

REGULAR MEETING

Monday, February 3, 1930, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, February 3, 1930, at 7:30 p. m., in regular session, President Ernest C. Ropkey in the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President, and eight members, viz.: Fred C. Gardner, George A. Henry, C. A. Hildebrand, James A. Houck, Charles C. Morgan, Maurice E. Tennant, Leo F. Welch, Clarence I. Wheatley.

On motion of Mr. Welch, seconded by Mr. Tennant, the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

January 21, 1930.

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

Gentlemen:

I have this day approved with my signature and delivered to Henry O. Goett, City Clerk, the following ordinance:

GENERAL ORDINANCE No. 3, 1930

AN ORDINANCE creating the office of Captain of License Inspection in the Police Department under the Department of Public Safety, in the City of Indianapolis, Indiana, defining the power and duty thereof,

fixing the salary thereof, appropriating the sum of Thirty-three Hundred Dollars (\$3,300.00) for the payment of said salary, declaring an emergency and fixing a time when the same shall take effect.

Very truly yours,

R. H. SULLIVAN,
Mayor.

January 24, 1930.

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

Gentlemen:

I have this day approved with my signature and delivered to Henry O. Goett, City Clerk, the following ordinance:

APPROPRIATION ORDINANCE No. 1

AN ORDINANCE appropriating the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) from an unappropriated balance of the General Fund for the year 1930, to the Department of Public Health and Charities, declaring an emergency and fixing a time when said ordinance shall take effect.

Very truly yours,

R. H. SULLIVAN,
Mayor.

January 27, 1930.

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

Gentlemen:

I have this day approved with my signature and delivered to Henry O. Goett, City Clerk, the following resolutions:

RESOLUTION No. 1

AUTHORIZING the City Controller of the City of Indianapolis to pay to John W. Holtzman and Fred C. Gause, as special attorneys for

the City of Indianapolis, in the matter of the proceedings in connection with the franchise and contract of the Citizens Gas Company of Indianapolis with the said city, said salaries being in the sum of \$7,500.00 each per annum.

RESOLUTION No. 2

APPROVING a contract for construction of an Administration Building at the Municipal Airport, and the contracts for the installation of the lighting, plumbing, heating, etc., in said Administration Building.

Very truly yours,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

January 21, 1930.

To the Honorable Reginald H. Sullivan, Mayor, and the Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen:

I present herewith our report of the audit of the Cornelia Cole Fairbanks Memorial Fund for the calendar year 1929. Said audit was made on January 15, 1930, at a meeting with Messrs. Frank D. Stalnaker, Hilton U. Brown, Edward B. Raub, Fred Hoke, Elmer W. Stout and A. C. Thomas, Mr. Thomas being deputized to act for me, as it was impossible for me to attend.

The funds of the Memorial are invested in United States Liberty Bonds. Same are being kept in the safety deposit box at the Indiana National Bank, accessible only to two or more members of the Board.

The attached report of the Treasurer, Hilton U. Brown, has been audited and found to be correct, and same is respectfully submitted to you.

Very truly yours,

STERLING R. HOLT,
City Controller.

FINANCIAL STATEMENT OF THE CORNELIA COLE FAIRBANKS
MEMORIAL FUND

(For the year ending December 31, 1929)

Receipts—

Balance in bank January 1, 1929.....		\$0.75
February 7, 1929—Coupons cashed.....	\$195.54	
April 15—Interest on registered bonds.....	2,723.19	
October 16—Interest on registered bonds.....	1,509.82	4,428.55
Total		\$4,429.30

Expenditures—

February 16, 1929—Safety box rental.....	\$5.00	
April 17—\$2,900 face value U. S. 4¼ Liberty Bonds at \$99.71 and interest.....	2,893.43	
October 16—Refund Indiana National Bank....	1,275.00	\$4,173.43
Balance in Bank—December 31, 1929.....		\$255.87

STATEMENT OF ASSETS DECEMBER 31, 1929

Registered U. S. 4th 4¼ Bonds in safety box, Indiana National Bank.....	\$71,050.00	
Cash subject to check in Indiana National Bank..	255.87	
		\$71,305.87
Increase in assets in 1929.....		\$3,155.12

January 31, 1930.

Mr. Henry O. Goett, City Clerk, Indianapolis, Indiana:

Dear Mr. Goett:

Acting under instructions of the Board of Health, I am forwarding to you herewith an ordinance authorizing the purchase of 100,000 yards of mesh gauze for the use of the Board of Health at and in connection with the Indianapolis City Hospital.

Will you kindly present this ordinance to the Common Council, with the Board's recommendation that the same be passed.

Very truly yours,

B. HOWARD CAUGHRAN,
Attorney, Board of Health.

January 31, 1930.

Mr. Henry O. Goett, City Clerk, Indianapolis, Indiana:

Dear Mr. Goett:

Acting under instructions of the Board of Health, I am forwarding to you herewith an ordinance authorizing the purchase of nine electric refrigerators for the use of the Board of Health at and in connection with the Indianapolis City Hospital.

Will you kindly present this ordinance to the Common Council, with the Board's recommendation that the same be passed.

Very truly yours,

B. HOWARD CAUGHRAN,
Attorney, Board of Health.

February 3, 1930.

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

Gentlemen:

We are submitting herewith fifteen copies of an ordinance amending Section 654 of General Ordinance No. 121, 1925, and providing for the installation of a flasher light signal at the Ritter avenue crossing of the Baltimore and Ohio Railroad Company, and respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY.
By C. R. MYERS,
President.

January 30, 1930.

Mr. Sterling R. Holt, City Controller, City Hall:

Dear Sir:

The Board of Public Works respectfully requests that you cause to be prepared an ordinance authorizing a bond issue in the sum of \$517,000.00, to retire outstanding certificates of indebtedness occasioned by suspended assessments on the following public improvements, to wit:

Forty-sixth street sewer, issued October 10, 1928, in the sum of \$26,577.54; Forty-second street sewer, issued on November 14, 1928, in the sum of \$52,856.83; and the Pleasant Run main sanitary interceptor, issued April 4, 1929, in the sum of \$404,160.96; a total of \$483,595.33, with the interest thereon from the date of issuance to April 30, 1930, in the sum of \$33,090.03.

And submit the same to the Common Council at the next meeting, with recommendation of the Board of Public Works that same be passed.

Very truly yours,

ERNEST F. FRICK,
Secretary, Board of Public Works.

February 3, 1930.

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

Gentlemen:

Attached please find copies of General Ordinance No. 8, 1930, authorizing the sale of Five Hundred Seventeen (517) bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, for the purpose of procuring money to be used in paying and retiring certificates of indebtedness heretofore issued by the City of Indianapolis, and the interest thereon.

I respectfully recommend the passage of this general ordinance.

Very truly yours,

STERLING R. HOLT,
City Controller.

February 3, 1930.

Honorable Members of the City Council, City Hall:

Gentlemen:

I am herewith submitting a request for your Honorable Board to make appropriations for the following articles in the following amounts for the purchase of articles used by the City Engineer for the purpose of repairing streets. These items all being in amounts of \$2,000.00 or more, must be submitted to your Honorable Body before an order for purchase can be entered into with the vendor. The respective amounts set after such articles are computed on present market quotations and the price of last year at which these articles were purchased.

500 tons refined asphalt, as per engineer's specifications.....	\$11,550.00
2,000 tons yellow sand, f. o. b. city yards.....	2,900.00
1,000 tons stone dust, f. o. b. city yards.....	5,300.00
2,000 barrels, more or less, Portland cement, eng. spec.....	4,700.00

Also through the Board of Public Health and Charities, we are asking for an appropriation—9 refrigerators; total cost, approximately 3,650.00
 100,000 yards gauze..... 2,600.00

It is requested that your honorable board set aside such appropriations, so that this department may get competitive bids on such articles and award contracts in compliance with the law.

Respectfully submitted,

ALBERT H. LOSCHE,
Purchasing Agent.

February 3, 1930.

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

Gentlemen:

Attached please find copies of General Ordinance No. 10, 1930, appropriating money from the cash balance which the Board of

Sanitary Commissioners had on hand in its Sanitary Maintenance and General Expense Fund on January 1, 1930, and now has on hand, and transferring said money to certain numbered funds in the Sanitation Department.

I respectfully request the passage of this ordinance.

Yours very truly,

STERLING R. HOLT,
City Controller.

February 3, 1930.

Hon. Sterling R. Holt, Controller, City of Indianapolis:

Sir:

The Board of Sanitary Commissioners hands you herewith the attached ordinance and respectfully requests that you present this ordinance to the Common Council, with recommendation for its early passage.

Very truly yours,

BOARD OF SANITARY COMMISSIONERS.
AULTA STEWART, Clerk.

Mr. Welch asked for a recess of ten minutes. The motion was seconded by Mr. Henry, and the Council recessed at 7:45 p. m.

The Council reconvened from its recess at 8:05 p. m., with the same members present as before.

COMMITTEE REPORTS

The Committee on Public Works asked for extension of time for further consideration of General Ordinance No. 4, 1930, which was granted.

INTRODUCTION OF GENERAL ORDINANCE

By Board of Health :

GENERAL ORDINANCE No. 5, 1930

AN ORDINANCE authorizing the purchase of 100,000 yards of mesh gauze for the use of the Board of Health of the City of Indianapolis, Indiana, 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 the Board of Health of the City of Indianapolis be and it is hereby authorized to purchase 100,000 yards of mesh gauze for use at and in connection with Indianapolis City Hospital, 50,000 yards of which is to be cut 36 inches by 36 inches, and 50,000 yards to be cut 18 inch fold.

Sec. 2. That said purchase shall be made from the lowest and best bidder or bidders after advertising for competitive bids thereon according to law, and the total cost thereof shall not exceed Twenty-six Hundred Dollars (\$2,600.00).

Sec. 3. The purchase price of said mesh gauze shall be paid out of funds heretofore appropriated to the Department of Public Health and Charities of the City of Indianapolis for the year 1930.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Public Health.

By Board of Health :

GENERAL ORDINANCE No. 6, 1930

AN ORDINANCE authorizing the purchase of nine (9) electric refrigerators for the use of the Board of Health of the City of Indianapolis, Indiana, 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 the Board of Health of the City of Indianapolis, Indiana, be and it hereby is authorized to purchase eight (8) direct current electric refrigerators with all-steel box and with a capacity of 18 square feet of shelf area; also one (1) direct current electric refrigerator with all-steel box and with a capacity of 9½ square feet of shelf area.

Sec. 2. That said purchase shall be made from the lowest and best bidder or bidders after advertising for competitive bids thereon according to law, and the aggregate cost of said nine (9) refrigerators shall not exceed Thirty-seven Hundred Dollars (\$3,700.00).

Sec. 3. The purchase price of said electric refrigerators shall be paid out of funds heretofore appropriated to the Department of Public Health and Charities of the City of Indianapolis for the year 1930.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Public Health.

By Board of Safety:

GENERAL ORDINANCE No. 7, 1930

AN ORDINANCE amending Section 654 of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, by providing for the installation of a flasher light signal at the crossing of the Cincinnati, Indianapolis and Western Railroad Company, now the Baltimore and Ohio Railroad Company, tracks on South Ritter avenue, in the City of Indianapolis, 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 Section 654 of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, be amended to read as follows: Section 654. C., I. & W. Rail-

road Company. The Cincinnati, Indianapolis and Western Railroad Company, now owned and operated by the Baltimore and Ohio Railroad Company, shall establish and maintain signal bells at the intersection of the railroad tracks owned or operated by it with each of the following streets: South Emerson avenue, South Audubon road and Arlington avenue, and the said railroad company shall establish, install and maintain a flasher light signal at the intersection of the railroad tracks on South Ritter avenue, the installation and maintenance of said flasher light being subject to the approval of the Board of Public Safety of the City of Indianapolis.

Sec. 2. This ordinance shall take effect from and after its passage, approval by the Mayor and publication according to law.

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

By City Controller:

GENERAL ORDINANCE No. 8, 1930

AN ORDINANCE authorizing the borrowing of Five Hundred Seventeen Thousand Dollars (\$517,000.00) and the sale of Five Hundred Seventeen (517) bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city or from the sinking fund of said city, or as may be required by law, for the purpose of procuring money to be used in paying and retiring certificates of indebtedness, heretofore issued by the City of Indianapolis, and interest thereon, providing for the time and manner of advertising sale of said bonds and the receiving of bids for the same, together with the mode and terms of sale, appropriating the same to the Department of Public Works of said city and fixing a time when the same shall take effect.

WHEREAS, The certificates of indebtedness have been issued by the Board of Public Works of the City of Indianapolis and the City Controller of said city pursuant to Chapter 184 of the Acts of the General Assembly of the State of Indiana for the year 1927, as follows:

Certificates numbers one (1) to twenty-seven (27), inclusive, in the principal amount of Twenty-six Thousand Five Hundred Seventy-seven Dollars Fifty-four Cents (\$26,577.54), issued to the Columbia Construction Company for the amount of the suspended assessments

on account of the improvement of Forty-sixth street by the construction of a sewer. Said certificates numbered one (1) to twenty-seven (27) being issued pursuant to a resolution of the Board of Public Works, heretofore adopted on the.....day of....., 1929, by said Board of Public Works, and that there is interest due at the rate of six per cent (6%) per annum on said certificates numbered one (1) to twenty-seven (27), inclusive, from October 10, 1928, being the date of the approval of the final assessment roll by the judge of the Circuit Court of Marion County, Indiana, to and including April 30, 1930, in the amount of Two Thousand Four Hundred Eighty-one Dollars and Fifty-five Cents (\$2,481.55).

Certificates numbered twenty-eight (28) to fifty-four (54), inclusive, in the principal amount of Twenty-six Thousand One Hundred Thirty-five Dollars and Thirty-one Cents (\$26,135.31), issued to the Columbia Construction Company for the amount of the suspended assessments on account of the improvement of Forty-second street by the construction of a sewer. Said certificates numbered twenty-eight (28) to fifty-four (54), inclusive, being issued pursuant to a resolution of the Board of Public Works, heretofore adopted on the..... day of....., 1929, by said Board of Public Works, and that there is interest due at the rate of six per cent (6%) per annum on said certificates numbered twenty-eight (28) to fifty-four (54), inclusive, from November 14, 1928, being the date of the approval of the final assessment roll by the judge of the Circuit Court of Marion County, Indiana, to and including April 30, 1930, in the amount of Two Thousand Two Hundred Eighty-nine Dollars and Ninety Cents (\$2,289.90).

Certificates numbered fifty-five (55) to eighty-one (81), inclusive, in the principal amount of Twenty-six Thousand Seven Hundred Twenty-one Dollars and Fifty-two Cents (\$26,721.52), issued to the Columbia Construction Company for the amount of the direct assessments against the State of Indiana, which assessments under the law are paid direct by the City of Indianapolis, on account of the improvement of Forty-second street by the construction of a sewer. Said certificates numbered fifty-five (55) to eighty-one (81), inclusive, being issued pursuant to a resolution of the Board of Public Works, and that there is interest due at the rate of six per cent (6%) per annum on said certificates from November 14, 1928, being the date of the approval of the final assessment roll by the judge of the Circuit Court of Marion County, Indiana, to and including April 30, 1930, in the amount of Two Thousand Three Hundred Forty-one Dollars and Fifty-four Cents (\$2,341.54).

Certificates numbered eighty-two (82) to one hundred sixty-six (166), inclusive, in the principal amount of Four Hundred Four Thousand One Hundred Sixty Dollars and Ninety-six Cents (\$404,160.96), issued to the Krenn & Dato Building and Construction Company for the amount of the suspended assessments, assessments made directly against the City of Indianapolis on property owned by it, subject thereto and reductions on appeal, on account of the construction of the Pleasant Run main sanitary interceptor sewer. Said certificates numbered eighty-two (82) to one hundred sixty-six (166), inclusive, being issued pursuant to resolutions of the Board of Public Works heretofore adopted on April 19, 1929, and November 29, 1929, by said Board of Public Works, and that there is interest due at the rate of six per cent (6%) per annum from April 4, 1929, being the date of the approval of such final assessment roll by the judge of the Circuit Court of Marion County, Indiana, to and including April 30, 1930, in the amount of Twenty-five Thousand Nine Hundred Seventy-seven Dollars and Four Cents (\$25,977.04); and,

WHEREAS, The total amount of said certificates numbered one (1) to one hundred sixty-six (166), inclusive, as above set out, with interest to April 30, 1930, amounts to Five Hundred Sixteen Thousand Six Hundred Eighty-five Dollars and Thirty-six Cents (\$516,685.36); and,

WHEREAS, There is not now and will not be sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid certificates and interest; and,

WHEREAS, The city is required to pay interest at the rate of six per cent (6%) on said certificates until paid, and it being necessary for the said city to borrow said sum of Five Hundred Seventeen Thousand Dollars (\$517,000.00) in order to procure a fund to be devoted for the purposes set out herein and to issue and sell its bonds in said amounts, payable from the general revenues of said city, or as may be otherwise authorized or required by law or as authorized by an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, including Chapter 184 of the Acts of the General Assembly of the State of Indiana for the year 1927, approved March 10, 1927. NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the city controller be and he is hereby authorized for the purpose of procuring money to be used for the purpose of paying

and redeeming certificates of indebtedness and interest thereon as set out hereinbefore, to prepare, issue and sell five hundred seventeen (517) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand Dollars (\$1,000.00) each, which shall bear the date of April 30, 1930, and shall be numbered from one (1) to five hundred seventeen (517), both inclusive, and shall be designated as "Municipal Certificate Funding Bonds of 1930, First Issue," and shall bear interest at the rate of four and one-half per cent ($4\frac{1}{2}\%$) per annum, payable semi-annually on the first day of January and the first day of July of each year for the period of said bonds, said bonds shall be issued in twenty (20) series. The first ten (10) series shall consist of sixteen (16) bonds of One Thousand Dollars (\$1,000.00) each; the following nine (9) series shall consist of thirty-five (35) bonds of One Thousand Dollars (\$1,000.00) each, and the last series of forty-two (42) bonds of One Thousand Dollars (\$1,000.00) each. The first series of said bonds shall be due and payable on July 1, 1932, and one of said series shall be due and payable on the first day of July of each year thereafter until and including July 1, 1951.

The said interest on said bonds shall be evidenced by proper coupons thereunto attached for the payment of said semi-annual interest and the first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1931. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller of said city in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issuance and negotiation of said bonds to register in the book kept for that purpose, all of said bonds so issued and negotiated in serial numbers, beginning with bond numbered one (1), giving also the date of issuance, the amount, day of maturity, rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No.

\$1,000.00

UNITED STATES OF AMERICA

CITY OF INDIANAPOLIS

MARION COUNTY

STATE OF INDIANA

MUNICIPAL CERTIFICATE FUNDING BONDS OF 1930,

FIRST ISSUE

For value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer, without any relief from valuation or appraisement laws, on the first day of July, 19... , at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand Dollars (\$1,000.00) in lawful money of the United States of America, together with interest thereon at the rate of four and one-half per cent (4½%) per annum from date until paid.

The first interest payable on the first day of July, 1931, and the interest thereafter payable semi-annually on the first day of January and July, respectively, upon the presentation of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of Five Hundred Seventeen (517) bonds of One Thousand Dollars (\$1,000.00) each, numbered from one (1) to five hundred seventeen (517), both inclusive, of date of April 30, 1930. Said bonds shall mature in series of sixteen (16) bonds of One Thousand Dollars (\$1,000.00) each, each year for the first ten (10) years, the first series of sixteen (16) bonds maturing July 1, 1932; thirty-five (35) bonds of One Thousand Dollars (\$1,000.00) each, each year for the following nine (9) years, and the last of said series containing forty-two (42) bonds of One Thousand Dollars (\$1,000.00) each maturing July 1, 1951. These bonds are issued by the City of Indianapolis, pursuant to an ordinance passed by the Common Council of the City of Indianapolis on the.....day of....., 1930, and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, including Chapter 184 of the Acts of the General Assembly of the State of Indiana for the year 1927, approved March 10, 1927.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened and have been done, and that all requirements of the law affecting the issuance thereof have been duly complied with, and that this bond is within every debt and other limit prescribed by the constitution and laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Marion County, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk and the corporate seal of said city to be affixed this as of the.....day of, 1930.

.....
Mayor.

.....
City Controller.

Attest:

.....
City Clerk.

Sec. 2. The City Controller shall, as soon as possible after the passage of this ordinance, advertise for bids or proposals for said bonds, by at least one insertion each week for two weeks, in two daily newspapers of general circulation, printed and published in the English language in the City of Indianapolis, and as required and authorized by law, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe said bond with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of the bonds to be sold and the rate of interest they may bear, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder shall be required to make and when and where the bonds shall be delivered and paid for.

Sec. 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check or cashier's check upon some responsible bank or trust company in the City of Indianapolis, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half per cent (2½%)

of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until eleven (11) o'clock a. m. on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the hour and twelve (12) noon, of said day, he shall open said bids or proposals, and shall continue to receive bids at said time and place from day to day thereafter until said bonds are sold. The City Controller shall award said bonds, or as he shall see fit, a part of any number thereof, to the highest and best bidder therefor, but said City Controller shall have the right to reject any and all of such bids or proposals or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

Sec. 4. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bids, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and time both of receiving and opening bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. He shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Sec. 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller, he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified or cashier's check accompanying same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment of the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract, and as a payment

thereof to the city. In case any successful bidder shall fail to complete the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller as herein provided, the proceeds of such certified or cashier's check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use, but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified or cashier's check shall thereupon be returned to such bidder, or at the option of the City Controller at the time of the completion of the sale and payment for the bonds said proceeds of said certified or cashier's check may be applied and deemed a payment on account of the purchase of said bonds.

Sec. 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or readvertisements for proposals or within such time thereafter as may be fixed by the City Controller and the purchaser or purchasers and the City Controller may extend the time for such delivery not more than days after the day or days specified or agreed upon as above provided, and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and time, and his or their refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Sec. 7. The bonds taken and paid for to the satisfaction of the City Controller shall be a binding obligation upon the City of Indianapolis according to their tenor and effect and the proceeds derived from the sale or sales or both as herein authorized shall be and hereby are appropriated to the Department of Public Works for the payment of certificates of indebtedness and interest hereinbefore set out and shall constitute a continuing appropriation until all certificates of indebtedness and interest thereon have been paid.

Sec. 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notices of the herein determination to issue bonds as required by law.

Sec. 9. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Finance.

By City Purchasing Agent:

GENERAL ORDINANCE No. 9, 1930

AN ORDINANCE authorizing the City Engineer or his agent to receive bids for the purchase of certain supplies for the City Engineering Department, 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 the City Engineer of the City of Indianapolis, or the Department of Public Purchase, his lawful agent, be and is hereby authorized to receive bids, after advertising therefor, for the following supplies, to be used in the repairing of city streets of the City of Indianapolis:

2,000 barrels, more or less, Portland cement (eng. spec.).

500 tons refined asphalt.

2,000 tons, more or less, of yellow sand, to be priced f. o. b. outside switch at city yards.

1,000 tons stone dust, to be priced f. o. b. outside switch at city yards.

Sec. 2. No contract for the purchase of said materials to be entered into until authorized by this body and money appropriated therefor.

Sec. 3. This ordinance shall take effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Finance.

Mr. Gardner made a motion that the rules be suspended as to the time of filing of copies of ordinances, and that General Ordinance No. 10, 1930, be received and considered by the Council. The motion was seconded by Mr. Tennant and passed by the following roll call vote:

Ayes: 9, viz.: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

INTRODUCTION OF ORDINANCES

By Board of Sanitary Commissioners:

GENERAL ORDINANCE No. 10, 1930

AN ORDINANCE appropriating money from the cash balance which the Board of Sanitary Commissioners had on hand in its Sanitary Maintenance and General Expense Fund on January 1, 1930, and now has on hand, and transferring said money so appropriated to certain numbered funds and fixing the time when the same shall take effect.

WHEREAS, The Board of Public Works of the City of Indianapolis has transferred and turned over to the Board of Sanitary Commissioners of the Sanitary District of Indianapolis the property in said city at Meridian street near the Westfield Boulevard, said property being a plant consisting of a pumping station, building equipment and appurtenances thereto, upon the understanding that said plant be operated and maintained by said Board of Sanitary Commissioners, all as provided in a resolution of said Board of Public Works, passed on the 31st day of January, 1930; and,

WHEREAS, The pumping equipment in said plant is inadequate to dispose of the sewage brought to said plant by the sanitary sewers draining into the same, and as a result thereof White River is being polluted, in that much of said sewage is now being discharged into White River; and,

WHEREAS, There is now, and for some time has been, a large amount, to wit: over 4,000,000 gallons of water per day, of infiltration into the sewer system known as the Fifty-eighth and Sixty-first street sanitary sewerage system, which infiltrated water flows into the pump pits at said plant above referred to, and which infiltration can be greatly reduced by the use of test wells for observing the elevation of ground water and the effect of lowering the ground water level when pumps are put into operation and by the repair of large defects in said sanitary sewerage system and by the construction of any pipe lines that may be necessary to convey such ground water to other sewerage systems; and,

WHEREAS, Much general pollution now occurring of the water courses of White River, Fall Creek, Pleasant Run and Pogue's Run can be eliminated by regulating intercepting sewer connections from combined sewers to interceptors, removing obstructions therefrom and making continuous inspection thereof in order to prevent the impeding of the flow from said intercepting sewers; and,

WHEREAS, The specific pollution of Pogue's Run now occurring can be largely eliminated by making the necessary excavations to lower the bed of Pogue's Run from New York street north for a considerable distance, thereby preventing obstructions in the connecting pipes at the junction of various combined sewers with the Pogue's Run interceptor and the consequent washing of filth into said sewers; and,

WHEREAS, No appropriations were made by the Common Council, in the budget of said Board of Sanitary Commissioners for the year 1930, for the various items above described; and said Board of Sanitary Commissioners had on hand in its Sanitary Maintenance and General Expense Fund on January 1, 1930, and now has on hand the sum of \$166,962.54, all or any part of which sum is available (when duly transferred and appropriated by the Common Council from said unexpended balance to certain numbered funds in said Board's budget) for expenditures for the purpose of doing the work required for the various items above described; and,

WHEREAS, The failure to make any appropriation in said budget for 1930 of said Board of Sanitary Commissioners for said various items above described give rise, in view of the conditions now existing as set out in the foregoing paragraphs, to an extraordinary emergency which should be met by the transfer and appropriation hereinbelow ordered to be made, of the aggregate sum of \$61,500.00 from said balance of \$166,962.54, in said Board of Sanitary Commissioners Sanitary Maintenance and General Expense Fund to the numbered funds shown below.

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

Section 1. That the total sum of \$61,500.00 be appropriated from said cash balance of \$166,962.54 in said Board of Sanitary Commissioners Sanitary Maintenance and General Expense Fund and be transferred to the following numbered budget items of said Board of Sanitary Commissioners, viz.:

To Fund VI-72.....	\$9,500.00
To Fund VI-71.....	500.00
To Fund VI-11.....	1,500.00
To Fund VI-22.....	5,000.00

All of said four above made transfers being made for the purpose of furnishing funds to operate in the year 1930 said plant at Meridian street near Westfield Boulevard.

To Fund VI-12.....	\$5,000.00
To Fund VI-22.....	3,000.00
To Fund VI-72.....	12,000.00

The three last made transfers being made for the purpose of furnishing funds to prevent said infiltration into the Fifty-eighth and Sixty-first street sanitary sewerage system above referred to.

To Fund VI-11.....	\$3,600.00
To Fund VI-72.....	1,400.00

Said \$3,600.00 being for salaries in 1930 for a stream purification engineer and two assistants and said \$1,400.00 being for a 1½ ton truck and tools, said last made transfers being made for the purpose of preventing the general pollution of the water courses above described.

To Fund VI-25.....	\$15,000.00
To Fund VI-11.....	1,500.00
To Fund VI-44.....	3,500.00

All of said three last made transfers being made for the purpose of preventing the specific pollution of Pogue's Run as above described.

Sec. 2. This ordinance shall take effect from and after its passage and publication according to law.

Which was read a first time and referred to the Committee on Finance.

On motion by Mr. Morgan, seconded by Mr. Tennant, the Common Council adjourned at 8:10 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 3rd day of February, 1930, 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.

Ernest C Ropkey

President.

Attest:

Henry O Goett

City Clerk.

(SEAL.)