

**RESOLUTION 2013-29**

**A RESOLUTION APPROVING AND AUTHORIZING A  
MEMORANDUM OF UNDERSTANDING BETWEEN  
THE TOWN OF SPEEDWAY, INDIANA,  
THE SPEEDWAY REDEVELOPMENT COMMISSION  
AND  
THE CITY OF INDIANAPOLIS, INDIANA**

**WHEREAS**, the City of Indianapolis, Indiana (the “City”), the Town of Speedway, Indiana (the “Town”) and the Speedway Redevelopment Commission (the “SRC” or jointly, the “Parties”) are municipal corporations under the laws of the State of Indiana; and

**WHEREAS**, Parties maintain shared infrastructure which serves and benefits the citizens of their respective jurisdictions; and

**WHEREAS**, the City, the Town and the SRC now wish to memorialize their desire to work cooperatively for the betterment and improvement of the area.

**NOW THEREFORE, BE IT RESOLVED** that the Town of Speedway does hereby approve the Memorandum of Understanding among the Parties as presented herewith and incorporated in to this Resolution.

- 1) The Town Council authorizes the Town Manager to execute the Memorandum of Understanding as presented and included in this Resolution.
- 2) The Town Manager shall submit the final signed version to the City of Indianapolis for execution.

APPROVED and signed by the Town Council of the Town of Speedway, Marion County,  
Indiana this 11<sup>th</sup> day of November, 2013.

TOWN COUNCIL OF THE TOWN OF  
SPEEDWAY, INDIANA



Eileen Fisher, President



Gary L. Raikes, Vice President



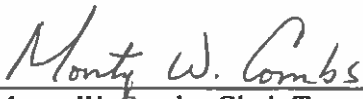
Jeff Hartman, Member

David Lindsey, Member



William Suffel, Member

ATTEST:



Monty W. Combs, Clerk-Treasurer

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "Memorandum") is by and between the Town of Speedway, Indiana (the "Town"), a municipal corporation, the Speedway Redevelopment Commission (the "Commission"), and the City of Indianapolis, Indiana, a municipal corporation, acting by and through its Department of Public Works (the "Department") (collectively, the Town, the Commission, and the Department shall be referred to as the "Parties").

WHEREAS, the Town, acting through the Commission, has designated and created an area in need of redevelopment (the "Redevelopment Area");

WHEREAS, the Redevelopment Area is a geographic area generally bounded by Crawfordsville Road and 16th Street on the north, 10th Street on the south, Main Street on the west, and the eastern boundary of the Town on the east;

WHEREAS, the Town has adopted a plan for the redevelopment and improvement of the Redevelopment Area (the "Redevelopment Plan") including several public works projects and infrastructure improvements;

WHEREAS, the Redevelopment Plan includes improvements to both roads and thoroughfares in the Town but within the jurisdiction of the Department (the "Projects");

WHEREAS, the Department has been active in the review, and approval of the Projects or components of the Projects;

WHEREAS, the Redevelopment Plan and Projects benefit and are in the best interests of the Town, the Consolidated City of Indianapolis, Marion County (the "City"), and the citizens of each; and

WHEREAS, the Parties believe it is beneficial to cooperate with each other with regard to the Projects.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements contained in this Memorandum, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

### Article I. Recitals

1.01 Recitals. The representations, covenants, and recitations set forth in this Memorandum are material and are incorporated into this Memorandum by the reference.

### Article II. Mutual Assistance

2.01 Mutual Assistance. The Parties agree, subject to the requirements of the law, to take all action necessary to complete the Projects in a timely and cooperative manner. Nothing in this Memorandum shall be considered a commitment of approval prior to the appropriate hearings or actions by the Town, Commission, or Department.

### Article III. Projects

3.01 Projects. The Town, Commission, and Department each acknowledge their respective responsibilities for the following Projects as set forth herein.

3.02 Main Street. The Commission has reconstructed Main Street from 10th Street to 16th Street and, in doing so, has procured all design, construction, and inspection services necessary to the reconstruction of Main Street. The Department shall cooperate with the Town in its request to the Department of Metropolitan Development (DMD) to remove Main Street from 10th Street to 16th Street from the "Official Thoroughfare Plan of Marion County, Indiana". The Town shall assume all responsibility for the operation, maintenance, and administration of Main Street from 10th Street to 16th Street.

3.03 Polco Street. The Parties anticipate reconstructing Polco Street from 10th Street to 16th Street. The Department shall cooperate with the Town in its request to the DMD to remove Polco Street from 10th Street to 16th Street from the "Official Thoroughfare Plan of Marion County, Indiana". The Town shall assume all responsibility for the operation, maintenance, and administration of Polco Street from 10th Street to 16th Street.

3.04 16th Street Roundabout. The Commission, in cooperation with INDOT and the Department, is building a roundabout at the intersection at 16th Street, Main Street, and Crawfordsville Road (the "16th Street Roundabout"). Funding for the 16th Street Roundabout is defined in Exhibit A. The Commission has funded the primary design and has assumed the lead role in the acquisition of real estate necessary to facilitate the construction of the 16th Street Roundabout. The Department shall have jurisdictional authority for the 16th Street Roundabout upon completion.

3.05 Main Street Intersection. The Commission is building an intersection at 16th Street and Main Street as a part of the 16th Street Roundabout (the "Main Street Intersection"). The Commission will procure all design, construction, and inspection services necessary to construct the Main Street Intersection. The Town will conduct studies and analysis as deemed necessary by the Department to determine if there is the need for modifying this intersection to a signalized intersection. The Commission will procure all design, construction, and inspection services necessary to modify this intersection if the updated traffic study demonstrates that a signalized intersection is required.

3.06 16th Street Realignment. The Master Plan (see Exhibit A thereto) developed by the Commission contemplates rerouting a portion of 16th Street along a new alignment to accommodate four travel lanes (two in each direction) from the Town's eastern boundary with the City west to the 16th Street Roundabout (the "16th Street Realignment"). The 16th Street Realignment will include a median of sufficient width to provide two additional travel lanes (one in each direction) at some point in time in the future. The Department shall have final design approval for the Realignment and the 16th Street Realignment shall not be constructed until the Department gives its approval. The Department shall have jurisdictional authority for the 16th Street Realignment upon completion because it remains on the "Official Thoroughfare Plan for Marion County, Indiana, however the Town shall be responsible for maintaining the 16th Street Realignment, including all maintenance costs. Funding for the 16th Street Realignment shall be

determined at a later date, in a separate agreement. The Town and Commission will assume the role of project administration for the 16th Street Realignment.

3.07 Georgetown Road. The Department already has reviewed preliminary plans for both the 16th Street Roundabout and the 16th Street Realignment. The Department has issued a preliminary approval for the 16th Street Realignment and has reviewed and approved the results of a traffic impact study dated December 9, 2008 (the "Traffic Impact Study"). The closure of Georgetown Road is a significant element of the 16th Street Roundabout and the 16th Street Realignment. The Department will cooperate with the Town and the Commission to remove Georgetown Road from 16th Street to 25th Street from the "Official Thoroughfare Plan of Marion County, Indiana" and subsequently vacate, at a minimum, the southern end of Georgetown Road (thereby not allowing traffic to or from the 16th Street Roundabout or 16th Street from Georgetown Road).

3.08 25th Street Project. The Town and Department agree to work cooperatively to place the 25th Street corridor from Georgetown Road west to High School Road on the Marion County Master Thoroughfare Plan when the Plan is next amended. The Parties agree to mutually work toward a comprehensive plan and financing for the reconstruction and related improvements on 25th Street from Georgetown Road to High School Road. The Town has identified intermediate term improvements and will finance those improvements through its own available revenues, but both Parties acknowledge the need to reconstruct the corridor as a complete street for the benefit, safety and convenience of multi-modal transportation. This should not be construed as a commitment to fund by either Party, but a commitment to work cooperatively to identify a project and potential funding.

3.09 Crawfordsville Road and Lynhurst Drive Intersection. The Department has jurisdictional authority over both Lynhurst Drive and Crawfordsville Road. The Town will conduct a study and analysis within one (1) year after the 16th Street Roundabout is operational to establish the need for modifying the intersection of Lynhurst Drive and Crawfordsville Road by providing a dedicated right turn lane for westbound traffic on Crawfordsville Road to northbound Lynhurst Drive. The Town will procure and pay for all design, construction, and inspection services necessary to modify this intersection as deemed necessary by the Department.

3.10 Lynhurst Drive. The Department has jurisdictional authority over Lynhurst Drive, and the Town has jurisdictional authority over parking on Lynhurst Drive. The Town will modify parking ordinances to provide for a more unobstructed traffic flow on Lynhurst Drive between 15<sup>th</sup> Street and 25th Street. The Town shall be responsible for all public outreach regarding this project.

3.11 Lynhurst Drive & 25th Street Intersection. The Department has jurisdictional authority over Lynhurst Drive, and the Town has jurisdictional authority over 25th Street. The Town will modify the intersection of Lynhurst Drive and 25th Street by adjusting the existing traffic signal and installing appropriate intersection pavement markings which provide for a left turn lane on westbound 25th Street to southbound Lynhurst Drive.

3.12 Architectural Landscape. The Commission will install landscape plantings as a part of the 16th Street Roundabout and the 16th Street Realignment. The Commission will procure all design, construction, and inspection services necessary to incorporate architectural landscape elements into the 16th Street Roundabout and the 16th Street Realignment. The Town shall maintain architectural landscape items within the public right-of-way throughout the 16th Street Relocation from Cord on the west to Olin Avenue on the east. These items include, but are not limited to, plantings within the median and behind curbs. The Town will operate and maintain irrigation systems installed within the right-of-way. All proposed architectural landscape must be approved by the Department.

3.13 Architectural Streetscape. The Commission will install architectural streetscape elements as a part of the 16th Street Roundabout and the 16th Street Realignment. The Commission will procure all design, construction, and inspection services necessary to incorporate architectural streetscape elements into the 16th Street Roundabout and the 16th Street Realignment. The Town shall own, operate and maintain architectural lighting and shall own and maintain street furniture items within the public right-of-way throughout the 16th Street Roundabout and the 16th Street Realignment from Cord on the west to Olin Avenue on the east. The Town shall maintain all unique streetscape items installed within standard roadway pavement surfaces, roundabout apron surfaces, sidewalk surfaces and pathway surfaces. All proposed architectural streetscape must be approved by the Department.

3.14 Traffic Signal Installations. The Commission will install new traffic signals at Olin Avenue and at Polco Street as a part of the 16th Street Realignment. The Commission, in cooperation with INDOT and the Department, will procure all design, construction, and inspection services necessary to incorporate the new traffic signals. The Department shall own, operate and maintain the traffic signals upon completion. The Department shall have final approval of design and construction plans for the traffic signals. The Commission shall be responsible for all costs associated with the design, construction, and inspection services necessary to incorporate the new traffic signal.

3.15 Pedestrian Safety and Mobility. The Commission will monitor pedestrian activity along the 16th Street Roundabout and the 16th Street Realignment and, upon completion, evaluate the volume and location of primary pedestrian crossings (unrelated to pedestrian traffic for racing events) along 16th Street. The Commission will report findings to the Department for evaluation. The Commission will provide recommendations to the Department for improving pedestrian safety and mobility if warranted. The Commission will prepare a report not later than three (3) years after the 16th Street Roundabout is operational.

3.16 Permits. The Town shall be responsible for the acquisition of all permits required from all local, state, and federal agencies including, but not limited to, the Department, the Indiana Department of Natural Resources, and the United States Army Corp of Engineers.

3.17 Plan Approval. The Commission, in cooperation with INDOT and the Department, shall review and issue an approval in a timely manner for all Projects. However, regardless of whether the Commission gives approval for a specific project, construction cannot commence on any of the Projects until the Department gives approval.

#### Article IV. General Provisions

4.01 No Joint Venture, Partnership. Nothing contained in this Memorandum shall be construed as creating either a joint venture or partnership between the Town and Department.

4.02 Prior Commitments and Responsibilities of Jurisdictional Roads and Streets. No part of this Memorandum shall be construed to modify, amend, or otherwise alter in manner any current agreement, commitment, or responsibility to maintain or operate roads, streets or thoroughfares currently under the jurisdiction of the Commission, the Department, or the Town unless expressly stated herein.

4.03 Plan Review. The Department shall have the final review and approval authority for all plans on Streets that are included in this Agreement. The Department shall provide plan review for maintenance of traffic plans, pavement marking and street signage plans for streets included in this Agreement. The Department shall also have the final review and approval for all drainage plans that are constructed as a result of the projects included within this Agreement.

4.04. Public Outreach. The Town shall be responsible for all public outreach and education for the projects included in this Agreement, including but not limited to projects that include multi-lane roundabouts, unique signage, and change in pavement markings. Public Outreach shall consist of, but is not limited to, public meetings, corresponding with media, and providing relevant literature to residents and those affected by the construction.

4.05. Effective Date. Notwithstanding anything in this Memorandum to the contrary, this Memorandum shall not be effective until all of the Parties have executed the Memorandum.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum as follows:

TOWN OF SPEEDWAY, INDIANA

By: Barbara A Lawrence

11-11-13

SPEEDWAY REDEVELOPMENT  
COMMISSION

By: [Signature]

Date: 11-4-13

CITY OF INDIANAPOLIS

DEPARTMENT OF PUBLIC WORKS

By: [Signature]

Lon B. Miser, Director

Date: 10.18.13

APPROVED AS TO LEGAL FORM

[Signature]

Alex Beatty, Assistant Corporation Counsel

Date: 10/16/13





Exhibit A  
16th Street Roundabout Funding

INDOT

\$12,800,000