

REGULAR MEETING

Monday, April 6, 1970, 6:30 P.M.

The regular meeting of the City-County Council of the City of Indianapolis and Marion County convened in the Council Chambers, Room 221, of the City-County Building at 6:30 P.M. on Monday, April 6, 1970.

President Hasbrook in the chair.

The Clerk called the roll.

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Moriarty moved, seconded by Mr. Egenes, to dispense with the reading of the Journal of the previous meeting.

President Hasbrook called for the reading of Communications from the Mayor and other City-County Officials.

COMMUNICATIONS FROM THE MAYOR AND OTHER CITY-COUNTY OFFICIALS

March 3, 1970

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

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County Ordinances:

GENERAL ORDINANCE NO. 44, 1970, AS AMENDED

. . . to amend the Municipal Code, Title 4, Chapter 8, Section 4-812, concerning parking restrictions on 21st and 22nd Streets.

GENERAL ORDINANCE NO. 45, 1970

. . . to amend the Municipal Code, Title 4, Chapter 10, Section 4-1001(6) thereof, Passenger and Material Loading Zones-Permits. (Nos. 84 and 100)

GENERAL ORDINANCE NO. 46, 1970

. . . to amend the Municipal Code, Title 9, Chapter 5, Section 9-536, Subsection 2, to increase the penalty for failing to clear snow and ice from sidewalks.

GENERAL ORDINANCE NO. 47, 1970, AS AMENDED

. . . to amend the Municipal Code, Title 7, Chapter 2, Section 7-202, Paragraph (40), Certain License fees and provisions for Second-Hand Motor Vehicle, Parts or Accessories Dealers.

GENERAL ORDINANCE NO. 48, 1970

. . . concerning procedures of the City-County Council pertaining to matters related solely to special service districts.

SPECIAL ORDINANCE NO. 10, 1970

. . . disannexing contiguous territory to the City of Indianapolis. (Area annexed by Special Ordinance No. 8, 1960.)

SPECIAL RESOLUTION NO. 5, 1970

April 6, 1970]

Indianapolis, Marion Co., Ind.

131

. . . approving Bond Issue No. 1, 1970, of the Department of Parks and Recreation.

Respectfully submitted,

RICHARD G. LUGAR
Mayor

April 6, 1970

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be posted in three public places and published in the Indianapolis News and the Indianapolis Commercial on March 26, 1970, and again on April 2, 1970, a "Notice to Taxpayers" of a public hearing on Appropriation Ordinance Nos. 2, 4, 5, and 6, 1970, to be held on Monday, April 6, 1970, in Room 221, City-County Building, at 6:30 P.M.

Also pursuant to the laws of the State of Indiana, I caused to be published in the aforementioned papers, the following ordinances: General Ordinance Nos 44. As Amended, 45, 46, 47 As Amended, and 48, 1970, on March 5, 1970, and again on March 12, 1970; Special Ordinance No. 10, 1970, on March 9, 1970, and again on March 16, 1970; and also, on General Ordinance Nos. 52-64, 1970, a "Notice of Public Hearing" on March 6, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN
City Clerk

April 6, 1970

To the Honorable President and Members of the City-
County Council of Indianapolis-Marion County:

Gentlemen:

Transmitted herewith are 28 copies of the following City-County Ordinances and Resolutions:

GENERAL ORDINANCE NOS. 65 thru 68, 1970
 . . . rezoning ordinances certified from Metropolitan Development Commission on March 18, 1970.

GENERAL ORDINANCE NOS. 74 thru 79, 1970
 . . . rezoning ordinances, certified from Metropolitan Development Commission on April 1, 1970.

HAROLD J. EGENES
 Councilman

APPROPRIATION ORDINANCE NO. 6, 1970, GENERAL ORDINANCE NO. 69, 1970, AND SPECIAL RESOLUTION NO. 11, 1970
 introduced by the Committee on Transportation March 18, 1970.

WILLIAM K. BYRUM
 Councilman

APPROPRIATION ORDINANCE NOS. 4 and 5, 1970
 . . . introduced by County & Townships Committee on March 9, 1970.

DWIGHT L. COTTINGHAM
 Councilman

GENERAL ORDINANCE NO. 70, 1970
 . . . amending Title 10, of the Municipal Code, by adding a new Section No. 10-414, to prevent telephone harassment.

JOS. T. GORHAM
 Councilman

GENERAL ORDINANCE NO. 71, 1970
 . . . amending Title 4 of the Municipal Code, by addition of a new Section No. 4-805a, prohibiting parking in certain areas.

WILLIAM K. BYRUM
Councilman

GENERAL ORDINANCE NO. 72, 1970
. . . amending Title 9, of the Municipal Code, by addition of new Sections 9-409 through 9-416, regulating private sewers and drains.

DONALD R. McPHERSON
Councilman

GENERAL ORDINANCE NO. 73, 1970
. . . amending Title 5, of the Municipal Code, by adding a second paragraph to Section 5-2007, to require sealing or removal of filling pipes after storage tanks are removed from residential or commercial buildings.

WILLIAM K. BYRUM
Councilman

GENERAL ORDINANCE NO. 80, 1970
. . . revising Title 7, of the Municipal Code, the regulation and licensing of businesses.

DONALD R. McPHERSON
Councilman

GENERAL ORDINANCE NO. 81, 1970
. . . revising Title 8 of the Municipal Code, to be interpreted as a new "City of Indianapolis Building Code."

HAROLD J. EGENES
Councilman

GENERAL ORDINANCE NO. 82, 1970
. . . creating a Model Cities Demonstration Agency in the Office of the Mayor.

DONALD R. McPHERSON
Councilman

SPECIAL ORDINANCE NOS. 11, 12, and 13, 1970

. . . repealing Special Ordinance Nos. 32, 6, and 36, 1960, respectively.

DONALD R. McPHERSON
Councilman

SPECIAL ORDINANCE NO. 14, 1970

. . . authorizing the sale of County-owned properties.

DWIGHT L. COTTINGHAM
Councilman

SPECIAL RESOLUTION NO. 10, 1970

. . . confirming the Board of Park Commissioners grant of a perpetual easement to the State of Indiana.

REV. ANDREW L. WILLIAMS
Councilman

SPECIAL RESOLUTION NO. 12, 1970

. . . submission of an application to HUD for a grant to the Model Cities Administration of Indianapolis.

DONALD R. McPHERSON
Councilman

SPECIAL RESOLUTION NO. 13, 1970

. . . authorizing temporary transfer of \$1,000,000.00 from Marion County Cumulative Bridge Fund to Marion County General Fund.

WILLIAM K. BYRUM
Councilman

SPECIAL RESOLUTION NO. 14, 1970

. . . authorizing filing of an application for a demolition grant.

HAROLD J. EGENES
Councilman

President Hasbrook called for a special order of busi-

ness to consider Council appointments to the Human Rights Commission.

Mr. SerVaas read the names of the Republican appointees, introducing them to the Council.

Mr. Brown read the names of the Democrat appointees, introducing them to the Council.

Mr. Egenes moved, seconded by Mr. Moriarty, for the adoption of the named appointees.

The motion passed by unanimous voice vote.

The City Clerk administered the oath to the new Commission members.

President Hasbrook announced that an appointment to the Marion County Tax Adjustment Board must be made prior to April 15, 1970.

Mr. Egenes nominated, seconded by Mr. McPherson, Beurt SerVaas.

Mr. McPherson moved, seconded by Mr. Gorham, that the nominations be closed and that the Clerk be instructed to cast a unanimous ballot for Mr. SerVaas.

The motion carried by unanimous voice vote.

President Hasbrook called for Introduction of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

CITY-COUNTY GENERAL ORDINANCES NOS. 65, 66, 67, 68, 1970

Introduced by Councilman Egenes:

G.O. NO. 65, 1970—

70-Z-25 United Farm Bureau Mutual Insurance Co. by John L. Whiting, 130 East Washington St. request rezoning of 3.00 acres, being in U3 district, to C-4 classification to provide for a claims office building with drive-through claims service, consisting of four bays with overhead doors, also classrooms for training personnel in body shop and paint shop work. Located on the south side of East Washington St., 200' west of Edmondson Ave. in Indianapolis, Warren Township (6759 East Washington Street).

G.O. NO. 66, 1970—

70-Z-28 Clara J. Chambers by William K. Byrum, Attorney, 614 Union Title Building requests rezoning of 1.69 acres, being in B-3 district, to C-7 classification to provide for outside storage of rental cars, trucks and trailers. Located on the south side of West Washington St., 225' west of Victor St. in Indianapolis, Wayne Township (6841 West Washington Street).

G.O. NO. 67, 1970—

70-Z-38 C. William & Elizabeth A. Carey by Michael J. Kias & Richard L. Carey, Attorneys, 3037 South Meridian St. request rezoning of 40.72 acres, being in A-2 district to D-6 classification to provide for a Garden Apartment Complex. Located on the west side of South Meridian St., north of MacGregor Road, projected, in Indianapolis, Perry Township (7300, 7400 & 7500 blocks South Meridian Street).

G.O. NO. 68, 1970—

70-AO-1 The Metropolitan Development Commission of Marion County, Indiana proposes amendment to said Marion County Council Ordinance No. 8-1957, as amended, and all zoning ordinances

adopted as parts thereof, by the adoption of Ordinance 70-AO-1, the PLANNED UNIT DEVELOPMENT—SPECIAL DISTRICT ORDINANCE of Indianapolis, Marion County, Indiana, establishing PLANNED UNIT DEVELOPMENT—SPECIAL DISTRICT ONE (DP-S-1), and classifying and rezoning to said PLANNED UNIT DEVELOPMENT—SPECIAL DISTRICT ONE classification certain land, as delineated and described in said ORDINANCE and PLANNED UNIT DEVELOPMENT—SPECIAL DISTRICT MAP (which map is a part of said ordinance and incorporated therein by reference) setting forth land uses permitted in said District, standards, regulations and performance standards applicable thereto, etc.

Which were read for the first time and referred to the Committee on Metropolitan Development.

CITY-COUNTY GENERAL ORDINANCE NO. 69, 1970

Introduced by Councilman Egenes:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES, and Chapter 9, Section 902 thereof, TWO-HOUR PARKING METER ZONES, providing penalties, and fixing a time when the same shall take effect.

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

Section 1. That the Municipal Code of Indianapolis 1951, Title 4, Chapter 8, Section 4-812 thereof, PARKING PROHIBITED AT ALL TIMES, be, and the same is hereby amended by the addition of the following:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Ohio Street	South	Illinois Street	Pierson Street

and Title 4, Chapter 9, Section 902 thereof, TWO-HOUR PARKING

METER ZONES, be, and the same is hereby amended by the deletion of the following:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Ohio Street	South	Illinois Street	Pierson Street

Section 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 6, Section 1-601, of the Municipal Code of Indianapolis 1951, as amended.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Transportation.

CITY-COUNTY GENERAL ORDINANCE NO. 70, 1970

Introduced by Councilman Gorham:

AN ORDINANCE to amend Title 10, Chapter 4, of the Municipal Code of Indianapolis, 1951, as amended, and more particularly by adding thereto a new Section No. 10-414 to govern, control and prevent the use of telephones to harass, annoy, offend, terrify, intimidate or abuse any person or to make lewd, obscene or indecent comments, suggestions or proposals, and providing a fine of not more than \$500.00 or imprisonment in the county jail not exceeding six months, or both, for each violation.

WHEREAS, harassing telephone calls disturb the peace of mind of recipients, lower public morals, tie up telephone lines so as to delay or prevent emergency calls to police, firemen, physicians and hospitals and lead to or aid other crimes; and

WHEREAS, state laws on this matter are not conclusive and need to be supplemented by similar local ordinances;

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

Section 1. That Title 10, Chapter 4 of the General Ordinance No. 140, 1951, as amended, is hereby amended by adding thereto a new Section No. 10-414, to read as follows:

10-414(a) Whoever, by means of a telephone, (a) makes any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy, or indecent; (b) or makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, molest or harass any person at the called number; (c) or makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; (d) or makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; (e) or knowingly permits any telephone under his control to be used for any purpose prohibited by this section, shall be fined not more than \$500 or imprisoned in the county jail not exceeding six months, or both.

(b) The use of a telephone facility under Section 1, herein shall include all use made of such a facility between the points of origin and reception. Any offenses committed under Section 1, is a continuing offense and shall be deemed to have been committed at either the place of origin or the place of reception.

(c) The use of obscene, lewd, filthy, lascivious or indecent language or the making of a threat, statement or proposal as set forth in Section 1, herein shall be prima facie evidence of intent to terrify, intimidate, threaten, harass, annoy or offend.

(d) Each such telephone call set forth in Section 1 shall constitute a separate offense.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as required by law.

Which was read for the first time and referred to the Committee on Administration.

CITY-COUNTY GENERAL ORDINANCE NO. 71, 1970

Introduced by Councilman Byrum:

AN ORDINANCE amending the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, by addition to Title 4, Chapter 8, of a new and additional Section to be numbered 4-805a, prohibiting parking in certain areas in the vicinity of business, commercial and multi-family buildings; and providing penalties.

WHEREAS, it is necessary that the motor vehicles of the Fire and Police Departments of the City of Indianapolis, as well as other emergency and rescue vehicles of the City have a free and unobstructed means of access to buildings in the City, which are used or occupied for multi-family, business or commercial purposes; and

WHEREAS, in order to accomplish such purpose it is necessary to provide and maintain open areas of lanes, alleys, privately owned public parking lots, driveways, and service areas which will at all times be available for use by such vehicles;

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

Section 1. That General Ordinance No. 140, 1951, the Municipal Code of Indianapolis, Title 4, Chapter 8, as amended, be amended by addition of a new and additional Section to be numbers 4-805a to read as follows:

4-805a. Parking adjacent to Buildings.

“(a) It shall be unlawful to cause or permit any vehicle or other obstacle to stand or remain in any lane, alley, privately owned public parking lot, driveway, or service area, within ten feet of any building, accessory structure or sidewalk which is immediately adjacent to or attached to any building, where such building is occupied by more than two families or is occupied for commercial, professional, religious, or other type of occupancy or assembly, in such a manner as to obstruct the free passage of the City’s Fire Department vehicles, the City’s Police cars, the City’s emergency or rescue vehicles, or any other vehicle perform-

ing a public or emergency function, or in such manner as to obstruct the free passage of any other vehicle through or over such restricted area, except for such time as is necessary for the taking on or unloading of passengers on merchandise.

(b) Where there are areas inaccessible to vehicular traffic between a lane, alley, privately owned public parking lot, driveway or service area and any building, accessory structure or sidewalk immediately adjacent to or attached to any building, the restricted area of ten feet shall be measured from the inaccessible areas abutting the lane, alley, privately owned public parking lot, driveway, or service area and a ten foot fire lane established so as to permit free and continued passage of vehicles."

Section 2. That this Ordinance shall be subject to the penalties provided in the Municipal Code of Indianapolis, 1951, Section 4-831, subsection (2).

Section 3. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as provided by law.

Which was read for the first time and referred to the Committee on Transportation.

CITY-COUNTY GENERAL ORDINANCE NO. 72, 1970

Introduced by Councilman McPherson:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, Title 9, Chapter 4, by addition of new and additional sections 9-409 through 9-416, regulating private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into public sewer systems, providing penalties for violations, repealing all ordinances in conflict.

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

Section 2. That the Municipal Code of Indianapolis, 1951, General

Ordinance No. 140, 1951, Title 9, Chapter 4, be amended by addition of Sections numbered 9-409 through 9-416, to read as follows:

9-409. **DEFINITIONS.** — Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

(a) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

(b) "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

(c) "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

(d) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

(e) "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

(f) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments together with such ground, surface, and stormwaters as may be present.

(g) "Sewer" shall mean a pipe or conduit for carrying sewage.

(h) "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

(i) "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

(j) "Director of Operation" shall mean the duly appointed and/or

Acting Director of the Department of Public Works of the City of Indianapolis or his authorized deputy, agent, or representative.

(k) "Person" shall mean any individual, firm, company, association, society, corporation or group.

(l) "A.S.T.M." shall mean the American Society for Testing and Materials.

9-410. BUILDING SEWERS AND CONNECTIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director of Operations.

There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Department of Public Works. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director of Operations. A permit and inspection fee of fifteen dollars (\$15.00) for a residential or commercial building sewer permit and twenty-five dollars (\$25.00) for an industrial building sewer permit shall be paid to the City of Indianapolis at the time the application is filed.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City of Indianapolis from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Old building sewers may be used in connection with new buildings

only when they are found on examination and test by the Director of Operations to meet all requirements of the ordinance.

9-411. **SPECIFICATIONS** — All building sewers shall be constructed of either Vitrified Clay Sewer Pipe meeting A.S.T.M. Specifications for Clay Sewer Pipe (Designation C-200), Extra Heavy Cast Iron Soil Pipe meeting A.S.T.M. Specifications for Cast Iron Soil Pipe and Fittings (Designation A-74), Concrete Sewer Pipe meeting A.S.T.M. Specification C-14 or C-76, or asbestos cement pipe meeting A.S.T.M. Specification C-428.

Joints and connections shall meet the following requirements:

(a) Vitrified clay pipe joints shall be installed according to manufacturers' recommendations, and shall conform to either:

- (1) A.S.T.M. Specification C-425 "Compression joint for vitrified Clay Bell and Spigot Pipe;"
- (2) A.S.T.M. Specification C-594 "Compression Couplings for Vitrified Clay Plain-end Pipe."

(b) Extra Heavy Cast Iron Soil Pipe joints shall be installed according to the manufacturers recommendations and shall conform to:

- (1) A.S.T.M. Specification C-564 "Rubber Gaskets for Cast Iron Soil Pipe Fittings."
- (2) Lead and Oakum—a roll thoroughly caulked into place followed by pure molten lead, well caulked, not less than one inch deep.

(c) Concrete sewer pipe shall be installed in accordance with A.S.T.M. Standards C-443.

(d) Asbestos Cement Pipe shall be installed in accordance to A.S.T.M. Standards D-1869.

9-412. **CONSTRUCTION REQUIREMENTS.** No building sewer shall be less than four inches in diameter and shall be continued undiminished in size from the building drain and in no case shall it be

smaller than required by the Plumbing Code of Indianapolis. Grades for Building Sewers of four inch size shall have a grade of not less than one-eighth ($\frac{1}{8}$) inch per foot. A grade of one-fourth ($\frac{1}{4}$) inch per foot shall be used wherever practical. Building sewers larger than four inches in size shall be set at the minimum grade as outlined in the Plumbing Code for the City of Indianapolis.

MINIMUM GRADES OF SEWERS IN FEET PER THOUSAND

Diameter of Sewer in Inches	Sanitary Sewers	Storm or Combined Sewers
6	6.1	9.8
8	4.0	6.2
10	2.7	4.4
12	2.2	3.3
15	1.5	2.4
18	1.18	1.8
24	0.77	1.2

9-413. **TRENCHING AND BACKFILLING.** All excavations shall be open trench work unless otherwise authorized by the Sewer Inspector. The foundation in the trench shall be formed to prevent any subsequent settlement of the pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give a full support to the lower quadrant of each pipe. Bell holes shall be dug. Where the floor of the trench is of hard or rocky material, the trench shall be excavated to four inches below grade and brought back to the proper grade with fine gravel, coarse sand or similar material so as to provide a firm foundation and uniform support for the house sewer line. Backfilling shall be placed in layers and solidly tamped or packed up to two feet above the pipe.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

When required by the Director of Operations, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observation sampling and measurement of the wastes.

The applicant for the building sewer permit shall notify the Director of Operations when the building sewer is ready for inspection. Backfilling shall not be done before the Director of Operations has an opportunity to make any inspection and test he may deem necessary.

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the Director of Operations.

9-414. PROTECTION FROM DAMAGE. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works of the Indianapolis Sanitary District. Any person violating this provision shall be subject to immediate prosecution.

9-415. POWERS AND AUTHORITY OF INSPECTORS. The Director of Operations and other duly authorized employees of the City of Indianapolis bearing proper credentials and identification shall be permitted to enter upon all properties, for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance.

9-416. PENALTIES. Any person found to be violating any provision of this ordinance except Section 9-414 shall be served by the Director of Operations with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person, partnership, agency, firm or corporation, or any officer, employee or agent thereof who shall continue any violation beyond the time limit provided by notice shall, upon conviction thereof, be fined in an amount of no less than Ten Dollars (\$10.00) and no more than Five Hundred Dollars (\$500.00) for each violation. Each day in which

any such violation shall continue shall be deemed a separate offense. Any person violating any of the provisions of this ordinance shall become liable to the City of Indianapolis for any expense, loss or damage occasioned the City of Indianapolis by reason of such violation.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication required by law.

Which was read for the first time and referred to the Committee on Public Works.

CITY-COUNTY GENERAL ORDINANCE NO. 73, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, Title 5, Chapter 20, Section 5-2007, by adding a new and additional second paragraph to require sealing or removal of filling pipes after storage tanks are removed from residential or commercial buildings, providing penalties.

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

Section 1. That the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, Title 5, Chapter 20, 5-2007, be amended to read as follows:

5-2007. Piping. Defective and leaky piping shall be made right immediately or replaced:

Whenever an outside filling pipe constructed for the purpose of delivery of Class I, II, or III liquids to storage tanks within a residential or commercial building is no longer being used for that purpose, the owner of said residential or commercial building shall have said filling pipe sealed off or removed.

Section 2. This ordinance shall be subject to the penalties provided by Section 5-3101.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as provided by law.

Which was read for the first time and referred to the Committee on Public Works.

CITY-COUNTY GENERAL ORDINANCE NOS. 74 thru 79, 1970

Introduced by Councilman Egenes:

G.O. NO. 74, 1970—

70-Z-29 Highland Realty, Inc., by William Speicher, Secretary, 7777 West Washington St. requests rezoning of 2.77 acres, being in D-3 district, to D-11 classification to provide for a Mobile Home Park. Located on the west side of Hoffman Road, north side of the Penn-Central Railroad R-O-W- in Indianapolis, Wayne Township (2108 Hoffman Road).

G.O. NO. 75, 1970—

70-Z-30 Parks Auto Sales, Inc., 2402 East Washington Street, requests rezoning of 2.98 acres, being in SU-1 district, to C-5 classification to provide for used car sales lot. Located on the west side of U.S. 31 (East Street), north of Murry Street in Indianapolis, Perry Township (3210 South East Street).

G.O. NO. 76, 1970—

70-Z-35 Davis Homes, Inc., by Fred A. Nelson, 3231 North Me-

ridian St. Requests rezoning of 0.75 acre, being in D-2 district to D-7 classification to provide for multi-family use. Located on the east side of I-465, north of the C.C.C. & St. L. Railroad in Indianapolis, Wayne Township (6000 block of Rockville Road)

G.O. NO. 77, 1970—

70-Z-36 Henry M. & Gertrude L. Coombs, 1610 Southview Drive request rezoning of 69.17 acres, being in A-2 district to D-6 classification to provide for apartment use. Located on the east side of Sherman Drive, north of Hanna Avenue, projected, in Indianapolis, Perry Township (3600 block South Sherman Drive).

G.O. NO. 78, 1970—

70-Z-40 George F. & Alice Kerr, et al by Lester Irons, Attorney, 1313 Merchants Bank Bldg. request rezoning of 1.51 acres, being in A-2 district, to C-4 classification to provide for a gasoline service station. Located on the south side of 96th Street, east of Keystone Ave. in Indianapolis, Washington Twp. (3301 East 96th St.).

G.O. NO. 79, 1970—

70-Z-41 George F. & Alice Kerr, et al by Lester Irons, Attorney, 1313 Merchants Bank Bldg. request rezoning of 17.50 acres, being in A-2 district, to C-2 classification to provide for an office complex and motel. Located on the south side of 96th Street, east of Keystone Ave. in Indianapolis, Washington Township (3301 East 96th Street).

Which were read for the first time and referred to the Committee on Metropolitan Development.

CITY-COUNTY GENERAL ORDINANCE NO. 80, 1970

Introduced by Councilman McPherson:

AN ORDINANCE concerning the regulation and licensing of businesses in the consolidated City of Indianapolis, obtaining new provisions herein by revamping, rewording and completely re-

vising Title 7 of the Municipal Code of Indianapolis—1951, General Ordinance No. 140, 1951, as amended, in such a manner that this ordinance shall constitute, from and after its effective date, and be interpreted and construed as the exclusive, comprehensive and new Title 7 of the Code of Indianapolis and Marion County, 1970, expressly repealing Title 7 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, repealing all city and county ordinances in conflict herewith, and providing for fees and penalties.

Which was read for the first time and referred to the Committee on Public Works.

CITY-COUNTY GENERAL ORDINANCE NO. 81, 1970

Introduced by Councilman Egenes:

AN ORDINANCE concerning the building code of the consolidated City of Indianapolis, ordaining new provisions herein by revamping, rewording and completely revising Title 8 of the Municipal Code of Indianapolis—1951, General Ordinance No. 140, 1951, as amended, in such a manner that this ordinance shall constitute, from and after its effective date, and be interpreted and construed as the exclusive, comprehensive and new "City of Indianapolis Building Code, 1970" being Title 8 of the Code of Indianapolis and Marion County, 1970, expressly repealing the Marion County Building Code, Ordinance No. 132, 1966, as amended, expressly repealing the Indianapolis Building Code, 1951, being Title 8 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, repealing all city and county ordinances in conflict herewith, and providing for fees and penalties.

Which was read for the first time and referred to the Committee on Metropolitan Development.

CITY-COUNTY GENERAL ORDINANCE NO. 82, 1970

Introduced by Councilman McPherson:

AN ORDINANCE creating, in the Office of the Mayor, a Department of Model Cities, City Demonstration Agency.

WHEREAS, Indianapolis participates in the federal Model Cities program and needs to organize its participation;

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

Section 1. There is hereby added to the Municipal Code of Indianapolis-1951, as amended, a new section 2-206 as follows:

Section 2-206. There is hereby created a separate Department in the office of the Mayor and under the Mayor's direction and control, a Department of Model Cities, Indianapolis Demonstration Agency.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as required by law.

Which was read for the first time and referred to the Committee on Public Works.

CITY-COUNTY SPECIAL ORDINANCES

CITY-COUNTY SPECIAL ORDINANCE NO. 11, 1970

Introduced by Councilman McPherson:

AN ORDINANCE repealing Special Ordinance No. 32, 1960, which annexed certain contiguous territory to the City of Indianapolis, disannexing said territory from the Fire and Police Special Service Districts and from the Sanitation Special Taxing District, and fixing a time when the same shall take effect.

WHEREAS, adequate fire and sanitary facilities cannot now or in the reasonably near future be provided by the City to the territory which was annexed by Special Ordinance No. 32, 1960.

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

Section 1. That Special Ordinance No. 32, 1960, be and the same is hereby repealed in its entirety and the following described territory is hereby disannexed from the Fire Special Service District, Police Special Service District and Sanitation Special Taxing District of said city, to-wit:

Beginning at the intersection of the south right-of-way line of Troy Avenue and the west right-of-way line of Meridian Street; thence south along the west right-of-way line of Meridian Street to the south right-of-way line of Sumner Avenue, thence west along the south right-of-way line of Sumner Avenue to the east right-of-way line of Bluff Road; thence north along the east right-of-way line of Troy Avenue; thence east along the south right-of-way line of Troy Avenue to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Which was read for the first time and referred to the Committee on Public Safety.

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 1970

AN ORDINANCE repealing Special Ordinance No. 6, 1960, which annexed certain contiguous territory to the City of Indianapolis, disannexing said territory from the Fire and Police Special Service Districts and from the Sanitation Special Taxing District, and fixing a time when the same shall take effect.

WHEREAS, adequate fire and sanitary facilities cannot now or in the reasonably near future be provided by the City to the territory which was annexed by Special Ordinance No. 6, 1960.

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

Section 1. That Special Ordinance No. 6, 1960, be and the same is hereby repealed in its entirety and the following described territory is hereby disannexed from the Fire Special Service District, Police Special Service District and Sanitation Special Taxing District of said city, to-wit:

Beginning at the point of intersection of the southwesterly right-of-way line of Carson Avenue and the present corporation line

of the City of Indianapolis, said point being 911.46 feet east of the west line of Section 32, Township 15 North, Range 4 East, in Marion County, Indiana; thence south along said present corporation line to a corner in said corporation line; thence west along the present Indianapolis corporation line a distance of 705.66 feet to a point; thence south along said present corporation line to the north bank of Lick Creek; thence southwesterly along the north bank of Lick Creek and the present Indianapolis corporation to the west property line of Keystone Avenue as produced north across Lick Creek; thence south along the west property line of Keystone Avenue to the south right-of-way line of Thompson Road; thence east along the south right-of-way line of Thompson Road to the west property line of Carson Avenue as extended south; thence north and northwesterly along the west property line of Carson Avenue to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Which was read for the first time and referred to the Committee on Public Safety.

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 1970

Introduced by Councilman McPherson:

AN ORDINANCE repealing Special Ordinance No. 36, 1960, which annexed certain contiguous territory to the City of Indianapolis, disannexing said territory from the Fire and Police Special Service Districts and from the Sanitation Special Taxing District, and fixing a time when the same shall take effect.

WHEREAS, adequate fire and sanitary facilities cannot now or in the reasonably near future be provided by the City to the territory which was annexed by Special Ordinance No. 36, 1960.

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

Section 1. That Special Ordinance No. 36, 1960, be and the same is hereby repealed in its entirety and the following described territory is hereby disannexed from the Fire Special Service District, Police Special Service District and Sanitation Special Taxing District of said city, to-wit:

Beginning at the intersection of the easterly bank of the Indianaperty and southerly along the easterly line of the Town of Rocky Ripple as extended east; thence southwesterly along the easterly bank of said canal to the northeast corner of the Town of Shooters Hill; thence southwesterly along the northwesterly line of the Town of Shooters Hill and said line extended to the northwest corner of the Town of Woodstock; thence southwesterty and southerly along the westerly line of the Town of Woodstock to the north right-of-way line of 38th Street; thence west along the north right-of-way line as extended across White River to the west right-of-way line of Knollton Road; thence north along the west right-of-way line of Knollton Road to the south line of the Town of Wynnedale; thence east along the south line of the Town of Wynnedale to the southeast corner of said Town; thence northerly along the east line of said Town to the southwest corner of the Town of Spring Hills; thence easterly along the meandering south line of the Town of Spring Hills along the bank of White River to the southeast corner of said Town of Spring Hills; thence northwesterly, northeasterly and again northwesterly along the east line of said Town extended to the north right-of-way line of said Cold Spring Road; thence northeasterly along the north right-of-way line of Cold Spring Road to the west right-of-way line of Northwestern Avenue; thence northwesterly along the west right-of-way line of Northwestern Avenue to the south line of the Town of Highwoods as produced westerly; thence easterly along the south line of the Town of Highwoods as produced westerly, thence easterly along the south line of the Town of Highwoods to the southeast corner thereof, thence northwesterly along the meandering northeast line of the Town of Highwoods to the west right-of-way line of Northwestern Avenue; thence northwest along said west line of Northwestern Avenue to the northwest right-of-way line of Grandview Drive; thence northeast along the northwest right-of-way line of Grandview Drive to the north-right-of-way line of 52nd Street; thence east along said north right-of-way line of 52nd Street and said line extended east across White River to the west line of the Town of Rocky Ripple on the east bank of White River; thence southerly along the meandering west line of said Town to the southwest

corner thereof; thence north along the east line of said Town to a corner in the south line of said Town; thence east along the south line of said Town of Rocky Ripple to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Which was read for the first time and referred to the Committee on Public Safety.

CITY-COUNTY SPECIAL ORDINANCE NO. 14, 1970

Introduced by Councilman Egenes:

AN ORDINANCE authorizing the sale of County Real Estate, fixing the terms and conditions for said sale and fixing the date upon which this Ordinance shall be effective.

WHEREAS, the Board of Commissioners of the County of Marion, has requested the City-County Council of the City of Indianapolis and of Marion County to authorize the sale of certain real estate owned by Marion County, which has never been used by Marion County and is not suitable for use by Marion County; and

WHEREAS, the said Board of Commissioners has determined that the reasonable value of said real estate, is in excess of One Thousand (\$1,000.00) Dollars; and

WHEREAS, the City-County Council now finds that said real estate is not needed in the operation of County business; and

WHEREAS, it is in the best interest of the County, that said real estate be sold.

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

Section 1. The Board of Commissioners of the County of Marion is hereby authorized to offer for sale the following described real estate, to-wit:

1. Real estate located at 1834 N. Alabama Street, legally described as: Allen & Roots North Addition North $\frac{1}{2}$ Lot 98 & Lot 99—\$2,250.00.
2. A vacant lot located: Southeast corner Fall Creek and Central, legally described as: Hadley's Subdivision Hadley & Hamiltons Subdivision Wrights Park Avenue Addition Lot 12—\$275.00.
3. A vacant lot located: 2nd lot south of 26th Street west side of College, legally described as: Loseys College Avenue Addition L 28—\$925.00.
4. A vacant lot located: 3rd lot south of 19th Street west side of Ruckle, legally described as: James H. Ruddells Subdivision Johnson Heirs Addition Lot 7 Block 8—\$550.00.
5. A strip of ground located: Southwest corner of the first alley south of 16th Street, west side of Carrollton (south side of lot), 2x177, legally described as: Butler Heirs Subdivision O, Butlers Addition 2 feet south side of Lot 11—\$20.00.
6. A partial lot located: Southwest corner first alley south 16th Street, west side Bellefontaine 20x82, legally described as: Butlers Heirs Subdivision Butlers Addition to College Corner 20.3 feet north side Lot 1—\$50.00.
7. A strip of ground located: 2 feet off south side 2nd block north of 29th Street west side Central 2x134, legally described as: Boulevard Park Addition 2 feet east side of Lot 12—\$25.00.
8. A strip of ground located: 235 feet North of 13th Street on the East Side of Yandes, triangle parcel of Lot 61 and part of Lot 60, remains of highway purchase 93x40, legally described as: E. T. Fletchers Subdivision E. T. & S. K. Fletchers Addition except 98.3 feet east end Lot 61 and 10 feet north side Lot 60—\$10.00.
9. Real estate located at 1530-32 Columbia Avenue, legally described as E. T. Fletchers Subdivision E. T. & S. K. Fletchers Addition 17.58 feet north side Lot 80 17.83 feet south side Lot 81—\$1,475.00.
10. Real estate located at 1142-44 East 16th Street, legally described as: S. A. Fletchers Juniors 34.6 feet east of 70 feet west end Lot 30 Block 2—\$850.00.

11. A vacant lot located: 5th lot south of 20th Street east side Alford, legally described as: S. A. Fletchers Jr., northeast addition south $\frac{1}{2}$ Lot 11 Block 10—\$225.00.
12. Real estate located at 1957 Yandes, legally described as: S. A. Fletchers Jrs. Northeast Addition Lot 14 Block 11—\$975.00.
13. Real estate located at 2019 Columbia Avenue, legally described as: S. A. Fletcher Jr. Northeast Addition North $\frac{1}{2}$ Lot 5 Block 13—\$900.00.
14. A vacant lot located: 2nd lot south 23rd Street east side Columbia, legally described as Bruce Baker Addition Lot 13 Block 5—\$425.00.
15. Real estate located at 2304-06 North Columbia Avenue, legally described as Bruce Bakers Addition except 70 feet west end Lot 32 Block 11—\$750.00.
16. Real estate located at 1656-58 Sheldon, legally described as: Indianapolis Car Company except 44 feet west end Lot 2 Block 6—\$250.00.
17. A strip of ground located: $2\frac{1}{2}$ feet off south side of 3rd lot north of McLean west side of Boulevard Place, $2\frac{1}{2}$ x162, legally described as: Bridges Subdivision Post Guardian Addition $\frac{9}{12}$ feet front $2\frac{5}{12}$ feet rear south side Lot 13—\$35.00.
18. Real estate located 1629 Ludlow, legally described as: M. Swan I. Fletchers Subdivision I. Fletcher Oak Hill Subdivision Lot 12 Block 1 and 2—\$490.00.
19. A strip of ground located: 5th lot south Langley on west side of Tallman $2\frac{1}{2}$ x31, legally described as: Newmans Oak Park Addition $8\frac{2}{12}$ feet WL x 31 feet northwest corner Lot 51—\$10.00.
20. Real estate located at 2372 N. Parker, legally described as: Adams Subdivision Parker et al 2nd Oak Hill Lot 23—\$1,250.00.
21. Real estate located at 2805 California Street, legally described as: E. T. Edwards North Western Park Addition except 92.5 feet south end Lot 207—\$650.00.

22. A tract of ground located: 2nd tract south of Northwestern, southeast side of Fall Creek included in high water line, 100x300, legally described as: Langsdale Extended Subdivision Lot C—\$95.00.
23. Real estate located at 2709 N. Franklin, legally described as: Burtons North Indianapolis Lot 15 Block 37 2½ feet east of and adjacent to Lot 15 Block 37—\$1,950.00.
24. A vacant lot located: 8th lot west of Annetta, north side Roach Street, legally described as: Roaches North Indianapolis Addition Lot 33 Block 31—\$380.00.
25. A vacant lot located: 7th lot east Elmira north side 31st Street, legally described as: Clifton Place Lot 150—\$875.00.
26. A strip of ground located 116 feet west of Northwestern, north side of 35th Street, 2x35 legally described as: Armstrong Park 2 feet west of 118 feet east end of lot 15—\$10.00.
27. A strip of ground located: Northwest corner of Congress and Indianapolis where Congress would go through, 5x128, legally described as: Browndale Addition Lot 55—\$30.00.
28. A strip of ground located: Northeast Corner Cora and Lafayette, 37x29, legally described as: Drakes Addition 29.92 feet south end Lot 3 Block 17—\$50.00.
29. A strip of ground located: 13½ feet north of first alley north of 14th Street on east side of Mills, 13½ x 150, legally described as: St. John West Addition North ½ South ½ Lot 33—\$90.00.
30. Real estate located at 722 Fayette, legally described as: Wiley & Martins Subdivision Lot 29 Outlet 10 etc.—\$900.00.
31. A vacant lot located: 3rd lot south of 10th Street west side of Fayette, legally described as: E. Blakes Subdivision Lot 26 Outlet 166 etc.—\$395.00.
32. A vacant lot located: 5th lot north of St. Clair east side of Camp, legally described as: Wm. Y. Wileys Subdivision Lot 48 Outlet 162 etc.—\$475.00.

33. A vacant lot located: 2nd lot north of 9th Street west side of California Street, legally described as: J. Wileys Subdivision Lot 23 Outlot 164—\$390.00.
34. A vacant lot located: 2nd lot east Broadway north side St. Clair Street, legally described as: Youngs Subdivision Lot 10 Outlot 181—\$750.00.
35. A strip of ground located: 10 feet east of Church Street on north side of Morris, 10x30, legally described as: McCartys Subdivision Mid Section 10½ feet west of 39, ½ feet east of Lot 231 Outlot 120—\$50.00.
36. A vacant lot located: Northeast Corner of Wyoming and Senate, legally described as: J. V. McKernan Subdivision, McKernan and Pierces Subdivision Lot 16, 2 feet west side of Lot 15 Outlot 128—\$350.00.
37. A vacant lot located: 4th lot west side of Park south side Vermont Street, legally described as: Holts Subdivision Lot 8 Outlot 52—\$690.00.
38. A vacant lot located 3rd lot west of Park, south side Vermont, Legally described as: Holtz Subdivision Lot 9 Outlot 52—\$690.00.
39. Real estate located at: 422 North College, legally described as: T. R. Fletchers Subdivision except 20 feet off west end of south ½ of Lot 43 Outlot 51 and Outlot 54—\$975.00.
40. A vacant lot located: 129 feet south of Brookside Avenue south west side Newman, Pogues Run cuts off rear of lot, legally le-scribed as: Kistner's Brookside Subdivision east T. Fletchers 3rd Addition 82 feet north of 25 feet south end Lot 9—\$25.00.
41. A strip of ground located: off the rear of the 4th lot north of 18th Street on the west side of Rural, 10x20, legally described as: E. T. Fletchers 2nd Brookside 10 feet x 20 feet commencing 60 feet south of a point 80 feet east of northwest corner L37—\$20.00.
42. A strip of ground located: off the rear and east line of the 3rd lot west of Oxford and north side of Brookside, 3x76, legally de-

- scribed as Blues Subdivision, S. K. Fletchers 1st Brookside 3 feet x 25 feet northeast corner Lot 13, 3 feet x 41 feet south of 35 feet northeast corner Lot 13—\$25.00.
43. A vacant lot located: South side of Railroad on west side Bosart, North of 21st Street, legally described as: Home Lawn Addition 50 feet x 140.25 feet north and part of west $\frac{1}{2}$, southwest $\frac{1}{4}$ southeast $\frac{1}{4}$, section 28, township 16, range 4—\$425.00.
 44. A vacant lot located: 2nd lot east of Dorman south side of 9th Street, legally described as: Hanna Heirs Addition east $\frac{1}{2}$ Lot 64—\$425.00.
 45. A vacant lot located: 4th lot south of 10th on west side of Stillwell, legally described as: Churchman S Cottage Home Lot 8—\$490.00.
 46. A vacant lot located: 7th lot west of first alley west of State Street on south side of Market Street, legally described as: Ridenours 2nd Addition Lot 18 except 20.8 feet west side—\$315.00.
 47. A strip of ground located: 6th lot south of North Street on west side of Dearborn Street, 1x113, legally described as: Hoffmans East Michigan Street Addition, Section 2 one foot south side of Lot 47—\$15.00.
 48. Real estate located 1213 S. Charles Street, legally described as: McCartys South Addition 73.6 feet west end of Lot 58—\$990.00.
 49. A strip of ground located: 5 foot strip running north and south across 10th lot south of Terrace on the east side of Madison starting 32 feet from east end, 5x30, legally described as: Kappes Subdivision B F Morris Addition, 5 feet beginning 32 feet west of the east end of Lot 10—\$10.00.
 50. A strip of ground located: rear of Madison Avenue south of Caven, 4x240, legally described as: 4.76 feet x 240.88 feet along railroad right-of-way part of east $\frac{1}{2}$, southwest $\frac{1}{4}$ section 13, township 15, range 3, 1084 square feet—\$50.00.
 51. A strip of ground located: rear of Madison Avenue south of

- Caven, 3x235, legally described as: Strip of ground 3 feet x 235.5 feet along railroad right-of-way part east $\frac{1}{2}$, southwest $\frac{1}{4}$, section 13, township 15, range 3, 706 square feet—\$50.00.
52. Real estate located in the 1900 block S. Meridian Street, legally described as: 25.8 feet north side of 130 feet east end Lot 2, 5 feet south side of 130 feet east end of Lot 1—\$650.00.
53. Real estate located at 1261 Nordyke, legally described as: McCarty's 3rd west side addition 19 feet south east side of Lot 96—\$1,250.00.
54. Real estate located at 1226 S. Harding Street, legally described as: Miami Powder Cos. Addition Lot 7—\$1,000.00.
55. Real estate located at 1438 Blain Avenue, legally described as: McCarty's first West Side Addition Lot 40—\$1,750.00.
56. A strip of ground located: (See Plot) 2nd lot south of railroad east side of Oxford north of Terrace, legally described as: Murphys Southeast Addition except for Railroad Lot 111—\$10.00.
57. A vacant lot located: 2nd lot east of Boyd on south side of Cruft, legally described as: Holliday's Garfield Park Addition Lot 387—\$25.00.
58. A strip of ground located: west side of 2nd lot east of Shelby south side of Wade, 10x40, legally described as: Julian et al Spring Garden Addition 10 feet south end of Lot 5—\$10.00.
59. Real estate located at: 1718 South Draper Street, legally described as: Hunts Southeast Addition Lot 52—\$750.00.
60. A vacant lot located: 2nd lot north of Cottage east side of Dawson, legally described as: Hillcrest Lot 109—\$260.41.
61. Real estate located at: 1201 South State Street, legally described as: Ostermeyers Prospect Street Addition Lot 20, Ostermeyers Prospect Street Addition 10 feet south of and adjacent to Lot 20—\$725.00.

62. A vacant lot located: 62 feet west of Diamond south side of Moonstone in Pike Township, legally described as: Augusta Heights 50 feet west side of Lot 11 Block R—\$75.00.
63. A strip of ground located: 3rd lot south of Martha west side of Lynhurst, $2\frac{1}{2}$ ($3\frac{1}{2}$) x 121, legally described as: Broadhurst 2 $\frac{5}{12}$ feet E L X, $\frac{3}{12}$ feet W L S Side Lot 24, Wayne Township—\$25.00.
64. A strip of ground located: 3 foot strip off south side of 4th lot south of Ironton on the west side of Mars Hill, 3x130, legally described as: Mars Hill Addition 3 feet south side of Lot 1377, Wayne Township—\$5.00.
65. A vacant lot located: 6th lot north of Ray on east side of Ingo-mar Street, legally described as: Biltmore Gardens Lot 441 in Wayne Township—\$150.00.
66. A vacant lot located: 115 feet east of Girl School Road on the north side of Bertha, legally described: Waynecroft Lot 112 in Wayne Township—\$150.00.
67. A vacant lot located: 4th lot east of Waynecroft south side of Henry legally described as Waynecroft Lot 242 in Wayne Township—\$150.00.
68. A vacant lot located: 335 feet west of Pershing on north side of Morgan, legally described as: Belmont Place 50 feet east side of Lot 28 in Wayne Township—\$195.00.
69. A vacant lot located: 200 feet north of Morris east side of Auburn, at rear of 4948 Morris Street, facing Auburn, legally described as: M. J. Smitsons Subdivision 75 feet x 25 feet north of 200 feet southwest corner Lot 1 in Wayne Township—\$50.00.
70. A vacant lot located: approximately 600 feet south of Washington Street, east side of Girl School Road, legally described as: south of National Road WL northwest $\frac{1}{4}$, southwest $\frac{1}{4}$ section 14, township 15 range 2, 0.49 acre in Wayne Township—\$975.00.

Section 2. Said real estate shall not be sold for not less than the

full appraised value thereof, as set forth in Section 1.

Section 3. Said real estate shall be sold at public auction for cash as provided in Section 8, Chapter 271 of Indiana Acts of 1907, as amended.

Section 4. That the said Board of Commissioners fix the time of said sale and give notice of the sale of the above described property as required by law.

Which was read for the first time and referred to the Committee on County and Townships.

CITY-COUNTY SPECIAL RESOLUTIONS

CITY-COUNTY SPECIAL RESOLUTION NO. 10, 1970

Introduced by Councilman Williams:

A RESOLUTION to confirm and adopt the Board of Park Commissioners' grant of a perpetual easement to the State of Indiana:

WHEREAS, the predecessor to the Department of Parks and Recreation of the City of Indianapolis, to-wit, the Board of Park Commissioners of the City of Indianapolis, on October 22, 1969, granted to the State of Indiana, and particularly to the State Highway Commission, a perpetual easement for an underground sewer involving certain real estate in the said easement described, a copy of which said easement is attached hereto, made a part hereof and for certainty designated Exhibit "A"; and

WHEREAS, it has been determined by the grantee of said easement that the grantor thereof did not at the time of the granting of said easement have the record title to the real estate which was the subject of such easement even though it had exercised dominion and control over such real estate for many years; and

WHEREAS, the only records available in the office of the Recorder of Marion County, Indiana, reflect that the record title to said real estate still remains in the City of Indianapolis, and

WHEREAS, the grantee of said easement has requested that the City of Indianapolis, acting by and through its City-County Council, ratify, confirm and adopt the easement granted to it by the said Board of Park Commissioners in order that its title to said easement may be insurable by a title insurance company.

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

Section 1. That the grant of easement by the Board of Park Commissioners of the City of Indianapolis to the State of Indiana dated October 22, 1969, and a copy of which is attached to this Special Resolution as Exhibit "A" be, and the same is hereby ratified, confirmed and adopted by the City of Indianapolis.

Section 2. That this resolution shall be in full force and effect from and after its passage, approval by the Mayor, and publication as required by law.

HIGHWAY EASEMENT GRANT
FOR CONSTRUCTION AND MAINTENANCE
OF SEWER CONDUIT

THIS INDENTURE WITNESSETH, That Board of Park Commissioners of City of Indianapolis (hereafter called Grantor) of Marion County, in the State of Indiana, conveys and grants to the State of Indiana (hereinafter called Grantee) a perpetual easement of the nature and at the locations as hereinafter set forth and described for the location, construction, operation, inspection, maintenance and reconstruction of an underground storm sewer conduit as same is set out and identified by surveys and on plans on file in the office of the Indiana State Highway Commission being identified as Project I-70-3 (54)80, Parcel 825, located in Marion County, State of Indiana, and as said easement is further described, to-wit:

A part of the northwest quarter of the northwest quarter of Sec-33, Township 16 North, Range 4 East, Marion County, Indiana, described as follows: Beginning south 0 degrees 40 minutes 33 seconds east 750.00 feet (along the west line of said quarter-quarter section) and north 89 degrees 06 minutes 45 seconds east 365 feet (parallel with the north line of said quarter-quarter section) from the northwest corner of said quarter-quarter section, which point of beginning is the intersection of a north line of owner's land and the east line of the land formerly owned by the Indianapolis, New Castle and Toledo Electric Railway Company described by deed as recorded December 23, 1909, in Land Record 52, page 352, in the office of the Recorder of Marion County, Indiana; thence south 0 degrees 40 minutes 33 seconds east 64.52 feet along said east line and parallel with the

west line of said quarter-quarter section; thence north 68 degrees 38 minutes 27 seconds east 32.07 feet; thence north 0 degrees 40 minutes 33 seconds west 53.31 feet parallel with the west line of said quarter-quarter section to a north line of the owner's land; thence south 89 degrees 06 minutes 45 seconds west 30.00 feet parallel with the north line of said quarter-quarter section and along said north line of the owner's land to the point of beginning and containing 0.041 acres, more or less.

Also, a part of the northwest quarter of the northwest quarter of Section 33, Township 16 North, Range 4 East, Marion County, Indiana, described as follows: Beginning on the east boundary of Sherman Drive 27.05 feet northerly (along the west line of said quarter-quarter section) and 55.00 feet easterly (at right angles to said west line) from the southwest corner of said quarter-quarter section, which point of beginning is on the northern line of the land formerly owned by the Indianapolis, New Castle and Toledo Electric Railway Company as described by deed, recorded December 23, 1909, in Land Record 52, page 352, in the office of the Recorder of Marion County, Indiana; thence north 0 degrees 40 minutes 33 seconds west 464.21 feet along said boundary of Sherman Drive; thence north 68 degrees 26 minutes 24 seconds east 269.25 feet to a north line of the owner's land; thence north 89 degrees 06 minutes 45 seconds east 28.44 feet along said north line and parallel with the north line of said quarter-quarter section to the west line of said railway; thence south 0 degrees 40 minutes 33 seconds east 75.74 feet along said west line and parallel with the west line of said quarter-quarter section; thence south 68 degrees 38 minutes 27 seconds west 182.18 feet; thence north 17 degrees 22 minutes 30 seconds west 20.88 feet; thence south 68 degrees 00 minutes 33 seconds west 88.02 feet; thence south 0 degrees 40 minutes 33 seconds east 68.00 feet; thence north 89 degrees 19 minutes 27 seconds east 9.00 feet; thence south 1 degree 11 minutes 32 seconds east 332.85 feet to the northern line of said railway; thence along said northern line southwesterly 34.37 feet along an arc to the right and having a radius of 335.00 feet and subtended by a long chord having a bearing of south 76 degrees 56 minutes 07 seconds west and a length of 34.36 feet to the point of beginning and containing 0.775 acres, more or less.

Also, a part of the northwest quarter of the northwest quarter of Section 33, Township 16 North, Range 4 East, Marion County, Indiana, described as follows: Beginning on the south line of said quarter-quarter section 74.67 feet easterly of the southwest corner of

said quarter-quarter section, which point of beginning is on the southern line of the land formerly owned by the Indianapolis, New Castle and Toledo Electric Railroad Company as described by deed, recorded December 23, 1969, in Land Record 52, page 352, in the office of the Recorder of Marion County, Indiana; thence along said southern line northeasterly 19.41 feet along an arc to the left and having a radius of 365.00 feet and subtended by a long chord having a bearing of north 75 degrees 59 minutes 46 seconds east and a length of 19.41 feet; thence south 13 degrees 26 minutes 00 seconds east 4.53 feet to the south line of said quarter-quarter section; thence westerly 19.89 feet along said south line to the point of beginning and containing 0.001 acres, more or less.

The easement as granted shall pertain to the surface and subsurface rights and interests of the grantor, for the use and benefit of the grantee, to the nature and extent that the grantee may need said surface ad subsection rights and interests to accomplish and carry out the general purposes of this conveyance as same have hereinbefore been expressed.

The grantor herein shall not construct, maintain, allow or suffer any improvements to be placed on or over the above described easement.

Neither the grantee nor its successors in title shall erect any fence, blockade or other device which will prevent or obstruct access or passage on and over the surface of the easement area, provided that such access use shall not in anyway tend to endanger, damage or harm the storm sewer conduit facility as ultimately constructed.

The grantor reserves the right to use and occupy the surface area on and over the easement provided that said use and occupancy does not in any way conflict or obstruct the grantee's right to use said surface for the purposes and intentions hereinabove expressed, including specifically but not limiting thereto, the grantee's right to excavate, remove and in any other manner use said surface for the construction, inspection, maintenace and repair of the storm sewer conduit facility.

The grant is executed and delivered to the State of Indiana for the use and benefit of the State Highway Commission pursuant to the authority vested in municipal corporations by Section 2, Chapter 180, of the Acts of 1959 (Burns' Statutes 36-2959), for the location,

relocation, construction, reconstruction, repair or maintenance of a State Highway, including such as may be reasonably necessary for the clearing and removing of obstructions to vision at highway crossings and curves, or for other highway purposes, or purposes reasonably incident thereto.

The consideration for this conveyance is \$4,984.00.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seal this 22nd day of October, 1969.

Board of Park Commissioners of the City
of Indianapolis

John R. Benbow, President of Board (Seal)
M. Dugan, Member—Commissioner (Seal)
J. Solomon, Member—Commissioner (Seal)

State of Indiana, Marion County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 23rd day of October, A.D. 1969, personally appeared the within named Board of Park Commissioners, City of Indianapolis, John R. Benbow, Pres., M. Dugan, Commissioner, J. Solomon, Commissioner, Grantors in the above conveyance, and acknowledged the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

I have hereunto subscribed my hand and affixed my official seal.

(Seal) Ruth Margaret Kirk, Notary Public
My Commission expires Dec. 27, 1971.

This instrument prepared by: John W. Brossart, Attorney

Which was read for the first time and referred to the Committee on Public Parks & Recreation.

CITY-COUNTY SPECIAL RESOLUTION NO. 12, 1970

Introduced by Councilman McPherson:

A RESOLUTION authorizing submission of an application to the United States Department of Housing and Urban Development or other Federal Agencies for a grant to the Model Cities Administration in Indianapolis, Indiana.

WHEREAS, the City-County Council recognizes the need for obtaining federal reimbursement of expenditures for the 90-day interim budget of the Model Cities Administration in Indianapolis, and

WHEREAS, a proposed budget has been submitted in the amount of \$393,116.00 for the period of March 6, through June 6, 1970, and a letter to proceed with \$355,230.00 of such fund to be reimbursed.

WHEREAS, the Secretary has tendered a proposed contract under which the United States of America herein called the "Government" agrees to grant to pay the lesser of Two Hundred Twenty-five Thousand Dollars (\$225,000) or 80% of the costs of planning and developing of a comprehensive city demonstration program.

NOW, THEREFORE, be it resolved by the City-County Council of Indianapolis as follows:

Section 1. The proposed 90-day interim budget for Model Cities Administration in Indianapolis is hereby approved.

Section 2. The Mayor of the City of Indianapolis, or his lawful successor is hereby authorized and directed to execute an application and all necessary documents to obtain the maximum reimbursement of the 90-day interim budget from the United States Department of Housing and Urban Development or other federal agencies. The mayor is hereby authorized and directed to impress and attest the official seal on the necessary counterparts of said proposed application, supporting documents and any amendments thereto, and to forward such counterparts to the proper federal authorities to obtain reimbursement to the Model Cities Administration which shall thereupon reimburse the City General Fund.

Section 3. The Mayor of the City of Indianapolis, or his lawful successor, is hereby authorized to file requisitions, together with necessary supporting documents, with the Government, from time to time as grant funds are required, requesting payments to be made

on account of the application and to do and perform all other things and acts required to be done or performed in order to obtain such payments.

Section 4. The City of Indianapolis hereby gives its assurance that the necessary non-federal share of the cost of the 90-day interim budget will be duly provided.

Section 5. This Resolution shall take effect immediately upon its passage, signature by the Mayor, and such publication as may be required by law.

Which was read for the first time and referred to the Committee on Public Works.

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 1970

Introduced by Councilman Egenes:

A RESOLUTION authorizing the filing of an application for a grant under Section 116 of the Federal Housing Act of 1949, as amended, for two-thirds of the cost, estimated at \$201,013.33 of demolition of houses condemned as unfit under state and local law.

Which was read for the first time and referred to the Committee on Metropolitan Development.

ORDINANCES ON SECOND READING

Mr. Egenes called for a second reading of General Ordinance Nos. 52, 53, 54, and 55, 1970.

The Clerk read the Ordinances for the second time.

Mr. Egenes reported that the Committee on Metropolitan Development recommended that the ordinances be passed.

After discussion and on motion of Mr. Egenes, seconded by Mr. Gorham, the ordinances passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes called for a second reading of General Ordinance Nos. 57, 58, 59, 60, 61, 62, 63, and 64, 1970.

The Clerk read the ordinances for the second time.

Mr. Egenes reported that the Committee on Metropolitan Development recommended passage of these ordinances.

After discussion and on motion of Mr. Egenes, seconded by Mr. Gorham, the ordinances passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes called for a second reading of General Ordinance No. 11, 1970.

The Clerk read the ordinance for the second time.

Mr. Egenes reported that the Committee on Metro-

politan Development recommended passage of this ordinance.

After discussion and on motion of Mr. Egenes, seconded by Mr. Gorham, the ordinance passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes reported that the Committee on Metropolitan Development recommended that General Ordinance No. 56, 1970, be held for further study.

Mr. Byrum called for a second reading of Appropriation Ordinance No. 2, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum reported that the Committee of Transportation recommended passage of this ordinance.

After discussion and on motion of Mr. Byrum, seconded by Mr. Egenes, the ordinance passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Byrum called for a second reading of General Ordinance No. 51, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum reported that the Committee on Transportation recommended passage.

After discussion and on motion of Mr. Byrum, seconded by Mr. Egenes, the ordinance passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Byrum moved, seconded by Mr. Gorham, that General Ordinance Nos. 49 and 50, 1970 be tabled.

The motion passed by unanimous voice vote.

Mr. Byrum called for a second reading of Appropriation Ordinance No. 6, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum reported that the Committee on Transportation recommended passage of this ordinance.

After discussion and on motion of Mr. Byrum, seconded by Mr. Egenes, the ordinance passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Cottingham called for a second reading of Appropriation Ordinance No. 4, 1970.

The Clerk read the ordinance for the second time.

Mr. Cottingham reported that the Committee on County & Townships recommended that this ordinance be amended and passed.

Mr. Cottingham moved, seconded by Mr. Byrum, that the ordinance be amended as follows:

Indianapolis, Ind., April 6, 1970

Mr. President:

I move that City-County Appropriation Ordinance No. 4, 1970, be amended by striking out the \$30,000 appropriation to the Marion County General Fund so that said ordinance in its amended form will be as it is in the amended version which all of the Council members have before them tonight.

DWIGHT L. COTTINGHAM, Councilman

The motion to amend passed by unanimous voice vote:

After discussion, and on motion of Mr. Egenes, seconded by Mr. Byrum, the ordinance failed to pass for lack of a two-thirds majority; the roll call vote was as follows:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 5, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal, and Mr. Moriarty.

Mr. Cottingham called for a second reading of Appropriation Ordinance No. 5, 1970.

The Clerk read the ordinance for the second time.

Mr. Cottingham reported that the Committee on County & Townships recommended passage of this ordinance.

After discussion, and on motion of Mr. Cottingham, seconded by Mr. Egenes, the ordinance passed on the following roll call vote:

Ayes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Moriarty, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. McPherson called for a second reading of Special Resolution No. 8, 1970.

The Clerk read the resolution for the second time.

Mr. McPherson reported that the Committee on Model Cities recommended passage of the resolution.

After discussion, and on motion of Mr. McPherson,

seconded by Mr. Boyd, the resolution passed by unanimous voice vote.

NEW BUSINESS

President Hasbrook asked for the consent of the Council to reassign General Ordinance No. 82, 1970, and Special Resolution No. 12, 1970, to the Special Committee on Model Cities.

The consent of the Council was unanimous.

Mr. Byrum moved, seconded by Mr. Gorham, for the adoption of Special Resolution No. 11, 1970, which was read as follows:

CITY-COUNCIL SPECIAL RESOLUTION NO. 11, 1970

DEPARTMENT OF TRANSPORTATION RESOLUTION NO. 6, 1970

A JOINT RESOLUTION authorizing the procedure for obtaining official approval of thoroughfare improvement plans.

IT IS, THEREFORE, RESOLVED, by the Board of Directors of the Department of Transportation and the Transportation Committee of the Unified Council that the attached Procedure for Obtaining Official Approval of Thoroughfare Improvement Plans be, and it is hereby approved this 19th day of March, 1970.

BOARD OF DIRECTORS
Richard B. Wetzel, Chairman
William K. Byrum, Vice Chairman
Gary L. Booher
Harold J. Egenes
Jack F. Patterson

TRANSPORTATION COMMITTEE

William K. Byrum, Chairman

Harold J. Egenes

Jerome E. Forestal

PROCEDURE FOR OBTAINING
OFFICIAL APPROVAL OF THOROUGHFARE
IMPROVEMENT PLANS**A. Approval of Metropolitan Development Commission**

The Director of Transportation shall collect the following information on each Project, for which expenditure of substantial funds is sought in any coming year, and shall do so for an entire year's program, insofar as feasible:

1. Location and length of each Project.
2. Delineation of corridor, estimated width, and amount of additional land needed, if any.
3. Whether access control would be sought, and to what extent.
4. A general description of physical characteristics of roadway (number and width of lanes, median dividers, curbs, etc.).

The foregoing general information shall be presented to the Transportation Board, and after that Board's approval, to the Metropolitan Development Commission for review and approval, before any city funds are expended on any Project, other than such expenditures as may be necessary in order to acquire the information above.

After the Metropolitan Development Commission has approved the above-described plans, the Department of Transportation may proceed with its procedures for final approval of any Project at any time within one year.

B. Approval of Transportation Board and City-County Council.

At any time after receipt by Department of Transportation of official notice that the Metropolitan Development Commission has approved the Plans submitted to it, the Director of Transportation shall

cause to be prepared, in compliance with the Commission's approvals, a proposed "Official Thoroughfare Improvement Program" for Marion County. Said Program shall show what work is scheduled for completion in each year on each Project, for as many years into the immediate future as the Director of Transportation shall think best. Cost estimates shall be included in such program for the year immediately following, for the portions of each Project which are planned for that year. Separate cost estimates shall be included for Engineering, Land Acquisition, and actual Construction, with such further breakdown as Director of Transportation shall think best.

When a proposed "Official Thoroughfare Improvement Program" is completed to the satisfaction of the Director of Transportation, he shall present said proposed Program to the Transportation Board. The following explicit provisions of the "Unigov" Act shall then be followed in regard to such proposed Program.

Sec. 1005. Resolution on Projects of the District. Whenever the Transportation Board shall determine that it is necessary for the general welfare of the persons residing within the Metropolitan Thoroughfare District and that it will be of public utility and benefit to the property in said district to undertake and carry out any project of construction, reconstruction or operation upon thoroughfares within the District, they shall adopt a resolution of the necessity of such project and the purpose of the Department of Transportation to proceed therewith. The Transportation Board, as a part of such resolution, shall adopt the plans and specifications proposed for the entire project, and shall determine the estimated cost of all work and all acquisitions necessary to carry out such project.

Sec. 1006. Notice of the Resolution. The Resolution plans and estimates, and all other matters included with the resolution shall be filed and opened to inspection by the public at the office of the Department of Transportation. The Director shall thereupon give notice of the adoption and general purport of such resolution, and included material, have been prepared and on file in the office of the Department and can be inspected. That notice shall be published in one daily newspaper of general circulation published within the County once each week for two (2) consecutive weeks. The notice shall name a date not less than ten (10) days after the date of last publication on which the Transportation Board will receive and hear objections from any person interested in or who will be affected by such resolution.

Sec. 1007. Public Hearing on Resolution. At or before the time fixed for the hearing designated in such notice, any person interested in or who will be affected by such proposed project may each or all file with the Director a written remonstrance against the proposed project, in whole or in part. At such hearing, which may be adjourned from time to time, the Board shall hear all persons who are interested in such proceedings and shall finally determine whether or not such proposed project, in whole or in any part, is necessary for the general welfare of the persons residing within the Metropolitan Thoroughfare District and will be of public utility and benefit to the property in said district and may confirm, or modify, or rescind such resolution. The decision shall be entered in the records of the Department of Transportation and shall be submitted to the City-County Council as a resolution, to be acted upon as provided in this Act.

Sec. 1008. Approval by Council. If the City-County Council shall approve the resolution of the Transportation Board, the Director shall proceed with the project, work and capital improvements, or any parts thereof, and shall let any and all contract therefor, upon separate plans and specifications, all in the manner provided by law. The projects authorized may be modified by the Board if it deems such modification necessary to carry out the purpose and intent of the declaration and resolution so long as the modifications do not increase the estimate of the total cost of the project as adopted in the original resolution. All other changes must be processed as new declarations.

Said "Official Thoroughfare Improvement Program" shall thereafter be updated and reviewed by the Transportation Board and City-County Council on an annual basis.

Special Resolution No. 11, 1970, was adopted by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. Leak, for the adoption of Special Resolution No. 15, 1970, which was read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1970

SPECIAL RESOLUTION OF THE CITY-COUNTY COUNCIL OF

THE CITY OF INDIANAPOLIS, ON THE PASSING OF FRANK JOHN UNVERSAW.

WHEREAS, Frank S. Unversaw, who passed away March 6, 1970, was a distinguished citizen of the City of Indianapolis where he was born and lived all of his life; and

WHEREAS, Frank J. Unversaw was the County Surveyor of Marion County for ten years, from 1952 through 1962; and

WHEREAS, Frank J. Unversaw also served the City of Indianapolis as a member of various boards and commissions; and

WHEREAS, Frank J. Unversaw was a Precinct Committeeman, Ward Chairman and County Chairman of his chosen political party; and

WHEREAS, Frank J. Unversaw was active in his church and in professional organizations of registered engineers and land surveyors, local and national; and

WHEREAS, the City of Indianapolis and Marion County have, in the passing of Frank J. Unversaw, lost a loyal and civic minded citizen.

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

That the City-County Council does hereby declare its deep regret at the passing of Frank J. Unversaw and does further convey to the members of his family the sympathy and condolences of the City-County Council of the City of Indianapolis, and instructs the City Clerk to spread a copy of this Special Resolution in the Journal of the City-County Council and to send a copy of this Special Resolution to the family of Frank J. Unversaw.

Special Resolution was adopted by unanimous voice vote.

Mr. Cottingham moved, seconded by Mr. Egenes, for

the adoption of Special Resolution No. 13, 1970, which was read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 1970

A RESOLUTION authorizing the temporary advance and transfer of one million dollars (\$1,000,000.00) from the Marion County Cumulative Bridge Fund to the Marion County General Fund.

WHEREAS the Marion County General Fund is without sufficient cash to meet current obligations, and

WHEREAS there is sufficient cash in the Marion County Cumulative Bridge Fund to allow a temporary advance and transfer from such fund to the Marion County General Fund of one million dollars (\$1,000,000.00), and

WHEREAS the Auditor of Marion County recommends such transfer, and such transfer has been approved by the Board of Commissioners of Marion County and the Department of Transportation of the City of Indianapolis.

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

Section 1. That the temporary advancement and transfer of one million dollars (\$1,000,000.00) from the Marion County Cumulative Bridge Fund to the Marion County General Fund be and is hereby approved.

Section 2. That such sum shall be repaid to the Marion County Cumulative Bridge Fund upon the giving of thirty (30) days notice by the Board of Commissioners but in no event later than the end of the 1970 budget year.

The Resolution passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 5, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Forestal, and Mr. Moriarty.

After consultation with Mr. SerVaas and Mr. Northrup, Attorney for the City-County Council, President Hasbrook announced that a decision on Appropriation Ordinance No. 4, 1970, as amended, would be considered pending until a legal opinion was rendered by Mr. Northrup.

Mr. Moriarty wished to go on record as opposing the passage of the ordinance as being illegal, even if the legal opinion is favorable.

The Clerk stated that the ordinance would not be certified by her until a legal opinion is received.

President Hasbrook announced that there would be a Special Meeting on April 20, 1970, at 6:30 P.M.

On motion of Rev. Williams, seconded by Mr. Gorham, the Council adjourned at 8:45 P.M.

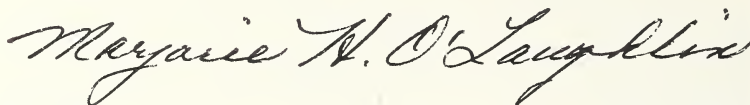
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 6th day of April, 1970.

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



President

ATTEST:



(SEAL)

City Clerk