: *Clark, Dowden, Nickell, Schneider*

Proposal No. 255, 1982, As Amended, was retitled SPECIAL ORDINANCE NO. 22, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 22, 1982

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1982 (Downtown Leasing Company, Inc. Project)," in the principal amount of Four Hundred Thousand dollars (\$400,000) 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 Downtown Leasing Company, Inc., and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on July 28, 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 Downtown Leasing Company, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Series 1982 Promissory Note and Equipment 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 Bonds, Series 1982 (Downtown Leasing Company, Inc. Project), and Security Agreement and Indenture of Trust, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement to Lease Assignment, Lease Agreement, Official Statement, and Rental Payment Assurance and Reimbursement Agreement by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

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

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Equipment 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 Downtown Leasing Company, Inc. for the purposes of financing the economic development facilities under installation or to be installed in Indianapolis, Indiana, and the repayment of said loan by Downtown Leasing Company, Inc. will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12.

SECTION 2. The forms of the Series 1982 Promissory Note and Equipment Loan Agreement (collectively referred to as the "Financing Agreement" referred to in Indiana Code 36-7-12), the Security Agreement and Indenture of Trust, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement to Lease Assignment, Lease Agreement, Rental Payment Assurance and Reimbursement Agreement, Official Statement,

and the form of the City of Indianapolis Economic Development Revenue Bonds, Series 1982 (Downtown Leasing Company, 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 Development Revenue Bonds, Series 1982 (Downtown Leasing Company, Inc. Project), the Security Agreement and Indenture of Trust, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement to Lease Assignment, Lease Agreement, Official Statement, and Rental Payment Assurance and Reimbursement Agreement are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1982 (Downtown Leasing Company, Inc. Project), in the principal amount of Four Hundred Thousand dollars (\$400,000) for the purpose of procuring funds to loan to Downtown Leasing Company, Inc. in order to finance the economic development facilities, as more particularly set out in the Equipment 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 Downtown Leasing Company, Inc. on its promissory note in the principal amount of Four Hundred Thousand dollars (\$400,000) which will be executed and delivered by Downtown Leasing Company, Inc. to evidence and secure said loan, and as otherwise provided in the above described Series 1982 Promissory Note, Equipment Loan Agreement, Security Agreement and Indenture of Trust, Collateral Assignment of Lease and Rentals, Lessee's Consent and Agreement to Lease Assignment, Lease Agreement and Rental Payment Assurance and Reimbursement Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any, and at a stated per annum rate of interest on the bonds equal to fourteen percent (14%) or at such higher rate as may be provided for in the Series 1982 Promissory Note, Equipment Loan Agreement, Security Agreement 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 and the City of Indianapolis Economic Development Revenue Bonds, Series 1982 (Downtown Leasing Company, Inc. Project), Official Statement and the Security Agreement 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 Security Agreement and Indenture of Trust, payment for which will be made to the trustee named in the Security Agreement 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, Security Agreement and Indenture of Trust, Official Statement, 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(a)(1) through (a)(11).

SECTION 6. The provisions of this ordinance and the Security Agreement and Indenture of Trust shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1982 (Downtown Leasing Company, 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. 264, 1982. This proposal raises the impoundment fees for animals impounded by the Department of Public Safety. Councillor West reported that the

Public Safety and Criminal Justice Committee recommended passage by a vote of 5-0-1 on July 22, 1982. He stated that this proposal increases the impoundment fee for cats from \$3.00 to \$10.00 and the adopting fee from \$15.00 to \$25.00. Councillor West moved, seconded by Councillor Howard, for adoption. Proposal No. 264, 1982, was adopted on the following roll call vote; viz:

27 YEAS: Borst, Brinkman, Campbell, Clark, Cottingham, Coughenour, Durnil, 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: Boyd, Dowden

Proposal No. 264, 1982, was retitled GENERAL ORDINANCE NO. 72, 1982, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 6-146, which provides for impoundment fees.

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

SECTION 1. Section 6-146 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. 6-146. Fees; disposition.

(a) Impoundment fees for animals impounded pursuant to this article shall be as follows:

- | | |
|---|------------------------------------|
| (1) For each dog impounded during any one-year period: | |
| First impoundment | \$20.00 |
| Second impoundment | \$40.00 |
| Third and any subsequent impoundment or the application of Section 6-148 of this article at the discretion of the impounding authority; | \$50.00 |
| plus for each day of impoundment or fraction thereof | 11\$21.00 <u>\$5.00</u> |
| (2) For each cat or other small animal | \$3.00 <u>\$10.00</u> |
| plus for each day of impoundment or fraction thereof | 1\$7.00 <u>\$3.00</u> |
| (3) For any large animal other than a dog | 1\$20.00 <u>\$30.00</u> |
| plus for each day of impoundment or fraction thereof | \$3.00 <u>\$10.00</u> |

(b) Impoundment fees shall be collected by and paid to the impounding authority, which shall remit such funds to the division of finance of the department of administration of the city; however, if the impounding authority in a particular case is a person contracting with the city to render impounding services, the fees may be retained by and as the property of such person as part of all of his charges for rendering such services, if the contract so provides.

SECTION 2. 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 except for animals under six (6) months of age, impounded pursuant to this article and which are not claimed by their owners, such animals shall be confined by the impounding authority in a humane manner for a period after capture of not less than six (6) days. Animals not claimed within said six (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 ~~fifty dollars (\$50.00)~~ twenty-five dollars (\$25.00) to cover expenses in handling the animal and related paperwork. Such person shall agree in writing to abide by Sections 6-7, 6-4 and 6-144 of the "Code of Indianapolis and Marion County, Indiana," before the animal is released.

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

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

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

[Clerk's Note: Proposal Nos. 270, 271, 272, 274, 275, 277, 278, and 279, 1982, were all routine traffic ordinances recommended unanimously for passage by the Transportation Committee on July 21, 1982, and were voted on together by consent of the Council.]

PROPOSAL NO. 270, 1982. This proposal changes intersection controls at various locations. PROPOSAL NO. 271, 1982. This proposal changes intersection controls in Walnut Farms, Eagle Creek Parkway, Parkdale Place, Eastbrook Meadows and Yorkshire subdivisions. PROPOSAL NO. 272, 1982. This proposal changes intersection controls at Ohio Street and Worth Street. PROPOSAL NO. 274, 1982. This proposal changes speed limits on 25th Street between Post Road and German Church Road. PROPOSAL NO. 275, 1982. This proposal changes the load limit on a portion of 65th Street between Keystone Avenue and Allisonville Road. PROPOSAL NO. 277, 1982. This proposal adds a traffic signal at LaSalle Street and English Avenue. PROPOSAL NO. 278, 1982. This proposal establishes a 4-way stop at the intersection of Elm Street and Grove Avenue. PROPOSAL NO. 279, 1982. This proposal changes parking regulations in various areas. Councillor McGrath moved, seconded by Councillor Holmes, for adoption. Proposal Nos. 270, 271, 272, 274, 275, 277, 278, and 279, 1982, were adopted on the following roll call vote; viz:

28 YEAS: 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

NO NAYS

1 NOT VOTING: Boyd

Proposal Nos. 270, 271, 272, 274, 275, 277, 278, and 279, 1982, were re-titled GENERAL ORDINANCE NOS. 73-80, 1982, respectively, and read as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 73, 1982

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

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

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
8 Pg. 1	S. Green Braes Dr. & Potters Pike		None
16 Pg. 1	Apache Dr. & N. High School Rd.		None
16 Pg. 2	Beeler Ave. & Beeler Ct.		None
16 Pg. 2	Beeler Ave. & Patricia St.		None
16 Pg. 2	Bonanza Le. & N. High School Rd.		None
16 Pg. 2	Christopher Le. & Patricia St.		None
16 Pg. 2	Christopher Le. & W. 32nd St.		None
16 Pg. 4	Ellen Dr. & Patricia St.		None
16 Pg. 7	N. Norfolk St. & Patricia St.		None
16 Pg. 7	N. Norfolk St. & W. 32nd St.		None
23 Pg. 4	W. New York St. & N. Worth Ave.		None
32 Pg. 3	Bethel Ave. & Luther St.		None
32 Pg 14	Luther St. & E. Minnesota St.		None
33 Pg. 3	Davis St. & Fletcher Ave. & Worcester Ave.	Davis St.	Stop
34 Pg. 1	S. Franklin Rd. & Murry St.		None
34 Pg. 1	Horner Dr. & S. Sadlier Dr.		None

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
8 Pg. 1	S. Green Braes Dr. & Potters Pike	Potters Pike	Stop
10 Pg. 6	Pershing Ave. & Westlane Rd.	Westlane Rd.	Stop
16 Pg. 1	Apache Dr. & N. High School Rd.	N. High School Rd.	Stop
16 Pg. 2	Beeler Ave. & Beeler Cr.	Beeler Ave.	Yield
16 Pg. 2	Beeler Ave. & Patricia St.	Beeler Ave.	Stop
16 Pg. 2	Bonanza Le. & N. High School Rd.	N. High School Rd.	Stop
16 Pg. 2	Christopher Le. & Patricia St.	Patricia St.	Stop
16 Pg. 2	Christopher Le. & W. 32nd St.	W. 32nd St.	Stop
16 Pg. 4	Ellen Dr. & Patricia St.	Patricia St.	Stop
16 Pg. 7	Norfolk St. & Patricia St.	Patricia St.	Stop
16 Pg. 7	Norfolk St. & W. 32nd St.	W. 32nd St.	Stop
20 Pg. 5	Irwin Ave. & 30th St.	30th St.	Stop
23 Pg. 4	W. New York St. & N. Worth Ave.	N. Worth Ave.	Stop
25 Pg. 13	Harlan St. & Maryland St.	Maryland St.	Stop
32 Pg. 3	Bethel Ave. & Luther St.	Bethel Ave.	Stop

32 Pg. 14	Luther St. & E. Minnesota St.	Minnesota St.	Stop
34 Pg. 1	S. Franklin Rd. & Murry St.	S. Franklin Rd.	Stop
34 Pg. 1	Horner Dr. & S. Sadlier Dr.	Sadlier Dr.	Stop

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

CITY—COUNTY GENERAL ORDINANCE NO. 74, 1982

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

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

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
46 Pg. 1	Bitterbark Le. & Chittumwood Dr.	Bitterbark Le.	None
46 Pg. 1	Bitterbark Le. & Garni Ct.	Bitterbark Le.	None
46 Pg. 1	Bitterbark Le. & Slippery Elm Ct.	Bitterbark Le.	None

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
6 Pg. 1	Autumn Mill Ln. & Ole Farm Road	Autumn Mill Ln.	Yield
6 Pg. 1	Autumn Mill Ln. & Castle Farms Rd.	Castle Farms Rd.	Stop
15 Pg. 1	Eagle Creek Parkway & Parkdale Place	Eagle Creek Parkway	Stop
15 Pg. 1	Eagle Creek Parkway & W. 46th St.	W. 46th St.	Stop
15 Pg. 2	Parkdale Place & Shore Dr.	Shore Dr.	Stop
21 Pg. 2	Folsom Dr. & Pawnee Dr.	Pawnee Dr.	Stop
21 Pg. 3	Kiowa Dr. & Pawnee Dr.	Pawnee Dr.	Stop
46 Pg. 1	Bitterbark Le. & Chittumwood Dr.	Bitterbark Le.	Stop
46 Pg. 1	Bitterbark Le. & Garni Ct.	Bitterbark Le.	Stop
46 Pg. 1	Bitterbark Le. & Slippery Elm Cr.	Bitterbark Le.	Stop
46 Pg. 1	Chittumwood Dr. & Torchwood Ct.	Chittumwood Dr.	Yield

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

CITY—COUNTY GENERAL ORDINANCE NO. 75, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Sections 29-166, One-way streets and alleys designated, and 29-92, Schedule of intersection controls.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-166, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

SOUTHBOUND

Worth Avenue, from Vermont Street to Ohio Street;

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

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
23 Pg. 5	W. Vermont St. & N. Worth Ave.	W. Vermont St.	Stop

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-92, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
23 Pg. 5	W. Vermont St. & N. Worth Ave.		Stop

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

CITY—COUNTY GENERAL ORDINANCE NO. 76, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-136, Alteration of prima facie speed limit.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-136, Alteration of prima facie speed limit, be, and the same is hereby amended by the addition of the following, to wit:

Twenty-fifth Street, from Post Road to German Church Road, 35 MPH.

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

CITY—COUNTY GENERAL ORDINANCE NO. 77, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-224, Trucks on certain streets restricted.

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

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

11,000 Pounds Gross Weight

Sixty-fifth Street, from Allisonville Road to a point 287 feet west of Rural Street.

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

CITY—COUNTY GENERAL ORDINANCE NO. 78, 1982

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33 pg 4	La Salle St. & English Ave.	English Ave.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33 pg 4	La Salle St. & English Ave.		Signal

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

CITY—COUNTY GENERAL ORDINANCE NO. 79, 1982

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

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

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32 Pg. 8	Elm St. & Grove Ave.	Elm St.	Stop

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

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32 Pg. 8	Elm St. & Grove Ave.	None	4-way Stop

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

CITY—COUNTY GENERAL ORDINANCE NO. 80, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Sections 29-267, Parking prohibited at all times on certain streets, 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, and 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours.

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

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

West Michigan Street, on the south side from White River Parkway, East Drive, to the driveway into the Indianapolis Fire Department Training School, 1435 West Michigan Street.

New York Street, on the north side, from White River Parkway,
East Drive, to Blake Street.

West Michigan Street on both sides, from Blake Street to
White River Parkway, East Drive.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the deletion of the following, to wit:

Michigan Street, on the south side from the west curblineline of
Limestone Street, west for a distance of 96 feet.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
FROM 7:00 AM to 9:00 AM

Michigan Street, on the south side, from White River Parkway,
East Drive, to West Street.

New York Street, on the south side, from White River Parkway,
East Drive to West Street.

ON ANY DAY EXCEPT SATURDAYS AND SUNDAYS
FROM 4:00 PM to 6:00 PM

Michigan Street, on the north side, from White River Parkway,
East Drive, to West Street.

New York Street, on the south side, from White River Parkway,
East Drive to West Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following, to wit:

Michigan Street, on both sides, from White River Parkway,
West Drive to West Street.

New York Street on both sides, from White River Parkway,
West Drive to West Street.

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

PROPOSAL NO. 273, 1982. This proposal changes parking controls on Ohio and Meridian Streets and was amended and recommended for adoption by the Transportation Committee on July 21, 1982, by a vote of 5-0. Councillor McGrath moved, seconded by Councillor Rader, the following:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 273, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 273, 1982, Committee Recommendations."

s/Councillor McGrath

Council consent was given. Councillor McGrath moved, seconded by Councillor Rader, for adoption. Proposal No. 273, 1982, As Amended, was adopted on the following roll call vote; viz:

28 YEAS: *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*

NO NAYS

1 NOT VOTING: *Boyd*

Proposal No. 273, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 81, 1982, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 81, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by amending Sections 29-267, 29-268, 29-283 and 29-332.

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

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

Ohio Street, on the south side, from Pierson Street to Meridian Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-268, Stopping, standing or parking prohibited at all times on certain designated streets, be, and the same is hereby amended by the addition of the following to wit:

Ohio Street, on the south side, from a point 95 feet west of the west curblineline of Meridian Street to the west curblineline of Meridian Street.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-283, Parking meter zones designated, be, and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Ohio Street, on both sides, from Meridian Street to Pennsylvania Street.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana," specifically, Chapter 29, Section 29-332, Bus stop zones, be, and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the south side, from a point 20 feet east of the east curblineline of Meridian Street to a point 125 feet east of the east curblineline of Meridian Street.

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

PROPOSAL NO. 276, 1982. This proposal amends the Code by adding a new Section 29-380, Notice of motor vehicle removal. The Transportation Committee, on July 21, 1982, amended and passed this proposal by a vote of 5-0. Councillor McGrath moved, seconded by Councillor Rader, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 276, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 276, 1982, Committee Recommendations."

s/Councillor McGrath

Council consent was given. Councillor McGrath moved, seconded by Councillor Rader, for adoption. Proposal No. 276, 1982, As Amended, was adopted on the following roll call vote; viz:

24 YEAS: *Brinkman, Campbell, Clark, Cottingham, Dowden, Durnil, Gilmer, Holmes, Howard, Jones, Journey, McGrath, Miller, Nickell, Page, Parker, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer, West*

NO NAYS

5 NOT VOTING: *Borst, Boyd, Coughenour, Hawkins, Rader*

Proposal No. 276, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 82, 1982, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 82, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by adding a new Section 29-380, Notice of motor vehicle removal.

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

SECTION 1. The "Code of Indianapolis and Marion County, Indiana," be, and is hereby amended by the addition of a new Section 29-380, Notice of motor vehicle removal.

Sec. 29-380. Notice of motor vehicle removal.

(a) Whenever a motor vehicle has been removed, the wrecker who moved said vehicle shall, within two (2) hours, give or cause to be given notice to the sheriff or police department of the fact of such removal and the reasons therefore and of the manner in which such vehicle may be reclaimed. Any such notice shall also be given to the proprietor of the storage lot or garage to which such vehicle is removed.

(b) Such notice shall include:

- 1) a description of the vehicle;
- 2) its license number;
- 3) the date and time of its removal;
- 4) location from where it was removed;
- 5) its present location;
- 6) the name and address of its owner and last operator, if known;
- 7) its final disposition; and
- 8) the reason for its removal.

(c) Notice is not required in the event:

- 1) the owner or person in charge of such vehicle signs a release from such notice at the scene of the tow;
- 2) the reason for the motor vehicle's removal was not an alleged violation of law; and
- 3) the wrecker agrees and keeps such release on file for a period of thirty (30) days.

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

PROPOSAL NO. 283, 1982. This proposal amends the Code to allow the payment of expenses of City Officials. Councillor Dowden moved, seconded by Councillor Tintera, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 283, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 283, 1982, Committee Recommendations."

s/Councillor Dowden

Council consent was given. The Administration Committee recommended passage as amended by a vote of 4-0-2 on July 28, 1982. Councillor Dowden moved, seconded by Councillor Rader, to further amend as follows:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 283, 1982, Committee Recommendations, by deleting in its entirety subsection 2-411(a). I further move to amend Proposal No. 283, 1982, by deleting (b) in the next paragraph.

s/Councillor Dowden

Council consent was given on the amendment. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 283, 1982, As Amended, was adopted on the following roll call vote; viz:

28 YEAS: 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

NO NAYS

1 NOT VOTING: Borst

Proposal No. 283, 1982, As Amended, was retitled GENERAL ORDINANCE NO. 83, 1982, and reads as follows:

CITY—COUNTY GENERAL ORDINANCE NO. 83, 1982

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana," by adding a new Section 2-411 to provide for appropriations to pay expenses of city officials.

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

SECTION 1. Division 5 of Article X of Chapter 2 of the "Code of Indianapolis and Marion County, Indiana," is hereby amended by adding a new Section 2-411 to read as follows:

Sec. 2-411. Payment and reimbursement of expenses of city officials.

The city-county council is authorized to budget and appropriate funds to pay the expenses of or to reimburse city officials for expenses incurred in promoting the best interest of the city. Such expenses may include, but not necessarily be limited to, rental of meeting places, meals, decoration, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of a civic or governmental nature deemed by the mayor or other elected city officials to be in the interest of the city.

SECTION 2. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 291, 1982. This proposal, approving the leasing of certain real estate of the Department of Parks and Recreation, was amended and recommended for passage by the Parks and Recreation Committee on July 29, 1982, by a vote of 6-0. Councillor Gilmer moved, seconded by Councillor Miller, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 291, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 291, 1982, Committee Recommendations."

s/Councillor Gilmer

Council consent was given. Councillor Gilmer then moved, seconded by Councillor Miller, for adoption. Proposal No. 291, 1982, As Amended, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: *Borst, Jones, Schneider*

Proposal No. 291, 1982, As Amended, was retitled SPECIAL RESOLUTION NO. 60, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 60, 1982

A SPECIAL RESOLUTION approving the leasing of certain real estate of the Department of Parks and Recreation.

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

SECTION 1. The City-County Council hereby approves, pursuant to I.C. 36-1-11-3, the leasing of the following property by the Department of Parks and Recreation.

<u>LOCATION</u>	<u>APPRAISED ANNUAL RENT</u>	<u>ACREAGE (approx.)</u>
8840 W. 56th St.	\$6,600	Dwelling
7374 Dandy Trail	\$5,760	Dwelling
Eagle Creek (5 locations)	\$100 per acre	262 acres
8300 E. Raymond	\$100 per acre	60 acres
Edgewood Ave. (2 locations)	\$100 per acre	56 acres
6800 E. 65th St.	\$100 per acre	20 acres
Mann Rd. (4 locations)	\$100 per acre	80 acres
62nd and Moller Rd.	\$100 per acre	45 acres

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

PROPOSAL NOS. 302-304, 1982. A General Ordinance and Rezoning Ordinances certified from the Metropolitan Development Commission on July 22, 1982. Consent was given. Proposal Nos. 302-304, 1982, were adopted by unanimous voice vote, retitled GENERAL ORDINANCE NO. 84, 1982, and REZONING ORDINANCE NOS. 48-49, 1982, respectively, and read as follows:

GENERAL ORDINANCE NO. 84, 1982 82-AO-2

Amending the Flood Control Districts Zoning Ordinance (ORDINANCE 71-AO-3) to permit the reconstruction, alteration, repair, enlargement and extension of certain non-conforming uses; to permit the construction of detached accessory structures in floodways and floodplains under certain conditions; and to permit the location of structures in the flood plain district at two (2) feet above the applicable flood elevation.

REZONING ORDINANCE NO. 48, 1982 82-Z-48 FRANKLIN TOWNSHIP COUNCILMANIC DISTRICT NO. 13

9050 SOUTHEASTERN AVENUE, INDIANAPOLIS

Earl E. & Florabel Willsey, by Frank Hogan, request rezoning of 4.50 acres, being in SU-10 district, to D-3 classification, to provide for residential use.

REZONING ORDINANCE NO. 49, 1982 82-Z-49 CENTER TOWNSHIP COUNCILMANIC DISTRICT NO. 16

2131 NORTHWESTERN AVENUE, INDIANAPOLIS

Industrial Heat Treating and Metallurgical Co., Inc., by Ted B. Lewis, requests rezoning of 2.50 acres, being in D-8 and C-7 districts, to I-4-U classification, to provide for zoning conformance of existing use, and expansion.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:10 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 2nd day of August, 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)

