

## REGULAR MEETING

Monday, December 21, 1970

The Regular Meeting of the City-County Council of the City of Indianapolis and Marion County convened in the Council Chambers of the City-County Building, Room 221 at 6:30 P.M., Monday, December 21, 1970.

President Hasbrook in the Chair.

The Clerk called the roll:

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

Absent: Mr. Broderick.

Mr. Leak moved, seconded by Mr. Egenes, to dispense with the reading of the Journal of the previous meeting which was unanimously carried.

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

December 11, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE

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

Gentlemen:

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

APPROPRIATION ORDINANCE NO. 75, 1970, transferring the sum of \$50,000 from designated appropriations for the expenses of the Municipal Garage Division, Department of Public Works, to certain other funds of the same.

GENERAL ORDINANCE NO. 283, 1970, to amend the Municipal Code, Title 4, Chapter 7, Section 709, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 284, 1970, to amend the Municipal Code, Title 4, Chapter 8, Section 812, Parking Prohibited At All Times on Certain Streets.

Respectfully submitted,

MAYOR RICHARD G. LUGAR

December 21, 1970

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial on December 3, 1970, and again on December 10, 1970, General Ordinance No. 84, 1970, as amended, and General Ordinance No. 281, 1970.

Also, pursuant to the laws of the State of Indiana, I caused to be published in the aforementioned newspapers on December 10, 1970, and again on December 17, 1970, a "Notice to Taxpayers" of a public

hearing to be held on December 21, 1970, at 6:30 P.M. in Room 221 of the City-County Building, on Appropriation Ordinance Nos. 77-80, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
City Clerk

December 21, 1970

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

Gentlemen:

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

GENERAL ORDINANCE NO. 307, 1970, an ordinance to amend the Municipal Code, Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 308, 1970, an ordinance to amend the Municipal Code, Title 4, Chapter 8 thereof, Stopping, Standing and Parking Restricted or Prohibited On Certain Streets.

GENERAL ORDINANCE NO. 309, 1970, an ordinance to amend the Municipal Code, Title 4, Chapter 8, Section 814.1 thereof, Parking, Stopping or Standing Prohibited Any and All Times on Certain Designated Streets.

GENERAL ORDINANCE NO. 310, 1970, an ordinance to amend the Municipal Code, Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets, and Section 711 thereof, Stopping At Certain Intersections.

GENERAL ORDINANCE NO. 311, 1970, an ordinance to

amend the Municipal Code, Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets.

GENERAL ORDINANCE NO. 306, 1970, an ordinance to amend the Municipal Code, Title 4, Chapter 7, Section 709 thereof, Vehicles Must Stop Before Entering Preferential Streets, and Section 711, Stopping At Certain Intersections.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 312-315, 1970, rezoning ordinances certified from the Metropolitan Development Commission on December 18, 1970.

HAROLD J. EGENES, Councilman

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
City Clerk

President Hasbrook called for introduction of New Ordinances.

## NEW ORDINANCES

CITY-COUNTY GENERAL ORDINANCE NO. 306, 1970

Introduced by Councilman Byrum:

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, 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	Stop
Stop 11 Road	Pickford Dr.	Banta Rd.	Yellow Stone
Stop 11 Road	McFarland Rd.	Banta Rd.	Woodwind Drive
Pickford Drive	Winchester Dr.	Banta Rd.	Meridian Woods Blvd.
McFarland Rd.	Winchester Dr.	Banta Rd.	Linden Drive
Topaz Drive	Pickford Court	Banta Rd.	Twin Brooks Drive
Hobart Ave.	Walker Ave.	Banta Rd.	Perrault Dr.
Hobart Ave.	Bradbury Ave.	Banta Rd.	Oxford St.
Hobart Ave.	Wade St.		
Hobart Ave.	Kelly St.		
Hobart Ave.	Tabor St.		

and Section 711, STOPPING AT CERTAIN INTERSECTIONS, be, and the same is hereby, amended by the addition of the following:

3-Way Stop	2-Way Stop
Topaz Dr. and Pickford Dr.	Sherman Drive and Banta Rd.

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

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

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

CITY-COUNTY GENERAL ORDINANCE NO. 307, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 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.

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
East Raymond St.	Catherwood Ave.

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

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

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

CITY-COUNTY GENERAL ORDINANCE NO. 308, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, and more particularly Title 4, Chapter 8 thereof, STOPPING, STANDING AND PARKING RESTRICTED OR PROHIBITED 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 813 thereof, shall be, and it is hereby repealed.

Section 2. That the following shall be, and it is hereby, enacted as a new Section 813 of the said Chapter 8, of Title 4, to-wit:

“Section 813. Special Parking Privileges for Certain Persons and/or Vehicles in Certain Locations. (1) Notwithstanding any prohibitions or restrictions elsewhere in this Traffic Code upon parking and/or temporary stops applicable to the General public the following persons and/or vehicles are hereby granted the special parking privileges hereinafter set out, at and within the locations shown.

(a) Any vehicles, so marked, of the Indianapolis Police Department, the Sheriff of Marion County, the Indiana State Police, and the United States Marshal, and no others, may park at any time in the following locations:

Street	Side	From	To
Pearl Street	South	Alabama St.	New Jersey St.
New Jersey	Both	Market St.	Pearl St.
Alabama St.	West	Washington St.	Virginia Ave.
Alabama St.	East	Maryland St.	Virginia Ave.
Maryland St.	Both	Alabama St.	Delaware St.

(b) Any vehicles owned by the State of Indiana, and so marked or identified, and no others, may park at any time in the following locations:

Street	Side	From	To
Ohio St.	South	Capitol Ave.	Senate Ave.
Georgia St.	North	25 ft. East of Meridian St.	113 ft. East of Meridian St.

(c) Any official vehicle of the United States Government, so marked or identified, and no others, may park at any time in the following locations:

Street	Side	From	To
Massachusetts Ave.	Northwest	East curblin of Alley between Delaware and Alabama Sts.	A point 132 ft. northeast of said East curblin
New York St.	South	Meridian St.	Pennsylvania St.

and individual parking spaces within the aforesaid area may be assigned by the Senior Judge of the United States District Court for the Southern District of Indiana, or his designate.

Hudson St.                      East              Miami St.                      New York St.

(d) Any official vehicle of any news media, which has been so authorized by the Indianapolis Department of Public Safety, may park at any time in the following locations:

Street	Side	From	To
Court St.	South	Alabama St.	New Jersey St.

(e) Any paraplegic veteran, or veteran who has suffered the loss, or the permanent loss of use, of one foot, or both feet, and no other person, may park a vehicle on the west side of Pennsylvania Street between a point seventy-four (74) feet north of the north curblineline of Maryland Street and a point one hundred and fourteen feet north of said north curblineline, at any time between the hours of 9:00 o'clock in the forenoon and 4:00 o'clock in the afternoon of any day, except Sundays and legal holidays of this state; nor shall any such veterans to park a vehicle at said place except while such veteran is obtaining or undergoing medical treatment or examination at the office of the Veteran's Administration of the United States Government, at No. 36 South Pennsylvania Street in this City.

(2) The Department of Transportation shall cause appropriate signs to be erected and maintained at all locations indicated above, giving notice of the reservation of parking therein to those persons and/or vehicles hereinbefore indicated.

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.

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



CITY-COUNTY GENERAL ORDINANCE NO. 309, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, and more particularly Title 4, Chapter 8, Section 814.1 thereof, PARKING, STOPPING OR STANDING PROHIBITED ANY AND ALL TIMES ON CERTAIN DESIGNATED 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 814.1 thereof, PARKING, STOPPING OR STANDING PROHIBITED ANY AND ALL TIMES ON CERTAIN DESIGNATED STREETS, be, and the same is hereby, amended by the addition of the following:

Street	Side	From	To
16th Street	Both	West Street	Delaware Street

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

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

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

CITY-COUNTY GENERAL ORDINANCE NO. 310, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, and more particularly Title 4, Chapter 7, Section 709 thereof, VE-

HICLES 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	Stop
West Ralston Rd.	Royal Meadows Dr.	Maple View Dr.	W. Ralston Rd.
Maple View Dr.	West Ralston Rd.	Stop 11 Road	Jeff Road
Railroad Road	West Ralston Rd.		
Jeff Road	Fabyan Road	<b>Preferential</b>	<b>Yield</b>
Valley View Drive	Jeff Road	Fabyan Road	Burn Court
Valley View Drive	Palmetto Lane	Hill Valley Dr.	Burn Court
Valley View Drive	Bishop Lane	Hill Valley Dr.	Parish Lane
Burn Court	Valley View Dr.	Mellowood Dr.	Parish Lane
Railroad Road	Mellowood Dr.	Palmetto Lane	Palmetto Court
Railroad Road	Royal Meadow Dr.	W. Ralston Rd.	W. Ralston Ct.
Railroad Road	West Ralston Rd.		
Mellowood Drive	Woodbine Dr.		
Mellowood Drive	Trevellian Way		
Mellowood Drive	Palmetto Lane		
West Ralston Rd.	Royal Meadow Dr.		
Hill Valley Dr.	Bishop Lane		
Burn Ct.	Mellowood Dr.		

AND Chapter 7, Section 711 thereof, STOPPING AT CERTAIN INTERSECTIONS, be, and the same is hereby, amended by the addition of the following:

#### 4-Way Stops

Bishop Lane and Mellowood Drive

Section 2. This amendment shall be subject to the penalties as

provided in Title 1, Chapter 6, Section 1-601 of the Municipal Code of Indianapolis 1951, as amended.

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

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

CITY-COUNTY GENERAL ORDINANCE NO. 311, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, and more particularly Title 4, Chapter 7, Section 709, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL 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 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	Yield	Preferential	Stop
Norcroft Drive	Laclede Ct.	Mann Rd.	Norcroft Dr.
Norcroft Drive	Rainbow View Dr.	Mann Rd.	Gambel Rd.
Norcroft Drive	Rainbow Court		
Gambel Road	Rainbow View Dr.		
Norcroft Drive	Laclede St.		
Gambel Road	Laclede St.		
Gambel Road	Gambel Ct.		

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

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

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

CITY-COUNTY GENERAL ORDINANCE NOS. 312, 313, 314,  
AND 315, 1970

Introduced by Councilman Egenes:

G. O. NO. 312, 1970

70-Z-260 The Metropolitan Development Commission, 2041 City-County Building, Indianapolis, Indiana proposes rezoning of approx. 80.00 acres, being in C-1, C-3, C-4 and D-8 districts to PK-2 classification. Located between 16th and 22nd Streets, Central and College Avenues in Indianapolis, Pike Twp. (500-600 blocks of East 16th Street).

G. O. NO. 313, 1970

70-Z-246 J B & M Corporation by Mark E. Bell, Vice-Pres., 6901 North Michigan Road, request rezoning of 1.32 acres, being in A-2 district to C-1 classification to provide for offices. Located on the northeast corner of Northwestern Ave. & West 69th Street in Indianapolis, Pike Twp. (6901 Northwestern Avenue).

G. O. NO. 314, 1970

70-Z-242 Seward & Maphajeon White, 8801 West 21st Street, request rezoning of 100.00 acres, being in A-2 district to D-11 classification to provide for a Mobile Home Park. Located on the south side of West 21st Street, approx. 1812' east of County Line Road West in Indianapolis, Wayne Twp. (8700-8900 blocks West 21st Street).

G. O. NO. 315, 1970

70-Z-247. Edward Pollard by John E. Deardorf, Atty-in-fact,

1625 Tibbs Ave., request rezoning of 16.25 acres, being in A-2 district to I-1-S classification to provide for restricted light industrial use. Located on the north side of W. 71st Street, west side of Guion Road, projected, in Indianapolis, Pike Twp. (4202 W. 71st Street).

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

The Chair recessed for three minutes at 7:55 P.M., reconvening at 7:58 P.M.

President Hasbrook turned the Chair over to Mr. SerVaas.

President Hasbrook gave a report on the Rules and Policy Committee meeting.

#### ORDINANCES ON SECOND READING

Mr. McPherson called for second reading of City-County General Ordinance No. 305, 1970.

Mr. McPherson moved, seconded by Mr. Egenes, to amend City-County General Ordinance No. 305, 1970 as per the copy distributed to all Councilmen, which reads as follows:

#### CITY-COUNTY GENERAL ORDINANCE NO. 305, 1970 AS AMENDED

AN ORDINANCE providing for the establishment of rates and charges for the use of the sewerage system by persons discharging a waste which exceeds the average strength and character of sewage normally discharged by a residence, the methods of ascertaining such charges and defining the powers and duties of the Department of Public Works.

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

Section 1. Definitions: The following terms, whenever used or referred to in this ordinance, shall have the following meanings except in those instances where the context clearly indicates otherwise:

- a) "BOD" denoting biochemical oxygen demand) shall mean quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees centigrade expressed in milligrams per liter.
- b) "S.S." (denoting suspected solids) shall mean solids that either float on the surface of or are in suspension in water sewage or other liquids, and which are removable by laboratory filtering.
- c) "Board" shall mean the Board of Public Works of the City of Indianapolis.
- d) "Director" shall mean the Director of the Department of Public Works or his authorized Deputy, agent or representative.
- e) "Industrial Waste" shall mean all the liquid wastes from industrial manufacturing processes, trades or businesses, including institutional and commercial operations or from the development or recovery of any natural resources and shall include the liquid waste contributed by reason of employment, but not the proportion of waste attributable to residential facilities normally occupied by natural persons as a place of abode and not as transient tenants or guests within the above defined entities.
- f) "Sewage normally discharged by a residence" shall mean the liquid waste contributed by a residential living unit and shall not exceed a volume of 10,500 gallons per month, thirty (30) pounds of BOD per month and thirty-five (35) pounds of S.S. per month.
- g) "Person" shall mean as defined in Chapter 167, Acts of 1953: Individuals of either sex; firm; joint ventures; partnerships; corporations; clubs; agencies; instrumentalities; governmental units; the United States of America, the State of Indiana, and all political subdivisions, authorities, districts, departments, agen-

cies, bureaus and instrumentalities thereof; and any, all, and each of them, and all associations or organizations of natural persons, either incorporated or unincorporated, however, operated or named, whether acting by themselves, servants, or fiduciary, and whether or not of a charitable or eleemosynary character.

### Section 2. Rates for Industrial Sewage:

There is hereby established an industrial waste rate set forth in Section 3 of this ordinance to be charged to and collected from any person owning or occupying real estate connected to the City of Indianapolis sewerage system which at any time discharges industrial waste into the above said system which exceeds in strength and character sewage normally discharged by a residence. The rate shall be applicable when the person is served by the sanitary sewerage system either directly or indirectly if such real estate is subject to the special tax levied by Indianapolis Sanitary District Special Taxing District, or is served by Sewer Service Agreement providing for application of the rate in Section 3 hereof.

### Section 3. Rate:

The charges for the transportation, treatment and disposal of the industrial waste shall be determined by the amount and the strength of the waste and at the rates as follows:

#### Volume Charge

For the calendar year 1971 the following monthly charges are hereby imposed on the monthly volume of fluid input into the sanitary sewerage system, viz.:

10,500 gallons per month (gpm)	— No Charge
10,500 gpm to 35,500 gpm	— 20¢ per 1,000 gpm
35,500 gpm to 2,000,000 gpm	— 16¢ per 1,000 gpm
2,000,000 gpm to 10,000,000 gpm	— 12¢ per 1,000 gpm
10,000,000 gpm to 50,000,000 gpm	— 8¢ per 1,000 gpm
Over 50,000,000 gpm	— 6¢ per 1,000 gpm
Minimum charge on any monthly billing	— \$5.00

The foregoing charges based on volume of fluid input shall be in effect for the calendar year 1971 only and shall cease and ter-

minate on December 31, 1971, except for the collection of such charges accruing during the year 1971.

#### Strength Charge

For the calendar years 1971, 1972 and 1973, the following monthly charges are hereby imposed on the volume of excess S.S. and/or BOD strength determined by the application of the formula prescribed below, viz:

For the calendar year 1971	\$ .0085 per pound, BOD .0122 per pound, S.S.
For the calendar year 1972	\$ .01275 per pound, BOD .0183 per pound, S.S.
For the calendar year 1973	\$ .017 per pound, BOD .0244 per pound, S.S.

#### Formula for Determining Excess BOD and S.S. Strength

$$S = V_s \times .00075 \times 8.34 (\$0.0170 (\text{BOD}-350) + \$0.0244 (\text{S.S.}-400))^*$$

S = Strength in dollars

$V_s$  = Sewage volume in hundred cubic feet

.00075 = Hundred cubic feet to million gallons

8.34 = Pounds per gallon of water

\$0.0085 = Unit charge for BOD in dollars per pound for 1971\*

BOD = BOD strength index of parts per million by weight

350 = Allowed BOD strength in parts per million by weight

\$0.0122 = Unit charge for suspended solids in dollars per pound for 1971\*\*

S.S. = Suspended solids strength index in parts per million by weight

400 = Allowed S.S. strength in parts per million by weight

\*Calculation for 1973

\*\*For years 1972 and 1973 substitute charges above specified for those years

#### Section 4. Charges:

The computation of the total charges shall be by the application of the volume rate formula and the strength rate formula, to the monthly industrial waste discharges to the Indianapolis Sanitary Sewerage System.



### Section 5. Billing and Verification:

Each such person subject to the rate as defined in Section 2 shall by the 10th day of the following month furnish the Director: (1) an estimate of the volume discharged the prior month in any case where the volume of water purchased from the Indianapolis Water Company is either more or less than the volume of liquid industrial waste discharged into such sanitary sewerage system; and (2) an estimate of the representative volume of the strength of the waste, BOD of Suspended Solids thus discharged whether or not such amounts are in excess of the permitted amounts under Section 3 above. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation or by other methods generally accepted under established sanitary engineering practices and approved by the Director. The reports submitted shall be subject to verification by the Director but may serve as the basis for billing with all necessary adjustments in the amounts to be made after verification. In the event an analysis and volume of the industrial waste is not furnished to the Director by the aforementioned time, the charges shall be based upon estimates made by the Director, as provided in Section 6.

The Director shall have the right at any reasonable time to enter upon the land of the person to set up such equipment as is necessary to verify the reports submitted. It shall be the duty of the person to provide all necessary clearance before entry and not to unreasonably delay or hinder the Director in carrying out the measuring and sampling.

In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get or where other methods of measurement are necessitated for other sound engineering reasons as determined by the Director, the Director shall have the authority to use such other basis for determining said charges as shall be reliably indicative of volume and BOD and S.S. strength of the particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the subject data and collected data from like persons.

All billings for said charges shall be payable within ten (10)

days after mailing of billings. All payments made by a person based upon the reports submitted shall become final unless verification is made and notice given by the Director of necessary adjustments within one year of said payment. Underpayment of charges based on errors in users' reports and estimates shall be billed forthwith on ascertainment thereof. Overpayment of charges arising from any cause shall first be applied to unpaid billings and then the excess forthwith refunded.

#### Section 6. Billing Estimates:

The Director shall have the authority to estimate the volume and strength of the industrial waste in the event the persons subject to the rate and charges fails to file a timely report as provided in Section 5. The estimates shall be based upon analyses and volumes of a similar installation or the amount of water supplied to the premises by the water utility, the amount of water supplied to the premises by any private sources of water or the volume and analysis as determined by measurements and sample taken by the Director or an estimate determined by the Director by any combination of the foregoing or by any other equitable method. Failure to file written objection to such estimates within ten (10) days thereafter the mailing of written notice thereof to the person liable therefor shall constitute a waiver of any right to object or appeal the estimates made by the Director pursuant to this section.

#### Section 7. Contract with Indianapolis Water Company:

The Board is authorized to enter into a contract with the Indianapolis Water Company for the use of its services in ascertaining water volume to be utilized in determining charges imposed by this Ordinance and in billing for and collecting such charges and for the payment to it of just and reasonable compensation for its said services.

#### Section 8. Appeals to the Board:

Any person may appeal the charges assessed against him to the Board and shall have a hearing upon the following conditions:

1. That the person submits estimates or authorizes the Director to make such estimates.

2. That the person has good cause to believe that the charges assessed are in error.

3. That notice in writing has been given to the Board within one hundred and eighty (180) days of receipt of the charges in question.

The Board is directed to notify the person making the appeal of the time and place when his appeal will be heard. Upon evidence sufficient to the Board submitted at the hearing that the charges are in error, the Board shall make adjustments in the charges. Adjustments may be in the form of a refund or a credit against subsequent assessments of the charges provided for in this ordinance.

#### Section 9. Rate Review:

The Director shall cause a report to be made concerning the effect of the industrial waste rates and charges on the persons subject thereto. Such report shall include the amount, character and strength of the industrial waste discharged into the sewerage system and accounting of the revenues produced by the industrial waste rates.

The Director shall appoint a committee to aid and assist in the preparation of the report and the committee membership shall include representatives of some of the persons subject to the industrial waste rate. The Director shall submit the report of the Board not later than July 31, 1971.

If the revenues are shown in the report to be excessive, the Board will review the industrial waste rates and cause the necessary decrease in the rates.

#### Section 10. Rules and Regulations:

Promptly after the passage of this Ordinance, and from time to time thereafter as may be needed, the Board shall by resolution promulgate rules and regulations necessary to implement and carry out the provisions of the Ordinance and not inconsistent therewith. Before any such rules or regulations shall become effective, the Board shall give notice and hold a public hearing, according to the procedure provided in Chapter 160, Acts of 1953, Section 3, for the establishment of rates and charges.

Section 11. Board Charges Not Duplicated:

This ordinance is intended to confirm and effectuate the sewage treatment and disposal charges provided for in the Confirming Rate Resolution for Industrial Waste, Department of Public Works Resolution Number 2023-1970, adopted December 7, 1970, and does not impose any charges duplicating, or in addition to, the identical charges provided for in said Resolution. Said charges shall be payable under said Resolution if it is legally effective to impose said charges and not under the Ordinance. If said Resolution is not legally effective to impose said charges, then said charges are imposed by this Ordinance.

Section 12. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication pursuant to law, on and after January 1, 1971.

The motion to amend carried by unanimous voice vote.

Mr. McPherson moved, seconded by Mr. Byrum, for the passage of City-County General Ordinance No. 305, 1970, as amended.

The ordinance passed on the following roll call vote:

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

Mr. Leak called for second reading of City-County Special Ordinance No. 19, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Leak, seconded by Mr. Cottingham,

City-County Special Ordinance No. 19, 1970, 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. Forestal.

Mr. Leak called for second reading of City-County Special Ordinance No. 22, 1970.

The Clerk read the ordinance for the second time.

Mr. Leak moved, seconded by Mr. Cottingham for the adoption of City-County Special Ordinance No. 22, 1970, which 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. Forestal.

Mr. Leak called for second reading of City-County Special Ordinance No. 21, 1970.

The Clerk read the ordinance for the second time.

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

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

Mr. Leak called for second reading of City-County Special Ordinance No. 25, 1970.

The Clerk read the ordinance for the second time.

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

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

Mr. Egenes called for a second reading of City-County General Ordinance Nos. 286-293, 1970.

The Clerk read the ordinances for the second time.

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

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

Mr. Egenes called for a second reading of City-County General Ordinance Nos. 301-304, 1970.

The Clerk read the ordinances for the second time.

On motion of Mr. Egenes, seconded by Mr. Byrum, the ordinances passed on the following roll call vote:

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

Mr. Egenes called for a second reading of City-County Special Ordinance No. 23, 1970.

The Clerk read the ordinance for the second time.

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

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

Mr. SerVaas was out of the Council Chambers.

Mr. Byrum moved to strike the following City-County Ordinances: Appropriation Ordinance No. 19, 1970, General Ordinance No. 6, 1970, General Ordinance No. 49, 1970, and General Ordinance No. 50, 1970, seconded by Mr. McPherson.

The ordinances were stricken on the following roll call vote:

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

Mr. SerVaas was out of the Council Chambers.

Mr. Byrum called for second reading of City-County General Ordinance No. 282, 1970.

The Clerk read the ordinance for the second time.

Mr. Byrum moved, seconded by Mr. Egenes, to amend City-County General Ordinance No. 282, 1970, as follows:

Indianapolis Ind., December 21, 1970

Mr. President:

I move that City-County General Ordinance No. 282, 1970 be amended by striking out of Section 1, all of lines 10, 11, and 12, and inserting in lieu thereof the following: in Section 1, new lines numbered 10, 11, 12, and 13 to read as follows:

Street	Side	From	To
55th Street	North	Tacoma Avenue	Oxford Street
55th Street	North	Keystone Avenue	A point 203 feet West of Tacoma
55th Street	South	Keystone Avenue	Oxford Street

WILLIAM K. BYRUM, Councilman

The motion was carried by unanimous voice vote.



On motion of Mr. Byrum, seconded by Mr. Egenes, the ordinance, as amended, passed on the following roll call vote:

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

Mr. Byrum called for second reading of City-County General Ordinance No. 294, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Forestal, the ordinance passed on the following roll call vote:

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

Mr. Byrum called for second reading of City-County General Ordinance No. 295, 1970.

The Clerk read the ordinance for the second time.

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

Ayes 13, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr.

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

Mr. Byrum called for second reading of City-County General Ordinance No. 296, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Forestal, the ordinance passed on the following roll call vote:

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

Mr. Byrum called for second reading of City-County General Ordinance No. 297, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Byrum, seconded by Mr. Leak, the ordinance passed on the following roll call vote:

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

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 77, 1970.

The Clerk read the ordinance for the second time.

On motion of Mr. Cottingham, seconded by Mr. Gorham, the ordinance passed on the following roll call vote:

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

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 78, 1970.

The Clerk read the ordinance for the second time.

Mr. Cottingham moved, seconded by Mr. Gorham, to amend City-County Appropriation Ordinance No. 73, 1970, as follows:

Indianapolis Ind., December 21, 1970

Mr. President:

I move that Appropriation Ordinance No. 78, 1970 be amended by striking out of Section 1, line 11, the figures "\$3,000.00" and inserting in lieu thereof the following: the figures "\$3,100.00."

The motion to amend passed by unanimous voice vote.

On motion of Mr. Cottingham, seconded by Mr. Gorham, the ordinance, as amended, passed on the following roll call vote:

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

Noes 2, viz: Mr. Boyd, and Mr. Forestal.

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 79, 1970.

The Clerk read the ordinance for the second time.

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

Ayes 11, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Forestal, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Boyd, and Mr. Forestal.

Mr. Gorham requested a five minute recess for a committee hearing. The Council recessed at 8:07 P.M.

The Council reconvened at 8:10 P.M.

Mr. Gorham called for a second reading of City-County Appropriation Ordinance No. 80, 1970.

The Clerk read the ordinance for the second time.

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

Ayes 11, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham,

Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. Neal, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Boyd, and Mr. Forestal.

Mr. Byrum moved to strike City-County Appropriation Ordinance No. 13, 1970 and City-County Appropriation Ordinance No. 16, 1970, seconded by Mr. Egenes. The motion carried by unanimous voice vote.

Mr. Byrum moved, seconded by Mr. Leak, for the adoption of Special Resolution No. 46, 1970, which reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 46, 1970

A SPECIAL RESOLUTION OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS, HONORING THE SPIRIT OF CHRISTMAS

WHEREAS, This is the season for reconciliation and brotherhood throughout the community, and

WHEREAS, Christmas in Indianapolis is traditionally celebrated as a time of civic charity and goodwill, and

WHEREAS, The joys of the Christmas season have contributed to the good-natured and charitable outlook of our citizens, and

WHEREAS, The holiday season this year is ushering in a significant civic celebration which will be highlighted by such events as the City's Sesquicentennial and the International Conference on Cities, and

WHEREAS, Citizens of Indianapolis will be observing the spirit of peace and brotherhood throughout the year,

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

That the City-County Council does call upon all citizens to observe the Spirit of Christmas, and instructs the City Clerk to spread a copy of this Special Resolution in the Journal of the City-County Council.

The motion to adopt Special Resolution No. 46, 1970 was carried by unanimous voice vote.

Mr. Gorham moved to adjourn, seconded by Rev. Williams; the motion was unanimously carried. The meeting adjourned at 8:18 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 21st day of December, 1970.

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