

**CITY-COUNTY COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
REGULAR MEETING
Monday, August 30, 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 7:01 p.m., Monday, August 30, 1982. President SerVaas in the Chair. Councillor Glenn Howard opened the meeting with a prayer, followed by the Pledge of Allegiance.

ROLL CALL

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

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

ABSENT: Jones

CORRECTION OF THE JOURNAL

The Chair called for additions or corrections to the Journal of August 2, 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 30, 1982, at 7:00 p.m.** The purpose of such **MEETING** being to conduct any and all business that may properly come before the regular meeting of the Council.

Respectfully,

s/Beurt SerVaas, President
City-County Council

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in The Indianapolis NEWS and The Indianapolis COMMERCIAL on August 19 and August 26, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 297 and 311, 1982, to be held on Monday, August 30, 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. 48, 1982, 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.

FISCAL ORDINANCE NO. 49, 1982, 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.

FISCAL ORDINANCE NO. 52, 1982, 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.

FISCAL ORDINANCE NO. 53, 1982, 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.

FISCAL ORDINANCE NO. 54, 1982, 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.

GENERAL ORDINANCE NO. 67, 1982, amending the City-County General Ordinance No. 68, 1981, authorizing changes in the personnel schedule of the Warren Township Trustee.

GENERAL ORDINANCE NO. 68, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 21½, which deals with false alarms.

GENERAL ORDINANCE NO. 69, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Chapter 8 concerning Buildings and Construction.

GENERAL ORDINANCE NO. 70, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by adding a new section to curb indecent solicitations in public areas.

GENERAL ORDINANCE NO. 71, 1982, 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.

GENERAL ORDINANCE NO. 72, 1982, amending the "Code of of Indianapolis and Marion County, Indiana," by amending Section 6-146, which provides for impoundment fees.

GENERAL ORDINANCE NO. 73, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 74, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 75, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-166, One-way streets and alleys designated, and 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 76, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-136, Alteration of prima facie speed limit.

GENERAL ORDINANCE NO. 77, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-244, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 78, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 79, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 80, 1982, 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.

GENERAL ORDINANCE NO. 81, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by amending Sections 29-267, 29-268, 29-283, and 29-332.

GENERAL ORDINANCE NO. 82, 1982, amending the "Code of Indianapolis and Marion County, Indiana," by adding a new Section 29-380, Notice of motor vehicle removal.

GENERAL ORDINANCE NO. 83, 1982, 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.

SPECIAL ORDINANCE NO. 20, 1982, 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.

SPECIAL ORDINANCE NO. 21, 1982, authorizing the City of Indianapolis to issue its "Economic Development First Mortgage Revenue Bonds, Series, 1982 (Monsey Products Co. Project)," in the principal amount of One Million Six Hundred Fifty Thousand dollars (\$1,650,000) and authorizing other actions in respect thereto.

SPECIAL ORDINANCE NO. 22, 1982, 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.

SPECIAL RESOLUTION NO. 56, 1982, honoring Mrs. Maxine Stevens.

SPECIAL RESOLUTION NO. 57, 1982, commending the friends, followers, and participants in the 1982 National Sports Festival.

SPECIAL RESOLUTION NO. 58, 1982, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 59, 1982, approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

SPECIAL RESOLUTION NO. 60, 1982, approving the leasing of certain real estate of the Department of Parks and Recreation.

Respectfully submitted,

**s/William H. Hudnut, III
Mayor**

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

PROPOSAL NO. 336, 1982. Introduced jointly by Councillors Clark, Coughenour, Dowden, Durnil, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, and Stewart. Councillor Coughenour read the proposal urging the adoption of a national strategy of peace through strength by the United States, and moved for adoption, seconded by Councillor Dowden. There was some concern of Council members regarding the passage of ordinances dealing with foreign relations. After discussion, Councillor Dowden called for the question. The President called for the vote, and Proposal No. 336, 1982, was adopted on the following roll call vote; viz:

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

5 NAYS: *Boyd, Brinkman, Hawkins, Journey, Tintera*

1 NOT VOTING: *Jones*

Proposal No. 336, 1982, was retitled **SPECIAL RESOLUTION NO. 62, 1982**, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 62, 1982

A SPECIAL RESOLUTION urging the adoption of a national strategy of Peace through Strength by the United States.

WHEREAS, the Soviet Union has exploited U.S. peace initiatives to build-up its strategic and conventional warfare capabilities; and

WHEREAS, this has given the Soviet Union the means to support increasingly bolder world-wide aggression; and

WHEREAS, there is basis for concern that the Soviets may next use these forces in Pakistan, Iran, and Yugoslavia; and

WHEREAS, the Soviet Union has demonstrated an unwillingness to live by international law; and

WHEREAS, the United States is the one world power that can stop Soviet expansionism; now, therefore:

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

SECTION 1. The Indianapolis-Marion County City-County Council urges the United States to adopt a national strategy of Peace through Strength, the general principals would be:

- (a) to inspire, focus and unite the national will and determination to achieve this goal of peace and freedom;
- (b) to achieve overall military and technological superiority over the Soviet Union;
- (c) to create a strategic defense and a civil defense which would protect U. S. citizens against nuclear war at least as well as the Soviets defend their citizens;
- (d) to accept no arms control agreement which in any way jeopardizes the security of the United States or its allies, or locks the U.S. into a position of military inferiority;
- (e) to re-establish effective security and intelligence capabilities;
- (f) to pursue positive non-military means to roll back the growth of Communism;
- (g) to help our allies and other non-Communist countries defend themselves against Communist aggressions;
- (h) to maintain a strong economy and protect our overseas sources of energy and other vital raw materials.

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

SECTION 3. Immediately upon passage, the Clerk of the City-County Council is directed to forward a copy of this resolution to Senators Lugar and Quayle at their Washington offices as well as their Indianapolis offices.

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

PROPOSAL NO. 337, 1982. Councillor Howard read the proposal urging opposition of Local Measured Service and moved for adoption, seconded by Councillor Hawkins. Councillor Brinkman expressed the desire that this issue be taken up on the committee level for in-depth discussion, and moved to send Proposal No. 337, 1982, to the Administration Committee, seconded by Councillor Borst. The President called for the vote. Proposal No. 337, 1982, was sent to the Administration Committee on the following roll call vote; viz:

14 YEAS: *Borst, Brinkman, Clark, Coughenour, Durnil, Gilmer, Holmes, Journey, Miller, Rader, Rhodes, Tintera, Vollmer, West*

13 NAYS: *Boyd, Campbell, Cottingham, Dowden, Hawkins, Howard, McGrath, Nickell, Page, Schneider, SerVaas, Stewart, Strader*

2 NOT VOTING: *Jones, Parker*

PROPOSAL NO. 338, 1982. Councillor Howard read the proposal commending the Cosmo Knights Social Club, and moved for adoption, seconded by Councillor Journey. Proposal No. 338, 1982, was adopted by unanimous voice vote. Signed copies of the resolution were presented to Albert Booth, President; Julius Thomas, Vice President; Robert Kent, Tournament Director; Thomas Bryant, Business Manager; Ted Jarrett, Treasurer; and Sam Vaugh, Board Chairman, of the Cosmo Knights Social Club. Proposal No. 338, 1982, was retitled SPECIAL RESOLUTION NO. 61, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 61, 1982

A SPECIAL RESOLUTION commending the Cosmo Knights Social Club.

WHEREAS, the Cosmo Knights Club has conducted a successful golf tournament for scholarship fund raising purposes for the past eight years. Golf tournament participants have included Midwest states, such as Illinois, Michigan, Wisconsin, Ohio and Tennessee; and

WHEREAS, the Cosmo Knights Club has awarded scholarships to Marion County high school and college students in excess of Two Thousand Dollars (\$2,000) each year for the past ten years; and

WHEREAS, the Cosmo Knights Club has been a leader in providing financial and manpower support for the Big Brother Organization of Indianapolis; 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 of Indianapolis-Marion County, Indiana, commends the officers and members of the Cosmo Knights Club for providing annual scholarships to Marion County students.

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

SECTION 3. The Mayor is further requested to recognize Saturday, September 4, 1982, as the Cosmo Knights Scholarship Day.

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

[Clerk's Note: Councillor Boyd requested a Metropolitan Development Committee meeting be held on Wednesday, September 1, 1982, to discuss the Martindale-Brightwood sub-area plan. After discussion, the President requested that Councillor Durnil schedule a Committee meeting. Councillor Clark moved to Suspend the Rules in order that action be taken during this session of the Council on Proposal No. 314, 1982, seconded by Councillor Miller. Consent was given. Councillor Tintera moved to Suspend the Rules in order that action be taken during this session of the Council on Proposal Nos. 315 and 349, 1982, seconded by Councillor Brinkman. Council consent was given.]

PROPOSAL NO. 314, 1982. Introduced by Councillor Clark, who read the proposal appointing Richard Payne to the Audit Committee, and moved, seconded by

Councillor Miller, for adoption. Proposal No. 314, 1982, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 21, 1982, and reads as follows:

CITY—COUNTY COUNCIL RESOLUTION NO. 21, 1982

A COUNCIL RESOLUTION appointing Richard Payne to the Audit Committee.

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

SECTION 1. As a member of the Audit Committee, the Council appoints:

RICHARD PAYNE

SECTION 2. The appointee shall serve for a term commencing upon the passage of this resolution and ending November 19, 1984, and at the pleasure of the Council until a successor is duly appointed.

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

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 313, 1982. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$350,000 for the Central Equipment Management Division for the repair of equipment that is contracted to private vendors"; and the President referred it to the Administration Committee.

PROPOSAL NO. 314, 1982. Introduced by Councillor Clark. This proposal was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled COUNCIL RESOLUTION NO. 21, 1982.

PROPOSAL NO. 315, 1982. Introduced by Councillor Clark. This proposal authorizing proceedings with respect to certain proposed economic development bonds for Miller's Merry Manor, Inc. in an amount not to exceed \$3,000,000, was referred to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NO. 316, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing issuance of a \$995,000 Economic Development First Mortgage Revenue Bond, Series 1982, for Payless Cashways, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 317, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing issuance of a \$350,000 Economic Development Revenue Bond, Series 1982, for John and Betty Ober"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 318, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing issuance of a \$800,000 Economic Development First Mortgage Revenue Bond, Series 1982, for Asphalt Material and Construction, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 319, 1982. Introduced by Councillor Tintera. The Clerk read the proposal entitled: "A Proposal for a SPECIAL ORDINANCE authorizing issuance of a \$500,000 Economic Development First Mortgage Revenue Bond, Series 1982, for ADE, Inc."; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 320, 1982. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$140,500 for various divisions of the Department of Parks and Recreation for additional program activities"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 321, 1982. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code concerning the disposition of impounded animals"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 322, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$7,500 for the Weights and Measures Divisions to continue current staffing"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 323, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$17,025 for the Civil Defense Division to continue current operations and for the Hazardous Materials Study"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 324, 1982. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring \$5,300 for Superior Court, Criminal Division Probation Department, for supplies for the two new criminal courts"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 325, 1982. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL RESOLUTION approving the

issuance of special taxing district bonds of the Flood Control District in the amount of \$5,000,000"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 326, 1982. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating \$853,455 for the Sanitary Division for sanitary sewers for the area contiguous to the town of Homecroft"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 327, 1982. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating \$600,000 for the Flood Control Division to acquire property easements"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 328, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in Countryside, The Depot and Old Mill Park Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 329, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on West 13th Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 330, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls at Ditch Road and West 91st Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 331, 1982. Introduced by Councillor Strader. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing an 11,000 pound gross weight limit on Perkins, Minocqua, Cottage, and Barrington Avenues and Minnesota Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 332, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing parking controls on North Pennsylvania Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 333, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in Dawsons 66th Street Addition"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 334, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE changing intersection controls in Heatherlea and Newfield Subdivisions"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 335, 1982. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE establishing a loading zone on East Georgia Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 336, 1982. This proposal was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled SPECIAL RESOLUTION NO. 62, 1982.

PROPOSAL NO. 337, 1982. This proposal was discussed under Presentations of Petitions, Memorials, Special Resolutions, and Council Resolutions, and referred to the Administration Committee.

PROPOSAL NO. 338, 1982. This proposal was adopted under Presentation of Petitions, Memorials, Special Resolutions, and Council Resolutions, and retitled SPECIAL RESOLUTION NO. 61, 1982.

PROPOSAL NOS. 339-342, 1982. Introduced by Councillor Durnil. The Clerk read the proposals entitled: "Proposals for REZONING ORDINANCES certified by the Metropolitan Zoning Commission on August 5, 1982"; and the President referred them to the Committee of the Whole to be heard under Special Orders, Final Adoption.

PROPOSAL NOS. 343-348, 1982. Introduced by Councillor Durnil. The Clerk read the proposals entitled; "Proposals for REZONING ORDINANCES certified by the Metropolitan Zoning Commission on August 19, 1982"; and the President referred them 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 Council Rules on Preparation, Initiation, and Introduction of Proposals may be suspended and the following proposals may be introduced, although not timely submitted under the Rules.]

PROPOSAL NO. 349, 1982. This proposal authorizing economic development revenue bonds for Monsey Products Co. in an amount not to exceed \$1,650,000, was referred to the Committee of the Whole to be heard under Special Orders, Final Adoption.

SPECIAL ORDERS, PUBLIC HEARING

PROPOSAL NO. 268, 1982. This proposal appropriates \$10,140 for Superior Court, Criminal Division, Room 2, for typing Pauper Appeal transcripts and other increases. Councillor West reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 5-0-1 on August 16, 1982. The President called for a Public Hearing at 7:40 p.m. There being no one present to testify, Councillor West moved, seconded by Councillor Tintera, for adoption. Proposal No. 268, 1982, was adopted on the following roll call vote; viz:

21 YEAS: *Borst, Boyd, Campbell, Dowden, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Page, Rader, Rhodes, Schneider, SerVaas, Stewart, Strader, Tintera, Vollmer*

2 NAYS: *Brinkman, Cottingham*

6 NOT VOTING: *Clark, Coughenour, Gilmer, Jones, Parker, West*

Proposal No. 268, 1982, was retitled FISCAL ORDINANCE NO. 55, 1982, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) appropriating an additional Ten Thousand One Hundred Forty dollars (\$10,140) in the County General Fund for purposes of the Marion County Superior Court, Criminal Division - Room 2, and reducing the unappropriated and unencumbered balance in the County General Fund.

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)(7) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds for the typing of pauper appeal transcripts, for an increase in the cost of a maintenance contract, an increase in telephone charges, and adjusting the personnel schedule.

SECTION 2. The sum of Ten Thousand One Hundred Forty dollars (\$10,140) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

MARION COUNTY SUPERIOR COURT CRIMINAL DIVISION - ROOM 2	COUNTY GENERAL FUND
3. Other Services & Charges	<u>\$10,140</u>
Total Increase	<u>\$10,140</u>

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

MARION COUNTY SUPERIOR COURT CRIMINAL DIVISION - ROOM 2	COUNTY GENERAL FUND
Unappropriated and Unencumbered County General Fund	<u>\$10,140</u>
Total Reductions	<u>\$10,140</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
Judge	1	15,400	15,400
Court Reporter	2	16,022	32,044
Bailiff	2	13,719	26,180
Chief Clerk	1	14,372	14,372
Clerk	2	12,480	24,960 24,005
Master Commissioner Part-time	1	17,266	17,266
Secretary	1	13,509	13,509
Public Defenders		11,773	58,866
Temporary Help			2,000 2,000
Vacancy Factor			(4,119)
TOTAL	10		199,523

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

PROPOSAL NO. 269, 1982. This proposal appropriates \$88,503 for the County Sheriff and Auditor to continue the operation of the Community Corrections Center. Councillor West moved to postpone Proposal No. 269, 1982, in Council until September 13, 1982, seconded by Councillor Hawkins. Council consent was given.

PROPOSAL NO. 297, 1982. This proposal appropriates \$52,326 for the Municipal Court to increase the number of public defenders and interns required by State legislation. Councillor West moved, seconded by Councillor Borst, to postpone Proposal No. 297, 1982, in Council until October 11, 1982. Council consent was given.

PROPOSAL NO. 311, 1982. This proposal authorizes issuance and sale of bonds in the principal amount of \$2,700,000 for funding certain judgment obligations of the Marion County Department of Public Welfare. Councillor Parker moved, seconded by Councillor Rhodes, to postpone Proposal No. 311, 1982, in Council until the September 13, 1982, meeting. Council consent was given.

SPECIAL ORDERS, FINAL ADOPTION

PROPOSAL NO. 267, 1982. This proposal transfers \$2,500 for Superior Court, Civil Division, Room 5, to purchase furniture and a copy machine. The Public Safety and Criminal Justice Committee recommended passage on August 16, 1982, by a vote of 6-0. Councillor West reported that the Judge plans to purchase the furniture and copy machine that is presently being leased. He moved, seconded by Councillor Borst, for adoption. Proposal No. 267, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

3 NOT VOTING: Campbell, Jones, Page

Proposal No. 267, 1982, was retitled FISCAL ORDINANCE NO. 56, 1982, and reads as follows:

CITY—COUNTY FISCAL ORDINANCE NO. 56, 1982

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1982 (City-County Fiscal Ordinance No. 78, 1981) transferring and appropriating Two Thousand Five Hundred dollars (\$2,500) in the County General Fund for purposes of the Marion County Superior Court, Civil Division - Room 5, and reducing certain other appropriations for that division.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the Annual Budget, Section 2.03(b)(9) of the City-County Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to purchase furniture and a copy machine which are currently being rented.

SECTION 2. The sum of Two Thousand Five Hundred dollars (\$2,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

MARION COUNTY SUPERIOR COURT CIVIL DIVISION - ROOM 5	COUNTY GENERAL FUND
4. Capital Outlay	\$2,500
Total Increase	\$2,500

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

MARION COUNTY SUPERIOR COURT CIVIL DIVISION - ROOM 5	COUNTY GENERAL FUND
3. Other Services & Charges	\$2,500
Total Reduction	\$2,500

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

PROPOSAL NO. 289, 1982. This proposal renders advice to the Hospital Authority concerning participation with various other Hospital Authorities to provide tax exempt revenue bond financing for equipment. Councillor Tintera moved, seconded by Councillor Brinkman, the following:

CITY—COUNTY COUNCIL MOTION

Mr. President:

I move to amend Proposal No. 289, 1982, by deleting the introduced version and substituting therefor the proposal entitled, "Proposal No. 289, 1982, Committee Recommendations."

s/Councillor Tintera

Council consent was given. Councillor Tintera explained that this proposal basically states that the Council agrees with the concept which allows equipment financing for non-profit hospitals from a pool of funds created by bonds issued by the Marion County Authority in conjunction with other hospital authorities in Indiana under the Inter-local Cooperation Act. Councillor Gilmer added that when a hospital purchases, for example, an x-ray machine, they would receive a loan from the pool at a lower interest rate, thereby lowering health care costs. Councillor Durnil questioned the results if a small hospital defaults. Councillor Brinkman replied that there is mortgage insurance that would cover this type of thing. Councillor Vollmer pointed out that this would allow the hospitals to purchase major pieces of equipment at a lower cost. Presently, this type of major equipment is leased unless the hospital has cash on hand to purchase the equipment. Councillor West stated that the City or the Hospital Authority does not stand behind the purchasing of these bonds, but allows the name of the Hospital Authority to be used in order to be tax exempt, thereby, lowering the cost of health care in Marion County and the State of Indiana. Councillor West stated that hospitals can issue their own bonds through their authorities or they can participate in this cooperative venture, but their costs would be higher if they use individual bond issues. He noted that there is mortgage insurance when they choose to participate. Senator Bosma plans to introduce a plan for a State-wide Authority, but he needs the support from around the State. These bonds are national and are sold out of Chicago. Councillor Tintera explained that the best way to pass this in the General Assembly is to show our need. Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 289, 1982, As Amended, failed on the following roll call vote; viz:

12 YEAS: Borst, Boyd, Brinkman, Cottingham, Gilmer, Journey, McGrath, Miller, SerVaas, Tintera, Vollmer, West

15 NAYS: Campbell, Clark, Coughenour, Dowden, Durnil, Hawkins, Holmes, Howard, Nickell, Page, Parker, Rader, Schneider, Stewart, Strader

2 NOT VOTING: Jones, Rhodes

PROPOSAL NO. 315, 1982. This proposal authorizes proceedings with respect to certain proposed economic development bonds for Miller's Merry Manor, Inc. in an amount not to exceed \$3,000,000. Councillor Tintera reported that the Economic Development Committee recommended passage by a vote of 4-0 on August 27, 1982. After discussion, Councillor Tintera moved, seconded by Councillor Brinkman, for adoption. Proposal No. 315, 1982, was adopted on the following roll call vote; viz:

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

2 NAYS: Nickell, Schneider

5 NOT VOTING: Clark, Coughenour, Dowden, Jones, West

Proposal No. 315, 1982, was retitled SPECIAL RESOLUTION NO. 63, 1982, and reads as follows:

CITY—COUNTY SPECIAL RESOLUTION NO. 63, 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, Miller's Merry Manor, Inc. (the "Company"), has advised the Indianapolis Economic Development Commission and the City that it proposes that the City either acquire, renovate and equip certain economic development facilities and sell or lease the same to the Company or loan the proceeds of an economic development financing to the Company for the same, said economic development facilities to be the acquisition, renovation and equipping of the existing Greenview Manor Nursing Home and the machinery and equipment to be installed therein plus certain site improvements located at 1700 North Illinois Street, Indianapolis, Indiana, on approximately 3/4 of an acre of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 20 additional jobs at the end of one year and 25 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 in any similar facility already constructed or operating in or about Indianapolis, Indiana; now, therefore:

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

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

SECTION 2. The City-County Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City ("Issuer") in an amount not to exceed \$3,000,000 under the Act and the Project to be designated as an Urban Development Area, for the acquisition, renovation and equipping of the Project and the sale or leasing of the Project to Miller's Merry Manor, Inc. (the "Company"), or the loaning of the proceeds of such financing to the Company for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Company to proceed with the acquisition, 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. 349, 1982. This proposal authorizes economic development revenue bonds for Monsey Products Co. in an amount not to exceed \$1,650,000. Councillor Tintera reported that the Economic Development Committee recommended passage by a vote of 4-0 on August 27, 1982. He explained that this is an amendment to Special Ordinance 21, 1982, to allow for coupon bonds to be issued. Councillor Tintera moved, seconded by Councillor Gilmer, for adoption. Proposal No. 349, 1982, was adopted on the following roll call vote; viz:

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

NO NAYS

4 NOT VOTING: *Coughenour, Jones, Schneider, West*

Proposal No. 349, 1982, was retitled SPECIAL ORDINANCE NO. 23, 1982, and reads as follows:

CITY—COUNTY SPECIAL ORDINANCE NO. 23, 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) in coupon bond form and authorizing other actions in respect thereto.

WHEREAS, this City-County Council on August 2, 1982, adopted City-County Special Ordinance No. 21, 1982, which authorized the issuance of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project), and approved the forms of the Promissory Note, Loan Agreement, Mortgage and Security Agreement, the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project), and the Trust Indenture which authorized the Bonds to be issued in the form of fully registered bonds; and

WHEREAS, since August 2, 1982, the purchasers of the Bonds have requested that coupon bonds be authorized, executed, authenticated and issued to replace the fully registered bond and the Promissory Note, Loan Agreement, Mortgage and Trust Indenture, and the form of the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project), have been amended to also allow the issuance of the Bonds in coupon form; now, therefore:

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

SECTION 1. The changed 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 Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project), presented to this meeting of the City-County Council are hereby approved, and their execution is hereby confirmed, 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 this Financing Agreement, 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 2. The City of Indianapolis may issue its First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co.), in the principal amount of One Million Six Hundred Fifty Thousand dollars (\$1,650,000) in coupon form to replace the fully registered bond heretofore authorized, executed, authenticated and issued.

SECTION 3. The Mayor and City Clerk are authorized and directed to execute the City of Indianapolis Economic Development First Mortgage Revenue Bonds, Series 1982 (Monsey Products Co. Project), approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other documents which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the 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 4. 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 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 339-342, 1982. No action taken by the Council. They were re-titled REZONING ORDINANCE NOS. 50-53, 1982, respectively, and read as follows:

REZONING ORDINANCE NO. 50, 1982 82-Z-53 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
20 NORTH FRANKLIN ROAD, (REAR), INDIANAPOLIS

Laughner Brothers, Inc., by Louis Borgmann, requests rezoning of 0.93 acre, being in A-2 district, to C-3 classification, to use in conjunction with existing Laughner's Cafeteria for parking.

REZONING ORDINANCE NO. 51, 1982 82-Z-56 LAWRENCE TOWNSHIP
COUNCILMANIC DISTRICT NO. 3
7139 EAST 75TH STREET, INDIANAPOLIS

Lawrence Township Trustee, by Gordon L. Harper, requests rezoning of 1.30 acres, being in C-1 district, to SU-9 classification, to permit a fire station.

REZONING ORDINANCE NO. 52, 1982 82-Z-57 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
4221 WEST 96TH STREET, INDIANAPOLIS

Mann Realty Co., by John W. VanBuskirk, requests rezoning of 0.91 acre, being in C-5 district, to I-2-S classification, to provide for light industrial use with adjacent industrial park.

**REZONING ORDINANCE NO. 53, 1982 82-Z-58 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 13
901 NORTH POST ROAD, INDIANAPOLIS**

Metropolitan School District of Warren Township, Marion County, by Philip A. Nicely, requests rezoning of 22.00 acres, being in D-3 and SU-2 districts, to SU-9 classification, to permit the use of the school by various governmental agencies.

PROPOSAL NOS. 343-348, 1982. No action taken by the Council. They were re-titled REZONING ORDINANCE NOS. 54-59, 1982, respectively, and read as follows:

**REZONING ORDINANCE NO. 54, 1982 82-Z-44 DECATUR TOWNSHIP
COUNCILMANIC DISTRICT NO. 19
7602 ELEANOR STREET, INDIANAPOLIS**

William B. and Dorothy L. Greenwald request rezoning of 0.40 acre, being in D-3 district, to SU-9 classification, to provide for a fire station.

**REZONING ORDINANCE NO. 55, 1982 82-Z-59 WARREN TOWNSHIP
COUNCILMANIC DISTRICT NO. 12
3518-20 NORTH SHADELAND AVENUE, INDIANAPOLIS**

Anna M. Harshbarger, by William F. LeMond, requests rezoning of 3.04 acres, being in D-3 district, to C-4 classification, to provide for commercial use.

**REZONING ORDINANCE NO. 56, 1982 82-Z-60 PIKE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1**

5650 GEORGETOWN ROAD, INDIANAPOLIS
L.O.R., Inc., by Gordon L. Harper, requests rezoning of 0.99 acre, being in SU-3 district, to C-3 classification, to provide for extension of retail center at corner of 56th Street and Georgetown Road.

**REZONING ORDINANCE NO. 57, 1982 82-Z-65 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT NO. 1
2201 CUNNINGHAM ROAD, INDIANAPOLIS**

Metropolitan Development Commission, by J. Nicholas Shelley, Adm., Division of Planning and Zoning, requests rezoning of 1.22 acres, being in D-5 to I-2-S classification, to correct a mapping error found in rezoning petition 59-Z-129.

**REZONING ORDINANCE NO. 58, 1982 82-Z-68 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21**

1253 SOUTH ILLINOIS STREET, INDIANAPOLIS
Metropolitan Development Commission, by J. Nicholas Shelley, Adm., Division of Planning and Zoning, requests rezoning of 1.45 acres, being in D-5 and PK-1 districts, to SU-38 classification, to provide for the Concord Center.

**REZONING ORDINANCE NO. 59, 1982 82-Z-69 CENTER TOWNSHIP
COUNCILMANIC DISTRICT NO. 21**

1249 SOUTH ILLINOIS STREET, INDIANAPOLIS
Metropolitan Development Commission, by J. Nicholas Shelley, Adm., Division of Planning and Zoning, requests rezoning of 0.71 acre, being in D-5 district, to PK-1 classification, to provide for restructuring the boundaries of Kelly Park.

ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:23 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 of the 30th 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:

Brent Swanson

President

Barbara P. Kyrle

Clerk of the City-County Council

(SEAL)