

REGULAR MEETING

Monday, March 19, 1945
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chambers at the City Hall, Monday, March 19, 1945, at 7:30 p. m., in regular session. President Schumacher in the chair.

The Clerk called the roll.

Present: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, M. Manly, D. Meriwether, Mr. Worley, President Schumacher.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Kealing, and seconded by Mr. Dauss.

COMMUNICATION FROM THE MAYOR

March 7, 1945.

To the Honorable 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 the City Clerk, Mr. Frank J. Noll, Jr., the following ordinances:

GENERAL ORDINANCE NO. 8, 1945

AN ORDINANCE establishing certain passenger and/ or loading

zones in the City of Indianapolis, Indiana, pursuant to the provisions of Section No. 26 of General Ordinance No. 96-1928, as amended; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 39, 1944, As Amended

AN ORDINANCE creating and defining parking meter Zones in the City of Indianapolis; Providing for the installation, operation, and maintenance of mechanical devices to regulate traffic, etc.

GENERAL ORDINANCE NO. 100, 1944

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, Indiana, pursuant to the provisions of Section 26 of General Ordinance No. 96-1928, as amended; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 6, 1945, As Amended

AN ORDINANCE transferring and reappropriating the sum of Five Hundred (\$500.00) Dollars from Fund No. 43, Sidewalk and Curb materials (Gas Tax) City Civil Engineer, Department of Public Works, to Fund No. 45, Repair Parts (Gas Tax), in the same division and department; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 7, 1945

AN ORDINANCE appropriating as of March 1, 1945, the total sum of One Thousand Seven Hundred (\$1,700.00) Dollars from the anticipated, estimated and unappropriated 1945 balance of the Sanitation General Maintenance and Expense Fund of the City of Indianapolis, Indiana, to certain designated items under Fund No. 11, Salaries and Wages, Regular, Sewage Disposal Plant, Department of Public Sanitation of said City; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 8, 1945

AN ORDINANCE appropriating the sum of Seven Thousand Five Hundred (\$7,500.00) Dollars from the estimated, anticipated and unappropriated 1945 balance of the Board of Health

General Fund to Fund No. 12, Salaries and Wages, Temporary, etc.

APPROPRIATION ORDINANCE No. 9, 1945

AN ORDINANCE appropriating the sum of Four Hundred Fourteen Dollars and Forty Cents (\$414.40) from the estimated, anticipated and unappropriated 1945 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 72, Equipment, Municipal Garage, Department of Public Works; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 12, 1945

AN ORDINANCE appropriating the sum of Six Thousand Nine Hundred Forty-Two Dollars and Forty-Five Cents (\$6,942.45), from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 72, Equipment, Street Commissioner, Department of Public Works, for the purchase of one power sweeper; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 13, 1945

AN ORDINANCE appropriating the sum of Two Thousand Dollars (\$2,000.00) from the anticipated, estimated and unappropriated 1945 balance of the Board of Health General Fund to Fund No. 72, Equipment, Power Plant, City Hospital, for the purchase of a water pump; and fixing a time when the same shall take effect.

SPECIAL RESOLUTION—MARCH 5, 1945

WHEREAS, a recent order of the Office of Defense Transportation has resulted in the discontinuance of five passenger trains on the Chicago-Indianapolis and Chicago-Louisville division of the Monon Railroad which serves hundreds of cities and towns in the State of Indiana; and etc.,

Respectfully,

ROBERT H. TYNDALL,
Mayor.

COMMUNICATIONS FROM THE OFFICIALS

March 19, 1945.

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 15, 16, 17, 18, 19, 1945

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 15, 16, 17, 18, 19, 1945—Thursday, March 8, 1945—The Indianapolis Times and the The Indianapolis Commercial, that taxpayers would have the right to be heard of the above ordinances at the meeting of the Common Council to be held March 19, 1945 and by posting copies of said notices in the City Hall, Court House, and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Sincerely,

FRANK J. NOLL, JR.,
City Clerk

March 19, 1945.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

In Re: General Ordinances Nos. 100, 1944, and 8, 1945

I beg leave to report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers:

G. O. Nos. 100, 1944, 8, 1945—Saturday, March 17 and 24, 1945--
Indianapolis Recorder and the The Commercial,
and that said ordinances are now in full force and effect as of the
last date of publication.

Sincerely,

FRANK J. NOLL, JR.,
City Clerk

March 19, 1945.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

Submitted herewith are copies of Appropriation Ordinance No.
20, 1945, appropriating the sum of \$15,000.00 from the anticipated,
estimated and unappropriated 1945 balance of the City General Fund
to the Department of Public Works, Administration, Fund No. 26-B,
Other Contractual.

This covers preliminary funds to be used in a sewer survey
advocated for the Post War Planning Committee.

I respectfully recommend passage of this ordinance.

Very truly yours,

HERMAN E. BOWERS,
Councilman

March 19, 1945.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

Attached are copies of Appropriation Ordinance No. 21, 1945,

appropriating the sum of \$30,000.00 from the anticipated, estimated, unappropriated 1945 balance of the City General Fund to the Department of Public Works, Administration, Fund No. 26-A, Sewer Survey Fund, for a complete sewer survey of the City of Indianapolis.

This ordinance is being introduced at the request of the Board of Public Works and Sanitation.

Very truly yours,

ROY E. HICKMAN,
City Controller

March 19, 1945.

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

Gentlemen:

Submitted herewith is General Ordinance No. 14, 1945, repealing General Ordinance No. 46-1938, and thereby abolishing a 20 foot taxicab stand, established by said ordinance, on the south side of Indiana Avenue just east of Senate Avenue. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY,
President.

March 19, 1945.

To the Honorable President and
Members of the Common Council
City of Indianapolis.

Gentlemen:

Submitted herewith is General Ordinance No. 15, 1945, establish-

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ing a bus zone on the east side of North Senate Avenue, between Ohio and Miami streets, and we respectfully recommend its passage

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY,
President.

March 19, 1945.

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

Gentlemen:

Submitted herewith is General Ordinance No. 16, 1945, prohibiting and regulating parking on the South side of Pleasant Street, between Spruce and State Streets.

I respectfully recommend the passage of this ordinance.

Respectfully submitted,

A. ROSS MANLY,
Councilman

March 19, 1945.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Submitted herewith is Resolution No. 2, 1945 whereby is it

beneficial to the public welfare that all used tin cans be conserved for the conversion into vital war materials.

I respectfully recommend passage of this Resolution.

Very truly yours,

R. C. DAUSS,
Councilman

SPECIAL COMMUNICATIONS

Indianapolis Common Council,
c/o President, John A. Schumacher,
City Hall, Indianapolis, Indiana.

Gentlemen:

May I respectfully call attention to the Traffic Code of the City and the present impossibility or the onerous difficulty of enforcing its provisions in Circuit and Superior Courts with a suggestion of speedy and easy remedy? First, I state the difficulties and later my proposed remedy.

The courts require proof of the ordinance, its passage and signing by the Mayor, etc., a matter now rather easy to prove through the annual of the Proceedings of the Council and the records of the Clerk, except that numerous amendments require proof of a considerable number of them, and this method is technical and burdensome on the courts, litigants and witnesses. But, the courts now go further, and because Traffic Ordinances are penal in nature, require certain proof in each case where the point is raised that these ordinances have been duly published according to law by the Clerk. If not so proven the ordinances are held to be invalid and unenforceable.

Bartley vs. C. I. & L. R. Co., 24 N. E. 2d. 405, 216 Ind. 512.
Barley vs. C. I. & L. R. Co., 41 N. E. 2d. 805 (Ind.).

For instance, the original Traffic Code, G. O. 1928, required under Sec. 72 of Article IX thereof, found on page 974 of such Proceedings, that Mr. William A. Boyce, the then Clerk, publish said Code by a printed pamphlet, of which no copy is in the hands of the

present Clerk and after diligent search I have been able to find but two in existence: One in the hands of Mr. Boyce and the other in the Indianapolis Bar Association Library. There is no written record of the publication of this ordinance, so, in every case here except at times in the Municipal Courts, and in cases venued from the County, Mr. Boyce must be ready as a witness to prove by his recollection the fact that he published the pamphlet to the public by giving copies to members thereof. Should anything happen, unfortunately, to Mr. Boyce, no part of the ordinance could be shown to be valid.

Publication by pamphlet of penal ordinances such as G. O. 96, 1928, was held void in the above Bartley cases on the ground that Acts, 1927, Ch. 96, page 252, Burns, 1933, Secs. 49-701 to 49-709, requiring publication of ordinances to be by two insertions a week apart in two newspapers of opposite political faith if existing in the City, had repealed Acts, 1905, pages 219, 245, Burns, 1933, Sec. 48-1406, relied on by the 1928 Council for publication by pamphlet. Fortunately an Act was passed subsequently which in probability has rendered Mr. Boyce's pamphlet publication valid, namely, Acts, 1941, page 631, Burns, 1933, Sec. 49-704 (Supplement), which seems to legalize all publications by pamphlet prior to the passage of such Act.

The statutes, Burns, 1933, Sections 2-1638, 2-1639, declare that proofs of publication of ordinances, may be made by the two printers thereof, the two newspapers in affidavits disclosing the important facts of the manner of the publications. Without fault of the Clerks, many of these proofs have been lost. The Clerk has none of these proofs in G. O. 78, 1932. In G. O. 81, 1931, G. O. 21, 1932 and G. O. 35, 1932, each, and perhaps others, amendments to the traffic code, one of these essential two proofs of publication are lost. This requires proof of the lost proofs by the testimony of the then Clerk if he can remember, and a production, sometimes in other county in venued cases, of the heavy volumes containing the pertinent issues of the Commercial, Star, News, Times or other newspapers by the State librarian showing the actual publications.

One of the lost publications in G. O. 21, 1932, was in the Indiana Democrat, which probably is discontinued, and even the State Library does not have the files of the Indiana Democrat.

These publications may probably be proven by secondary evidence as in the case of lost instruments, but the same requires the presence even in an outside county of former clerks Boyce, Goett,

probably Mr. O'Neill, the present Clerk, Mr. Noll, the State Librarian with the above volumes, and perhaps others. It requires the present Clerk to bring to trial several volumes of said Proceedings to trace the Traffic Code through quite a few amendments, his heavy type-written ordinance records and the original ordinances, perhaps, with signing by the presiding Officer of the Council, approval by the mayor and other formalities. And then, the proof would be certain or fully satisfactory. If an amendment is offered in evidence, the ordinances it amends must be shown to be lawfully as legally published. for otherwise the amendment would be the amendment of nothing. The process is so cumbersome and expensive that many citizens prefer to have their rights go unvindicated, and Judges are confused and often nonplussed.

The "Uniform Act Regulating Traffic on Highways," the State traffic code (Acts, 1939, page 289, Burns, 1933, Sec. 47-1801, et seq.,-1940 Replacement, ties in with the Indianapolis Traffic Code, as to local preferential streets, right of way, intersections and the like, and enforces and renders effective in many ways your traffic ordinances if the may be proven.

Besides, it is possible that attack may be made on such ordinances published in newspapers, that they were not in newspapers of genuinely opposite political faith.

The proposed remedy is as follows: Senate Bill 165, a copy of which I enclose, is now by emergency clause and signature of the Governor, in full force and effect. It provides that the common council shall have the power to revise, amend, restate, codify and compile any existing ordinance or ordinances and all new ordinances not theretofore adopted or published, in book or pamphlet form denominated "Municipal Code of Indianapolis, Indiana," and that publication in book or pamphlet is a sufficient, presumptive legal publication and exhibition of the ordinance or ordinances.

It is clear that such pamphlet need not codify all ordinances, but may do so with one or several, or under a single subject may codify the Traffic Code. But, if it should require all ordinances in a single pamphlet, then Acts, 1937, Sec. 6, page 1174, Burns, 1933, Sec. 48-8306 (Supplement), would survive and apparently would be unrepealed by Senate Bill 165 in that respect.

This new law would only require the pamphlet in Court without

the uncertainty, the cloud of witnesses, numerous volumes and the great loss of time to public servants.

The Traffic Code of the City, is so important to the lives and safety of citizens that there should be no delay in now having it workable and perfect, I say with deference. All you would have to do would be to have collected the amendments, mostly the addition of new streets to G. O. 96, 1928, reframing the latter in respect to the amendments, pass the codification and publish it now in pamphlet form within less than the next 30 days. Later on, it could and would be ready for bodily incorporation in any bound book of all ordinances which the Council may wish to publish any which would take perhaps 6 months or a year to complete.

There is an excellent start made on this by the City Traffic Engineer's unofficial pamphlet of 1942, "Guide to Indianapolis Traffic Ordinances," copies of which are in Mr. Noll's office. With this and your annual Proceedings, I believe a complete Traffic Code could be perfected by about 3 days of work by lawyers and codifiers.

I suggest that you submit the formulation of the Traffic Code by your Resolution, to the Corporation Counsel, Traffic Engineer, City Clerk, the President of the Board of Safety or to some of them, and appropriate about \$50.00 or \$100.00 for stenographer hire. These gentlemen knowing the ordinances and requirements, can by a little labor have the revised Traffic Code before you in a very short time. Others, I am sure, will gladly volunteer help, if needed.

You will pardon me, I am sure, for this suggestion, for I am confident that it will work for highly beneficial results, I am,

Very Respectfully Yours,

ALVAH J. RUCKER

Which special communication was referred to the City Clerk for investigation.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 14, 15, 16, 17, 18, 19, 1945.

General Ordinances Nos. 3, 10, 11, 13, 1945, Special Ordinance No. 2, 1945, and Resolution No. 1, 1945.

Mr. Jordan asked for recess. The motion was seconded by Mr. Manly, and the Council recessed at 7:50 p. m.

The Council reconvened at 10:05 p. m., with the same members present as before.

SPECIAL ORDER OF BUSINESS

The following motion was made by Mr. Manly:

WHEREAS, there is urgent need, recognized by the Mayor's Committee on Post-War Planning and others, for a complete survey of the city's sewerage system, in order to develop a proper long-term program for repair, enlargement, revision and extension of the system, and

WHEREAS, the Common Council of Indianapolis desires to take all the actions within its jurisdiction to bring about such a survey at as early a time as possible, and

WHEREAS, the Council has been asked to appropriate \$15,000.00 which would merely start the survey, with later and probably larger appropriations being necessary, and

WHEREAS, the Council has for several months waited for the responsible city officials to come before it and explain what are their plans for the survey, so that the Council could be assured that a business-like plan has been made and would be carried out, and

WHEREAS, the Council has been given no evidence whatever that the city, has such a plan, and the Council not being willing to wait longer because of the urgent need for the carrying out of the survey is determined that the city shall proceed in such manner as to secure men of recognized competence and ex-

perience who willk now fully what is desired that they shall do.

THEREFORE, I move, That the Council proceed to appropriate said sum of \$15,000.00, but with such conditions imposed as will insure the following steps being taken:

(a) That proper specifications be drawn by the City Civil Engineer for the survey, in such manner that whatever engineers be employed, will know exactly what is to be surveyed, what are the main goals of the city in having the survey made, and that such specifications contain proper conditions and stipulations concerning the solicitation of offers by engineers for the making of such survey.

(b) That the survey shall cover the city's existing and projected sewerage system, and not at this time the sewage disposal plant, inasmuch as that is a stage which need not follow until there is full knowledge of the sewerage system, and the load and characteristics of the sewage to be treated, and for the further reason that such work requires the technical knowledge and experience of competent engineers specializing in sewake treatment, rather than in construction of sewers.

(c) That steps be taken by the proper officials to assure a choice on the basis of qualifications and experience in the selection of the firm to conduct the survey, from among at least five nationally recognized engineering firms.

A. ROSS MANLY, Councilman.

Which was seconded by Mr. Bowers and was adopted by the unanimous voice vote of the members of the Council.

COMMITTEE REPORTS

Indianapolis, Ind., March 19, 1945.

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

Appropriation Ordinance No. 14, 1944, entitled

AN ORDINANCE appropriating the sum of Two Thousand Dollars (\$2,000.00) from the anticipated, estimated, unappropriated 1945 balance of the Gas Tax Fund, to Fund No. 25, Repairs, Municipal Garage, Department of Public works,

beg leave to report that we have had said ordinance under consideration and recommend that the same be held for further consideration.

EDWARD R. KEALING, Chairman
HERMAN E. BOWERS
R. C. DAUSS
WILLIAM A. BROWN
CARSON C. JORDAN

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 15, 1945, entitled

AN ORDINANCE appropriating the sum of Five Thousand Eight Hundred Fifty Dollars (\$5,850.00) from the anticipated, estimated and unappropriated 1945 balance of the General Fund to Fund No. 12, Salaries and Wages, Temporary, Municipal Garage, Department of Public Works, creating new positions.

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

Indianapolis, Ind., March 19, 1945.

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
Appropriation Ordinance No. 16, 1945, entitled,

AN ORDINANCE appropriating the total sum of Three Thou-
sand Nine Hundred Sixty-Six Dollars and Ninety-Four
Cents (\$3,966.94) for the anticipated, estimated and un-
appropriated 1945 balance of the General Fund to various
designated funds in various departments for the purpose

of playing certain unpaid 1944 bills,
beg leave to report that we have had said ordinance under consider-
ation and recommend that the same be passed.

EDWARD R. KEALING, Chairman
HERMAN E. BOWERS
R. C. DAUSS
R. C. DAUSS
WM. A. BROWN
CARSON C. JORDAN

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Finance, to whom was referred
Appropriation Ordinance No. 17, 1945, entitled

AN ORDINANCE amending, as of April 1, 1945, certain items
in fund No. 12, division of Street Commissioner, Depart-
ment of Public Works 1945 Budget in General Ordinance
No. 55, 1944, as Amended, to provide for wage increase,
Appropriating the sum of \$10,563.00 from the City General

Fund and that sum of \$25,683.00 from the balance of the Gas Tax Fund,

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Parks, to whom was referred Appropriation Ordinance No. 18, 1945, entitled,

AN ORDINANCE appropriating the total sum of One Thousand Eight Hundred Dollars (\$1,800.00) from the anticipated, estimated and unappropriated 1945 balance of the General Fund, and allocating same in certain designated amounts to certain funds under Municipal Dog Pound, Department of Public Safety for the purchase of a trailer,

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

A. ROSS MANLY, Chairman
OTTO H. WORLEY
WM. A. BROWN

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 19, 1945, entitled

AN ORDINANCE amending certain items in Fund No. 12, Salaries and Wages, Temporary, Municipal Garage, under

the Department of Public Works' 1945 budget, as set out in General Ordinance No. 55, 1944, for the purpose of increasing wages, appropriating the additional amount of Three Thousand Eight Hundred Ninety-Two Dollars and Fifty Cents (\$3,892.50) required therefor from the Anticipated, estimated and unappropriated 1945 balance of the General Fund.

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred General Ordinance No. 3, 1945, entitled

AN ORDINANCE amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance. (42nd & Blvd. Pl.),

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

OTTO H. WORLEY, Chairman
WILLIAM A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred General Ordinance No. 10, 1945, entitled

AN ORDINANCE repealing General Ordinance No. 50, 1944 relating to the establishing a certain three (3) cab taxi stand at 22nd & Illinois St.

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

OTTO W. WORLY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

Indianapolis, Ind., March 19, 1945.

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. 11, 1945, entitled

AN ORDINANCE concerning licensing of taxicab drivers,
beg leave to report that we have had said ordinance under consider-
ation, and recommend that the same be held for further consideration.

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
CARSON C. JORDAN

Indianapolis, Ind., March 19, 1945.

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. 12, 1945, entitled

AN ORDINANCE establishing certain passenger and/or load-
ing zones pursuant to the provisions of Section 26 of Gen-
eral Ordinance No. 96, 1928, as amended, Meridian & Court
Sts., and So. Penn. & Georgia Sts.,

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
CARSON C. JORDAN

Indianapolis, Ind., March 19, 1945.

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. 13, 1945, entitled

AN ORDINANCE approving the transfer of the supervision
and operation of the City Asphalt Plant from the City
Civil Engineer Division to the Street Commissioner Divi-
sion of the Department of Public Works, as of March
1, 1945.

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

EDWARD R. KEALING, Chairman
HERMAN E. BOWERS
R. C. DAUSS
WM. A. BROWN
CARSON C. JORDAN

Indianapolis, Ind., March 19, 1945.

The President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred
Special Ordinance No. 2, 1945, entitled

AN ORDINANCE authorizing the sale, alienation and convey-
ance of certain land located Kentucky Ave. and White
River Parkway,

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

OTTO H. WORLEY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

Indianapolis, Ind., March 19, 1945.

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred Resolution Ordinance No. 1, 1945, entitled

A RESOLUTION requesting the Indianapolis Railways, Inc., provide better transportation service for students of the Attucks High School.

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

OTTO H. WORLEY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Bowers:

APPROPRIATION ORDINANCE NO. 20, 1945

AN ORDINANCE appropriating the sum of Fifteen Thousand (\$15,000.00) Dollars from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City

of Indianapolis, to Fund No. 26-8, othe Contractual, Sewer Survey Administration, Department of Public Works of said city for preliminary funds to be used in Sewer Survey advocated by the Post War Planning Committee; and fixing a time when the same shall take effect.

WHEREAS there is no cash funds available in the 1945 balance of the Public Sanitation General Fund, NOW THEREFORE

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

Section 1. That the sum of Fifteen Thousand (\$15,000.00) Dollars be and the same is hereby appropriated from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City of Indianapolis to Fund No. 26-B, Other Contractual, Sewer Survey, Administration, Department of Public Works of said City to be used in paying expenses of conducting the Sewer Survey heretofore recommended by the Mayor's Committee on Post-War Planning: Provided, however, That no part of such funds so appropriated shall be expended or the expenditure thereof be, in any manner, obligated until the following condition shall have been observed:

(a) Proper specifications shall be drawn by the City Civil Engineer for the survey in such manner that whatever engineers may be employed shall know exactly what is to be surveyed, what are the main goals of the City in having the survey made and that such specifications contain proper conditions and stipulations concerning the solitication of offers by engineers for the making of such surveys.

(b) That the survey cover the City's existing and projected sewerage system, and not at this time the sewage disposal plant.

(c) That steps be taken by the proper officials to assure a choice on the basis of qualifications and experience in the selection of the firm to conduct the survey, from among at least five (5) nationally recognized engineering firms.

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

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 21, 1945

AN ORDINANCE appropriating the sum of Thirty Thousand (\$30,000.00) Dollars from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City of Indianapolis, to the Department of Public Works, Administration, Fund No. 26-A, Sewer Survey Fund of Said City for funds to be used in making a complete sewer survey of 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 the sum of Thirty Thousand (\$30,000.00) Dollars be and the same is hereby appropriated from the anticipated, estimated and unappropriated 1945 balance of the General Fund of the City of Indianapolis to the Department of Public Works, Administration, Fund No. 26-A, Sewer Survey for funds to be used in making a complete sewer survey of the City of Indianapolis, including expenses necessary and incidental thereto.

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

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

GENERAL ORDINANCE NO. 14, 1945

AN ORDINANCE repealing General Ordinance No. 46, 1938, and thereby abolishing the herein described taxi stand established thereby; 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 General Ordinance No. 46, 1938, establishing the hereinafter described taxi stand be and the same is hereby repealed, and said taxi stand thereby established is now hereby abolished, such being described as follows, to-wit:

“A 20 ft. taxicab stand on the southside of Indiana Avenue starting at a point 25 feet east of the east curb line of Senate Avenue and extending southeast for a distance of 20 feet.”

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 15, 1945.

AN ORDINANCE establishing a bus zone pursuant to the provisions of General Ordinance No. 96, 1928, as amended, at a certain place on North Senate Avenue, in 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 action of the Board of Public Safety be and the same is hereby approved, and that a Bus stop Zone is hereby established at the following place on North Senate Avenue, in the City of Indianapolis, to-wit:

“On the East side of North Senate Avenue starting at a point 25 feet north of the north curb line of Ohio Street and extending north for a distance of 100 feet.”

Section 2. This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and publication according to law.

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

By Councilman Manly:

GENERAL ORDINANCE NO. 16, 1945

AN ORDINANCE prohibiting and regulating parking on certain parts of certain streets in the City of Indianapolis, Indiana, providing a penalty for the violation thereof; 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. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked for a longer period of time than one and one-half (1½) hours at any time on any day of the week, upon certain parts of certain streets in said city, described as follows:

“On the south side of Pleasant Street, between Spruce and State Streets.”

Section 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding 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 publication according to law.

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

INTRODUCTION OF RESOLUTIONS

By Councilman Dauss:

RESOLUTION NO. 2, 1945

WHEREAS, it is beneficial to the public welfare that all used tin cans be conserved for conversion into vital war materials.

WHEREAS, the common enemy of this Country, the Japanese Government, controls approximately 90% of the world's supply of raw tin ore; and

WHEREAS, the only available source of this vital metal is contained

in the coating of the tin cans in the possession of the consumers of food stuffs, et cetera; and

WHEREAS, an emergency exists in time of war requiring the use of such tin as is salvageable therefrom by proper refining processes,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

That all citizens of the City of Indianapolis realize the necessity for preserving all used tin cans discarded or abandoned by any person, firm, or corporation, and urge said citizens to dispose of same in the following manner, to-wit:

1. All tin cans should have the tops and bottoms thereof severed so that they are placed or folded inside the body of the can.
2. All paper labels should be removed from such used cans.
3. All used tin cans should be rinsed so that food particles or other foreign substances are removed.
4. All used tin cans should be flattened by compression.
5. All other used tin cans, after preparation as aforesaid, should be placed in a separate container and not in ashes, garbage, or other trash which is intended to be transported to any public or private dump.
6. Nothing in this resolution should be construed to pertain to used paint or oil cans, which are salvageable.

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

ORDINANCE ON SECOND READING

Mr. Bowers called for Appropriation Ordinance No. 15, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Worley, Appropriation Ordinance No. 15, 1945 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 15, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Mr. Kealing called for Appropriation Ordinance No. 16, 1945 for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Dauss, Appropriation Ordinance No. 16, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 16, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumache.

Mr. Bowers called for Appropriation Ordinance No. 17, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Kealing, Appropriation Ordinance No. 17, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 17, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumache.

Mr. Brown called for Appropriation Ordinance No. 19, 1945 for second reading. It was read a second time.

On motion of M. Bowers, seconded by Mr. Worley, Appropriation Ordinance No. 19, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 19, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumache.

Mr. Worley called for General Ordinance No. 10, 1945 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Manly, General Ordinance No. 10, 1945 was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 10, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumache.

Mr. Dauss called for General Ordinance No. 12, 1945 for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Brown, General Ordinance No. 12, 1945 was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 12, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumache.

Mr. Kealing called for General Ordinance No. 13, 1945 for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Dauss, General Ordinance No. 13, 1945 was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 13, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Mr. Worley called for Special Ordinance No. 2, 1945 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Jordan, Special Ordinance No. 2, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Special Ordinance No. 2, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Mr. Worley called for Resolution No. 1, 1945 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Manly, Resolution No. 1, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Resolution No. 1, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Mr. Dauss made a motion that the rules be suspended for further consideration and passage of Resolution No. 2, 1945. The motion was seconded by Mr. Manly and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr.

Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

The Council reverted to regular order of business.

COMMITTEE REPORT

Indianapolis, Ind., March 19, 1945.

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 Resolution No. 2, 1945, entitled,

WHEREAS, it is beneficial to the public welfare that all used tin cans be conserved for conversion into vital war materials, etc.

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

LUCIAN B. MERIWETHER, Chairman
EDWARD R. KEALING
A. ROSS MANLY
OTTO H. WORLEY
WILLIAM A. BROWN

RESOLUTION ON SECOND READING

Mr. Dauss called for Resolution No. 2, 1945, for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Manly, Resolution No. 2, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Resolution No. 2, 1945, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz.: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, D. Meriwether, Mr. Worley, President Schumacher.

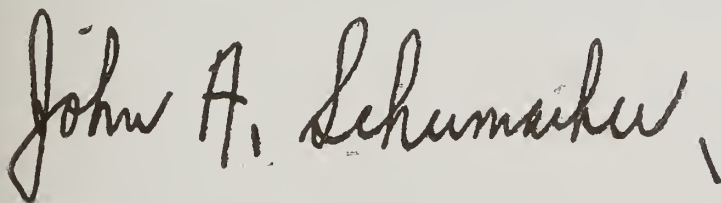
The Council reverted to previous order of business.

On motion of Mr. Jordan, seconded by Mr. Kealing, The Common Council adjourned at 10:30 p. m.

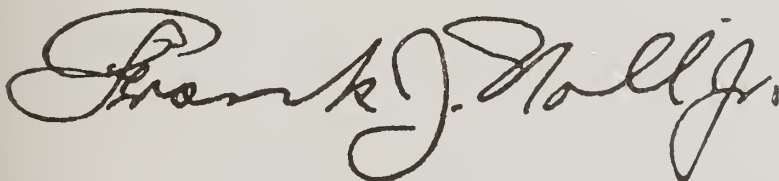
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 19th day of March, 1945, at 7:30 p. m.

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

ATTEST:



President



City Clerk

(SEAL)