

## REGULAR MEETING

Monday, December 16, 1957, 7:30 P.M.

The Common Council of the City of Indianapolis, met in the Council Chamber in the City Hall, Monday, December 16, 1957, at 7:30 P.M. in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

Absent: Mr. Wallace.

The reading of the Journal for the previous meeting was dispensed with on motion of Mrs. Francis, seconded by Mr. McKinney.

## COMMUNICATIONS FROM THE MAYOR

December 3, 1957

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Teresa Laffey, the following Ordinances:

### GENERAL ORDINANCE NO. 100, 1957

An ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, and more particularly Title 4, Chapter 9, Section 4-903 thereof (one-hour

parking meter zones), by the addition of several subsections, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 101, 1957 (as amended)

An ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof, by the addition of Sections 4-838 and 4-839 thereto, prohibiting the owner, driver or operation of any vehicle from parking, stopping or standing on certain designated streets between the hours of 8:00 o'clock A.M. and 9:00 o'clock A.M. and/or between the hours of 3:00 o'clock P.M. and 4:00 o'clock P.M., providing a penalty therefor and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 103, 1957

An ordinance to repeal Title 4, Chapter 8, Section 4-923, subsection 5 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 104, 1957

An ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, by the addition of sub-sections 286, 287, 288 and 289 thereto, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing at all times between certain designated points on certain designated streets, subject to the penalties provided, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 105, 1957

An ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-823 thereof, by the addition of sub-section 15 thereto, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on certain designated streets between certain designated points for a longer period of time than one and one-half hours, between the hours of 7:00 A.M. and 6:00 P.M., and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 106, 1957

An ordinance authorizing the Board of Public Safety to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 107, 1957

An ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan in the sum of Three Million Dollars (\$3,000,000.00), for the use of the general fund of the City of Indianapolis in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for the legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 108, 1957

An ordinance authorizing the City of Indianapolis to make a temporary loan for the General Fund of the Department of Public Parks in the amount of Four Hundred Thousand Dollars (\$400,000.00) for the purpose of carrying on the functions of said Department; said loan to be made in anticipation of and payable out of the current taxes of said Department of Public Parks actually levied for the general fund of the Department of Public Parks and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for legal notices and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 109, 1957 (As Amended)

An ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thousand Dollars (\$300,000.00), for the use of the Board of Trustees of the Indianapolis Firemen's Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Firemen's Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in

which said loan is made payable; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 110, 1957 (As Amended)

An ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Two Hundred Thousand Dollars (\$200,000.00), for the use of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 18, 1957

An ordinance authorizing the Board of Public Works of the City of Indianapolis, Indiana, through its duly authorized purchasing agent, to sell certain real estate belonging to the City of Indianapolis, and under the jurisdiction and custody of the Board of Public Works, and fixing a time when the same shall take effect.

Respectfully

PHILLIP L. BAYT  
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

December 16, 1957

To the President and Members  
of the Common Council of the  
City of Indianapolis, Indiana

Gentlemen:

Pursuant to the laws of the State of Indiana I caused to be published, General Ordinances Nos. 101, 104 and 105, 1957, in the Indiana Sentinel and the Indianapolis Commercial on Thursday, December 5th, 1957, and that said Ordinances will be in full force and effect

eight days after the last date of publication and compliance with any and all laws pertaining thereto.

Yours very truly,

TERESA F. LAFFEY,  
City Clerk.

December 16, 1957

To the President and Members  
of the Common Council of the  
City of Indianapolis, Indiana

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Times and the Indianapolis Commercial, on December 5th, 1957, General Ordinance No. 100, 1957, and that said Ordinance will be in full force and effect eight days after the last date of publication and compliance with any and all laws pertaining thereto.

Yours very truly,

TERESA F. LAFFEY  
City Clerk

December 16, 1957

To the Honorable President and Members of the  
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 114, 1957, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-831 thereof pertaining to penalties for certain traffic violations; and Title 4, Chapter 8, Section 4-812 thereof, by amending sub-section 149 thereof and adding a new sub-section thereto; and by adding a new section to Title 4,

Chapter 8 of said Municipal Code, and fixing a time when the same shall take effect.

Respectfully submitted,

WILLIAM H. WILLIAMSON  
Councilman

December 16, 1957

To the Honorable President and Members of the  
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 115, 1957, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on certain streets between certain designated points, namely, Kentucky Avenue, Sixteenth Street, and Pennsylvania Street.

Respectfully submitted,

R. A. MCKINNEY  
Councilman

December 16, 1957

To the Honorable President and Members of the  
Common Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 116, 1951, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 7, Sections 4-702, 4-703, 4-704, and adding a new section 4-705.1, all pertaining to Stop signs and Yield signs, and fixing a time when the same shall take effect.

Respectfully submitted,

R. A. MCKINNEY  
Councilman

December 16, 1957

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 117, 1957, pertaining to the cutting into street pavements to repair utilities and sewers.

Respectfully submitted,

R. THOMAS MCGILL  
Councilman

December 16, 1957

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Resolution No. 1, 1957, instructing and authorizing the City Legal Department, to resist the proposed water rate increase of the Indianapolis Water Company.

Respectfully submitted,

R. THOMAS MCGILL  
Councilman

At this time those present were given an opportunity to be heard on General Ordinances Nos. 97, 102, 112 and 113, 1957.

Mr. Bright asked for recess. The motion was seconded by Mr. McGill and the Council recessed at 7:50 P.M.

The Council reconvened at 8:00 P.M., with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., December 16, 1957

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Safety to whom was referred  
General Ordinance No. 102, 1957, entitled

AN ORDINANCE making Detroit Street one way north from  
Southeastern Avenue to Bates Street,

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

R. A. MCKINNEY, Chairman  
R. THOMAS MCGILL  
WM. H. WILLIAMSON  
JOSEPH E. BRIGHT  
GLADYS C. POHLMANN

Indianapolis, Ind., December 16, 1957

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Works to whom was referred  
General Ordinance No. 97, 1957, entitled

AN ORDINANCE relating to the cutting into street pavements  
to repair utilities and sewers,

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be stricken from the files.

R. THOMAS MCGILL, Chairman  
WM. H. WILLIAMSON  
CHARLES W. APPLGATE  
GLADYS C. POHLMANN



Indianapolis, Ind., December 16, 1957

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Health to whom was referred General Ordinance No. 113, 1957, entitled

AN ORDINANCE regulating the hours of duty of the Indianapolis Police Department and establishing a 40-hour work week for all regular members of the Indianapolis Police Department,

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WM. H. WILLIAMSON, Chairman  
MARY M. FRANCIS  
JOSEPH E. BRIGHT  
CHARLES W. APPELEGATE

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Williamson:

GENERAL ORDINANCE NO. 114, 1957

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-831 thereof, pertaining to penalties for certain traffic violations; and Title 4, Chapter 8, Section 4-812 thereof, by amending sub-section 419 thereof and adding a new sub-section thereto; and by adding a new section to Title 4, Chapter 8 of said Municipal Code, fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, General Ordinance No. 140, 1951, as amended, be, and the same is hereby amended, to read as follows, to-wit:

Section 4-831. Penalty for violations of this chapter.—

(1) Any person violating any provision of this chapter, or title, or of any later ordinance, relative to the stopping, standing or parking of vehicles, except the sections or provisions of this chapter, or of any such later ordinance, prohibiting the stopping, standing, or parking of vehicles at certain places at all times, or between the hours of 7:00 o'clock and 9:00 o'clock in the forenoon of any day, or between the hours of either 3:00 o'clock or 4:00 o'clock, and 6:00 o'clock in the afternoon of any day, upon conviction of any, and for each such violation, not so excepted, shall be fined in any sum not exceeding three hundred dollars for any such offenses; to which may be added imprisonment for not to exceed one hundred and eighty days for any fourth or subsequent such offense.

(2) Any person violating any provision of this chapter or title prohibiting the stopping, standing, or parking of vehicles at certain places at all times, or between the hours of 7:00 o'clock and 9:00 o'clock in the forenoon of any day, or between the hours of 3:00 o'clock and 6:00 o'clock in the afternoon of any day, or between the hours of 4:00 o'clock and 6:00 o'clock in the afternoon of any day, upon conviction of any, and for each such violation, shall be fined, when so found to be justified by and in the discretion of the court, in any sum not more than three hundred dollars, for any such offense; to which fine there may be added imprisonment for not exceeding one hundred and eighty days for any second or subsequent such offense.

Section 2. That Sub-section 149 of Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, as amended, prohibiting parking at all times on the west side of Pennsylvania Street, be amended to read as follows:

| Street                | Side of Street | From              | To               |
|-----------------------|----------------|-------------------|------------------|
| 149. Pennsylvania St. | West           | Twenty-second St. | Twenty-fifth St. |

Section 3. That Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is, hereby amended and supplemented by adding thereto a new sub-section as follows:

| Street                | Side of Street | From          | To                |
|-----------------------|----------------|---------------|-------------------|
| 286. Pennsylvania St. | East           | Sixteenth St. | Twenty-second St. |

Section 4. There is hereby ordained and established a new parking period and time, the same to be known as Section 4-840 of the Municipal Code of Indianapolis, 1951, as amended, to wit:

Section 4-840. Parking, Stopping or Standing Prohibited between six o'clock A.M. and nine o'clock A.M. on Certain Streets.—

It shall be unlawful for the owner, driver or operator of any vehicle to park or stop the same or to permit the same to be parked or to stand at any time between the hours of 6:00 o'clock A.M. to 9:00 o'clock A.M., in the morning of any day of the week including Sunday, between any of the following designated parts of certain streets in the City, to-wit:

| Street              | Side of Street | From          | To                |
|---------------------|----------------|---------------|-------------------|
| 1. Pennsylvania St. | West           | Sixteenth St. | Twenty-second St. |

Section 5. The provisions of Sections 2, 3 and 4 of this Ordinance shall be subject to the penalties as provided in Section 4-831 of the Municipal Code of Indianapolis, 1951, as amended by this Ordinance.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, publication as by law required, and posting of such prohibited area by appropriate marking.

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

By Councilman McKinney:

GENERAL ORDINANCE NO. 115, 1957

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on certain streets between certain designated points, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 4, Chapter 8, Section 4-812 of the Municipal

Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is, hereby amended by the addition of subsections 290, 291, 292 and 293 thereto as follows, to-wit:

| Street               | Side of Street | From             | To                                    |
|----------------------|----------------|------------------|---------------------------------------|
| 290. Kentucky Ave.   | Both           | White River      | City Limits                           |
| 291. 16th Street     | South          | Senate Ave.      | Capitol Ave.                          |
| 292. 16th Street     | South          | Pennsylvania St. | 1st Alley West of<br>Pennsylvania St. |
| 293 Pennsylvania St. | West           | 16th Street      | A point 120 ft. South                 |

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

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

By Councilman McKinney:

GENERAL ORDINANCE NO. 116, 1957

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 7, Sections 4-702, 4-703, 4-704, and adding a new Section 4-705.1, all pertaining to Stop signs and Yield signs, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 4, Chapter 7, Section 4-702 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended be, and the same is, hereby amended to read as follows; to wit:

Section 4-702. Authority to erect Stop and Yield Signs.—Whenever any section or provision of this chapter or in any chapter in this code, or in any later ordinance of this City, designates and lists any streets as a through or preferential street, it shall be the duty of the Board of Public Safety, subject however to the authority and discretion in such respects conferred upon said board by Sec-

tion 4-202 of this Code, to place and maintain, or cause to be placed and maintained, a Stop sign or a Yield sign on each and every street at its intersection with such through or preferential streets, at all portions of the latter so described and designated. Similar Stop signs or Yield signs shall be placed at all alleys intersecting such through or preferential street and at all alleys and streets entering same.

Section 2. That Title 4, Chapter 7, Sections 4-703 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended be, and the same is, hereby amended to read as follows; to-wit:

Section 4-703. Intersections where Stop or Yield required.—The Board of Public Safety is hereby authorized, upon an engineering and traffic investigation, to determine and designate intersections where a particular hazard exists upon either through streets or other than through streets, and to determine whether vehicles shall stop or yield at one or more entrances to any such intersection, and shall erect a Stop sign or Yield sign, and also warning light signals if deemed necessary, at every such place where a Stop or Yield is required.

Section 3. That Title 4, Chapter 7, Section 4-704 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is, hereby amended to read as follows, to wit:

Section 4-704. Signs to bear the word "Stop" or "Yield."—Every Stop sign erected pursuant to this chapter shall bear the word "Stop" in letters not less than eight inches in height. Every Yield sign shall bear the word "Yield" in letters not less than six inches in height. Every Stop sign and every Yield sign shall at nighttime be rendered luminous by steady or flashing internal illumination, or by a fixed flood light projected on the face of the sign, or by efficient reflecting elements on the face of the sign. Every Stop sign and every Yield sign shall be located, as nearly as practicable, at the nearest line of the crosswalk on the right side of the curb at the intersection or, if no curb, at the nearest right line of the roadway.

Section 4. That Title 4, Chapter 7, Section 4-705 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is, hereby amended to read as follows, to-wit:

Section 4-705. (1) Vehicles to stop at Stop signs or Yield signs.—

When Stop signs are erected, as herein provided, at or near the entrance to any intersection, or an officer is stationed there to direct traffic, every driver of a vehicle shall stop, at such sign or at a clearly marked stop line before entering the intersections, except when directed to proceed by a police or traffic officer, or by a traffic control signal then and there installed and in operation.

(2) The driver of a vehicle approaching a Yield sign shall in obedience to such signs slow down to a speed reasonable for the existing conditions, or shall stop if necessary, and shall yield the right-of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another street so closely as to constitute an immediate hazard. Said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection shall yield to the vehicle so proceeding, provided, however, that if such driver is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a Yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right-of way.

Section 5. 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 Public Safety.

By Councilman McGill:

GENERAL ORDINANCE NO. 117, 1957

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 9, Chapter 5, Section 9-527 thereof, by the addition of sub-section 4 thereto, relating to cutting into street pavements to repair utilities and sewers, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 9, Chapter 5, Section 9-527 of the Municipal

Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is, hereby amended by the addition of sub-section 4 thereto, to read as follows, to-wit:

(4) Unless an extreme emergency exists no pavements of the City Streets are to be opened for utility or sewer repairs on Friday or Saturday of any week. All pavement openings for both flexible (bituminous concrete) and rigid (cement concrete) types shall be sawed. All sawing shall be done in a workmanlike manner, having all lines both longitudinally and transversely straight and parallel with each other. In the case of flexible (bituminous concrete) pavements, it shall be sawed completely through the bituminous material to its base. If the base is cement concrete, it may be broken out with a pneumatic concrete breaker. In case of a rigid (cement concrete) pavement, it shall be sawed in a manner as set out above to a depth of at least 1½ inches, then broken out with a concrete breaker.

When openings are to be made in "One-way" or "Arterial Streets," work shall be carried out in a diligent and expeditious manner, but no work shall be carried on between the hours of 6:00 o'clock A.M. and 9:00 o'clock A.M. and between the hours of 3:00 o'clock P.M. and 6:00 o'clock P.M. except that when a cut is too wide and too long to be covered by the use of steel plates and the excavated material is to be placed in front or at sides of cut; in such a case, work may begin at 7:00 o'clock A.M. and continue around the clock and throughout the following day or days until its completion.

When work on the repair jobs ceases on account of the time limit set out for "One-way" or "Arterial Streets" in the case of using steel plates, all excavated materials such as sub-soil and pavement fragments shall be hauled off the pavement. The opening in the street shall immediately be protected by placing sufficiently strong steel plates over the opening. The steel plates shall span the opening and extend beyond a minimum of 6 inches in all directions. For safety purposes, steel angle iron shall be welded to the plate so as to fit into the opening to prevent any lateral movement.

When repairs have been made and backfilling of the opening is ready for placement, the material shall be carefully placed around pipes or conduits and thoroughly compacted if soil is used. Soil backfill shall be placed in approximately 4 inch courses, and compacted throughly with a powered tamper or its equal. Where openings justify, a granular (coarse sand) backfill, it shall be deposited

and brought up to the elevation for the base, in case of a bituminous surface course, or to the proper elevation for a cement concrete course. Thickness of base and bituminous top course and cement concrete course shall be restored in their original thickness. Steel plates shall again be used for protection until the final repairs have been made and pavement is old enough to sustain traffic loads.

Contractors and Utility Companies performing work in "Arterial" or "One-way" Streets shall complete the entire project at their expense. All contractors making openings in streets other than "Arterial" or "One-way" Streets shall conform substantially with methods as set out for "Arterial" or "One-way" Streets except that work may start and end at their discretion. In all streets where openings are to be made, the opening or openings shall be protected with suitable barricades and warning signs to prevent any potential traffic mishap while work is in progress. When backfill of the openings in streets other than "Arterial" or "One-way" has been satisfactorily completed, the contractor shall notify the Street Repair Department of the Street Commissioner's Office immediately, in order that prompt repairs can be made to the final base and surface courses by his department. In case of repairs being made by the Street Commissioner's Department, the contractor, making the opening shall be required to pay the usual fee on the basis of the square footage involved.

Under this Ordinance, no cuts or openings into pavements of the Streets of Indianapolis for repairs to sewers, mains or conduits, are to be made other than duly registered and licensed plumbers.

The foregoing regulations apply to all alleys as well as streets.

All utility companies and contractors before commencing any work on street or alley openings shall notify the Police and Fire Departments and the City Traffic Engineering Department before commencement.

The foregoing regulations also apply to new extensions or installations of sewers, water mains, gas mains or any other underground utility.

The quality and workmanship of restoring backfill, bases and surfaces to street or alley pavements will be subject to rigid inspection by a representative of the City Civil Engineering Department.



Section 2. Penalty. For any violation of the provisions of this Ordinance the violator thereof may be fined in any sum not exceeding Three Hundred Dollars (\$300.00) to which may be added imprisonment for not to exceed One Hundred Eighty (180) days.

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 Public Works.

## INTRODUCTION OF RESOLUTIONS

By Councilman McGill:

### RESOLUTION No. 1, 1957

A RESOLUTION instructing and authorizing the City Legal Department to resist the proposed water rate increase of the Indianapolis Water Company.

WHEREAS, the Indianapolis Water Company has filed before the Public Service Commission of Indiana, a petition asking for a general rate increase of nineteen percent (19%) to the consumers of the City of Indianapolis for water, and more particularly asking for an increase of twenty percent (20%), in the amount of money paid by the City of Indianapolis for fire water protection, and

WHEREAS, it appears that it will be necessary for the Common Council to increase the tax burdens of the citizens of Indianapolis in the amount of One Hundred Thousand Dollars (\$100,000.00) if said petition increasing said rate is granted, and One Hundred Thousand Dollars (\$100,000.00) each year hereafter,

WHEREAS, it appears in the best interest of the City of Indianapolis that said rate increase be resisted, and that the citizens and the City of Indianapolis be in all particulars, adequately represented before the Public Service Commission and such other bodies, administrative and judicial, before whom this petition might appear, and

WHEREAS, it appears that the Indianapolis Water Company is now receiving a fair rate on its capital investment, and that no further raise appears necessary at this time, in the water rates of either the citizens of Indianapolis or the City of Indianapolis.

IT IS, THEREFORE, HEREBY RESOLVED BY  
THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

That John J. Dillon, the City Attorney of the City of Indianapolis, is hereby directed to intervene on behalf of the City of Indianapolis, to investigate the necessity of bringing before this Common Council such request for appropriation for the hiring of additional legal assistance, engineering assistance, and accounting assistance as may be necessary to properly represent the City of Indianapolis in resisting said petition for a rate increase of the Indianapolis Water Company.

#### ORDINANCES ON SECOND READING

Mr. McKinney called for General Ordinance No. 102, 1957, for second reading. It was read a second time.

On motion of Mr. McKinney, seconded by Mrs. Francis, General Ordinance No. 102, 1957, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 102, 1957, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

Mr. McGill called for General Ordinance No. 97, 1957, for second reading. It was read a second time.

Mr. McGill made a motion that General Ordinance No. 97, 1957, be ordered stricken from the files.

Which was seconded by Mrs. Francis and passed by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

Mr. McGill made a motion that General Ordinance No. 112, 1957, As Amended, be ordered engrossed, read a third time and placed upon its passage, which was seconded by Mrs. Francis.

Mr. Williamson presented the following written motion to further amend General Ordinance No. 112, 1957, As Amended, to-wit:

Indianapolis, Ind., December 16, 1957

Mr. President:

I move that General Ordinance No. 112, 1957, be further amended by striking out all of the first paragraph and inserting in lieu thereof the following:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, and particularly Chapter 10, Section 1006, paragraph 2 thereof, for use of firearms as pertaining to pest eradication in the City of Indianapolis, Indiana.

And by inserting a new Section 3 to read as follows:

**Section 3. Authorization and Permission to Shoot.** Any and all persons, organizations and corporations, individually, severally or jointly, seeking authorization for the use of firearms as provided in this Ordinance shall first submit to the Board of Public Safety proof of responsibility by showing of liability insurance or placing a bond in such amount as shall be set by the Board of Public Safety.

And by inserting a new section titled Section 4 as follows:

Section 4. **Supervision of Firearms.** The use of Firearms as provided in this Ordinance shall be under the supervision of the Indianapolis Police Department at all times.

Section 3 then becomes Section 5.

Which was seconded by Mr. McGill, and passed by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

General Ordinance No. 112, 1957, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

GENERAL ORDINANCE No. 112, 1957 (As Amended)

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, and particularly Chapter 10, Section 1006, paragraph 2 thereof, for use of firearms as pertaining to pest eradication in the City of Indianapolis, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. **Birds and Animals Creating Nuisance.** Whenever it shall appear, on complaint of residents, merchants, persons in business, owners or operators of structures or buildings, or citizens generally, or otherwise, that starlings, sparrows, pigeons, constitute a nuisance in any part of the City, the Board of Public Safety shall be authorized to use all necessary means to destroy such nuisance-creating birds.

**Section 2. Shooting to be Permitted.** Said Board shall be authorized to eradicate such pests with firearms and otherwise and where firearms are used for such purposes they shall not constitute a violation of the Code provision pertaining to the shooting of firearms within the City limits.

**Section 3. Authorization and Permission to Shoot.** Any and all persons, organizations and corporations, individually, severally or jointly, seeking authorization for the use of firearms as provided in this Ordinance shall first submit to the Board of Public Safety proof of responsibility by showing of liability insurance or placing a bond in such amount as shall be set by the Board of Public Safety.

**Section 4. Supervision of Firearms.** The use of firearms as provided in this Ordinance shall be under the supervision of the Indianapolis Police Department at all times.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage and signature by the Mayor.

Mr. Williamson called for General Ordinance No. 113, 1957, for second reading. It was read a second time.

On motion of Mr. Williamson, seconded by Mrs. Francis, General Ordinance No. 113, 1957, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 113, 1957, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

## NEW BUSINESS

The Council reverted to the previous order of business.

Mr. McGill moved that the rules be suspended for further consideration and passage of Resolution No. 1, 1957.

The motion was seconded by Mrs. Francis, and carried by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

The rules were suspended.

### COMMITTEE REPORT

Indianapolis, Ind., December 16, 1957

To the President and Members of the Common Council  
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Public Works to whom was referred Resolution No. 1, 1957, entitled,

#### A RESOLUTION PERTAINING TO THE WATER RATE INCREASE OF THE INDIANAPOLIS WATER COMPANY,

beg leave to report that we have had said resolution under consideration, and recommend that the same be passed, under suspension of the rules.

R. THOMAS MCGILL, Chairman  
WM. H. WILLIAMSON  
CHARLES W. APPLGATE  
GLADYS C. POHLMANN

### RESOLUTION ON SECOND READING

Mr. McGill called for Resolution No. 1, 1957, for

second reading. It was read a second time.

On motion of Mr. McGill, seconded by Mrs. Francis, Resolution No. 1, 1957, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 1, 1957, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8 viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Emhardt.

#### MISCELLANEOUS BUSINESS

At this time, President Emhardt introduced Mr. James Carson, Boy Scout Counselor to Post 88 of the Prentis Presbyterian Church. Mr. Carson introduced to President Emhardt and the members of the Council, five members of his troop, who are working for their merit badges. One requirement was the attendance of a City Council Meeting, so that they might study the workings of City Government. The Scouts were introduced as follows:

Richard Hays, 4531 Shady Lane

Kenneth Hurst, 5407 Culver

Larry Beineke, 4116 East 34th Street.

Pratt Powell, 6125 East 46th Street

Stephen Hunter, 5204 East 34th Street

\* \* \* \* \*

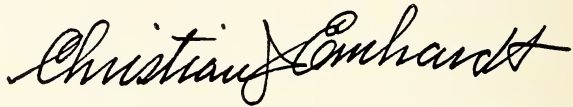
On behalf of the City Clerk and members of the City

Council, President Emhardt expressed sincere sympathy to Joseph C. Wallace, vice-President of the Council, on the death of his mother, Mrs. Mary Jo Wallace, December 13, 1957.

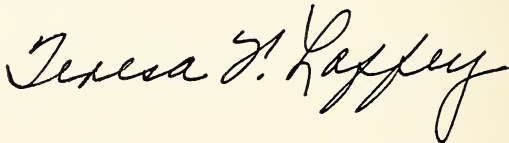
On motion of Mr. Bright, seconded by Mrs. Francis, the Common Council adjourned at 8:25 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 16th day of December, 1957, at 7:30 P.M.

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



ATTEST:

*President.*

(SEAL)

*City Clerk.*