

SPECIAL MEETING

Monday, May 22, 1972, 6:30 P.M.

A Special Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers in the City-County Building at 6:30 P.M. on Monday, May 22, 1972.

President Hasbrook in the Chair.

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

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

Ladies and Gentlemen:

You are hereby notified that a postponed REGULAR MEETING of the City-County Council will be held in the Council Chamber on Monday, May 22, 1972, at 6:30 P.M. to transact any and all business properly before the Council for action thereof.

Respectfully,

THOMAS C. HASBROOK, President  
City-Council 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-Council Council prior to the time of such postponed REGULAR MEETING pursuant to the rules.

IN WITNESS WHEREOF, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

MARJORIE H. O'LAUGHLIN  
Clerk of the City-County Council

(SEAL)

The Clerk called the roll.

Present: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

Absent: Mr. Brown.

President Hasbrook called for additions or corrections to the Journal.

There being no corrections, the Journal of May 8, 1972, stands approved as distributed.

President Hasbrook called for the reading of communications.

OFFICIAL COMMUNICATIONS

May 15, 1972

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

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Marjorie H. O'Laughlin, the following city-county ordinances and resolutions:

GENERAL RESOLUTION NO. 10, 1972, approving the annexation of territory into the Indianapolis Sanitary District.

GENERAL RESOLUTION NO. 11, 1972, approving the annexation of territory into the Indianapolis Sanitary District.

GENERAL ORDINANCE NO. 45, 1972, disannexing certain territory of the City in order that it may be annexed to the City of Beech Grove.

FISCAL ORDINANCE NO. 14, 1972, transferring \$7,500.00 for certain purposes of the Department of Public Safety and reducing other appropriations for that Dept.

GENERAL RESOLUTION NO. 9, 1972, authorizing the Mayor to execute an amendment to the grant agreement with the U.S. for the Indianapolis Community Services Program.

Respectfully submitted,

RICHARD G. LUGAR  
Mayor

May 22, 1972

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

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be posted in three public places and published in the Indianapolis News and the Indianapolis Commercial, on May 22, and May 29, 1972, General Resolution Nos. 10 and 11, 1972 and General Ordinance No. 45, 1972.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
Clerk of the City-County Council

### PRESENTATION OF PETITIONS

Mr. Clark moved, seconded by Mr. West, to adopt Proposal No. 201, 1972.

The proposal was adopted by unanimous voice vote, renumbered Special Resolution No. 5, 1972, and reads as follows:

#### CITY-COUNTY SPECIAL RESOLUTION NO. 5

#### CITY-COUNTY COUNCIL PROPOSAL NO. 201, 1972 INDIANAPOLIS, MARION COUNTY, INDIANA

A SPECIAL RESOLUTION commending exemplary action during the emergency created by the tornado of May 14, 1972.

WHEREAS: The tornados which struck Marion County on May 14, 1972 wrought serious damage to many homes and businesses in the community; and

WHEREAS: Numerous governmental agencies and private corpora-

tions joined together and cooperated in every way to nurse the injured, safeguard property, and help victims of the storm return to normal lives; and

WHEREAS: Especially noteworthy have been the contributions of the WARREN TOWNSHIP VOLUNTEER FIRE DEPARTMENT, the INDIANAPOLIS OFFICE OF CIVIL DEFENSE, the INDIANAPOLIS CHAPTER OF THE AMERICAN RED CROSS, the INDIANAPOLIS POWER AND LIGHT COMPANY, the INDIANA BELL TELEPHONY COMPANY, the CITIZENS GAS AND COKE UTILITY, the MARION COUNTY SHERIFF'S DEPARTMENT, the UNITED STATES SMALL BUSINESS ADMINISTRATION, and the INDIANAPOLIS POLICE DEPARTMENT; now, therefore;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

SECTION 1. That the Council on behalf of all citizens of Indianapolis and Marion County, express its thanks of the community to all whose untiring efforts have eased the suffering caused by this tornado;

SECTION 2. The Clerk is directed to present this resolution to the Mayor for his assent and to send copies of this resolution to each of the above mentioned groups, as a special expression of the Council's appreciation of their work.

Mr. Byrum moved, seconded by Mr. Giffin, to adopt Proposal No. 207, 1972.

The proposal was adopted by unanimous voice vote, renumbered Special Resolution No. 4, 1972, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 207, 1972  
INDIANAPOLIS, MARION COUNTY, INDIANA

A SPECIAL RESOLUTION commending the Indiana Pacers and Councilman Roger Brown for achieving victory in the ABA Championship playoff series.

WHEREAS: The Indiana Pacers have been extraordinary representatives of the City of Indianapolis and the State of Indiana in the American Basketball Association, and

WHEREAS: The Pacers have brought additional excitement and pleasure to all Hoosier basketball fans through super-excellent play for over five years, and

WHEREAS, The Pacers had already brought 3 Division Titles and a League Championship to Indianapolis, and

WHEREAS: The Pacers and their Coach, Bob Leonard, have recently brought their second ABA Championship home to the All-American City; and

WHEREAS: Councilman and Pacer Roger Brown has once again proven himself in the sports arena—as well as the political arena—

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

SECTION 1. That *enthusiastic congratulations and appreciation* be expressed to Councilman Brown and to all of the Indiana Pacers for bringing honor and glory to Indianapolis and the State of Indiana.

SECTION 2. The City-Council Council wishes continued success to the Pacers in the years ahead and looks forward with all Hoosiers to welcoming the Pacers to their new City home in downtown Indianapolis.

Mr. Boyd moved, seconded by Mr. Bayt, to adopt Proposal No. 209, 1972.

Mr. Giffin praised Mr. Boyd's efforts to save the taxpayers money, but stated that the proposal was improperly submitted.

Mr. Griffith moved, seconded by Mr. Clark, to submit the proposal to the committee on Administration.

Mr. Cantwell moved, seconded by Mrs. Gibson, to table Mr. Griffith's motion.

The motion to table was defeated by a voice vote.

Mr. Griffith's motion passed by a 16 to 11 standing vote.

Mr. Brown was present in the Chambers after the vote was taken.

President Hasbrook called for the introduction of proposals.

## INTRODUCTION OF PROPOSALS

PROPOSAL NOS. 182 through 187, 1972

Introduced by Councilman Byrum.

## PROPOSAL NO. 182, 1972

A proposal for a General Ordinance amending the Code, Title 4, Chapter 10, Section 1001(6), Passenger and Material Loading Zones—Permits.

## PROPOSAL NO. 183, 1972

A proposal for a General Ordinance amending the Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

## PROPOSAL NO. 184, 1972

A proposal for a General Ordinance amending the Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

## PROPOSAL NO. 185, 1972

A proposal for a General Ordinance amending the Code, Title 4, Chapter 10, Section 1001(6), Passenger and Material Loading Zones—Permits.

## PROPOSAL NO. 186, 1972

A proposal for a General Ordinance amending the Code, Title 4, Chapter 8, Section 812, Parking Prohibited at all Times on Certain Streets.



PROPOSAL NO. 187, 1972

A proposal for a General Ordinance amending the Code, Title 4, Chapter 8, Section 814.1, Parking, Stopping or Standing Prohibited Any and All Times.

Which were read and referred to the Committee on Transportation.

PROPOSAL NO. 188, 1972

Introduced by Councilman Cottingham.

A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1972, appropriating and transferring the sum of Four Hundred Thirty Two Dollars and Seventy Cents (\$432.70) for certain purposes of the County Treasurer and Criminal Court Probation.

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

PROPOSAL NOS. 189 through 199, 1972

Introduced by Councilman Egenes.

A proposal for Rezoning Ordinances certified from the Metropolitan Development Commission on May 18, 1972.

Which were read and placed on the agenda under Special Orders—Final Adoption.

PROPOSAL NO. 200, 1972

Introduced by Councilman Cottingham.

A proposal for a Fiscal Ordinance amending the City-County Annual Budget for 1972, and appropriating and transferring the sum of \$5,000.00 for certain purposes of the Juvenile Court and reducing certain other appropriations for that office.

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

PROPOSAL NO. 202, 1972

Introduced by Councilman Kimbell.

A proposal for a General Ordinance prohibiting motorists from driving motor vehicles that have windows which are covered or are such that proper vision is restricted.

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

PROPOSAL NO. 203, 1972

Introduced by Councilman McPherson.

A proposal for a General Ordinance to provide for service charges or fees for the use of the sewerage system of the Department of Public Works by persons owning or occupying real estate connected to said sewerage system.

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

PROPOSAL NOS. 204 through 206, 1972

Introduced by Councilman Egenes.

PROPOSAL NO. 204, 1972

A proposal for a General Ordinance annexing certain territory to the City of Indianapolis upon disannexation of the same by the City of Lawrence.

PROPOSAL NO. 205, 1972

A proposal for a General Ordinance enlarging the boundaries of the Fire Special Service District of the City of Indianapolis.

PROPOSAL NO. 206, 1972

A proposal for a General Ordinance enlarging the boundaries of the Police Special Service District of the City of Indianapolis.

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

### SPECIAL ORDERS—FINAL ADOPTION

President Hasbrook called for proposals eligible for final action.

Mr. Gorham moved, seconded by Mr. Giffin, to amend Proposal No. 181, 1972, as follows:

#### CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Proposal No. 181, 1972, be amended as follows:

By Deleting the following items:

Social Services—Item 4  
Education—Item 1  
Economic Development—Item 1  
Recreation and Culture—Items 1 & 3  
Transportation—Item 1

And by amending the amounts as follows:

Social Services to \$285,000  
Education to \$186,000  
Economic Development \$500,000  
Recreation and Culture \$250,000

JOE T. GORHAM  
Councilman

The motion to amend carried by unanimous voice vote.

Mr. Schneider moved, seconded by Mr. Elmore, to further amend Proposal No. 181, 1972, as follows:

Mr. President:

I move that Proposal No. 181, 1972, be further amended by the deletion of the following items: on Page 2 of the Proposal, under Economic Development, Items 2 and 3.

The motion to further amend failed for want of a majority.

Mr. Schneider moved, seconded by Mr. Elmore, to further amend Proposal No. 181, 1972, as follows:

#### CITY-COUNTY COUNCIL MOTIONS

Mr. President:

I move that Proposal No. 181, 1972, be further amended by the deletion of the following:

On Page 2, under the heading "Non-Project Expenses," delete Item No. 1.

The motion to further amend failed for want of a majority.

After discussion the proposal as amended, passed on the following roll call vote:

Ayes 26, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

Noes 3, viz: Mr. Dowden, Mr. Elmore, and Mr. Schneider.

The proposal, retitled General Resolution No. 13, 1972, reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 1972

CITY-COUNCIL COUNCIL PROPOSAL NO. 181, 1972  
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL RESOLUTION authorizing the Mayor of the City of Indianapolis, to execute certain amendments to the grant agreement with the United States of America for the Indianapolis Community Services Program (Model Cities Program and Planned Variation Extension thereof).

WHEREAS, the City of Indianapolis has entered into a Grant Agreement with the United States dated August 24, 1970, under which the United States agreed to assist the city in carrying out its comprehensive city demonstration program (Program) and certain projects and activities listed in the Grant Budget of the Grant Agreement.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, IND.:

SECTION 1. The Mayor is hereby authorized to execute amendments to the Program to include the material attached hereto and made a part hereof.

SECTION 2. The addition or substantial change in the undertakings listed below are hereby approved.

CSP GRANTS IN THE NON-HIGHLAND-BROOKSIDE/

NON-MODEL NEIGHBORHOOD AREA (\$1,993,000)

	<u>Annual Rate CSP Share</u>	<u>Committee</u>	<u>Nature of Change</u>
<u>Social Services (\$405,000)</u>			
1. Hispano-American Multi-Service Center; Catholic Social Services	\$ 40,000	Econ. Dev.	Expansion
2. Crosstown Neighborhood Social Service Center; Community Action Against Poverty	\$ 25,000	Econ. Dev.	New
3. Mapleton-Fall Creek Multi-Service Center; Community Service Council	\$100,000	Econ. Dev.	Expansion
5. Haughville / Stringtown Multi-Service Center; Christamore House and the Salvation Army	\$ 70,000	Metro. Dev.	New
<u>Education (\$229,000)</u>			
2. Higher Education Scholarship Fund; Consortium for Urban Education	\$ 50,000	Admin.	New

3. Health and Education Services That Lower Disabilities; Marion County Association for Retarded Children	\$ 50,000	Community Affairs	Expansion & Extension
5. Printing Skills Training; Discovery, Inc.	\$ 36,000	Metro. Dev.	New
<u>Economic Dev. (\$535,000)</u>			
2. Indianapolis Business Development Seed Money; Indianapolis Business Development Foundation	\$250,000	Econ. Dev.	New
3. Minority Enterprise Small Business Investment Corporation; Economic Development Department	\$250,000	Econ. Dev.	Expansion
<u>Recr. &amp; Cul. (\$450,000)</u>			
2. Small Recreation Areas—UNWA; Department of Parks and Recreation	\$ 30,000	Parks & Rec.	New
4. Urban Arts Center; Urban Arts Center, Inc.	\$ 39,000	Community Affairs	Expansion
5. Three Area Parks; Department of Parks and Recreation	\$136,253	Parks & Rec.	Extension
6. Symphony In Schools; Indiana Public Schools	\$ 45,000	Community Affairs	New
<u>Crime &amp; Del. (\$80,000)</u>			
1. Indianapolis Bail Project; Municipal Court of Marion County	\$ 20,000	Co. & Twps.	Extension



Transportation (\$80,000)Non-Project Exp. (\$1,722,000)

1. Improving Capacity of Local Government	\$1,000,000	Administration
2. Overhead Expenses Beyond March 1, 1972	\$ 522,000	Administration
3. Relocation Assistance and Payments	\$ 200,000	Administration

Model Neighborhood First Year Amendments (\$0)

	<u>Committee</u>	<u>Grant Revision #5</u>	<u>Amendment Amount</u>
1. E—Economic Development	Admin.	\$ 850,509.80	—\$101,201.20
2. K—Off-Street Parking	Admin.	\$ 741.55	—\$ 3,508.45
3. R—Summer Day Camp	Admin.	\$ 48,012.32	—\$ 3,819.68
4. BB—Health Services	Admin.	\$ 884,823.38	—\$ 1,176.62
5. BC—Rehab & Housing Counseling	Admin.	\$ 101,795.68	—\$ 922.32
6. CC—Rodent Control	Admin.	\$ 133,865.10	—\$ 7,170.90
7. CV—Marion College	Admin.	\$ 14,853.48	+\$ 353.48
8. FF—Community Schools	Admin.	\$ 63,781.57	—\$ 33,868.43
9. GG—Model Schools	Admin.	\$ 496,852.90	—\$ 20,187.10
10. RL—Relocation	Admin.	\$ 404,784.54	+\$ 63,645.54
11. LL—Legal Services	Admin.	\$ 29,337.02	—\$ 629.98
12. MR—Market Place	Admin.	\$ 10,662.96	—\$ 39,337.04
13. MN—Manpower	Admin.	\$ 122,644.60	—\$ 27,355.40
14. NS—Pilot Multi-Service	Admin.	\$ 3,896.30	—\$ 18,092.70
15. SY—Parks & Recreation	Admin.	\$ 313,384.04	—\$ 29,256.99
16. A—Administration	Admin.	\$1,658,364.09	+\$222,529.09

Highland-Brookside Amendments (\$505,000)

1. People's Health Ctr.; Eastside Promise, Inc.	Metro. Dev.	\$505,000
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SECTION 3. This resolution shall be in full force and effect from and after its passage and approval by the Mayor.

After discussion, Proposal Nos. 166, 167 and 168, 1972, passed on the following roll call vote:

Ayes 29, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

The proposals were retitled General Ordinance Nos. 46, 47, and 48, and read as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 46, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 166, 1972  
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL ORDINANCE amending the "Municipal Code of Indianapolis 1951," as amended, and more particularly Title 4, Chapter 10, Section 1001(6) thereof, Passenger and Material Loading Zones—Permits, providing penalties, 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:

SECTION 1. Title 4, Chapter 10, Section 1001(6) thereof, PASSENGER AND MATERIAL LOADING ZONES—PERMITS, is hereby, amended by the addition of the following:

<u>No.</u>	<u>Length</u>	<u>Location</u>
270	50 ft.	Beginning at a point in the east curb line of Pennsylvania St. 45 feet south of the intersecting south curb line of Vermont St., as presently established, and extending south a distance of 50 feet. For use and occupancy of Architects Builder & Builders, 333 North Pennsylvania St.

SECTION 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 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 adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

CITY-COUNTY GENERAL ORDINANCE NO. 47, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 167, 1972  
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL ORDINANCE amending 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 Chapter 7, Section 711 thereof, Stopping at Certain Intersections—Four-Way Stops, providing penalties, 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:

SECTION 1. Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets, be, and the same is hereby, amended by the the addition of the following:

<u>Preferential</u>	<u>Stop</u>
County Line Road South	Ridge Hill Drive

SECTION 2. Title 4, Chapter 7, Section 711 thereof, Stopping at Certain Intersections—Four-Way Stops, be, and the same is hereby, amended by the addition of the following:

Four-Way Stop

Ridge Hill Dr., Ridge Hill Ave. and  
Hunting Trail

SECTION 3. This amendment shall be subject to the penalties as provided in Title 1, Chapter 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. 48, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 168, 1972  
INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL ORDINANCE amending 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 providing penalties, 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:

SECTION 1. Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets, is hereby, amended by the addition of the following:

<u>Preferential</u>	<u>Stop</u>
Audubon Road	41st Street
Audubon Road	Marilyn Road

<u>Preferential</u>	<u>Yield</u>
Audubon Road	43rd Street

SECTION 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 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 adoption by the Council, approval by the Mayor, and compliance with all laws pertaining thereto.

Mr. Byrum moved, seconded by Mr. Egenes, to amend Proposal No. 94, 1972, per the copy distributed.

The motion to amend passed by unanimous voice vote.

After discussion, Proposal No. 94, 1972, passed as amended, on the following roll call vote:

Ayes 29, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

The proposal was retitled General Ordinance No. 49, 1972, and reads as follows:

G.O. No. 49, 1972

Proposal No. 94, 1972

STANDARDS FOR ACCEPTANCE  
OF STREETS AND BRIDGES

Department of Transportation

City of Indianapolis,  
Indiana

March 1, 1972

Revised May 17, 1972

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AN ORDINANCE PROVIDING STANDARDS FOR ACCEPTANCE  
OF STREETS AND BRIDGES

WHEREAS, the Transportation Board of the Consolidated City of Greater Indianapolis, Indiana, is charged with the responsibility of accepting streets and bridges within its jurisdiction for future maintenance; and the Department of Transportation is charged with the duty and responsibility of maintaining said streets and bridges after acceptance; fixing standards therefor, and

WHEREAS, the Director of the Department of Transportation has recommended that the City-County Council adopt new and improved minimum standards for acceptance of streets and bridges for maintenance within such Consolidated City;

NOW THEREFORE BE IT ORDAINED:

SECTION I.—GENERAL APPLICATION

On and after the effective date of this Ordinance, all streets and bridges not constructed by the Department of Transportation of the Consolidated City of Indianapolis shall be accepted by the Transportation Board into the City of Indianapolis Street System for maintenance only when the requirements of this Ordinance are met; provided, however, that the specifications, standards and requirements of Section II of this Ordinance shall not apply as follows:

A. All streets and bridges for which construction plans were approved prior to January 1, 1970, by an appropriate predecessor agency to the Department of Transportation, if constructed, shall meet the minimum standards of the Metropolitan Subdivision Control Ordinance 58-AO-13, as amended, or Marion County Ordinance 46-1964, so long as the construction is completed and a request for acceptance has been submitted to the Department of Transportation within two (2) years of the effective date of this Ordinance.

B. All streets and bridges for which construction plans were approved by the Department of Transportation prior to the effective date of this Ordinance, shall be constructed in accordance with the approved plans, so long as the construction is completed and a request for acceptance has been submitted to the Department of Transportation within two (2) years of the effective date of this Ordinance.

C. All streets and bridges for which construction plans are submitted to the Department of Transportation within thirty (30) days of the effective date of the Ordinance shall be constructed according to such plans as finally approved, so long as the construction is completed and a request for acceptance has been submitted to the Department of Transportation within two (2) years of the effective date of this Ordinance.

SECTION II.—MINIMUM STANDARDS FOR STREET AND  
BRIDGE CONSTRUCTION

Upon written application to the Director of the Department of Transportation with supporting reasons and data, a variance from the requirements of this Section, based upon good engineering judgment, may be granted by the Department of Transportation. This variance,

if granted, shall apply only to the particular streets or bridges between the specified limits named in the application.

## PART A. GENERAL REQUIREMENTS

### A1. Plans

All streets as designated and labeled upon a proposed plat, instrument of dedication, or construction plan shall be graded, constructed and surfaced in accordance with the satisfactory construction plans and specifications submitted therefor by the developer in accordance with the following specifications and requirements.

#### a.) Preparation of Plans

Plans for said streets and bridges shall be prepared over the seal and signature of a Professional Engineer or Land Surveyor, licensed by the State of Indiana.

#### b.) Presentation of Plans for Approval

Plans shall be submitted for review and approval to the various departments that are to assume final maintenance responsibility for the completed work in accordance with the procedures published by that department. In cases of overlapping responsibility, duplicate copies of transmittal letters and plans may be requested by the Department of Transportation.

### A2. Starting of Construction

a.) Work shall not be started until plans have been approved by all agencies having jurisdiction over the phase of construction. Copies of the various approvals shall be submitted to all agencies involved upon request.

b.) Written notice shall be given to all affected agencies in accordance with their procedures sufficiently in advance of the start of construction so that those employees charged with the responsibility of inspection may be properly notified. For the Department

of Transportation, written notice shall be given within a minimum of three (3) days in advance of construction; where construction has ceased for ninety (90) days, renotification is required.

c.) Neither the Department of Transportation nor any other affected agency of government shall be obligated to accept any work started prior to approval of plans in accordance with paragraph A1 of this section and notification pursuant to subparagraph b.) of this paragraph. Should a request for acceptance of such work be made, the criteria and requirements for acceptance shall be those in force and effect on the date of the request. Any remedial work determined to be necessary for acceptance by the Department of Transportation or any other affected department shall be done at the developer's expense.

#### A3. Governing Specifications

Unless otherwise provided in this Ordinance or on the plans and specifications supplied for the project, the Indiana State Highway Commission Standard Specifications current at the time of construction plan approval shall apply to all work performed and to all materials used in all improvements which are to be dedicated to the Department of Transportation for maintenance.

#### A4. Length of Plan Approval Validity

In the event construction of a street or bridge is not initiated within two (2) years and work completed within four (4) years after the approval of construction plans, such plans shall be presented to the Department of Transportation for re-review, and certain design features may be required to be changed due to changes in design criteria.

### PART B. MINIMUM STANDARDS FOR STREET DESIGN

#### B1. Designation of Street Classification

The designation of street classification shall be approved by the Department of Transportation in accordance with definitions of classification as specified by the Department of Metropolitan Development.

## B2. Pavement Width and Length

a.) The minimum width of residential local street pavement, including gutters and curbs, shall be twenty-six (26) feet when the density is two and one-half (2.5) or less lots per gross acre of the total project. If the density is greater than two and one-half (2.5) lots per gross acre of the total project, the minimum width, including gutters and curbs, shall be thirty (30) feet. The maximum total length of a dead-end street shall be six hundred and fifty (650) feet as measured from the intersection of centerlines of the street intersection and the radius point of the cul-de-sac.

b.) All permanently dead-ended streets shall be terminated by cul-de-sacs. The minimum radius of cul-de-sacs on local streets and the minimum radius of curb entering and leaving the turnaround area shall be as shown on Standard Plan 22-01, Type 1. Temporarily dead-ended streets may be permitted in cases in which they are proposed to be and should logically be extended beyond the limits of the plat, but are not yet constructed beyond the plat limits. Adequate easements for turnarounds shall be provided for such temporarily dead-ended streets which extend greater than one lot deep.

c.) The minimum width of residential collector street pavement, including gutters and curbs, shall be thirty-six (36) feet back to back of curbs.

d.) The minimum width of a street within an area zoned non-residential or multi-family shall be thirty-six (36) feet back to back of curbs.

e.) The minimum radius of cul-de-sacs on all streets not covered by B2b.) and the minimum radius of curb entering and leaving the turnaround area shall be as shown on Standard Plan 22-01, Type 2.

f.) If, during the preliminary planning phase, it is deemed necessary by the Department of Transportation that a Thoroughfare, or a portion thereof must be constructed, the developer may be required to construct only part of the full requirements set forth in

the Thoroughfare Plan Ordinance 69-CPS-R5. If this is allowed, the street (and bridges, if required) shall be designed in such a manner that the Thoroughfare may be completed without disturbing this original work, and total proposed right-of-way shall be dedicated to the City of Indianapolis.

### B3. Minimum Right-of-Way

The greater of the following shall be the minimum right-of-way required.

- a.) The right-of-way as set forth for future use in the Thoroughfare Plan Ordinance 69-CPS-R5, as amended.
- b.) Local Streets: Fifty (50) feet; fifty (50) foot radius from center of Cul-de-Sac.
- c.) Collector Streets: Seventy (70) feet.
- d.) In areas not zoned under the "Dwelling District Zoning Ordinance of Marion County" at the time of submission of plans for approval: seventy (70) feet.
- e.) The right-of-way set forth in Metropolitan Subdivision Control Ordinance 58-AO-13, as amended.
- f.) Divided streets and one-way streets: as determined by the Department of Transportation.

### B4. Normal Crown

The pavement crown for all streets shall be computed at a rate of one quarter ( $\frac{1}{4}$ ) inch per foot.

### B5. Grades

- a.) Maximum Grades

1.) The maximum grade of expressways, and primary and secondary Thoroughfares shall be as determined by the Department of Transportation.

2.) The maximum grade for collector streets shall not exceed five (5) per cent.

3.) The maximum grade for local streets shall not exceed seven (7) per cent, except short local streets (not to exceed six hundred (600) feet in total length) where maximum grade shall not exceed twelve (12) per cent.

4.) The maximum grade for cul-de-sacs within the turning area shall not exceed three (3) per cent.

b.) Minimum Grades

The minimum grade of all streets shall be five-tenths (0.5) per cent.

B6. Design Speeds

The design speed is that speed used for design of streets as set forth in various texts, handbooks, etc. for highway design. It is intended that, through controls, both legal and geometric, the operating speed of a typical vehicle will be at or below the current thirty (30) miles per hour legal speed limit for urban districts as set forth in the statutes of the State of Indiana.

a.) The design speed for collector streets shall be thirty (30) miles per hour.

b.) The design speed for local streets shall be twenty (20) miles per hour.

c.) The design speed for all other streets shall be as determined by the Department of Transportation.

**B7. Minimum Stopping Sight Distances**

- a.) The stopping sight distance for collector streets shall be two hundred and forty (240) feet.
- b.) The stopping sight distance for local streets shall be one hundred twenty-five (125) feet.
- c.) The stopping sight distance for all other streets shall be as determined by the Department of Transportation.

**B8. Street Alignment**

- a.) The minimum lengths of vertical curves shall be as shown in Standard Plan 26-01.
- b.) Vertical curve shall be considered at all intersections of grade and the maximum grade change without a vertical curve shall be based on comfort and as shown in Standard Plan 26-01. At intersections, the break in grade may be four (4) per cent maximum conforming to the crown of the cross street.
- c.) The minimum centerline radius for a horizontal curve shall be as shown below for the various streets:
  - 1.) Collector—two hundred (200) feet.
  - 2.) Local—one hundred fifty (150) feet.
  - 3.) Short local (650 feet or less in length)—one hundred (100) feet.

It is recognized that these radii are less than the minimum for the various design speeds set forth in part B6. The minimum radii are being used to discourage higher operating speeds than those which may be obtained using the theoretical minimum radii based upon design speed.



d.) Street widths shall be uniform or uniformly tapered for widening through curves. Bulges on curves or at "two leg" intersections shall not be acceptable.

e.) The minimum tangent between reversed minimum radii curves shall be 100.00 feet. In no case may a tangent distance less than 50.00 feet be permitted, except for very large (over 1000 ft.) radii curves which may be reversed with no (0.00 ft.) tangent between curves.

#### B9. Intersections

a.) An intersection shall have three (3) or more street approaches whose centerlines intersect in a common point.

b.) Street curbs at intersections shall have the greater of the following as a minimum radius:

1.) Between two local streets: twenty (20) feet.

2.) If one or more streets is classified a collector street: twenty-five (25) feet.

3.) If one or more streets is designated as a Thoroughfare in the Thoroughfare Plan Ordinance 69-CPS-R5, as amended, see "e.)" below.

c.) Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than seventy-five (75) degrees.

d.) Street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be permitted.

e.) Intersections of local and collector streets with Thoroughfares shall be in accordance with appropriate sections of the Department of Transportation Access Control Manual and be approved by the Department of Transportation.

f.) The following paragraphs shall be required as a provision of the covenants of all Final Plats:

"No fence, wall, hedge or shrub planting which obstructs sight lines shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting points twenty five (25) feet from the intersection of the property lines extended, at the intersection of a collector street and a local street. The above restrictions for the intersection of two (2) local streets shall be a triangle with legs equal to fifteen (15) feet. The same sight line limitations shall apply to any lot, the corner of which is at the intersection of a street property line with an alley line. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines."

g.) Trees shall not be planted within the public right-of-way.

#### B10. Sidewalks

a.) In all platted subdivisions, the necessity of sidewalk installation shall be governed by the Metropolitan Subdivision Control Ordinance 58-AO-13, as amended, and any waivers thereof shall be obtained from the Plat Committee of the Department of Metropolitan Development prior to submission of construction plans for approval. A copy of such waiver shall be submitted with construction plans. For all other streets and bridges, the necessity of sidewalk installation shall be determined by the Director of the Department of Transportation.

b.) The minimum width of sidewalks shall be four (4) feet.

c.) The desirable location of sidewalks shall be four (4) feet from the back of the curb.

#### B11. Driveways

When shown on construction plans, each driveway shall be designed to meet the following regulations:

- a.) The Department of Transportation Access Control Manual;  
and
- b.) Part E of this Section.

If driveways are not to be installed as a part of the construction a note to that effect shall be placed on the plans.

**PART C. MINIMUM STANDARDS FOR STREET CONSTRUCTION**

**C1. General Requirements**

- a.) Minimum requirements for street construction shall be in accordance with "Standard Specifications" of the State Highway Commission of Indiana, 1971 Edition, or subsequent superseding edition, hereinafter referred to as the "Standard Specifications", unless otherwise required by this Ordinance.
- b.) All Standard Specification section No. references are based on the 1971 Edition.
- c.) A copy of the current edition of these Standard Specifications is on file at the Department of Transportation.
- d.) Construction tolerances and testing shall be in accordance with the criteria and methods set out in Standard Plans 70-01 and 70-02.

**C2. Preparation of Subgrades for Rigid and Flexible Pavements**

The subgrade shall be prepared in compliance with Section 207 of the Standard Specifications.

**C3. Rigid Pavement (Plain Cement Concrete) Thickness**

- a.) The minimum thickness of concrete pavement for local streets shall be six (6) inches.

b.) The minimum thickness of concrete pavement for residential collector streets shall be seven (7) inches.

c.) The minimum thickness of concrete pavement for commercial and industrial collector streets shall be eight (8) inches. If it is anticipated the street will have greater than ten (10) per cent truck traffic (average daily), the thickness shall be nine (9) inches.

d.) The minimum thickness of concrete pavement for all other streets shall be as determined by the Department of Transportation.

#### C4. Rigid Pavement Materials and Methods of Construction

a.) Plain cement concrete pavement shall be constructed in accordance with Section 501 of the Standard Specifications, except as provided below.

b.) Materials shall comply with Section 901 and subsections 903.01, 903.02, and 912.01 of the Standard Specifications. Concrete shall be machine finished except on widened portions, intersections or other places where hand finishing will be permitted if authorized by the Department of Transportation.

c.) Conditioning of subgrade shall be in accordance with Section 501.07 of the Standard Specifications.

d.) All joints shall be constructed in accordance with Section 501.14 of the Standard Specifications, except:

1.) Weakened plane or dummy transverse contraction joints shall be placed not to exceed twenty (20) feet spacing. Transverse contraction joints may be either formed or sawed dummy groove, ribbon or pre-molded strip type. One of the above named joints shall be placed at every catch basin and manhole in line of pavement. The location of manholes, etc. in the pavement shall determine the exact location of joints. All joints must extend throughout side strips and curbs to full width of pavement.

2.) Expansion joints, with approved dowel bar assembly, shall be placed at street intersections and where shown on the plans.

3.) Whenever the width between forms of the pavement under construction is greater than thirteen (13) feet, longitudinal joints shall be constructed so as to divide the pavement into strips not to exceed fifteen (15) feet each.

e.) Finishing machines or vibrating strikeboards of design other than as specified in the Standard Specifications will be permitted only if work of equal quality as set out in these specifications is obtained in the opinion of the Department of Transportation.

f.) Curing with approved impervious membrane or sealing compounds will be permitted if authorized by the Department of Transportation.

g.) All concrete shall be air entrained.

#### C5. Flexible Pavement (Full Depth Asphalt) Thickness

a.) The minimum thickness of full depth hot asphalt concrete or hot asphalt emulsion for local streets shall be seven and one-half ( $7\frac{1}{2}$ ) inches.

b.) The minimum thickness of full depth hot asphalt concrete or hot asphalt emulsion for residential collector streets shall be nine and one-half ( $9\frac{1}{2}$ ) inches.

c.) The minimum thickness of full depth hot asphalt concrete or hot asphalt emulsion for commercial and industrial collector streets shall be eleven and one-half ( $11\frac{1}{2}$ ) inches. If it is anticipated the street will have greater than ten (10) per cent truck traffic (average daily) the thickness shall be twelve and one-half ( $12\frac{1}{2}$ ) inches.

d.) The minimum thickness for full depth hot asphalt concrete or hot asphalt emulsion for all other streets shall be as determined by the Department of Transportation.

C6. Flexible Pavement Materials and Methods of Construction

a.) Hot asphalt emulsion and hot asphalt concrete pavements shall be in accordance with Sections 401 and 403, respectively, of the Standard Specifications. These pavements shall consist of a one (1) inch wearing surface, and the rest of the total asphalt section as described in C5, above, shall be base, placed in three and one-half (3½) inch maximum compacted lifts. The hot asphalt emulsion surface shall be Type III mixture, and base shall be either No. 4, No. 5, or No. 53B mixture. The hot asphalt concrete surface shall be Type "B" mixture, and base shall be either No. 4, No. 5, or No. 53B mixture. Construction joints in the same plane shall not be located within fifty (50) feet of a joint in the preceding lift.

b.) Materials shall comply with subsections 902.01; 902.02, 902.03, 902.04, 903.01, and 903.02 of the Standard Specifications.

C7. Other Paving Materials

Upon application to the Director of the Department of Transportation, with supporting data from field tests, permission may be granted by the Department of Transportation to use other paving materials that have shown satisfactory performance.

C8. Alternate Pavement Thickness

a.) Upon application to the Director of the Department of Transportation, with supporting data from field tests, alternate or lesser pavement thickness than those set forth in Parts C3 and C5 may be approved by the Department of Transportation.

b.) Based upon experience in the vicinity of a proposed street or with soil of a similar nature, the Department of Transportation may require a pavement thickness greater than the minimums specified in Parts C3 and C5, unless supporting data to the contrary is supplied.

C9. Curb and Gutter

a.) Curb and gutter shall be required for all streets.

b.) Curb and gutter shape shall be in accordance with the Standard Plan 12-01.

c.) Construction requirements shall comply with subsection 605.04 of the Standard Specifications.

d.) Materials and conditioning of subgrade shall be in accordance with the provisions of Part C4, Subsection c.).

#### C10. Sidewalk

Sidewalks shall be a minimum of four (4) inch thickness of portland cement concrete, conforming to subsections 604.02 and 604.03 of the Standard Specifications and be as shown on Standard Plan 14-01.

#### C11. Parkstrip

a.) The parkstrip (the area between the curb and the sidewalk) shall be constructed in accordance with subsection 604.09 of the Standard Specifications.

b.) The materials shall comply with subsections 913.01, 913.03, 913.04 and 913.05 of the Standard Specifications.

### PART D. BRIDGES

#### D1. Plans and Design

a.) Plans for bridges or structures having clear spans of twenty (20) feet or greater shall be reviewed separately from the street plans. Construction may be separate or combined with the adjacent street at the discretion of the developer.

b.) The bridge shall be designed to meet the criteria set forth in the AASHO Standard Specifications for highway bridges in effect at the time of design, and shall be designed for HS-20 loading.

c.) In order for the Department of Transportation to review the plans for a bridge crossing a waterway of any size, copies of acceptance of the waterway opening by the various other governmental agencies having jurisdiction over stream crossings at the time of design shall be submitted along with the plans. These agencies include, but are not limited to, the Indiana Department of Natural Resources, the U.S. Army Corps of Engineers, and the Department of Public Works of the Consolidated City of Greater Indianapolis.

d.) In the event that construction of the bridge is not initiated within two (2) years and work completed within four (4) years after the approval of construction plans, such plans shall be presented to the Department of Transportation for re-review, and certain design features may be required to be changed due to changes in the design criteria.

#### PART E. DRIVEWAYS

##### E1. Permits

a.) Approved construction plans will be required instead of an access or driveway permit when the construction is to connect a proposed public street to another proposed public street or to an existing public street.

b.) Driveway permits are required for individual or commercial driveways and private streets to be connected to streets which have been, or are proposed to be, accepted by the City.

##### E2. Construction

a.) Private residential driveways shall be constructed in accordance with Standard Plan 16-01, and Parts C4 and C6 herein.

b.) Commercial driveways and their acceleration and deceleration lanes shall be constructed in accordance with the Department of Transportation Access Control Manual and Parts C3, C4, C5 and C6 herein.



PART F. STREET NAME SIGNS

F1. Location

a.) At least two street name signs shall be installed on one post at each street intersection to be located on the northeast corner thereof, whenever possible, and on the parkstrip between the street and sidewalk at a point approximately six (6) inches from the sidewalk.

F2. Material and Installation

Street name signs shall conform with Standard Plan 43-01.

PART G. DRAINAGE

The type and location of all pipe, culverts, bridges, etc., intended to carry storm water within street rights-of-way shall be approved by the Department of Transportation. Evidence shall be presented at the time of presenting the street plans for approval that application has been made to the appropriate other governmental agencies having jurisdiction over drainage for approval of the size and other hydraulic criteria. The Department of Transportation shall review and approve any drainage structure whose failure could seriously affect the street itself. The Department of Public Works must also review and approve the overall drainage plan.

G1. Culverts

a.) Culverts shall be constructed and installed whenever necessary, to provide adequate drainage, in accordance with the satisfactory construction plans and specifications therefor submitted by the developer.

b.) The locations and size of driveway culverts shall be determined at the time construction plans are prepared for the entire subdivision. However, the minimum size of such culverts shall be no less than twelve (12) inches, but in no case less than that

specified by the approved construction plans and specifications therefor submitted.

c.) Pipe end sections (metal or concrete) shall be used for drive-way culverts. See Standard Plans 32-01 and 32-02.

#### G2. Storm Drainage

a.) Within street rights-of-way all surface water shall be drained by enclosed drainage systems. All pipes, culverts, intersectional drains, drop inlets, bridges, pipe end sections and similar or related installations necessary to provide adequate surface water drainage of the area, shall be constructed and installed in accordance with the approved plans and specifications submitted therefor by the developer to the various governmental agencies having jurisdiction over drainage.

b.) Storm drainage and surface water installations, including roof downspouts, shall not be connected to or empty into sanitary sewer systems.

#### G3. Drainage Design Criteria for Streets

a.) Inlet or catch basin spacing shall be designed using the following criteria:

1.) The quantity of water ("Q") in cubic feet per second shall be determined for the area to be drained by the inlet in accordance with the methods outlined by the Department of Public Works.

2.) Rainfall intensity—duration—frequency used in these calculations shall be as taken from information supplied by the Weather Bureau for Indianapolis, Indiana. Copies of charts showing these curves for the years 1903 to 1951 are on file in the Department of Transportation.

3.) For a two-year design storm there shall be one unflooded lane, twelve (12) feet wide on local streets, and two unflooded lanes twenty-two (22) feet wide on collector streets. On other

streets the amount of flooding shall be as determined by the Department of Transportation.

4.) A check shall be made to insure that for a ten (10) year design storm, the flow in the street shall, at no location, be above the top of the curb. If necessary, the inlet spacing shall be adjusted accordingly.

b.) A catch basin or other type of approved debris retainer shall be located so as to intercept debris collected by the drainage system constructed as part of the particular development, immediately prior to the intersection with a previously constructed collector storm sewer. Also, in cases where various streets within a development are to be drained into a collector storm sewer constructed as part of the development project, debris retainers must be constructed on each line serving the individual streets immediately prior to their intersection with the collector line.

c.) Main line storm and sanitary sewers, as standard practice, shall not be placed under pavement, except that minimal near right angle crossings shall be permitted, provided adequate provisions are made for backfilling.

d.) The minimum velocities used in designing storm sewers shall be as required by the Department of Public Works.

e.) Materials and construction requirements for manholes, inlets and pipes shall be in accordance with Section 715 of the Standard Specifications or as specified by the Department of Public Works.

f.) The use of underdrains to reduce the accumulation of subsurface water shall be required in all depressed or "sag" areas. Such drains shall meet the requirements of Standard Plan 30-03.

## PART H. STANDARD PLANS

### H1. Incorporation by Reference

Attached hereto, and hereby incorporated herein by reference, are

Standard Plans, showing details of practices and design for portions of streets and/or bridges for which acceptance may be requested of the Department of Transportation. These Standard Plans are hereby declared to be the Official Standard Plans for the City of Indianapolis for the purpose of achieving uniformity of construction methods, materials and appearance. The said Standard Plans must be followed in construction of applicable portions of streets and bridges to be accepted by the Transportation Board, unless written permission for deviation therefrom is given by the Department of Transportation. The various applicable Standard Plans, with their effective dates, shall be listed on all construction plans submitted for approval to the Department of Transportation.

## H2. Revisions, Deletions and Additions to Standard Plans

The Director of Transportation is hereby granted the power and authority to revise the Standard Plans, to delete any of them, and/or to adopt new Standard Plans, when, in his judgment, such revisions, deletions or additions shall be necessary or helpful in order to give guidance to developers and to achieve the purpose of this Ordinance. Any new or revised Standard Plan adopted after the effective date of this Ordinance shall become effective on the date stated thereon which shall be a minimum of thirty (30) days after its approval by the Director of Transportation and shall apply to all construction plans submitted for approval after such effective date. The Department of Transportation shall make reasonable efforts to give notice of all new or revised Standard Plans to all persons or firms who may be affected thereby, or who shall request such notice.

## SECTION III.—CONSTRUCTION INSPECTION, ACCEPTANCE & BOND RELEASES

### A. INSPECTION OF CONSTRUCTION OF STREETS AND BRIDGES

#### 1. Execution of Inspection Agreement

Prior to the commencement of construction, the developer shall

execute an agreement with the Department of Transportation which will provide that:

- a.) The Department of Transportation will employ an inspector to inspect the construction work to insure that such construction meets the requirements of the approved construction plans.
- b.) The developer will reimburse the Department of Transportation for the cost of such inspection services determined at the time of execution of the agreement.
- c.) Upon completion of construction, the inspector so employed will certify to the Department of Transportation and the developer as to the compliance of such construction with the requirements of the approved construction plans and/or approved change orders.
- d.) No action respecting the acceptance of the construction and release of the improvement bond pursuant to paragraph B of this Section or paragraph B of Section V shall be taken until the developer has reimbursed the Department of Transportation in full for the inspection services.

## 2. Inspection of Construction

- a.) All construction of streets and bridges shall be inspected and certified pursuant to the agreement executed under 1, above.
- b.) The developer shall furnish the Department of Transportation necessary copies of the approved construction plans.
- c.) If construction has already commenced on the effective date of this Ordinance, the developer may continue to provide his own construction inspection. The developer must then furnish, with his application for acceptance under paragraph B of this Section, a certification by a Professional Engineer registered in the State of Indiana that the construction has met the requirements of the approved construction plans. Further, the construction will be inspected by the Department of Transportation, and all deficiencies shall be corrected before acceptance by the Transportation Board.

B. ACCEPTANCE OF CONSTRUCTION

1. Acceptance Request

Upon completion of construction, the developer or his authorized representative shall make written application for acceptance to the Department of Transportation.

2. Acceptance of Construction and Release of Improvement Bond

If, by law, the street and bridge construction require approval and bonding by the Department of Metropolitan Development, the procedure of this paragraph shall be followed. Otherwise, the procedure of Section V paragraph B shall apply.

a.) Upon receipt of notice of satisfactory completion from the Department of Transportation, the Transportation Board shall take appropriate action to accept the streets and bridges and to notify the Department of Metropolitan Development that the performance has been completed to the Transportation Board's satisfaction and that claims against any improvement bond by the Department of Transportation and the Transportation Board are released.

b.) Prior to acceptance, the Transportation Board shall determine that a maintenance bond meeting the requirements of the Department of Metropolitan Development has been posted with the Department of Metropolitan Development.

C. RELEASE OF MAINTENANCE BOND

1. Procedure

a.) Not more than six (6) months nor less than four (4) months prior to the expiration date of the maintenance bond, the Department of Transportation shall inspect the streets and bridges covered by such bond.

b.) If no deficiencies are found to exist, the Department of Trans-

portation shall notify the Department of Metropolitan Development in writing that it has no objection to the release of the maintenance bond. Failure of the Department of Transportation to so notify the Department of Metropolitan Development prior to the expiration date of the bond shall be deemed the Department of Transportation's release of all claims against such bond.

c.) If deficiencies are found to exist, the following steps shall be taken:

1.) The Department of Transportation shall notify the Department of Metropolitan Development in writing by hand delivery of the specific deficiencies, requesting that the release of the maintenance bond be withheld until it receives further notice in accordance with paragraph 5.) below. It shall be the duty of the Department of Metropolitan Development to withhold the maintenance bond release until so notified. A copy of such notice shall also be transmitted by first class U.S. Mail to the bonding company by the Department of Transportation.

2.) The Department of Transportation shall notify the developer in writing by first class U.S. Mail of the specific deficiencies, requesting him to take necessary corrective action, and informing him that the maintenance bond release will be withheld until the deficiencies are corrected.

3.) If the developer has not acknowledged receipt of the deficiency notice and/or has not taken any corrective action within sixty (60) days of the transmittal of the first notice pursuant to paragraph 2.) above, the Department of Transportation shall transmit to him by first class U.S. Mail a second and final notice containing the same information as the first notice.

4.) When the developer has corrected all deficiencies, he shall notify the Department of Transportation in writing, and the Department of Transportation shall make a new inspection within fourteen (14) days. If any deficiencies have not been corrected to the Department of Transportation's satisfaction, the Department of Transportation shall notify the developer in the same manner as the original notice pursuant to paragraph 2.) above, and, if necessary, paragraph 3.) above.

5.) In the event that the developer does not correct the deficiencies to the Department of Transportation's satisfaction, the Department of Transportation shall be empowered to have the deficiencies corrected at its expense and to secure reimbursement therefor from the developer and/or the bonding company. Written notice of its intent to pursue this course of action shall be transmitted prior to taking such action to:

- a. The Department of Metropolitan Development by hand delivery; and
- b. The developer and the bonding company by first class U.S. Mail.

6.) When all deficiencies have been corrected to the Department of Transportation's satisfaction in accordance with the criteria in effect at the time of design approval, and any financial liabilities of the developer and/or bonding company to the Department of Transportation arising pursuant to paragraph 5.) above, have been satisfied, the Department of Transportation shall prepare a written document stating this fact and approving release of its interest in the maintenance bond. Such document shall be transmitted to:

- a. The Department of Metropolitan Development by hand delivery;
- b. The developer and the bonding company by first class U.S. Mail.

## 2. Constructive Notice

Notice made in accordance with 1, above, shall be deemed constructive notice upon all affected parties, whether or not they actually receive such notice.

## SECTION IV.—APPEAL FROM ADMINISTRATIVE ACTION

Any person or firm affected by the exercise of any discretionary



authority delegated by this Ordinance to any official of the Department of Transportation and who objects to the decision made or action taken by such official shall be entitled to a hearing before the Transportation Board upon such objection. The person or firm desiring such hearing before the Transportation Board shall file a written statement of his objections with the Director of Transportation who shall call the same to the attention of the Transportation Board. The Transportation Board shall hold such hearing within thirty (30) days after the objections are filed with the Director; and the person or firm making the objections shall be given notice of the time, place and date of said hearing at least ten (10) days before the hearing. After hearing testimony of the objector and the official who made the decision or to the action objected to, the Transportation Board may confirm, reverse, or modify and confirm as modified the decision or action of that official in any manner consistent with the discretionary authority herein delegated by this Ordinance to that official.

#### SECTION V.—ALTERNATE BONDING PROCEDURE

In the event that the streets or bridges to be accepted for maintenance by the Department of Transportation do not by law require approval and bonding by the Department of Metropolitan Development, the provisions of this Section shall apply to all matters pertaining to bonding in lieu of the provisions of Section III of this Ordinance.

##### A. Posting of Improvement Bond

1. If the right-of-way for the streets and/or bridges is to be dedicated and recorded prior to construction, the applicant shall file an improvement bond with the Department of Transportation.

2. The bond shall:

a.) Run jointly and severally to the City of Indianapolis and its Department of Transportation.

b.) Be in an amount equal to one hundred per cent (100%) of the construction cost as estimated by the Department of Transportation.

c.) Provide surety and principal satisfactory to the Department of Transportation.

d.) Specify that the construction of the streets or bridges shall be done in accordance with the applicable terms and conditions of this Ordinance and in accordance with construction plans approved under Section II, Part A.

e.) Run until and terminate upon:

1.) Acceptance of the streets or bridges for the Department of Transportation by action of the Transportation Board; and

2.) Posting of a maintenance bond in accordance with paragraph C of this Section.

B. Acceptance of Construction and Release of Improvement Bond

Upon receipt of notice of satisfactory completion of construction from the Department of Transportation and the posting of a maintenance bond in accordance with paragraph C of this Section, the Transportation Board shall take appropriate action to accept the streets or bridges and to release any improvement bond which has been posted with the Department of Transportation.

C. Posting of Maintenance Bond

Prior to acceptance of construction and release of any improvement bond pursuant to paragraph B of this Section, the applicant shall file a maintenance bond with the Department of Transportation.

2. The bond shall:

a.) Run jointly and severally to the City of Indianapolis and its Department of Transportation.

b.) Be in an amount equal to twenty per cent (20%) of the construction cost as estimated by the Department of Transportation.

c.) Provide surety and principal satisfactory to the Department of Transportation.

d.) Warrant that workmanship and materials used in the construction of the streets or bridges meet the applicable terms and conditions of this Ordinance and comply with the construction plans approved under Section II, Part A.

e.) Provide that, for a period of three (3) years after the release of the improvement bond pursuant to paragraph B of this Section, the applicant or his approved principal will make necessary repairs to the streets or bridges in accordance with the warranty of d.) above. Provide further that the term of three (3) years shall be extended by the surety until a satisfactory release has been effected pursuant to paragraph D of this Section.

D. Release of Maintenance Bond

The maintenance bond release procedure shall follow Section III, paragraph C, except that no notices to the Department of Metropolitan Development will be made, and the maintenance bond will be released by the Department of Transportation.

SECTION VI.—APPLICABILITY OF THIS ORDINANCE

This Ordinance shall apply only to streets and bridges located within the geographic areas of Marion County which are under the control and jurisdiction of the Department of Transportation of the Consolidated City of Indianapolis for maintenance.

SECTION VII.—SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this Ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction,

such holding or decision shall not affect or impair the validity of this Ordinance as a whole or any part thereof, other than the section, sub-section, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.

SECTION VIII.—EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately upon its passage by the City-County Council, approval by the Mayor, and compliance with all laws pertaining thereto.

After discussion, Proposal No. 180, 1972, passed on the following roll call vote:

Ayes 17, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Kimbell, Mr. McPherson, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

Noes 11, viz: Mr. Bayt, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Dowden, Mr. Elmore, Mr. Gorham, Mr. Hawkins, Mrs. Miller, and Mr. Schneider.

The proposal was retitled General Resolution No. 12, 1972, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 12, 1972.

CITY-COUNTY COUNCIL PROPOSAL NO. 180,  
1972, INDIANAPOLIS,  
MARION COUNTY, INDIANA

A PROPOSAL FOR A GENERAL RESOLUTION approving amend-

ments to the Articles of Incorporation of The Greater Indianapolis Housing Development Corporation.

WHEREAS, The Greater Indianapolis Housing Development Corporation (The Corporation) was authorized to be established pursuant to City-County General Ordinance No. 94, 1970, and its Articles of Incorporation adopted and approved under the same ordinance.

WHEREAS, The Corporation now wishes to secure approval of the City-County Council for amendment of its Articles of Incorporation, which amendments generally provide as follows:

- (a) The purposes of The Corporation shall be amended to provide that The Indianapolis Housing Loan Fund, Inc., which is administered by The Corporation, has the power to make project development grants for any of the purposes for which it can make a low-rate, short-term loan and to provide that The Corporation can conduct and sponsor various activities related to housing for low and moderate income persons.
- (b) The directors who make up the Board of The Corporation shall be amended to provide that the Deputy Mayor in charge of Community Services Programs be on the Board in place of the Director of the Indianapolis City Demonstration Agency (Model Cities).
- (c) The Corporation may enter into contracts with organizations in which Directors of The Corporation have an interest provided the Board is aware of any interest prior to approval of such contracts.
- (d) The Corporation shall indemnify any of its directors, officers and employees against any loss, suit or action that such person may be involved in as a result of his position with The Corporation unless such officer, director or employee is liable for negligence or misconduct as so adjudged in any action, suit or proceeding against such officer, director or employee.

WHEREAS, the City-County Council has been informed of the need

and reasons for these amendments to the Articles of Incorporation of The Corporation, and,

WHEREAS, the City-County Council is satisfied that such amendments are in the public interest and ought to be approved:

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY:

SECTION 1. The amendments to the Articles of Incorporation of The Greater Indianapolis Housing Development Corporation outlined in brief form above and approved by the Board of Directors of The Greater Indianapolis Housing Development Corporation on April 18, 1972, be, and are hereby approved.

SECTION 2. This resolution shall be effective on adoption and approval by the Mayor.

The Council took no action on Proposal Nos. 189 through 199, 1972, which were retitled Rezoning Ordinance Nos. 83 through 93, 1972, and read as follows:

REZONING ORDINANCE NOS. 83-93, 1972

CITY-COUNTY COUNCIL PROPOSAL  
NOS. 189 THROUGH 199, 1972

72-Z-86	Fred & Violet Salge by Gerald K. Pedigo, representative
P. No. 189	by David D. Fairman, Attorney, 107 North Penn. St.
R. O. No. 83	No. 503 request rezoning of 1.70 acres, being in D-2 district, to C-S classification to permit construction of an office building and warehouse. Located 9502 Ross Lane, Indianapolis, Pike Township.

- 72-Z-96 Robert A. & Sandra S. Borns by Charles G. Castor, Attorney, One Indiana Square No. 2050 request rezoning of 30.09 acres, being in A-2 district, to D-7 classification to permit development of an apartment complex. Located 5520 West Vermont St., Indianapolis, Wayne Township.
- 72-Z-97 Robert A. & Sandra S. Borns by Charles G. Castor, Attorney, One Indiana Square No. 2050 request rezoning of 40.49 acres, being in A-2 district, to D-6 II classification to permit development of an apartment complex. Located 5520 West Vermont St., Indianapolis, Wayne Township.
- 72-Z-98 Robert A. & Sandra S. Borns by Charles G. Castor, Attorney, One Indiana Square No. 2050 request rezoning of 23.81 acres, being in A-2 district, to D-9 classification to permit development of an apartment complex. Located 5520 West Vermont St., Indianapolis, Wayne Township.
- 72-Z-101 Michael A. & Frances M. Navarra by Charles T. Gleason, Attorney, One Indiana Square No. 1930 request rezoning of 2.80 acres, being in D-7 district, to C-3 classification to permit retail stores. Located 4801-4815 North Shadeland Ave., Lawrence, Indiana.
- 72-Z-102 Yeager Contracting Co., Inc. by Robert K. Yeager, President by Raymond Good, Attorney, 5972 Madison Ave. request rezoning of 3.63 acres, being in D-3 district, to C-1 classification to provide for the construction of professional buildings. Located 8890 and 8902 Rockville Road, Indianapolis, Wayne Township.
- 72-Z-103 Albert C. & Mary C. Maschmeyer by Charles T. Gleason, Attorney, One Indiana Square No. 1930 request rezoning of 10 acres, being in I-2-S district, to I-3-S classification to provide for the expansion of industrial use. Located 1730 West Edgewood Avenue, Indianapolis, Perry Township.

- 72-Z-104 Lowell B. McCracken by Norman G. Tabler, Jr., Attorney,  
P. No. 196 810 Fletcher Trust Bldg. requests rezoning of 7.88  
R. O. No. 90 acres, being in A-2 district, to D-2 classification to provide for residential use by platting. Located 4365 East 79th St., Indianapolis, Washington Township.
- 72-Z-105 Dale C. & Mabel L. Chaplin by Our Shepherd Lutheran  
P. No. 197 Church, 141 North Worth St. by Herman D. Strakis,  
R. O. No. 91 President, 3333 West Troy Avenue request rezoning of 5.00 acres, being in A-2 district, to SU-1 classification to permit construction of a church and Sunday School classrooms. Located 9101 West 10th St., Indianapolis, Wayne Township.
- 72-Z-107 Walter H. Barbour by David A. Jester, Attorney, 129  
P. No. 198 East Market St. requests rezoning of 8.83 acres, being  
R. O. No. 92 in D-4 district, to C-S classification to permit erection and operation of a Racquet Club with related recreational facilities. Located 4901 North Shadeland Road, City of Lawrence, Indiana.
- 72-Z-109 Justus Contracting Co., Inc. by Stephen R. Morris, General  
P. No. 199 Manager by Charles G. Castor, Attorney, One Indiana  
R. O. No. 93 Square No. 2050 requests rezoning of 2.41 acres, being in C-4 & SU districts, to C-4 classification to permit the erection of a retail sales store. Located 1510 North Shadeland Avenue, Indianapolis, Warren Township.

President Hasbrook requested a return to Special Orders—Unfinished Business, in the regular order of business.

After discussion, Proposal No. 162, 1972, passed on the following roll call vote:

Ayes 15, viz: Mr. Bayt, Mr. Brown, Mr. Byrum, Mr. Clark, Mr. Egenes, Mr. Griffin, Mr. Gilmer, Mr. Kimbell,



Mr. McPherson, Mr. Patterson, Mr. Ruckelshaus, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

Noes 14, viz: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mrs. Gibson, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mrs. Miller, Mrs. Noel, and Mr. Schneider.

The proposal was retitled Fiscal Ordinance No. 15, 1972, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 1972

CITY-COUNTY COUNCIL PROPOSAL NO. 162, 1972  
INDIANAPOLIS, MARION COUNTY, INDIANA:

A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1972 (City-County General Ordinance No. 192, 1971, as amended) and appropriating the sum of Thirty-Two Thousand Seven Dollars and Seventy-Six cents, (\$32,007.76), for creation and funding of the Domestic Relations Counseling Bureau and reducing the unappropriated County Fund.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET for 1972, as amended, is hereby further amended by the increases and reductions hereinafter stated for the creation and funding of the Domestic Relations Counseling Service.

SECTION 2. The sum of Thirty-Two thousand seven dollars and seventy-six cents (\$32,007.76) be, and the same is hereby appropriated

for the purposes as shown in Section 3 by reducing the unappropriated County Fund as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DOMESTIC RELATIONS COUNSELING BUREAU

	<u>COUNTY FUND</u>
100 Services personal	\$29,341.28
200 Operating Expenses	\$ 1,333.20
400 Current Charges	\$ 200.00
600 Properties	\$ 1,133.28
	<hr/>
TOTAL INCREASES	\$32,007.76

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

	<u>COUNTY FUND</u>
Unappropriated County Fund	\$32,007.76
	<hr/>
TOTAL REDUCTIONS	\$32,007.76

SECTION 5. This Ordinance shall be in full force and effect from and after adoption, after public hearing, and approval by the State Board of Tax Commissioners.

Mr. Byrum excused himself from the Chambers, with permission from the President.

President Hasbrook requested a return to Special Orders—Public Hearings in the Regular order of business.

Mr. Charles Castor, representing the Petitioners and Mr. Dave Lewis representing the Remonstrators, gave a presentation on Proposal No. 170, 1972.

After the public hearing, and on motion of Mr. Dowden, seconded by Mr. Gorham, the Council rejected Proposal No. 170, 1972 on the following roll call vote:

Noes 28, viz: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mrs. Gibson, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mrs. Noel, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera, Mr. West, and President Hasbrook.

## ANNOUNCEMENTS

Mr. McPherson announced that the Committee on Public Works would hold a hearing on Wednesday, May 24, 1972, at 4:30 P.M., in Room 221.

Mr. Kimbell announced that a Public Safety Committee meeting would be held on Wednesday, May 24, 1972, at 5:00 P.M., in the Public Auditorium.

Mr. West announced that the Committee on Economic Development would be held on May 23, 1972, at 4:00 P.M., at 21 North Pennsylvania.

Mr. Gorham announced that Councilman Brown was celebrating his birthday on this date.

Mr. Egenes announced that a meeting of the Police and Fire Service District Councils would be held on June 5, 1972, at 6:00 P.M. and 6:15 P.M. and a Special meeting of these Councils would be held on June 19, 1972.

### NEW BUSINESS

President Hasbrook requested a return to Introduction of Proposals in the regular order of business.

Mr. Gorham introduced Proposal No. 208, 1972, which reads as follows:

A proposal for a General Resolution authorizing the Mayor to execute certain amendments to the grant agreement with the U.S. for the Indianapolis Community Services Program.

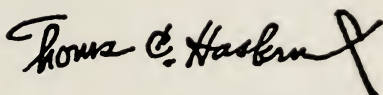
President Hasbrook announced that the budget items contained in Proposal No. 208, 1972, would be assigned to the proper committee and would be mailed to each councilman.

There being no further business, on motion of Mr. Gorham, seconded by Mr. Schneider, the meeting adjourned at 10:05 P.M.

We hereby certify that the above and foregoing is a

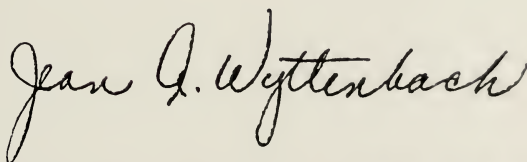
full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 22nd day of May, 1972, at 6:30 P.M.

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



*President*

ATTEST



(SEAL)

*Acting Clerk of the City-County Council*