

SPECIAL MEETING

Monday, April 26, 1971, 6:30 P.M.

A Special Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 6:30 P.M. on Monday, April 26, 1971.

President Hasbrook in the Chair.

The Clerk read the call for the Special Meeting.

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

GENTLEMEN:

You are hereby notified that there will be a SPECIAL MEETING of the City-County Council held in the Council Chamber on Monday, April 26, 1971 at 6:30 P.M., the purpose of such SPECIAL MEETING being to receive communications from the Mayor and other City-County officials, introduce new ordinances, consider for final action all ordinances and resolutions enumerated on the attached Agenda, which is hereby incorporated into this notice by reference, and to conduct any and all other business requiring the attention of the Council at this time.

Respectfully,

THOMAS C. HASBROOK, President  
City-County Council

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

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

MARJORIE H. O'LAUGHLIN  
City Clerk

(SEAL)

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. SerVaas, Rev. Williams, and President Hasbrook.

Absent: Mr. Neal.

Mr. McPherson moved, seconded by Mr. Gorham, to dispense with the reading of the Journal of the previous meeting, which passed unanimously.

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

April 8, 1971

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

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 and resolutions:

GENERAL ORDINANCE NO. 43, 1971, amending the Municipal Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 44, 1971, amending the Municipal Code, Title 4, Chapter 7, Section 711, Stopping at Certain Intersections.

GENERAL ORDINANCE NO. 45, 1971, Amending the Municipal Code, Title 4, Chapter 8, Section 812, Parking Prohibited At All Times on Certain Streets.

GENERAL ORDINANCE NO. 58, 1971, amenging Title 8, 8-1608 (1) (c) of the Code of Indianapolis-Marion County, 1970, reducing the annual journeyman plumbers' license fee from \$25.00 to \$10.00.

SPECIAL RESOLUTION NO. 12, 1971, authorizing the Director of Public Safety to file an application with the U.S. Department of Transportation for a Federal Alcohol Safety Action Project Grant, as well as to apply for \$10,000 in assistance funds to prepare said application.

SPECIAL RESOLUTION NO. 13, 1971, authorizing the Department of Metropolitan Development to apply for federal funds for a survey and planning activity of a proposed urban renewal project designated as "Brightwood S & P No. 1."

Respectfully submitted,

RICHARD G. LUGAR  
Mayor

April 26, 1971

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be publish-

ed a "Notice of Special Meeting" in the Indianapolis News and the Indianapolis Commercial once on April 21, 1971.

Also, I caused to be posted in three public places and published in the Indianapolis News and the Indianapolis Commercial on April 15, and 22, 1971, a "Notice to Taxpayers" of a public hearing on Appropriation Ordinance Nos. 12 and 13, 1971, and Special Ordinance No. 5, 1971, to be held on Monday, April 26, 1971, in Room 221 of the City-County Building at 6:30 P.M.

Also, I caused to be published in the above-named newspapers: General Ordinance Nos. 43, 44, 45, and 58, 1971 on April 13, and 19, 1971.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
City Clerk

April 26, 1971

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

RE: "Indianapolis Sports Stadium  
Bonds of 1971"

Dear President Hasbrook:

I have been presented with a copy of Resolution No. 2034-1971 of the Board of the Department of Public Works of the City of Indianapolis, Indiana, wherein said Board has determined that it would be for the best interests of said City and its citizens to provide for construction and equipment of, an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: also, the development and improvement of the land owned by the City, known as the City Market area, at a cost not exceeding twelve million dollars (\$12,000,000.00), the costs of said project to include the incidental expenses necessary

April 26, 1971]

Indianapolis, Marion Co., Ind.

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to be incurred in connection therewith and on account of the issuance of bonds therefore.

Pursuant to the provisions of the Indiana Code of 1971, 18-4-4-4.5, I find that the costs of said projects have caused a necessity to arise for further appropriations during this budget year for such purposes, and I am hereby approving the request of the Board of said department and recommending to the City County Council that the funds necessary to cover such appropriations be obtained by the issuance and sale of general obligation bonds of the City of Indianapolis.

Very truly yours

FRED L. ARMSTRONG  
City Controller

FLA:jrh

April 26, 1971

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of the following City-County ordinances:

APPROPRIATION ORDINANCE NO. 14, 1971, transferring \$43,400.00 in the County Fund to certain designated purposes of the Criminal Court of Marion County, Division I.

APPROPRIATION ORDINANCE NO. 15, 1971, transferring \$43,350.00 in the County Fund to certain designated purposes of the Criminal Court of Marion County, Division II.

APPROPRIATION ORDINANCE NO. 16, 1971, transferring \$1,792.95 in the County Fund to certain designated purposes of the Superior Court of Marion County, Room 7.

APPROPRIATION ORDINANCE NO. 17, 1971, transferring \$13,-

841.06 in the County Fund to certain designated purposes of the County Commissioners.

APPROPRIATION ORDINANCE NO. 18, 1971, transferring \$98,000.00 in the County Welfare Fund to certain designated purposes of the County Department of Public Welfare.

DWIGHT L. COTTINGHAM  
Councilman

APPROPRIATION ORDINANCE NO. 19, 1971, transferring \$3,902,078.88 from the unexpended balance of the Marion County Cumulative Bridge Fund to certain designated bridge projects.

WILLIAM K. BYRUM  
Councilman

APPROPRIATION ORDINANCE NO. 20, 1971, appropriating \$12,000,000.00 for the purpose of providing funds to be applied on the cost of construction and equipment of an indoor sports stadium in the central area of the City of Indianapolis, together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of land owned by the City, known as the City Market area; and for incidental expense to be incurred in connection therewith and on an account of the issuance of bonds therefor.

HAROLD J. EGENES  
Councilman

GENERAL ORDINANCE NO. 70 - 73, 1971, rezoning ordinances certified by the Metropolitan Development Commission on April 8, 1971, which were introduced via the Metropolitan Development Committee on April 14, 1971.

GENERAL ORDINANCE NO. 74, 1971, rezoning ordinance certified by the Metropolitan Development Commission on April 6, 1971, which was introduced via the Metropolitan Development Committee on April 14, 1971.

GENERAL ORDINANCE NO. 79 - 86, 1971, rezoning ordinances

certified by the Metropolitan Development Commission on April 22, 1971.

HAROLD J. EGENES  
Councilman

GENERAL ORDINANCE NO. 75, 1971, amending the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets, and Section 711, Stopping at Certain Intersections, and providing penalties.

GENERAL ORDINANCE NO. 76, 1971, amending the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 8, Section 822, Parking Limited to One and One-half Hours Between 7:00 A.M. and 6:00 P.M., Except on Sundays, on Certain Streets, and providing penalties.

GENERAL ORDINANCE NO. 77, 1971, amending the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 4, Section 403, Alteration of Prima Facie Speed Limits, and providing penalties.

WILLIAM K. BYRUM  
Councilman

GENERAL ORDINANCE NO. 78, 1971, authorizing the issuance and sale of bonds of the City for the purpose of providing funds to be applied on the cost of construction and equipment of an indoor sports stadium in the central area of the City, together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of land owned by the City, known as the City Market area; and for incidental expenses to be incurred in connection therewith and on account of the issuance of bonds therefor.

WILLIAM K. BYRUM  
Councilman

April 5, 1971

Mrs. Marjorie O'Laughlin  
Clerk  
Marion County City Council  
City-County Building #241  
Indianapolis, Indiana 46204

Dear Mrs. O'Laughlin:

This is to advise of my resignation as the Democratic appointee of the City-County Council to the Metropolitan Development Commission. It has been a pleasure to serve on this Commission as your representative and my resignation is occasioned only by my acceptance of a position in Washington, D.C.

Thank you very much for your kind consideration.

Very truly yours,

F. KEITH LEACH

FKL:phd

Mr. Leak requested permission to introduce his appointee to the Mayor's Youth Commission, which was granted.

Mr. Leak introduced Miss Nikki Sanders to the Council.

President Hasbrook called for the introduction of new ordinances.

## NEW ORDINANCES

### APPROPRIATION ORDINANCES

CITY-COUNTY APPROPRIATION ORDINANCE NO. 14, 1971



Introduced by Councilman Cottingham:

AN ORDINANCE transferring and appropriating the sum of Forty-three thousand four hundred dollars (\$43,400.00) in the County Fund from the unappropriated County General Fund to certain designated purposes of the Criminal Court of Marion County, Division I, as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970, as amended and declaring an emergency.

WHEREAS, an extraordinary condition exists in the Criminal Court, Division One, in that the Budget for 1971 was predicated upon an assumption that new criminal courts would be created within the county during the calendar year 1971; and

WHEREAS, an emergency exists for the appropriation of additional funds in that the amounts appropriated in the 1971 Budget are insufficient to meet the needs of said court in the opinion of the judge of that court; and

WHEREAS, there are available unappropriated monies in the County General Fund which may be transferred and appropriated in sufficient amounts to meet such emergency needs.

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

Section 1. The sum of Forty-three thousand four hundred dollars (\$43,400.00) be, and the same is hereby, transferred from the unappropriated County General Fund shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

Unappropriated County General Fund	\$ 43,400.00
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TOTAL REDUCTIONS	\$ 43,400.00

INCREASE:	County General Fund
CRIMINAL COURT, DIVISION ONE	
100—Services, personal	\$ 39,900.00
400—Current Charges	3,500.00
	<hr/>
TOTAL INCREASES	\$ 43,400.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 15, 1971

AN ORDINANCE transferring and appropriating the sum of Forty-three thousand three hundred fifty dollars (\$43,350.00) in the County Fund from the unappropriated County General Fund to certain designated purposes of the Criminal Court of Marion County, Division II, as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970, as amended and declaring an emergency.

WHEREAS, an extraordinary condition exists in the Criminal Court, Division II, in that the Budget for 1971 was predicated upon an assumption that new criminal courts would be created within the county during the calendar year 1971; and

WHEREAS, an emergency exists for the appropriation of additional funds in that the amounts appropriated in the 1971 Budget are insufficient to meet the needs of said court in the opinion of the judge of that court; and

WHEREAS, there are available unappropriated monies in the County General Fund which may be transferred and appropriated in sufficient amounts to meet such emergency needs.

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

Section 1. The sum of Forty-three thousand three hundred fifty

dollars (\$43,350.00) be, and the same is hereby, transferred from the unappropriated County General Fund shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

Unappropriated County General Fund	\$ 43,350.00
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TOTAL REDUCTIONS	\$ 43,350.00

County General  
Fund

INCREASES:

CRIMINAL COURT, DIVISION II

100—Services, personal	\$ 38,850.00
400—Current Charges	4,500.00
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TOTAL INCREASES	\$ 43,350.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 16, 1971

AN ORDINANCE transferring and appropriating the sum of One thousand seven hundred ninety-two dollars and ninety-five cents (\$1,792.95) in the County Fund from the unappropriated County General Fund to certain designated purposes of the Superior Court of Marion County, Room 7, as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970, as amended and declaring an emergency.

WHEREAS, an extraordinary condition exists in the Superior Court of Marion County, Room 7, in that the recording and transcribing equipment used in said court room was defective and not in such condition as could be economically repaired; and

WHEREAS, an emergency exists for the appropriation of funds to

pay for the purchase and installment of new recording and transcribing equipment in said court; and

WHEREAS, there are available unappropriated monies in the County General Fund which may be transferred and appropriated in sufficient amounts to meet such emergency needs.

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

Section 1. The sum of One thousand seven hundred ninety-two dollars and ninety-five cents (\$1,792.95) be, and the same is hereby, transferred from the unappropriated County General Fund shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes as shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

Unappropriated County General Fund	\$ 1,792.95
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TOTAL REDUCTIONS	\$ 1,792.95

INCREASE:

County General  
Fund

SUPERIOR COURT, ROOM 7

600—Properties	\$ 1,792.95
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TOTAL INCREASES	\$ 1,792.95

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 17, 1971

AN ORDINANCE transferring and appropriating the sum of Thirteen thousand eight hundred forty-one dollars and six cents (\$13,841.06) in the County Fund from the unappropriated County

General Fund to certain designated purposes of the County Commissioners as created by virtue of the Budget for 1971, City-County General Ordinance No. 173, 1970 as amended and declaring an emergency.

WHEREAS, an emergency exists in the office of the Board of County Commissioners in that an audit of the workman's compensation coverage for all of county employees indicated that the annual premium increased substantially; and

WHEREAS, an emergency exists for the appropriation of sufficient funds to pay for the increased costs of workmen's compensation on county employees; and

WHEREAS, there are available unappropriated monies in the County General Fund which may be transferred and appropriated in sufficient amounts to meet such emergency needs.

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

Section 1. The sum of Thirteen thousand eight hundred forty-one dollars and six cents (\$13,841.06) be, and the same is hereby transferred from the unappropriated County General Fund as shown under the heading REDUCE; and the same be and is hereby, appropriated to certain other designated purposes as shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

Unappropriated County General Fund	\$ 13,841.06
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TOTAL REDUCTIONS	\$ 13,841.06

INCREASE:	County General Fund
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COUNTY COMMISSIONERS

400—Current Charges	\$ 13,841.06
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TOTAL INCREASES	\$ 13,841.06

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 18, 1971

AN ORDINANCE appropriating and transferring the sum of Ninety-eight thousand dollars (\$98,000.00) in the County Welfare Fund from the unappropriated County Welfare Fund to certain designated purposes of the County Department of Public Welfare as created by virtue of the Budget for 1971, City-County General Ordinance No. 174, 1970, as amended, and declaring an emergency.

WHEREAS, an extraordinary emergency exists in the Marion County Department of Public Welfare in that the department has been unable to arrange with the local banks to perform certain services with respect to the distribution of Federal Food Stamps as anticipated in preparing the Budget for 1971; and

WHEREAS, an emergency exists for the appropriation of additional funds to pay for the cost of administering said Federal Food Stamp Program by employees of the department; and

WHEREAS, there are available unappropriated monies in the County Welfare Fund which may be transferred and appropriated in sufficient amounts to meet such emergency needs.

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

Section 1. The sum of Ninety-eight thousand dollars (\$98,000.00) be, and the same is hereby, transferred from the unappropriated County Welfare Fund shown below under the heading REDUCE; and the same be, and is hereby, appropriated to certain other designated purposes as shown below under the heading INCREASE, as follows, to-wit:

REDUCE:

Unappropriated County Welfare Fund	\$ 98,000.00
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TOTAL REDUCTIONS	\$ 98,000.00

INCREASE: County Welfare Fund

MARION COUNTY DEPARTMENT OF PUBLIC WELFARE

100—Services, personal	\$ 52,000.00
200—Other operating expenses	16,000.00
400—Current charges	30,000.00
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TOTAL INCREASES	\$ 98,000.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the State Board of Tax Commissioners.

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

CITY-COUNTY APPROPRIATION ORDINANCE NO. 19, 1971

Introduced by Councilman Byrum:

AN ORDINANCE transferring and appropriating the sum of Three Million Nine Hundred Two Thousand Seventy-eight Dollars and Eighty-eight Cents (\$3,902,078.88) from the unexpended, unencumbered and unappropriated balance of the Marion County Cumulative Bridge Fund to certain designated bridge projects, and fixing a time when the same shall take effect.

WHEREAS, certain bridge projects included in the 1971 Bridge Program of the Indianapolis Department of Transportation have not had sufficient funds appropriated to complete the projects; and

WHEREAS, certain projects in the 1971 Bridge Program of the Indianapolis Department of Transportation have not had funds appropriated for the purpose of carrying out the projects; and

WHEREAS, there are unexpended, unencumbered and unappropriated funds in the Marion County Cumulative Bridge Fund sufficient to meet the requirements;

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

Section 1. That the sum of Three Million Seven Hundred Fifty-two Thousand Seventy-eight Dollars and Eighty-eight Cents (\$3,752,078.88) be, and the same is hereby, transferred from the unexpended, unencumbered and unappropriated Marion County Cumulative Bridge Fund, and the same is hereby appropriated, as additions to previous appropriations, to the certain designated Bridge Projects shown below for the various purposes as listed for the various individual projects, as follows:

1. Project No. DOT-BR-23-003 West 21st Street over Big Eagle Creek, located approximately one-half mile east of Interstate Highway 465 (Wayne Township Bridges 30 and 31)  
 Additional funds required for construction and right of way \$ 60,000.00
2. Project No. DOT-BR-24-003 West New York Street over White River (Center Township Bridge No. 300)  
 Additional funds required for construction \$ 260,000.00
3. Project No. DOT-BR-05-002 County Line Road over Behner Brook, located approximately one-quarter mile east of Allisonville Road (Lawrence Township Bridge No. 2)  
 Additional funds required for construction \$ 15,500.00
4. Project No. DOT-BR-18-005 North Keystone Avenue over Fall Creek (Center Township Bridge No. 402)  
 Additional Funds required for construction \$ 36,500.00
5. Project No. DOT-BR-02-001 Payne Road over Payne Branch of Crooked Creek, located approximately one-half mile north of West 71st Street (Pike Township Bridge No. 16)



- Additional funds required for construction and right of way \$ 50,000.00
- 6. Project No. DOT-BR-42-001 Senour Road over Big Run Creek, located approximately one-half mile north of Thompson Road (Franklin Township Bridge No. 39)  
Additional funds required for construction and right of way \$ 90,500.00
- 7. Project No. DOT-BR-10-006 West 64th Street over Crooked Creek, located between Hoover Road and Grandview Drive (Washington Township Bridge No. 52)  
Additional funds required for construction and right of way \$ 94,000.00
- 8. Project No. DOT-BR-22-007 Bridgeport Road over Shilo Creek, located immediately south of Rockville Road (Wayne Township Bridge No. 52)  
Additional funds required for construction and right of way \$ 45,400.00
- 9. Project No. DOT-BR-22-006 Country Club Road over Cox Ditch, located approximately one-quarter mile south of West 10th Street (Wayne Township Bridge No. 49)  
Additional funds required for construction and right of way \$ 5,000.00
- 10. Project No. DOT-BR-09-006 High School Road over an unnamed ditch at the intersection of High School Road and West 52nd Street (Pike Township Bridge No. 74)  
Additional funds required for construction and right of way \$ 35,000.00
- 11. Project No. DOT-BR-09-003 West 52nd Street over Guion Creek, located immediately west of Guion Road (Pike Township Bridge No. 69)

- Additional funds required for construction and right of way \$ 78,600.00
12. Project No. DOT-BR-21-002 East 42nd Street over Steele Ditch, located approximately one-quarter mile east of German Church Road (2 structures) (Lawrence Township Bridges 103 and 104)
- Additional funds required for construction and right of way \$ 41,800.00
13. Project No. DOT-BR-37-003 South High School Road over Little Dollar Hide Creek, located approximately one-eighth mile north of Kentucky Avenue (Decatur Township Bridge No. 27)
- Additional funds required for construction and right of way \$ 15,800.00
14. Project No. DOT-BR-49-004 Acton Road over Wildcat Run, located immediately north of McGregor Road (Franklin Township Bridge No. 75)
- Additional funds required for construction and right of way \$ 78,700.00
15. Project No. DOT-BR-45-002 Bluff Road over Illinois Central Railroad, located approximately one-quarter mile south of Stop 8 Road (Perry Township Bridge No. 81)
- Additional funds required for engineering and right of way \$ 30,000.00
16. Project No. DOT-BR-07-001 County Line Road over Dry Branch, located on the Marion-Hancock County Line approximately one-quarter mile north of East 75th Street (Lawrence Township Bridge No. 32)
- Additional funds required for construction and right of way \$ 50,700.00
17. Project No. DOT-BR-21-005 County Line Road over Steele Ditch, located on the Marion-Hancock County

Line immediately south of East 46th Street (Lawrence Township Bridge No. 101)

Additional funds required for construction of right of way \$ 78,800.00

18. Project No. DOT-BR-45-004 County Line Road over Little Pleasant Run, located on the Marion-Johnson County Line, approximately one-quarter mile east of Morgantown Road (Perry Township Bridge No. 60)

Additional funds required for construction, engineering and right of way \$ 88,400.00

19. Project No. DOT-BR-16-005 North High School Road over Mud Run, located approximately one-eighth mile north of West 38th Street (Pike Township Bridge No. 80)

Additional funds required for engineering, right of way and construction \$ 22,200.00

20. Project No. DOT-BR-16-006 High School Road over Dry Run, located approximately one-half mile south of West 46th Street (Pike Township Bridge No. 85)

Additional funds required for engineering, right of way and construction \$ 18,000.00

21. Project No. DOT-BR-49-005 McGregor Road over Wildcat Run, located immediately west of Acton Road (Franklin Township Bridge No. 76)

Additional funds required for engineering, right of way and construction \$ 92,800.00

22. Project No. DOT-BR-24-004 South Warman Ave. under Penn Central Railroad, located approximately one-eighth mile south of West Washington Street

Additional funds required for final engineering \$ 40,000.00

23. Project No. DOT-BR-32-010 South State Street under Indianapolis Union Railroad, located approximately

one-quarter mile north of East Raymond Street

Additional funds required for final engineering \$ 75,000.00

24. Project No. DOT-BR-25-010 Relocated East 10th Street under Norfolk and Western, Monon, and Penn Central Railroads, located at the intersection of East 10th Street and Massachusetts Avenue

Additional funds required for right of way \$ 150,000.00

25. Project No. DOT-BR-21-006 East 42nd Street over Steele Ditch, located approximately one-half mile west of Marion-Hancock County Line (Lawrence Township Bridge No. 102)

Additional funds required for engineering and right of way \$ 5,000.00

26. Project No. DOT-BR-21-007 East 42nd Street over Indian Creek, located approximately one-quarter mile west of German Church Road (Lawrence Township Bridge No. 106)

Additional funds required for engineering and right of way \$ 5,000.00

27. Project No. DOT-BR-02-002 New Augusta Road over Little Eagle Creek, located approximately one-eighth mile south of West 79th Street (Pike Township Bridge No. 31)

Additional funds required for construction \$ 32,000.00

28. Project No. DOT-BR-02-003 New Augusta Road over Little Eagle Creek, located approximately one-quarter mile south of West 79th Street (Pike Township Bridge No. 32)

Additional funds required for construction \$ 32,000.00

29. Project No. DOT-BR-32-015 East Prospect Street over Pleasant Run, located approximately one-quarter mile east of South Keystone Avenue (Center Township Bridge No. 301)

Additional funds required for engineering \$ 680.61

30. Project No. DOT-BR-31-003 South Harding Street over White River, located approximately one-quarter mile north of Troy Avenue (Center Township Bridge No. 33)

Additional funds required for construction \$ 24,630.29

31. Project No. DOT-BR-01-001 West 79th Street over Big Eagle Creek (Pike Township Bridge No. 22)

Additional funds required for construction \$ 67.98

32. Project No. DOT-BR-33-001 East Raymond Street over Penn Central Railroad and Bean Creek, located between Sherman and Emerson (Center Township Bridge No. 200)

Additional funds required for engineering, right of way, and construction \$2,100,000.00

Subtotal, Section 1 -----\$3,752,078.88

Section 2. That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) be, and the same is hereby transferred from the unexpended, unencumbered and unappropriated Marion County Cumulative Bridge Fund, and the same is hereby appropriated, as initial appropriations, to the certain designated Bridge Projects shown below for the various purposes as listed for the various individual projects, as follows:

1. Project No. DOT-BR-35-007 Muessing Road over the Baltimore and Ohio Railroad, located immediately north of Brookville Road (Warren Township Bridge No. 70-A)

Initial appropriation required for engineering and right of way \$ 25,000.00

2. Project No. DOT-BR-05-003 River Road over an unnamed ditch, located approximately one-quarter mile north of East 79th Street (Washington Township Bridge No. 39)

Initial appropriation required for engineering and right of way \$ 5,000.00

3. Project No. DOT-BR-06-003 Sargent Road over an unnamed ditch, located approximately one-quarter mile north of East 80th Street (Lawrence Township Bridge No. 22)	
Initial appropriation required for engineering and right of way	\$ 5,000.00
4. Project No. DOT-BR-06-004 Sargent Road over an unnamed ditch, immediately south of East 80th Street (Lawrence Township Bridge No. 23)	
Initial appropriation required for engineering and right of way	\$ 5,000.00
5. Project No. DOT-BR-11-007 East 71st Street over White River	
Initial appropriation required for engineering	\$ 50,000.00
6. Project No. DOT-BR-11-008 East 71st Street over Williams Creek	
Initial appropriation required for engineering	\$ 50,000.00
7. Project No. DOT-BR-09-007 Moller Road over an unnamed creek, located approximately one-quarter mile north of West 59th Street (Pike Township Bridge No. 63)	
Initial appropriation required for engineering and right of way	\$ 10,000.00
Subtotal Section 2 -----	\$ 150,000.00
Total, Sections 1 and 2 -----	\$3,902,078.88

Section 3. 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 Transportation.

CITY-COUNTY APPROPRIATION ORDINANCE NO. 20, 1971

Introduced by Councilman Egenes:

AN ORDINANCE of the Consolidated City of Indianapolis, Indiana, appropriating the sum of Twelve Million Dollars (\$12,000,000) for the purpose of providing funds to be applied on the cost of construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: also, the development and improvement of the land owned by the City, known as the City Market area; and for incidental expenses to be incurred in connection therewith and on account of the issuance of bonds therefor.

WHEREAS, the Board of the Department of Public Works of the City of Indianapolis has found that it would be for the best interest of said City and its citizens to provide for construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of the land as a site therefor: also, the development and improvement of the land owned by the City, known as the City Market area at a cost not exceeding Twelve Million Dollars (\$12,000,000), the costs of said projects to include the incidental expenses necessary to be incurred in connection therewith and on account of the issuance of bonds therefor; and

WHEREAS, the costs of said projects have caused a necessity to arise for further appropriations and a request for an appropriation in the amount of Twelve Million Dollars (\$12,000,000) for said purposes has been filed, which request has been approved by the Controller with the recommendation that the funds necessary to cover such appropriation be obtained by the issuance and sale of general obligation bonds of the City; and

WHEREAS, a petition has been filed under the provisions of The Indiana Code of 1971, 6-1-46-7, by more than fifty (50) owners of taxable real estate in the City of Indianapolis, requesting the City-County Council to issue bonds in an amount not exceeding Twelve Million Dollars (\$12,000,000) for the purpose of procuring funds to provide for construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: also, the development and improvement of the land owned by the City, known as the City Market area, at a cost not exceeding Twelve Million Dollars (\$12,000,000); together with the incidental expenses

in connection therewith and on account of the issuance of bonds therefor; and

WHEREAS, the Council now finds that said projects are necessary and will be of general benefit to the City and its citizens; and

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

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

Section 1. That the sum of Twelve Million Dollars (\$12,000,000) be and the same is hereby appropriated to provide for construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: also, the development and improvement of the land owned by the City, known as the City Market area, which appropriation shall include the incidental expenses to be incurred in connection with such projects and the issuance of bonds on account thereof. Funds to meet said appropriation shall be provided from the proceeds of bonds of the City designated "Indianapolis Sports Stadium Bonds of 1971," in the amount of Twelve Million Dollars (\$12,000,000) heretofore authorized to be issued for application on the cost of said projects.

Section 2. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

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

CITY-COUNTY GENERAL ORDINANCE NOS. 70-73, 1971

Introduced by Councilman Egenes:

G.O. NO. 70, 1971—

71-Z-42. Richard M. Nay and Warren E. Coggeshall by A. H. M.



Graves, Inc., Thomas B. Laycock, Chairman, 5948 North College Avenue, request rezoning of 57.70 acres, being in A-2 district, to D-P (Planned Unit Development) classification to provide for multi-family dwellings, condominium townhouses, commercial convenience center and gasoline service station. Located between 59th and 62nd Street, west of Georgetown Road in Indianapolis, Pike Township (4900-5000 West 59th Street and 5000 block West 62nd Street).

## G.O. NO. 71, 1971—

71-Z-43. Kenneth W. & Alice M. Ratliff, et al by Charles T. Gleason, Attorney, One Indiana Square #1930, request rezoning of 0.46 acre being in D-4 district, to C-3 classification to provide for construction of a retail optical store. Located on the north side of West 34th St., east side of Tomlinson St. in Indianapolis, Wayne Township (4100 block West 34th Street).

## G.O. NO. 72, 1971—

71-Z-44. Hazel B., Connell T. Sutton, et al & Indianapolis Power & Light Co., by Marcus E. Woods, Asst. Secy., 25 Monument Circle request rezoning of 10.58 acres, being in A-2 district, to SU-18 classification to provide for an electrical substation. Located at the northeast corner of S. R. #37 & Banta Road in Indianapolis, Perry Township (2000 Banta Road).

## G.O. NO. 73, 1971—

71-Z-45. Indianapolis Power & Light Co. by Marcus E. Woods, Asst. Secy., 25 Monument Circle requests rezoning of 0.20 acre, being in C-7 and D-5 districts, to SU-18 classification to provide for the expansion of existing electrical substation. Located on the south side of Nowland Ave., aprox. 100' east of Sherman Dr. in Indianapolis, Center Township (3811 Nowland Avenue).

## CITY-COUNTY GENERAL ORDINANCE NO. 74, 1971

## G.O. NO. 74, 1971—

70-Z-182A. Louisville-New York Development Corp. by Michael and David R. Zukerman by Charles G. Castor, Attorney, 1106 Indiana Building request rezoning of 3.25 acres, being in SU-4 dis-

trict, to C-2 classification to provide for commercial use. Located on the east side of Moller Road, north of 38th Street in Indianapolis, Pike Township (4000 Moller Road).

Which were read for the first time on April 14, 1971, at a meeting of the Metropolitan Development Committee.

CITY-COUNTY GENERAL ORDINANCE NO. 75 THROUGH 77, 1971

Introduced by Councilman Byrum:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, and Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS, 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 Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, be, and the same is hereby, amended by the addition of the following:

Preferential	Stop	Preferential	Yield
Griffin Road	Cynthia Drive	Benton Drive	Cynthia Drive
Griffin Road	New Jersey St.	Benton Drive	New Jersey St.
Griffin Road	Lindenwood St.	Singleton St.	Chariot Lane
Griffin Road	Singleton St.	Singleton St.	Braugham Road
Surrey Drive	Coach Road	Singleton St.	Sulky Court
Coach Road	Reda Road	Singleton St.	Phaeton Place
Coach Road	Landau Lane	Singleton St.	Reda Road
Shelby Street	Surrey Drive	Reda Road	Landau Lane
Stop 11 Road	Coach Road	Reda Road	Surrey Court
Stop 11 Road	Singleton St.	Landau Lane	Braugham Road
		Braugham Road	Phaeton Place
<b>Preferential</b>	<b>Stop</b>	Griffin Road	Surrey Court
		Pennsylvania St.	Rose Lane
Hague Road	E. 86th St.	Coach Road	Chariot Lane

and the deletion of the following:

<b>Preferential</b>	<b>Stop</b>
King Avenue	West 11th St.

Section 2. That Title 4, Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS, be, and the same is hereby, amended by the addition of the following:

**Four-way Stop**  
King Avenue and West 11th Street

and the deletion of the following:

**Four-way Stop**  
Hague Road and East 86th Street

Section 3. 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 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

CITY-COUNTY GENERAL ORDINANCE NO. 76, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 8, Section 822 thereof, PARKING LIMITED TO ONE AND ONE-HALF HOURS BETWEEN 7:00 A.M. AND 6:00 P.M., EXCEPT ON SUNDAYS, ON CERTAIN STREETS, 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 Title 4, Chapter 8, Section 822 thereof, PARKING LIMITED TO ONE AND ONE-HALF HOURS BETWEEN 7:00 A.M.

AND 6:00 P.M., EXCEPT ON SUNDAYS, ON CERTAIN STREETS, be, and the same is hereby, amended by the **addition** of the following:

Street	Side	From	To
Olney	East	9th Street	10th Street

and the **deletion** of the following:

Street	Side	From	To
Olney Street	Both	9th Street	10th 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.

#### CITY-COUNTY GENERAL ORDINANCE NO. 77, 1971

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 4, Section 403 thereof, ALTERATION OF PRIMA FACIE SPEED LIMITS, 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 Title 4, Chapter 4, Section 403 thereof, ALTERATION OF PRIMA FACIE SPEED LIMITS, be, and the same is hereby, amended by the **addition** of the following:

Road	From	To	Speed Limit
Bethel Avenue	Sherman Drive	12th Avenue	30 mph
Sherman Drive	Raymond Street	Southern Avenue	30 mph

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

CITY-COUNTY GENERAL ORDINANCE NO. 78, 1971

Introduced by Councilman Byrum:

AN ORDINANCE of the Consolidated City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of the land owned by the City, known as the City Market area; and for incidental expenses to be incurred in connection therewith and on account of the issuance of bonds therefor.

WHEREAS, the Board of the Department of Public Works of the Consolidated City of Indianapolis has found that it would be for the best interests of said City and its citizens to provide for the construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of the land owned by the City, known as the City Market area, at a cost not exceeding Twelve Million Dollars (\$12,000,000), the costs of said projects to include the incidental expenses necessary to be incurred in connection therewith and on account of the issuance of bonds therefor; and

WHEREAS, the costs of said projects have caused a necessity to arise for further appropriations, and a request for such appropriations in the amount of Twelve Million Dollars (\$12,000,000) for said purposes has been filed, which request has been approved by the Controller with the recommendation that the funds necessary to cover such appropriations be obtained by the issuance and sale of bonds of the City; and

WHEREAS, a petition has been filed under the provisions of the

Indiana Code of 1971, 6-1-46-7, by more than fifty (50) owners of taxable real estate in the Consolidated City of Indianapolis, requesting the City-County Council to issue bonds in an amount not exceeding Twelve Million Dollars (\$12,000,000) for the purpose of procuring funds to be applied on the cost of construction and equipment of an indoor sports stadium in the central area of said City together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of the land owned by the City, known as the City Market area, together with the incidental expenses in connection therewith and on account of the issuance of bonds therefor; and

WHEREAS, the Council now finds that said projects are necessary and will be of general benefit to the City and its citizens;

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

Section 1. That the Consolidated City of Indianapolis (hereinafter sometimes referred to as the "City"), proceed with the construction of an indoor sports stadium in the central area of said City together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of the land owned by the City, known as the City Market area.

Section 2. For the purpose of providing the Twelve Million Dollars (\$12,000,000) in funds to be applied on said sports stadium and City Market projects and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of Twelve Million Dollars, (\$12,000,000). In order to procure said loan, the Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable general obligation bonds of the City, to be designated as "Indianapolis Sports Stadium Bonds of 1971," in the aggregate principal amount of Twelve Million Dollars (\$12,000,000), which bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000), shall be numbered consecutively from 1 upwards, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding seven per cent (7%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable on July 1, 1972, and semi-annually thereafter on January 1 and July 1 of each year, and shall be evidenced by coupons attached to said bonds. Both bonds

and interest coupons shall be payable at the office of the Treasurer of Marion County, ex officio Treasurer of the City of Indianapolis, in the City of Indianapolis, Indiana, in lawful money of the United States of America. The bonds shall mature serially on January 1 in the years and amounts as follows:

Year	Amount	Year	Amount	Year	Amount
1975	\$235,000	1984	\$350,000	1993	\$525,000
1976	245,000	1985	370,000	1994	545,000
1977	260,000	1986	385,000	1995	570,000
1978	270,000	1987	400,000	1996	595,000
1979	280,000	1988	420,000	1997	625,000
1980	295,000	1989	440,000	1998	650,000
1981	310,000	1990	460,000	1999	680,000
1982	320,000	1991	480,000	2000	710,000
1983	335,000	1992	500,000	2001	745,000

Said bonds shall be signed in the name of the City of Indianapolis by the Mayor, countersigned by the Controller, and attested by the Clerk, who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signatures of the Mayor and Controller, and said officials, by the signing of said bonds, shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments.

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

UNITED STATES OF AMERICA  
State of Indiana                      County of Marion

No. ----- \$5,000

CITY OF INDIANAPOLIS  
INDIANAPOLIS SPORTS STADIUM BOND OF 1971

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

## FIVE THOUSAND DOLLARS

On January 1, 19\_\_\_\_, and to pay interest thereon from the date hereof until the principal is paid, at the rate of \_\_\_\_\_ per cent (\_\_\_\_\_% ) per annum, payable on July 1, 1972, and semi-annually thereafter on January 1 and July 1 in each year, upon presentation and surrender of the annexed coupons as they severally become due.

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

This bond is one of an authorized issue of two thousand four hundred (2,400) bonds of the City of Indianapolis, of like date, denomination, tenor and effect, except as to interest rates and dates of maturity, aggregating Twelve Million Dollars (\$12,000,000), numbered consecutively from 1 upwards, issued pursuant to an ordinance adopted by the City-County Council of said City on \_\_\_\_\_, 1971, entitled "An Ordinance of the Consolidated City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and equipment of an indoor sports stadium in the central area of said City, together with the acquisition, development and improvement of land as a site therefor: Also, the development and improvement of the land owned by the City, known as the City Market area; and for incidental expenses to be incurred in connection therewith and on account of the issuance of bonds therefor," and The Indiana Code of 1971, Titles 18 and 19 and particularly Title 19, Article 7, Chapter 21.

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



IN WITNESS WHEREOF, the City of Indianapolis, in Marion County, Indiana, by ordinance of its City-County Council, has caused this bond to be signed in its corporate name by its Mayor, countersigned by its Controller, its corporate seal to be hereunto affixed and attested by its Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said Mayor and Controller, as of the first day of \_\_\_\_\_, 1971.

CITY OF INDIANAPOLIS

By \_\_\_\_\_  
Mayor

Countersigned:  
\_\_\_\_\_  
Controller

Attest:

\_\_\_\_\_  
Clerk

(Interest Coupon)

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

On \_\_\_\_\_ 1, \_\_\_\_\_, the City of Indianapolis, Indiana, will pay to bearer at the office of the Treasurer of Marion County, ex officio Treasurer of the City of Indianapolis, in the City of Indianapolis, Indiana, the amount shown hereon in lawful money of the United States of America, being the interest then due on its Indianapolis Sports Stadium Bond of 1971, dated \_\_\_\_\_ 1, 1971, No. \_\_\_\_\_

CITY OF INDIANAPOLIS

By \_\_\_\_\_ (Facsimile)  
Mayor

\_\_\_\_\_  
Controller

Sec. 4. As soon as can be done after the passage of this ordinance, the Clerk shall give notice of the filing of the petition for and determination to issue bonds. Said notice shall be published once each

week for two weeks in The Indianapolis News and The Indianapolis Commercial, newspapers of general circulation published in the City of Indianapolis, and said notice shall also be posted in three public places in the City, as provided by The Indiana Code of 1971, 6-1-46-7 and 6-1-1-25.

In the event a remonstrance shall be filed by the owners of taxable real estate under the provisions of The Indiana Code of 1971, 6-1-46-7, then no further steps towards the issuance of said bonds shall be taken unless and until the City-County Council shall have determined that such remonstrance is insufficient. In the event an objecting petition or petitions are filed by taxpayers under the provisions of The Indiana Code of 1971, 6-1-1-25, then no further steps towards the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the Controller shall be authorized to advertise and sell a lesser amount of bonds, and the bonds not issued and sold shall be the bonds of the longest maturity or maturities.

Section 5. Prior to the sale of said bonds the Controller shall cause to be published a notice of such sale once each week for two weeks in The Indianapolis News and The Indianapolis Commercial. Said notice or a summary thereof may, in the discretion of the Controller, be published one time in The Bond Buyer, a financial journal published in the City and State of New York. The date fixed for the sale shall not be earlier than seven (7) days after the last of the publications in the Indianapolis newspapers. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the Controller at his office, and said Controller shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider said bids. Bidders for said bonds shall be required to name the rate or rates of interest which the bonds are to bear, not exceeding seven per cent (7%) per annum, and such interest rate or rates shall be in multiples of one-eighth ( $\frac{1}{8}$ ) or one-tenth ( $\frac{1}{10}$ ) of one per cent (1%), and not

more than six (6) different interest rates shall be named by each bidder. All bonds maturing on the same date shall bear the same single rate of interest, and the interest due on any bond on any interest payment date shall be represented by a single interest coupon. The difference between the highest and the lowest rate specified in a bid shall not exceed one and one-half per cent ( $1\frac{1}{2}\%$ ). The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rate or rates named to the date of delivery, will be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without readvertising, but during such continuation no bid shall be accepted which is lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said project, and shall be paid out of the proceeds of said bonds.

Section 6. The Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided. After said bonds shall have been properly executed, the Controller shall deliver the same to the Treasurer of Marion County, ex officio Treasurer of the City of Indianapolis, and shall take his receipt therefor, and upon the consummation of the sale of said bonds the Controller shall then certify to the Treasurer the amount which the purchaser is to pay for the same; thereupon, the Treasurer shall be authorized to receive from the purchaser the amount so certified by the Controller and to deliver the bonds to such purchaser.

Section 7. This ordinance shall be in full force and effect immediately upon its passage and signing by the Mayor.

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

CITY-COUNTY GENERAL ORDINANCE NOS. 79-86, 1971

Introduced by Councilman Egenes:

G.O. NO. 79, 1971—

71-Z-12. Mary Meyer, 700 North Alabama St., Apt. 207 by Henry M. Coombs, Attorney, 5330 Madison Avenue requests rezoning of 3.79 acres, being in D-3 district, to C-1 classification to provide for the construction of an office complex. Located on the west side of South East Street, 700' south of Thompson Road, Indianapolis, Perry Township (5214-5220 South East Street).

G.O. NO. 80, 1971—

71-Z-46. Frank M. & Lena Linder and Agatha C. Linder by Jack B. Kammins, Attorney-in-fact, 412 Union Federal Bldg. request rezoning of 1.42 acres, being in A-2 district, to C-1 classification to provide for the construction of a mortuary. Located on the east side of South East Street (U.S. Road 31), 403' south of Edgewood Avenue, Indianapolis, Perry Township (6125 South East St.)

G.O. NO. 81, 1971—

71-Z-51. Department of Public Safety, Consolidated City of Indianapolis by Alan R. Kimbell, Director, 2542 City-County Bldg. requests rezoning of 0.47 acre, being in C-3 district, to SU-9 classification to provide for the construction of a fire station. Located on the north side of East 10th St., 76' east of Oxford Street in Indianapolis, Center Township (2918 East 10th Street).

G.O. NO. 82, 1971—

71-Z-52. Lafayette Gasaway, 6144 Fairlane Drive requests rezoning of 9.93 acres, being in D-6 district, to D-4 classification to provide for residential use by platting. Located on the north side of East Thompson Road, 750' west of Emerson Ave. in Indianapolis, Perry Township (4900 block East Thompson Road).

G.O. NO. 83, 1971—

71-Z-53. Clyde Realty Co. by William F. LeMond, Attorney, 412 Union Federal Bldg. requests rezoning of 4.0 acres, being in C-4 district, to D-7 classification to provide for the construction of apartments. Located on the south side of East Raymond St., 650' east of Hobart Avenue in Indianapolis, Center Township (3505 East Raymond St.).

G.O. NO. 84, 1971—

71-Z-54. Harrison Eiteljorg and Twenty-Eight Fifty Corp., 2850 North Meridian St. by David W. Givens, Attorney, One Indiana Square #2850 request rezoning of 1.45 acres, being in D-9 district, to C-1 classification to provide for the construction of an office building. Located on the south side of 29th Street, west side of Meridian St., Indianapolis, Center Township (2850 North Meridian Street).

G.O. NO. 85, 1971—

71-Z-55. Allied Grocers of Indiana, Inc., by James L. Bidwell, President, 801 South Emerson Avenue requests rezoning of 51.07 acres, being in A-2 district, to I-3-S classification to permit construction of a wholesale grocery warehouse. Located 264' south of Troy Avenue, on the west side of Arlington Avenue in Indianapolis, Franklin Township (3100-3400 South Arlington Ave.).

G.O. NO. 86, 1971—

71-Z-57. Jack Dixon, Guardian of the Estate of Mable Meyer, by Michael J. Kias, Attorney, 3037 South Meridian St. requests rezoning of 11.69 acres, being in A-1 and C-5 districts, to C-4 classification to provide for the construction of a major commercial center with a variety of retail services. Located on the west side of Madison Avenue, north side of Hanna Avenue, Indianapolis, Perry Township (3808 Madison Avenue).

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

## ORDINANCES ON SECOND READING

Mr. McPherson called for a second reading of General Ordinance No. 256, 1970.

The Clerk read the ordinance for the second time.

Mr. McPherson moved, seconded by Mr. Leak to amend General Ordinance No. 256, 1970, as distributed, which reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 256, 1970,  
AS AMENDED

AN ORDINANCE amending Title 7 of the Code of Indianapolis and Marion County, 1970, to establish license requirements for commercial parking facilities, and fixing a time when the same shall take effect.

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

Section 1. The Code of Indianapolis and Marion County, 1970, is amended by adding to Title 7 a new chapter numbered 24, which reads as follows:

CHAPTER 24

COMMERCIAL PARKING FACILITIES

7-2401. Definitions—For the purposes of this chapter the definitions and meaning of certain words used herein shall be as follows:

- (A) **Commercial Parking Facility:** "Commercial Parking Facility" shall mean any lot or building which is used to provide space for the parking of more than five motor vehicles. Any combination, however, of one or more lots or buildings which are both:

(1) located contiguous to another lot or building or across a street or alley from another lot or building, and

(2) operated by the same person, firm or corporation shall be considered one commercial parking facility.

A lot or building which is provided solely for one or more of the following uses:

(1) by an employer for employee use; or

(2) by a landlord for tenant use;

(3) by a merchant or professional, selling goods or services, for exclusive customer use;

shall not be considered a commercial parking facility.

(B) **Motor Vehicle:** "Motor Vehicle" shall mean any self-propelled wheeled vehicle similar to an automobile, truck, bus or motorcycle.

(C) **Attendant Parking:** "Attendant Parking" shall mean the practice of having the motor vehicle handled by the licensee between the motor vehicle reservoir area and the parking area, and between the parking area and the exits.

(D) **Vehicle Capacity:** "Vehicle Capacity" shall mean the number of motor vehicles which can be parked in a commercial parking facility as is determined by the following formula:

$$\frac{\text{number of square feet of area available for use by motor vehicles as aisles and parking spaces in the commercial parking facility}}{350} = \text{vehicle capacity}$$

Any fractional remainder shall be disregarded under this formula.

7-2402. License Required—It shall be unlawful for any person, firm,

or corporation to operate a commercial parking facility within the Consolidated City without first obtaining a license for such commercial parking facility, or to operate a commercial parking facility after revocation or expiration of a license.

7-2403. Application for License—A license under this chapter shall be issued by the City Controller, only upon written application first approved by the Division of Code Enforcement. The application shall include the following information and any other pertinent information which the Division of Code Enforcement shall require:

(A) The name and address of:

- (1) All persons, firms or corporations which have a fee or leasehold interest in the real estate on which the commercial parking facility is located;
- (2) The person, firm, or corporation which operates the commercial parking facility (licensee);

In the case of a firm, the name and address of each partner must be given, and in the case of a corporation, the name and address of the resident agent and president must be given.

(B) The address of the commercial parking facility and legal description of the real estate on which the commercial parking facility is located.

(C) A plot plan showing:

- (1) the dimensions of the tract of real estate on which the commercial parking facility is located;
- (2) the exterior dimensions of the building and the number of floors used for storage and parking of motor vehicles if storage and parking of motor vehicles is within a building;
- (3) the size and location of each parking space and aisles on any commercial parking facility lot. (In the case of any commercial parking facility building ex-



clusively with attendant parking, however, information about the size and location of parking spaces is not required.)

- (4) the size and location of each parking space and aisles in any commercial parking facility building. Separate drawings are not required in the case of floors which have parking spaces substantially identical in size and location. (In the case of any commercial parking facility building exclusively with attendant parking, however, information about the size and location of parking spaces is not required.)
- (5) location and size of entrances and exits;
- (6) location and size of motor vehicle reservoir area;
- (7) location, message and size of outdoor signs;
- (8) location of barriers;
- (9) the location and nature of the drainage system for any commercial parking facility lot constructed or placed in operation after July 1, 1971;
- (10) size, location and description of all yard areas and architectural screens for any commercial parking facility lot constructed or placed in operation after July 1, 1971.

This plot plan need not be submitted with the application if a plot plan accurately reflecting this information is on file in the Division of Code Enforcement and is identified in the application.

- (D) The number of square feet of area available for use by motor vehicles as aisles and parking spaces in the commercial parking facility.
- (E) A description of the nature of the ground surface or in the case where parking of motor vehicles is within a building, the nature of the floor surface of the commercial parking facility.

- (F) A description of the barriers, wheel guards or bumper guards used in the commercial parking facility.

7-2404. Liability Insurance or Bond—As a requisite for renewing or issuing a license for the operation of a commercial parking facility, the applicant shall post or maintain with the City Controller, either an indemnity bond or a certificate evidencing a policy of liability insurance, executed by a bonding, surety or insurance company authorized to do business in the State of Indiana, in the sum of twenty-five thousand dollars (\$25,000), approved as to form by the City Corporation Counsel. This bond or policy shall be conditioned substantially in the following manner: That the licensee will indemnify and save harmless the City of Indianapolis, Indiana, its officers, agents and employees from any and all loss, costs, damages, or expenses, by reason of legal liability which may result from or arise out of the granting of such license, or the operation of such commercial parking facility for which a license is issued and that the licensee will pay any and all loss or damage, evidenced by a final judgment for such damage, including the theft of any motor vehicle, part or accessory thereof, or personal property stored therein, that may be sustained by any person who may claim redress for property damage or theft providing such results from the operation or maintenance of any commercial parking facility. The bond or policy of insurance shall be maintained in its original amount by the licensee, at the expense of the licensee, at all times during the period for which the license is in effect and shall be of the type where coverage shall automatically be restored to its original amount after each occurrence from which legal liability has arisen.

If two or more licenses are issued to the same person, firm or corporation, one such bond or policy of insurance may be furnished to cover two or more commercial parking facilities provided that it is in the amount of at least twenty-five thousand dollars (\$25,000) for each such commercial parking facility covered by such bond or policy of insurance. Any bond posted and maintained with the City Controller under this section shall be accompanied by good and sufficient sureties approved by the City Controller.

7-2405. License Fees—The license fee for each commercial parking facility shall be in accordance with the following schedule of capacities:

6 thru 50 vehicle capacity

\$ 25.00

51 thru 100 vehicle capacity	\$ 50.00
101 or more vehicle capacity	\$100.00

7-2406. Issuance of License—Prior to the issuance or reissuance of a license under this chapter, the Division of Code Enforcement shall determine if the commercial parking facility complies with all of the provisions of this chapter, other applicable provisions of municipal ordinances, applicable provisions of zoning ordinances and restrictions and applicable provisions of state statutes and regulations. If all such provisions are met and proper application has been made, the Division of Code Enforcement shall so indicate, without undue delay, by preparing and delivering a certificate to the City Controller.

The City Controller shall issue such license to the applicant upon delivery of the certificate from the Division of Code Enforcement if he finds:

- (A) The license fee has been paid. The City Controller may, however, issue a license to
  - (1) any person, firm or corporation operating a commercial parking facility without private profit for a charitable, educational, literary, fraternal or religious purpose; or
  - (2) any municipal corporation directly operating a commercial parking facility;

without the licensee having to pay any license fees or other charges required by this code. Such licensees are subject to all provisions of this code except those pertaining to fees;

- (B) If the applicant is a person or partnership, the person or each of the partners must not, within the past three years, have had any license issued by the City of Indianapolis to operate a business revoked because of his conduct of the business or because of his violation of any law or regulation while conducting that business;
- (C) If the applicant is a corporation, it must be organized and controlled by the laws of the State of Indiana or be authorized and qualified by its laws to engage in business in the state;

- (D) The applicant shall post and maintain with the controller, either an indemnity bond or a policy of liability insurance as required by section 7-2404 of this Chapter.
- (E) The applicant is not delinquentyly indebted to the City or County for such obligations as license fees or taxes except if the indebtedness is the subject of pending litigation. The controller may require applicants to state under oath that they do not violate this requirement.

All licenses shall be effective on January 1 (or the date of issuance of the license if that is later) and shall expire on the 31st day of December of the same year.

All renewals of annual licenses shall be applied for on or before November 15th of the year preceding the year for which the license is issued. Temporary licenses for some specific time or purpose shall be dated on or as of the date of issuance.

For any annual license issued on or after July 1st and before October 1st, one-half of the annual fee shall be paid, and for any annual license issued on or after October 1st, one-fourth of the annual fee shall be paid.

All license certificates shall include the name of the licensee and any other name under which the commercial parking facility is to be operated, the addresses of the commercial parking facility, the amount of the license fee, and the date of the issuance and expiration of the license.

7-2407. Temporary Commercial Parking Facilities—All sections of this chapter are applicable in full to temporary commercial parking facilities unless modified or exempted by this section.

The application for a temporary commercial parking facility license shall be made to the City Controller and shall meet the applicable requirements enumerated in Section 7-2406 of this chapter, and shall be applied for at least 30 calendar days prior to the anticipated first day of use. Such application shall, in addition to the requirements enumerated in Section 7-2406 of this chapter, also state the duration and reason for the temporary use. The license fee for each temporary commercial parking facility shall be 50% of the applicable annual license fee.

Furthermore, the following additional exemptions or modifications shall be effective:

- (A) The motor vehicle reservoir as required by Section 7-2417 shall be required except that conspicuous outlining with pavement paint shall not be applicable.
- (B) Section 7-2420 relating to drainage shall not apply;
- (C) Section 7-2416 (1) relating to surfacing shall not apply;
- (D) Section 7-2416 (B) relating to wheel guards shall be invoked at the discretion of the Division of Code Enforcement;
- (E) Section 7-2419 relating to signs required shall be modified to permit temporary signs and furthermore section 7-2419 shall not require the "first hour" rate to be posted on such sign unless hourly rates are charged.

7-2408. Obligation to Inform about Changes Occurring relative to Commercial Parking Facility during License Period—If changes occur relative to a commercial parking facility during the time a license issued pursuant to this chapter is in force of such nature as to make the information stated on the application inaccurate, the licensee shall supply corrected information in writing to the Division of Code Enforcement. If such corrected information is that the vehicle capacity of the commercial parking facility has been increased, the licensee shall pay an additional amount calculated according to the following formula:

$$\left( \frac{\text{fee required by license fee}}{\text{new vehicle capacity - originally paid}} \right) \left( \frac{\text{number of full months left}}{12} \right) \text{ additional amount} = \text{licensee must pay}$$

If, however, the corrected information is that the vehicle capacity of the commercial parking facility has been reduced, the licensee shall be reimbursed an amount calculated according to the following formula:

$$\left( \frac{\text{license fee originally paid - new vehicle capacity}}{\text{fee required by}} \right) \left( \frac{\text{number of full months left}}{12} \right) \text{ amount reimbursed to licensee}$$

If the commercial parking facility business is terminated or the ownership is changed, reimbursement shall be made according to the following formula:

$$\begin{array}{rcl}
 (\text{ license fee } ) & (\text{ number of } ) & \text{ amount} \\
 (\text{ originally paid } ) & (\text{ full months } ) & \text{ reimbursed} \\
 (\text{ ----- } ) & (\text{ left } ) & = \text{ to} \\
 (\text{ 12 } ) & (\text{ in year } ) & \text{ licensee}
 \end{array}$$

In no event, however, shall a licensee under these formulas be either required to pay an additional amount which is less than \$10.00, or be entitled to reimbursement in an amount less than \$10.00.

7-2409. Revocation of License—The City Controller shall revoke any commercial parking facility license upon delivery by the Division of Code Enforcement of its written certification that:

- (A) The licensee failed, after having been notified in writing and given a period of 20 days to do so, to correct an inaccurate statement of material importance in the application either which was inaccurate as originally made or which became inaccurate because of changes which occurred relative to the Commercial Parking Facility after the date of application, or
- (B) the licensee has knowingly made any false statement in the application, or
- (C) The licensee knowingly violates or knowingly permits or countenances the violation of any provisions of this chapter or of any other municipal ordinance applicable to the commercial parking facility, or
- (D) The licensee knowingly violates or knowingly permits or countenances the violation of any provisions of a zoning ordinance or variance condition applicable to the real estate on which the commercial parking facility is located, or
- (E) The licensee knowingly violates or knowingly permits or countenances the violation of any provision of any state statute or regulation applicable to the commercial parking facility, or

- (F) The licensee knowingly violates or knowingly permits or countenances the violation of any provision of any penal law or ordinance regarding theft, larceny or conversion of a motor vehicle or any personal property stored therein, or the operation of a motor vehicle without the owners consent.

The City Controller may revoke any commercial parking facility license if upon investigation and after a hearing he finds the licensee failed, after having been notified in writing and given a period of twenty days to do so, to properly maintain a bond or insurance policy as is required by Section 7-2404 of this chapter.

At least twelve days before the date of the hearing provided by this section, the licensee shall be sent by certified mail written notice of the date, place and nature of the hearing.

7-2410. APPEAL—Any person, firm or corporation aggrieved by any act or omission of the Division of Code Enforcement or City Controller relative to the licensing of a commercial parking facility, may appeal such action or inaction to the License Review Board (hereafter referred to as the "Board") as established by Section 7-111 of the Code of Indianapolis and Marion County, 1970. The appeal shall be a condition precedent to any other legal action taken by an aggrieved person, firm or corporation; however, the action of the Division of Code Enforcement or City Controller shall be suspended from the time that the appeal has been perfected by filing a written notice of appeal with the City Controller until a decision has been made on said appeal. In order to appeal to the Board the person, firm or corporation must send written notice of intent to appeal to the City Controller, by registered mail with return receipt or by personal service with a signed receipt. The notice to the City Controller must be received within twenty (20) days after the date of the act or knowledge of the omission from which the appeal is being taken.

Upon receipt of the notice to appeal the City Controller shall notify the chairman of the Board who shall schedule a meeting of the Board to hear the appeal within ten (10) days of the receipt of the notice to appeal.

The Corporation Counsel or his authorized assistant representing either the Division of Code Enforcement or the City Controller as is appropriate, shall present evidence at the hearing which supports the act or omission which caused the appeal to be taken.

The decision of the Board shall be final, and the decision together with the reasons therefore shall be delivered in writing to the person, firm or corporation taking the appeal, and a certified copy shall be delivered to the City Controller who shall keep all decisions on file in his office. All decisions shall become effective upon delivery to the City Controller.

7-2411. USE OF LICENSE CERTIFICATE—The licensee shall display the license certificate at a conspicuous place at the commercial parking facility.

No person shall alter, forge or deface a license certificate for a commercial parking facility.

A revoked license certificate for a commercial parking facility shall be promptly surrendered to the City Controller.

No person, firm or corporation shall possess a valid license certificate for a commercial parking facility unless that person, firm or corporation is the licensee or his agent.

A licensee shall not sell his license, loan or donate a license certificate or permit a person, firm or corporation not authorized by law to use the license certificate.

On the payment of a replacement fee of \$1.00 the City Controller shall provide a duplicate license certificate for any commercial parking facility, if the original license certificate is lost, stolen, destroyed or defaced.

7-2412. Change of Business Location—Any license obtained pursuant to this chapter may not be used by the licensee at a location other than that described on the application for license and for which the license was issued.

7-2413. Transfer of License Prohibited—Any license obtained pursuant to this chapter may not be transferred by the licensee.

7-2414. Claim Checks and Return of Vehicle When Attendant Parking Occurs—Where attendant parking is accomplished with regard to a motor vehicle, the licensee shall furnish the owner or operator of that motor vehicle a distinctive claim check which shall have print-



ed thereon the full name and address of the commercial parking facility and a number corresponding to a coupon placed upon the vehicle. The licensee shall not deliver any such motor vehicle without the proper claim check being presented, or without satisfactory proof of ownership of said motor vehicle. This provision shall not apply to owners whose motor vehicles are parked on a weekly or monthly fee basis.

7-2415. Parking Spaces and Aisles When Attendant Parking Does Not Occur—Where attendant parking is not accomplished with regard to a motor vehicle, the part of the commercial parking facility used for the parking of that vehicle shall have conspicuously marked parking spaces which shall open directly upon an aisle of such width and design as to provide safe and efficient means of vehicular access to such parking space. Motor vehicles shall not be parked in such aisles.

7-2416 Surfacing and Barriers—

- (A) The ground or floor surface of every commercial parking facility shall be covered with concrete, brick, stone slab, asphaltic pavement, or a similar durable and dust free surface which meets the approval of the Division of Code Enforcement. The ground or floor surface of the commercial parking facility shall be such as to provide a smooth, level surface for parking and shall be free of depressions, gaps, holes or similar surface aberrations. On due cause shown the Division of Code Enforcement may in writing allow the use, for a period of time not exceeding six (6) months after the commercial parking facility is opened, of a commercial parking facility which does not conform to this requirement.
- (B) The motor vehicle parking area in every commercial parking facility shall be enclosed by barriers except at places of entrance and exit. If such a motor vehicle parking and storage area abuts a building, barriers shall be erected to prevent motor vehicles from striking the building. Such barriers shall be sufficient to stop a motor vehicle rolling at a rate of five miles per hour. The Division of Code Enforcement, upon written request by the applicant shall have the power to modify or waive this requirement where it is deemed by the Division of Code Enforcement to be unnecessary and unreasonably burdensome.

## 7-2417 Entrances, Exits and Required Reservoir Area—

- (A) Each commercial parking facility shall have at least one entrance and exit (which may or may not be combined) which shall be adequate to afford safe and efficient ingress and egress to the commercial parking facility.
- (B) Each commercial parking facility shall have a motor vehicle reservoir area at each entrance at which a ticket or claim check is given, a fee is paid or the licensee takes physical control of the motor vehicle for the purpose of handling it. "Motor Vehicle Reservoir Area" is the area at the entrance of a commercial parking facility between the property line and the point ten feet beyond the point at which a ticket or claim check is given, a fee is paid or the licensee takes physical control of the motor vehicle for the purpose of handling it. Such motor vehicle reservoir area shall contain in the case of commercial parking facilities with a vehicle capacity of six through fifty motor vehicles, three 9' x 20' spaces and in the case of all other commercial parking facilities, four 9' x 20' spaces. The motor vehicle reservoir area shall be conspicuously outlined with pavement paint and shall not be used for the parking or storage of motor vehicles except when all parking spaces are filled. On good cause shown, the Division of Code Enforcement may in writing allow the use of a commercial parking facility which has a motor vehicle reservoir area which does not conform to the above requirements.

7-2418. Lighting—Lighting devices used to illuminate the commercial parking facility shall be so located, shielded and directed that they do not glare onto or interfere with street traffic or adjacent uses.

7-2419. Signs Required—At each commercial parking facility at which a fee is charged other than by parking meters, a permanent sign shall be maintained at a place visible from each entrance. Such sign shall show the following minimum information:

- (A) the "all day" rate, and
- (B) the "first hour" rate.

The figures and lettering showing the "all day" rate and the "first

hour" rate shall be of equal size and not less than four inches in height.

All signs required by this section must comply with all applicable zoning ordinances and restrictions, in addition to the requirements set forth above.

7-2420. Drainage—Any commercial parking facility constructed or placed in operation after July 1, 1971, shall be constructed with a drainage system adequate to prevent the free flow of water onto properties adjacent to the commercial parking facility or surrounding sidewalks or streets from the real estate on which the commercial parking facility is located.

7-2421. Landscaping Requirements for Commercial Parking Facilities Not in a Building—Any commercial parking facility constructed or placed in operation after July 1, 1971, in which motor vehicles are not parked within a building shall comply with the following landscape requirements. Any commercial parking facility that has been constructed before or is in operation on July 1, 1971, in which motor vehicles are not parked within a building shall not be altered or modified so as to put it in further conflict with these requirements. If, however, a provision of a zoning ordinance, variance grant or parole covenant imposes a more stringent landscape and screening requirement than is found in this chapter, the provisions of the zoning ordinance, variance grant or parole covenant shall be controlling.

#### (A) YARD REQUIREMENT

10% of the lot surface area shall be devoted to yard area. "Lot surface area" shall not be considered to include street right-of-way. Each yard shall be planted and adequately maintained in ground cover (which may include grass) and shrubbery or trees and shall be raised and defined by a six inch curb. The Division of Planning and Zoning, upon request by the applicant and upon receiving a suitable alternative plan which meets the general objectives of this provision, shall have the power to, in writing, modify or waive any landscape requirements which are deemed by the Division to be unfeasible or unreasonably burdensome.

Part of this yard area equipment shall be met by providing and maintaining a yard (buffer yard) at least five feet in

depths along each property line, except at places of entrance and exit, which is contiguous to a street or residential district. For the purpose of this section the term "street" shall mean all designated streets except for any street which is less than 30 feet in width and located within the square formed by North, East, South and West Streets.

An architectural screen may be permitted in lieu of the buffer yard upon approval of the Division of Planning and Zoning as to the design, material and placement of the architectural screen. The architectural screen shall be a wall or fence of ornamental block, brick, or combination thereof. For each linear foot of architectural screen the required number of square feet of yard area shall be reduced by two square feet.

(B) TREE REQUIREMENT

A minimum of one live tree of a 3" caliper size or larger for every 2500 square feet of lot surface area shall be planted and maintained. The trees shall be located in the yard area. Where an architectural screen is not permitted in lieu of a buffer yard one of the required trees shall be planted and maintained in the buffer yard for each fifty linear feet of buffer yard. The Division of Planning and Zoning, upon request by the applicant and upon receiving a suitable alternative plan which meets the general objectives of this provision, shall have the power to, in writing, modify or waive any landscape requirements which are deemed by the Division to be unfeasible or unreasonably burdensome.

7-2422. Attendant Booth—Attendant booths located at commercial parking facilities shall comply with:

- (A) all requirements stated in Title #5, Fire Code Rules and Fire Safety Regulations of the Municipal Code of Indianapolis, 1951, as amended;
- (B) all building regulations of Title #8 of the Code of Indianapolis and Marion County, 1970, as amended;
- (C) all applicable zoning requirements.

Before constructing any new or altering any existing attendant booth,

complete plans for such proposed work shall be filed and approved as required by chapter 3 and 6 of the Building Code, Title 8 of the Code of Indianapolis and Marion County, 1970, as amended.

7-2423. Maintenance—

- (A) The licensee of a commercial parking facility shall keep surrounding sidewalks and driveways leading into the commercial parking facility reasonably free from dirt, water, ice, sleet and snow and in a safe condition for the travel of pedestrians.
- (B) The licensee of a commercial parking facility shall keep the commercial parking facility reasonably free of weeds, dirt, trash and debris.

7-2424. Forbidden Uses—

- (A) The licensee of a commercial parking facility shall not permit the dismantling or wrecking of any motor vehicle or the storage of any junk motor vehicle at the commercial parking facility.
- (B) The licensee of a commercial parking facility shall not permit the placing of literature or handbills in or upon a motor vehicle parked in the commercial parking facility.

7-2425. Unauthorized use or Removal of Motor Vehicle—It shall be unlawful for any licensee of a commercial parking facility to make or permit any private use or move or cause to be moved through or upon the streets or alleys in the Consolidated City any motor vehicle parked in a commercial parking facility unless the use has first been authorized by the owner or operator of the motor vehicle.

The licensee may, however, move a motor vehicle parked in a commercial parking facility at the end of the regular business day if the following information is conspicuously posted at the commercial parking facility:

- (A) A statement indicating that it is the practice of the licensee to move motor vehicles from the commercial parking facility to another location;

- (B) The time of day when such removal of motor vehicles occurs;
- (C) The location to which such motor vehicles are moved.

7-2426. Notification of Claims for Damage or Loss—Every licensee shall within five days notify the Police Department of every claim the asserted value of which is one hundred (\$100.00) or more by reason of the loss, theft, or conversion of any motor vehicle or personal property contained therein, or parked at the commercial parking facility.

7-2427. Notification to Police of Unclaimed Vehicles—Every licensee shall immediately give written notice to the Police Department of the license number, make, and name of the owner, if known to him, of every motor vehicle left unclaimed in the commercial parking facility for a period of thirty consecutive days.

7-2428. Duty of Licensee to Permit Inspection—Every licensee shall permit inspections of the commercial parking facility by the Division of Code Enforcement at any reasonable time.

7-2429. Penalties—If operation of a commercial parking facility continues after revocation of the license, or, if the commercial facility operates after denial of the license as provided for in this ordinance, or, if no license is applied for, the owner of said commercial parking facility shall be subject to the penalties provided for in Section 1-601 of the Code of Indianapolis and Marion County, 1970, as amended.

Section 2. **Effective Date.** This ordinance shall be in full force and effect from and after July 1, 1971, subject to the transitional provisions of Section 3.

Section 3. **Transitional Provisions.** Any license issued pursuant to this chapter effective prior to January 1, 1972, shall be issued for the annual license fee and shall expire December 31, 1972. Any person, firm or corporation which operates a commercial parking facility on the date of enactment of this ordinance and/or which intends to operate a commercial parking facility on or after July 1, 1971 and prior to December 31, 1971, shall apply for a license requested by this ordinance on or before June 1, 1971.

The motion to amend General Ordinance No. 256, 1970, passed by unanimous voice vote.

Mr. Egenes moved, seconded by Mr. Cottingham, to allow Mr. Don Anderson, attorney for the Indianapolis Parking Lot Association, to speak before the Council.

The motion carried by the following voice vote:

Ayes: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. SerVaas, and President Hasbrook.

Noes: Mr. Forestal, Mr. Gorham, Mr. Leak, Rev. Williams.

Mr. SerVaas moved, seconded by Mr. Byrum, that the ordinance be passed, with the understanding that an amendment be considered within six months in areas covered by the grandfather clause on landscaping and the inclusion of indirect fee parking lots.

The motion carried by voice vote.

Mr. Egenes moved that the ordinance be referred back to committee for the inclusion of landscaping and indirect fee parking lots.

The motion failed for want of a second.

After discussion and on motion of Mr. McPherson, seconded by Mr. Leak, General Ordinance No. 256, 1970, as amended, passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham,

Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Forestal was excused from the meeting prior to the vote count.

Mr. Leak reported that the Committee on Public Safety recommended passage of General Ordinance No. 13, 1971.

Mr. Leak called for a second reading of General Ordinance No. 13, 1971.

The Clerk read the ordinance for the second time.

Mr. Leak moved, seconded by Mr. Egenes, to amend General Ordinance No. 13, 1971, as distributed, which reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 1971,  
AS AMENDED

AN ORDINANCE to amend Subsection (a) of Section 3-404 of the Municipal Code of the City of Indianapolis, 1951, as created by General Ordinance No. 66, 1959, and as amended by General Ordinance No. 62, 1970, and establishing an effective date.

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

Section 1. That subsection (a) of Section 3-404 of the Municipal Code of the City of Indianapolis, 1951, as created by General Ordinance 62, 1970, be and the same is hereby further amended to read as follows:

Section 3-404. Copies, History, Searches and Clearances.

(a) Any person, or his duly and properly authorized agent, who is entitled to receive information contained on any record, history or report in the custody of the Indianapolis Police Force, may request



the Police Force to furnish a reproduction of such record or report, which shall be furnished upon payment of the fee as follows:

1. \$3.00 for the first page, and
2. \$1.00 for each additional page

(b) The Chief of the Indianapolis Police Force is authorized to waive the above fee if the person requesting such copy is a properly authorized law enforcement or judicial officer.

(c) Any person requesting a search of the records of the Indianapolis Police Force or the issuance of letters of good conduct for visa or other purposes shall pay a fee of five dollars (\$5.00) before such search is made or such letters are issued.

Section 2. 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.

The motion to amend passed by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. McPherson to further amend General Ordinance No. 13, 1971, as follows: In line 19, delete the figures "\$3.00" and insert in lieu thereof, the figures "\$1.00".

The motion to further amend passed by unanimous voice vote.

On motion of Mr. Leak, seconded by Mr. Byrum, General Ordinance No. 13, 1971, as amended, passed on the following roll call vote:

Ayes 13, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Neal was present in the Council Chambers before the vote was taken.

Mr. Egenes reported that the Committee on Metropolitan Development recommended passage of the ordinances before this committee.

Mr. Egenes called for a second reading of Appropriation Ordinance No. 12, 1971.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. McPherson, Appropriation Ordinance No. 12, 1971, passed on the following roll call vote:

Ayes 10, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Cottingham, Mr. Egenes, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Leak.

Mr. Byrum and Mr. Gorham were out of the Council Chambers when the vote was taken.

Mr. Egenes called for a second reading of General Ordinance Nos. 35 through 37, 1971.

The Clerk read the ordinances for the second time.

On motion of Mr. Egenes, seconded by Rev. Williams, General Ordinance Nos. 35 through 37, 1971, passed on the following roll call vote:

Ayes 13, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes called for second reading of General Ordinance No. 51, 1971.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Rev. Williams, the ordinance passed on the following roll call vote:

Ayes 13, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. McPherson called for a second reading of General Ordinance Nos. 62 through 65, 1971.

The Clerk read the ordinances for the second time.

Mr. Leak requested that a separate roll call be taken on General Ordinance No. 63, 1971.

On motion of Mr. Egenes, seconded by Mr. Byrum, General Ordinance Nos. 62, 64, and 65, 1971 passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Broderick was out of the Council Chambers.

Mr. Egenes moved for the passage of General Ordinance No. 63, 1971.

Mr. Leak moved, seconded by Mr. Gorham, to table General Ordinance No. 63, 1971.

The motion to table carried by voice vote.

Mr. Egenes called for a second reading of General Ordinance Nos. 70 through 73, 1971.

The Clerk read the ordinances for the second time.

On motion of Mr. Egenes, seconded by Mr. Byrum, General Ordinance Nos. 70 through 73, 1971, passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, and President Hasbrook.

Rev. Williams was out of the Council Chambers.

Mr. Egenes called for a second reading of General Ordinance No. 74, 1971.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Byrum, General Ordinance No. 74, 1971, passed on the following roll call vote:

Ayes 13, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes called for a second reading of Special Ordinance No. 6, 1971.

The Clerk read the ordinance for the second time.

On motion of Mr. Egenes, seconded by Mr. Cottingham, Special Ordinance No. 6, 1971, passed on the following roll call vote:

Ayes 13, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Egenes called for a second reading of Special Resolution No. 14, 1971.

The Clerk read the resolution for the second time.

On motion of Mr. Egenes, seconded by Mr. Leak, Special Resolution No. 14, 1971, passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Gorham and Mr. Neal.

Mr. Byrum called for a second reading of General Ordinance Nos. 42 through 59, 60, 61, 66, 67, 68, and 69, 1971.

The Clerk read the ordinances for the second time.

On motion of Mr. Byrum, seconded by Mr. Egenes, General Ordinance Nos. 42 through 59, 60, 61, 66, 67, 68, and 69, 1971, passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Broderick was out of the Council Chambers.

Mr. Boyd requested a "Rationale Sheet" be attached to Transportation ordinances to explain changes in street signs and why they are needed.

President Hasbrook declared a hearing of the Committee of the Whole, Councilman Cottingham presiding.

During a discussion of Special Ordinance No. 5, 1971, Sheriff Lee Eads, County Commissioner Hemphill, and Juvenile Court Judge Harold Fields spoke before the committee.

Mr. Cottingham called for a second reading of Special Ordinance No. 5, 1971.

The Clerk read the ordinance for the second time.

On motion of Mr. Cottingham, seconded by Mr. Egenes, Special Ordinance No. 5, 1971, passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Broderick.

Mr. Gorham called for a public hearing on Appropriation Ordinance No. 13, 1971.

Mr. Gorham announced that the Committee on Administration will meet at 6:00 P.M. on May 5, 1971, to consider Appropriation Ordinance No. 13, 1971.

#### NEW BUSINESS

Mr. Brown requested a legal opinion on whether or not a councilman still has a vote on the police and fire service district council if he moves out of his district. A legal opinion will be rendered by Mr. Elrod prior to the May 5th meeting.

Mr. Byrum moved, seconded by Rev. Williams, to hold a Special Meeting on May 5, 1971, at 6:30 P.M.

The motion was carried by a unanimous voice vote.

Mr. Servaas announced that this was the last date an appointment to the Tax Adjustment Board could be made.

Mr. SerVaas moved, seconded by Mr. Byrum, to appoint Mr. Leak to the Board.

The motion was carried by unanimous voice vote.

Mr. SerVaas moved, seconded by Mr. Leak, for the appointment of David Allison and Miss Jane Heiskell to the Model Cities Board.

The motion was carried by unanimous voice vote.

President Hasbrook announced that due to the resignation of Mr. Keith Leach, a vacancy on the Metropolitan Development Commission needed to be filled, and the floor was open for nominations.

Mr. SerVaas nominated Mr. Francis Feeney, seconded by Rev. Williams.

Mr. Feeney was appointed by a voice vote.

President Hasbrook announced that a vacancy on Variance Board III needed to be filled, due to the resignation of Mr. Bill Miller.

Mr. SerVaas moved, seconded by Mr. Leak, for the appointment of Rev. Lawrence Voelker.

The motion carried by unanimous voice vote.



Mr. Byrum suggested that in considering the appointments in the future, areas of community concentration should be a factor in the selection.

Mr. Leak moved, seconded by Mr. Brown, to adjourn at 9:58 P.M.

The council reconvened at 10:00 P.M. for consideration of the revision of the Council Chambers and the planning study of the City-County Building.

Mr. SerVaas moved, seconded by Mr. McPherson, for the adoption of Special Resolution No. 15, 1971, which reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 15, 1971

RESOLVED: That a study of space needs and space allocations in the City-County Building be made by the Department of Administration, the County Commissioners, and the Clerk of the Courts, and that their findings be the basis on which plans to expand or modify the present City-County Building be specified to the Building Authority.

The Council requests that a preliminary study be completed in ninety (90) days and submitted to the Council Committee on Rules and Policy.

The motion passed by unanimous voice vote.

Mr. SerVaas moved, seconded by Mr. McPherson, to adjourn at 10:03 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 and Marion County,  
held on the 26th day of April, 1971, at 6:30 P.M.

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



ATTEST:

*President*

(SEAL)

*City Clerk*