

REGULAR MEETING

Monday, October 2, 1933.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, October 2, 1933, following a public hearing at 7:30 p. m., by the Committee on Public Parks on General Ordinance No. 62, 1933. Vice President Leo F. Welch in the chair.

The Clerk called the roll.

Present: Leo F. Welch, Vice President, and five members, viz: Fred C. Gardner, George A. Henry, James A. Houck, Chas. C. Morgan, Clarence I. Wheatley.

Absent: Carl A. Hildebrand, Ernest C. Ropkey, Maurice E. Tennant.

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

COMMUNICATIONS FROM THE MAYOR

9-20-33.

*To the Honorable President and Members
of the Common Council of the City of
Indianapolis,
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. 58, 1933

AN ORDINANCE transferring moneys from certain numbered funds and reappropriating the same to other numbered funds, and

fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

September 29, 1933.

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

Gentlemen:

The City Plan Commission respectfully recommends that General Ordinance No. 52, 1933, heretofore introduced by said Commission, be stricken from the files.

Very truly yours,

H. B. STEEG,
Secretary-Engineer,
CITY PLAN COMMISSION.

October 2, 1933.

*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. 63, 1933, transferring certain sums of money from certain numbered funds of the Department of Public Health and Charities and reappropriating the same to other numbered funds of said Department.

I respectfully recommend the passage of this ordinance.

Yours very truly,

EVANS WOOLLEN, JR.,
City Controller.

September 30, 1933.

*Mr. Evans Woollen, Jr.,
City Controller,
Indianapolis, Indiana.*

Dear Sir:

Acting under instructions from the Board of Health and in keeping with the resolution passed at a meeting of the board, on September 15, 1933, I am directed to request that you submit to the City Council, a bill for an ordinance transferring certain sums of money from certain numbered funds of the department and reappropriating the same to other numbered funds of the said department.

Respectfully yours,

(signed) H. G. MORGAN.

September 29, 1933.

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

Gentlemen:

Attached hereto are 15 copies of an ordinance authorizing the Mayor to execute certain agreements with the Indiana State Highway Commission and the Secretary of Agriculture of the United States of America relative to the maintenance of certain streets to be constructed in Indianapolis by the Highway Commission.

Under the provisions of Section 204 of the National Industrial

Recovery Act the Indiana State Highway Commission has been authorized to construct with Federal funds certain streets within the corporate limits of Indianapolis, with the condition that after said projects are completed the City pledges itself to maintain them in good condition. This ordinance was prepared by the Indiana State Highway Commission and it is their request that same be passed as soon as possible so that there shall be no delay in proceeding with the work.

The City Plan Commission therefore submits this ordinance to you with the recommendation and request that said ordinance be passed under the suspension of rules at your meeting on October 2, 1933.

Very truly yours,

H. B. STEEG,
Secretary-Engineer,
CITY PLAN COMMISSION.

October 2, 1933.

*Hon. President and Members
of the Common Council,
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance ratifying and approving a contract entered into by and between the Board of Public Safety and the J. A. Allison Realty Company for fire protection at the J. A. Allison estate on West Riverside Drive by the Indianapolis Fire Department. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
WALTER O. LEWIS,
Executive Secretary.

October 2, 1933.

*Hon. President and Members
of the Common Council,
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance ratifying and approving a contract entered into by and between the Board of Public Safety and Charles B. Sommers for fire protection at his home on West Riverside Drive by the Indianapolis Fire Department. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
WALTER O. LEWIS,
Executive Secretary.

October 2, 1933.

*Hon. President and Members
of the Common Council,
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance ratifying and approving a contract entered into by and between the Board of Public Safety and the Fletcher American National Bank, as Trustee for the Park School, for fire protection at the School on West Riverside Drive by the Indianapolis Fire Department. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
WALTER O. LEWIS,
Executive Secretary.

September 30, 1933.

*Mr. Henry O. Goett,
City Clerk,
35 South Alabama St.,
Indianapolis, Indiana.*

Dear Mr. Goett:

I am enclosing herewith fourteen copies of General Ordinance No. 68, 1933, entitled:

AN ORDINANCE relating to the advertising and selling of goods, wares, merchandise, securities, real estate, and requiring dealers therein to indicate in such advertising and in their place of business that said person is a dealer and providing a penalty for the violation thereof: and designating a time when the same shall take effect.

I desire to introduce this ordinance, and I sincerely believe same will be of great benefit to the citizens of Indianapolis.

Yours very truly,

GEORGE A. HENRY,
City Councilman.

October 2, 1933.

*Mr. Henry Goett,
City Clerk.*

Dear Sir:

I am handing you herewith copies of a proposed ordinance authorizing the sale, alienation and conveyance of certain real estate on East New York, with the request that you present the same to the Common Council at its next meeting with the recommendation of the Board of Public Works that the same be passed.

This ordinance is necessitated to enable the Board to convey title

to certain portions of New York Street, recently vacated, and thereby make legal assessments against said property.

Yours very truly,

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

Mr. Henry asked for a recess. The motion was made and seconded by Mr. Wheatley and the Council recessed at 7:50 p. m.

The Council reconvened from its recess at 8:00 p. m. with the same members present as before.

At this time Mr. Tennant entered the Council Chamber and was counted present.

COMMITTEE REPORTS

Indianapolis, Ind., October 2, 1933.

*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 General Ordinance No. 52, 1933, entitled Amending Section 30½ of General Ordinance No. 114, 1922—Filing fee for appeal from Commissioner of Buildings, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

J. A. HOUCK, Chairman.
F. C. GARDNER,
C. I. WHEATLEY.
M. E. TENNANT.

Indianapolis, Ind., October 2, 1933.

*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. 60, 1933, entitled Repealing sub-Section (16) of Section 44 of General Ordinance No. 96, 1928—Making New York Street and Marlowe Avenue non-stop, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. I. WHEATLEY, Acting Chairman.
LEO F. WELCH.
CHAS. C. MORGAN.
F. C. GARDNER.
M. E. TENNANT.

Indianapolis, Ind., October 2, 1933.

*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 General Ordinance No. 61, 1933, entitled Transfer of Funds, \$100.00—Department of Public Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
F. C. GARDNER.
M. E. TENNANT.

Indianapolis, Ind., October 2, 1933.

To the President and Members of the Common Council

of the City of Indianapolis, Indiana:

Gentlemen:

We, your Committee on Public Parks, to whom was referred General Ordinance No. 62, 1933, entitled Amending General Ordinance No. 114, 1922—Rezoning property at Plymouth Avenue and Lafayette Road, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

F. C. GARDNER, Chairman.
GEO. A. HENRY,
J. A. HOUCK.
C. I. WHEATLEY.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By City Controller:

GENERAL ORDINANCE NO. 63, 1933

AN ORDINANCE transferring certain sums of money from certain numbered funds of the Department of Public Health and Charities and re-appropriating the same to other numbered funds of said Department, and fixing a time when the same shall take effect.

WHEREAS, certain numbered funds of the Department of Health and Charities contain certain balances which will be unnecessary for use in said funds during the balance of the year 1933, and

WHEREAS, an emergency has arisen making necessary additional amounts in certain other numbered funds of said Department,

NOW, THEREFORE,

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

Section 1. That the following transfers of funds within the

Department of Public Health and Charities be, and the same are, hereby made:

From City Hospital, Garage, No. 11, Salaries and Wages, Regular, \$300.00, to City Hospital General, No. 36, Office Supplies;

From City Hospital, Doctors, No. 11, Salaries and Wages, Regular, \$200.00 to City Hospital General, No. 36, Office Supplies;

From City Hospital, Dispensary, No. 11, Salaries and Wages, Regular, \$600.00 to City Hospital General, No. 41, Building Materials;

From City Hospital, Dispensary, No. 11, Salaries and Wages, Regular, \$200.00 to City Hospital General, No. 242, Printing and Advertising;

From City Hospital, Training School, No. 11, Salaries and Wages, Regular, \$6,000.00, to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Offices, No. 11, Salaries and Wages, Regular, \$700.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Physical Therapy, No. 11, Salaries and Wages, Regular, \$90.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Social Service, No. 11, Salaries and Wages, Regular, \$650.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Housekeeping, No. 11, \$650.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Dietary, No. 11, Salaries and Wages, Regular, \$2610.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Maintenance and Repair, No. 11, Salaries and Wages, Regular, \$500.00 to City Hospital General,

No. 343, Medical and Surgical Supplies;

From City Hospital, Power Plant, No. 11, Salaries and Wages, Regular, \$400.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, X-Ray, No. 11, Salaries and Wages, Regular, \$400.00 to City Hospital General, No. 343, Medical and Surgical Supplies;

From City Hospital, Laboratory, No. 11, Salaries and Wages, Regular, \$550.00 to City Hospital, Maintenance and Repair No. 12, Salaries and Wages, Temporary;

From City Hospital, Laundry, No. 11, Salaries and Wages, Regular, \$450.00 to City Hospital, Maintenance and Repair No. 12, Salaries and Wages, Temporary;

From Unappropriated Fund, Proceeds of insurance on fire loss, \$901.55 to City Hospital Maintenance and Repair No. 12, Salaries and Wages, Temporary;

Section 2. This ordinance shall take effect from and after its publication, passage and approval by the Mayor.

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

By City Plan:

GENERAL ORDINANCE NO. 64, 1933

AN ORDINANCE authorizing the Mayor of the City of Indianapolis to petition and request the State Highway Commission of Indiana to improve certain streets in said City with Federal Funds, and to enter into an Agreement binding said city to maintain such streets, providing for the future maintenance of said streets and for the enactment of ordinances for protection of said streets and the regulation of traffic thereon and matters connected therewith.

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

Section 1. That Reginald H. Sullivan, the Mayor of said City of Indianapolis is hereby authorized, directed and empowered on behalf of said city, to petition and request the State Highway Commission of Indiana to submit to the Secretary of Agriculture of the United States of America for the construction with Federal funds, apportioned to the State of Indiana under Section 204 of the National Recovery Act, the following projects in said City of Indianapolis, to-wit:

(1) For the improvement of 2108 feet of Federal Aid Highway Route No. 4 through said city from Cold Springs Road to Sixteenth Street, known as Lafayette Road, and to be designated Project No. NRM 40.

(2) For the improvement of 8292 feet of Federal Aid Highway Route No. 4 & 64 through said city from White River bridge to Northwestern Avenue, known as Sixteenth Street, and to be designated Project No. NRM 40.

(3) For the improvement of 13,905 feet of Federal Aid Highway Route No. 28 through said city from Thirty-eighth Street to Sixteenth Street, known as Northwestern Avenue, and to be designated Project No. NRM 221.

(4) For the improvement of 5,075 feet of Federal Aid Highway Route No. 4, 64 & 28 through said city from Sixteenth Street to Indiana Avenue and from New York Street to Washington Street, known as North West Street, and to be designated Project No. NRM 40.

(5) For the improvement of 2,145 feet of Federal Aid Highway Route No. 3 through said city from Bluff Road to Raymond Street, known as Daisy Street, and to be designated Project No. NRM 63.

(6) For the improvement of 5,433 feet of Federal Aid Highway Route No. 3 through said city from Raymond Street to Morris Street, known as South West Street, and to be designated Project No. NRM 63.

Section 2. Said City of Indianapolis hereby forever pledges itself and its funds, after the construction of said street, at its own cost and expense, to maintain said project in good condition and repair and in a manner satisfactory to said State Highway Commission

and/or said Secretary of Agriculture, or their authorized representatives, and said city will make ample provision each year for such maintenance of said street.

Section 3. The Mayor of said city, to-wit: Reginald H. Sullivan, is hereby authorized and empowered on behalf of said City of Indianapolis to enter into such agreement or agreements, in duplicate, as may be required by said State Highway Commission and/or said Secretary of Agriculture to maintain said several projects set out in Section One (1) of this ordinance, or such of them as said Secretary of Agriculture shall finally approve, and said City of Indianapolis does hereby ratify and confirm each act of said Mayor done and performed under the authority hereof.

Section 4. Said agreement so to be executed by said Mayor of the City of Indianapolis shall be substantially in the following form:

“The.....,
(municipality or political subdivision)

State of....., hereinafter referred to as
....., and the.....,
(State Highway organization)

hereinafter referred to as the Highway Department, hereby agree as follows:

1. That the Highway Department will submit a project for the improvement of.....miles of the.....
(Municipal)
highway from..... to.....,
known as....., and to
(local name of street or road)
be designated as..... Project No.....,
(State)

and will recommend its approval by the Secretary of Agriculture for the construction with funds apportioned to the State under Section 204 of the National Industrial Recovery Act; subject, however, to the condition that the.....
(municipality or political subdivision)

shall provide for its proper maintenance after completion of its improvement.

2. That the said.....

(municipality or political subdivision)

hereby requests the Highway Department to submit the aforementioned project with recommendation that it be approved by the Secretary of Agriculture, and agrees that if such project is approved and constructed by the Highway Department and the Secretary of Agriculture it thereafter, at its own cost and expense, will maintain the project in a manner satisfactory to them, or their authorized representatives, and will make ample provision each year for such maintenance.

IN WITNESS WHEREOF, the parties have hereunto affixed their signature, the.....on

(municipality or political subdivision)

the.....day of....., 19....., and the Highway Department on the.....day of....., 19.....

(municipality or political subdivision)

By.....

(Official title of Highway Department)

By.....

By.....

By.....”

Section 5. When said agreement or agreements are so executed on behalf of said City of Indianapolis, said Mayor on behalf of said city is hereby authorized and empowered to deliver said agreements in duplicate with a certified copy of this ordinance to said State Highway Commission for its use and the use of the Secretary of Agriculture.

Section 6. Said city agrees whenever called upon by said State Highway Commission of Indiana, to enact and enforce an ordinance of said city, containing the following provisions:

- 1. Making it unlawful to erect or construct signal light standards or other obstructions in the portion or portions of streets improved under the authority herein contained.

2. Limiting the parking on said street or streets to one side of such street or streets where the same is less than thirty-six (36) feet in width from curb to curb.

3. Forbidding diagonal parking on said street or streets where the same is less than forty (40) feet in width from curb to curb.

4. Forbidding the maintenance on said street or streets of "stop and go" signals unless approved by the State Highway Commission of Indiana, and then only of such design as may be approved by such Commission.

5. For the establishment and maintenance of "stop and go" signals in said street or streets when required by said State Highway Commission.

6. Forbidding the cutting into or disturbing the pavement of said street or streets without the consent of said city, and then only under its inspection and proper regulation.

7. Forbidding the building of fires and the doing of other practices in said street or streets, which would be injurious to the pavement thereof.

8. Forbidding the piling, storage or placing of material or other obstructions in said street or streets.

9. Forbidding the placing or maintenance of gasoline or other pumps in the sidewalks of said street or streets where the same is less than thirty-six (36) feet in width from curb to curb.

Section 7. This ordinance shall be in full force and effect from and after its passage.

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

By Board of Public Safety:

GENERAL ORDINANCE NO. 65, 1933

AN ORDINANCE ratifying and approving a contract entered into

by and between the City of Indianapolis, by and through its board of public works and its board of public safety, with the approval of its Mayor, and J. A. Allison Realty Copany for fire protection outside of the city limits of said city, 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 contract heretofore entered into by and between the City of Indianapolis, by and through its board of public works and its board of public safety, with the approval of its mayor, and J. A. Allison Realty Company for fire protection of the property of said Allison Realty Company, known as the J. A. Allison estate, upon West Riverside Drive (also known as Meyers Road), just north of West Thirtieth Street, Wayne Township, Marion County, Indiana, a copy of which said contract is attached hereto, made a part hereof and marked "Exhibit A," be and it is hereby in all things ratified, confirmed and approved.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

"EXHIBIT A."

**CONTRACT BETWEEN THE CITY OF INDIANAPOLIS
AND
J. A. ALLISON REALTY COMPANY**

Sept. 19, 1933.

THIS AGREEMENT, made and entered into this 19th day of September, 1933, by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Works and its Board of Public Safety, with the approval of its Mayor, party of the first part, and J. A. Allison Realty Company, of West Riverside Drive (also known as Meyers Road), just north of West 30th Street, Wayne Township, Marion County, Indiana, party of the second part, (known as the J. A. Allison Estate).

WITNESSETH: that,

WHEREAS, the party of the first part does maintain and possess a Fire Department for the fire protection of its residents and is desirous of contracting with the party of the second part for the use of the services of the Fire Department belonging to the party of the first part, and

WHEREAS, the party of the second part is desirous of contracting with the party of the first part for the use of the services of the Fire Department belonging to the party of the first part, said use to be in the nature of the Fire Department of the party of the first part rendering the same protection and service to the party of the second part as it now renders and will render to the party of the first part, NOW THEREFORE

THIS AGREEMENT:

The party of the first part does hereby agree to furnish the same fire protection to the party of the second part which said party of the first part now receives and will receive from its own Fire Department, in consideration of the sum of Fifty (\$50.00) Dollars, paid to the party of the first part annually as hereinafter provided.

The party of the second part agrees to pay to the party of the first part, for the said fire protection rendered, the sum of Fifty (\$50.00) Dollars, per year on or before the first day of each May of each year of the term of this agreement. The said party of the second part agrees to aid in the matter of fire protection by conforming to the Building Code of the party of the first part as now established insofar as the party of the second part may lawfully do so. The party of the second part further agrees to place at the disposal of the Fire Department of the party of the first part such water for Fire Department pumper supply as existing on the premises of the party of the second part in the swimming pool and pond, in the case of a fire occurring on the premises of the party of the second part or in the neighborhood thereof. It is agreed and understood by and between both of the parties hereto that this contract shall be in full force and effect for the period of five (5) years, i. e. from the 1st day of May, 1933, to the 1st day of May, 1938, beginning and terminating at noon, and that in the event of termination of this contract by either party, that the Indiana Inspection Bureau of Indianapolis, Indiana, is to be promptly notified of the termination of this contract by each of the two parties named herein.

It is further understood and agreed by and between the parties

hereto, that no liability attaches or will attach to the party of the first part on account of the nature of the work and service performed by the said Fire Department of the party of the first part, and that said party of the first part will not be liable for damages either to person or to property of the party of the second part on account of any act or omission arising out of the performance of the work and services herein contracted for.

Provided, however, that this contract shall terminate in the event that the premises of the party of the second part are annexed to, or becomes an integral part of the City of Indianapolis.

This contract, on the part of the City of Indianapolis shall be of no force and effect unless specifically authorized by ordinance duly passed by the Common Council of said city and approved by its Mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate, this 22nd day of September, 1933.

CITY OF INDIANAPOLIS

WALTER C. BOETCHER

C. O. BRITTON

Board of Public Works.

Approved by

R. H. SULLIVAN, *Mayor*

C. R. MYERS

FRANK C. DAILEY

DONALD S. MORRIS

Board of Public Safety,

Party of the First Part.

J. A. ALLISON REALTY COMPANY

By E. H. IGLEHART, *President,*

Party of the Second Part.

Attest:

JOSEPH M. STICKNEY

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

By Board of Public Safety:

GENERAL ORDINANCE NO. 66, 1933

AN ORDINANCE ratifying and approving a contract entered into by and between the City of Indianapolis, by and through its board of public works and its board of public safety, with the approval of its mayor, and Charles B. Sommers for fire protection outside of the city limits of said city, 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 contract heretofore entered into by and between the City of Indianapolis, by and through its board of public works and its board of public safety, with the approval of its mayor, and Charles B. Sommers for fire protection of the residence of said Charles B. Sommers upon West Riverside Drive (also known as Meyers Road), just north of West Thirtieth Street, Wayne Township, Marion County, Indiana, copy of which said contract is attached hereto, made a part hereof and marked "Exhibit A," be and it is hereby in all things ratified, confirmed and approved.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

"EXHIBIT A."

CONTRACT BETWEEN THE CITY OF INDIANAPOLIS
AND
CHARLES B. SOMMERS.

Sept. 19, 1933.

THIS AGREEMENT, made and entered into this 19th day of September, 1933, by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Works and its Board of Public Safety, with the approval of its Mayor, party of the first part, and Charles B. Sommers of West Riverside Drive (also known as Meyers Road), just north of West 30th Street, Wayne Township, Marion County, Indiana, party of the second part,

WITNESSETH: that,

WHEREAS, the party of the first part does maintain and possess a Fire Department for the fire protection of its residents and is desirous of contracting with the party of the second part for the use of the services of the Fire Department belonging to the party of the first part, and

WHEREAS, the party of the second part is desirous of contracting with the party of the first part for the use of the services of the Fire Department belonging to the party of the first part, said use to be in the nature of the Fire Department of the party of the first part rendering the same protection and service to the party of the second part as it now renders and will render to the party of the first part, NOW THEREFORE

THIS AGREEMENT:

The party of the first part does hereby agree to furnish the same fire protection to the party of the second part which said party of the first part now receives and will receive from its own Fire Department, in consideration of the sum of Fifty (\$50.00) Dollars, paid to the party of the first part annually as hereinafter provided.

The party of the second part agrees to pay to the party of the first part, for the said fire protection rendered, the sum of Fifty (\$50.00) Dollars, per year on or before the first day of each May of each year of the term of this agreement. The said party of the second part agrees to aid in the matter of fire protection by conforming to the Building Code of the party of the first part as now established insofar as the party of the second part may lawfully do so. The party of the second part further agrees to place at the disposal of the Fire Department of the party of the first part such water for Fire Department pumper supply as existing on the premises of the party of the second part in the swimming pool and pond, in the case of a fire occurring on the premises of the party of the second part or in the neighborhood thereof. It is agreed and understood by and between both of the parties hereto that this contract shall be in full force and effect for the period of five (5) years, i. e. from the 1st day of May, 1933, to the 1st day of May, 1938, beginning and terminating at noon, and that in the event of termination of this contract by either party, that the Indiana Inspection Bureau of Indianapolis, Indiana, is to be promptly notified of the termination of this contract by each of the two parties named herein.

It is further understood and agreed by and between the parties hereto, that no liability attaches or will attach to the party of the first part on account of the nature of the work and service performed by the said Fire Department of the party of the first part, and that said party of the first part will not be liable for damages either to person or to property of the party of the second part on account of any act or omission arising out of the performance of the work and services herein contracted for.

Provided, however, that this contract shall terminate in the event that the premises of the party of the second part are annexed to, or becomes an integral part of the City of Indianapolis.

This contract, on the part of the City of Indianapolis shall be of no force and effect unless specifically authorized by ordinance duly passed by the Common Council of said city and approved by its Mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate, this 22nd day of September, 1933.

CITY OF INDIANAPOLIS

WALTER C. BOETCHER

LOUIS C. BRANDT

C. O. BRITTON

Board of Public Works.

Approved by

R. H. SULLIVAN, *Mayor*

C. R. MYERS

FRANK C. DAILEY

DONALD S. MORRIS

Board of Public Safety,

Party of the First Part.

CHARLES B. SOMMERS

Party of the Second Part.

W. T. RANDALL,

Witness

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

By Board of Public Safety:

GENERAL ORDINANCE NO. 67, 1933

AN ORDINANCE ratifying and approving a contract entered into by and between the City of Indianapolis, by and through its board of public works and its board of public safety, with the approval of its mayor, and The Fletcher American National Bank of Indianapolis, Trustee, for fire protection outside of the city limits of said city, 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 contract heretofore entered into by and between the City of Indianapolis, by and through its board of public works and its board of public safety, with the approval of its mayor, and The Fletcher American National Bank of Indianapolis, Trustee, for fire protection of the property of The Fletcher American National Bank of Indianapolis, Trustee, known as the Park School for Boys, upon West Riverside Drive (also known as Meyers Road), just north of West Thirtieth Street, Wayne Township, Marion County, Indiana, a copy of which contract is attached hereto, made a part hereof and marked "Exhibit A," be and it is hereby in all things ratified, confirmed and approved.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

"EXHIBIT A."

CONTRACT BETWEEN THE CITY OF INDIANAPOLIS
AND THE FLETCHER AMERICAN
NATIONAL BANK OF INDIANAPOLIS, TRUSTEE.

Sept. 19, 1933.

THIS AGREEMENT, made and entered into this 19th day of September, 1933, by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Works and its Board of Public Safety, with the approval of its Mayor, party of the

first part, and The Fletcher American National Bank of Indianapolis, Trustee, of West Riverside Drive (also known as Meyers Road), just north of West 30th Street, Wayne Township, Marion County, Indiana, party of the second part, (known as the Park School for Boys).

WITNESSETH: that,

WHEREAS, the party of the first part does maintain and possess a Fire Department for the fire protection of its residents and is desirous of contracting with the party of the second part for the use of the services of the Fire Department belonging to the party of the first part, and

WHEREAS, the party of the second part is desirous of contracting with the party of the first part for the use of the services of the Fire Department belonging to the party of the first part, said use to be in the nature of the Fire Department of the party of the first part rendering the same protection and service to the party of the second part as it now renders and will render to the party of the first part, NOW THEREFORE

THIS AGREEMENT:

The party of the first part does hereby agree to furnish the same fire protection to the party of the second part which said party of the first part now receives and will receive from its own Fire Department, in consideration of the sum of Fifty (\$50.00) Dollars, paid to the party of the first part annually as hereinafter provided.

The party of the second part agrees to pay to the party of the first part, for the said fire protection rendered, the sum of Fifty (\$50.00) Dollars, per year on or before the first day of each May of each year of the term of this agreement. The said party of the second part agrees to aid in the matter of fire protection by conforming to the Building Code of the party of the first part as now established insofar as the party of the second part may lawfully do so. The party of the second part further agrees to place at the disposal of the Fire Department of the party of the first part such water for Fire Department pumper supply as existing on the premises of the party of the second part in the swimming pool and pond, in the case of a fire occurring on the premises of the party of the second part or in the neighborhood thereof. It is agreed and understood by and between both of the parties hereto that this contract shall be in full force and effect for the period of five (5) years, i. e. from the 1st day

of May, 1933, to the 1st day of May, 1938, beginning and terminating at noon, and that in the event of termination of this contract by either party, that the Indiana Inspection Bureau of Indianapolis, Indiana, is to be promptly notified of the termination of this contract by each of the two parties named herein.

It is further understood and agreed by and between the parties hereto, that no liability attaches or will attach to the party of the first part on account of the nature of the work and service performed by the said Fire Department of the party of the first part, and that said party of the first part will not be liable for damages either to person or to property of the party of the second part on account of any act or omission arising out of the performance of the work and services herein contracted for.

Provided, however, that this contract shall terminate in the event that the premises of the party of the second part are annexed to, or become an integral part of the City of Indianapolis.

This contract, on the part of the City of Indianapolis shall be of no force and effect unless specifically authorized by ordinance duly passed by the Common Council of said city and approved by its Mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate, this 22nd day of September, 1933.

CITY OF INDIANAPOLIS

WALTER C. BOETCHER

C. O. BRITTON

Board of Public Works.

Approved by

R. H. SULLIVAN, *Mayor*

C. R. MYERS

FRANK C. DAILEY

DONALD S. MORRIS

Board of Public Safety,
Party of the First Part.

THE FLETCHER AMERICAN NATIONAL
BANK OF INDIANAPOLIS, Trustee

By E. H. IGLEHART, *Vice President,*
Party of the Second Part.

J. W. STICKNEY,
Witness

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

By Mr. Henry:

GENERAL ORDINANCE NO. 68, 1933

AN ORDINANCE relating to the advertising and selling of goods, wares, merchandise, securities, real estate, and requiring dealers therein to indicate in such advertising and in their place of business that said person is a dealer and providing a penalty for the violation thereof: and designating a time when the same shall take effect.

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

Section 1. It shall be unlawful for any person, firm, partnership, corporation or association, or any employees thereof who are engaged in the business of selling goods, wares, merchandise, securities or real estate, to advertise or cause to be advertised directly or indirectly, the sale of the same unless it shall be stated in such advertisement, clearly and unequivocally that said person advertising such sale of goods, wares, merchandise, securities or real estate, is a dealer in the same; provided, however, that the advertisement of the sale of any goods, wares, merchandise, securities or real estate in such form as to make it plainly apparent therefrom that the person so advertising, is actually engaged in the business of selling such goods, wares, merchandise, securities or real estate as a business, shall be deemed a sufficient compliance with the terms of this ordinance.

Section 2. Where any such person, firm, partnership, corporation or association, or any employees thereof shall conduct, operate or transact such business or cause to be conducted, operated or transacted, to the extent of showing and displaying in, and representing to deliver such merchandise, goods, wares, securities or real estate, at or from, any dwelling house, apartment, flat or other place of human abode, then such person, firm, corporation or association shall display or cause to be displayed at all times, printed or painted signs which shall state or otherwise clearly and unequivocally indicate that

such person is a dealer in such goods, wares, merchandise, securities or real estate, and shall display such a sign, both at the entrance to, and within that part of every such dwelling house, apartment, flat or other place of human abode, where such business is conducted, operated or transacted. Provided that such sign erected, placed or hung on the exterior of said structure shall contain not less than twelve (12) square feet of area, and that said sign shall not be erected, placed or hung until a building license for same has first been obtained from the City Controller after application to the Commissioner of Buildings.

Section 3. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than \$25 nor more than \$300 for each offense, and each day that said violation shall be permitted to exist shall constitute a separate offense.

Section 4. 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 the first time and referred to the Committee on Public Safety.

By City Controller:

SPECIAL ORDINANCE NO. 4, 1933

AN ORDINANCE authorizing the sale, alienation and conveyance of real estate by the Board of Public Works of the City of Indianapolis, and fixing a time when the same shall take effect.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Section 1. That the Board of Public Works is hereby authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value, which value is to be hereinafter determined by appraisers appointed by the judge of the Circuit Court of Marion County, Indiana, as required by law, the following described real estate in Indianapolis, Marion County, Indiana, to-wit:

Part of the southwest $\frac{1}{4}$ of Section 6, Township 15 north, Range 4 east, Marion County, State of Indiana, being a triangular piece of ground out of the northwest corner of a tract of

land known as Highland Square, more particularly described as follows:

Beginning at the intersection of the north line of New York Street as now located and established by Declaratory Resolution No. 15030, adopted by the Board of Public Works on June 6, 1932, at the point of intersection of said north line with line 40 feet south of and parallel to the south line of Lots 1 and 9 of Walker's East Ohio Street Addition as recorded in Plat Book 8, page 196, Marion County Recorder's Office, and extending west along said line 40 feet south of and parallel to said Lots 1 and 9 a distance of 23.85 feet to the east line of Dorman Street extended north; running thence south along said east line extended a distance of 9.07 feet to the aforesaid north line of New York Street; thence in a northeasterly direction along said north line of New York Street a distance of 27.52 feet to the place of beginning;

Also, all that part of New York Street vacated by the Board of Public Works under Declaratory Resolution No. 15017, 1932, adopted by the Board of Public Works on the 18th day of April, 1932;

And all that part of Dorman Street vacated by the Board of Public Works under Declaratory Resolution No. 15016, adopted by the Board of Public Works on the 18th day of April, 1932, which would revert to and become a part of the above described property.

That said real estate shall be sold at public or private sale upon such notice or notices as the Board of Public Works may determine.

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

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

ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 52, 1933, for second

reading. It was read a second time.

Mr. Houck made a motion that General Ordinance No. 52, 1933, be stricken from the files. The motion was seconded by Mr. Gardner and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Wheatley, Vice President Welch.

Which ordinance was stricken from the files by the Clerk.

Mr. Wheatley called for General Ordinance No. 60, 1933, for second reading. It was read a second time.

On motion of Mr. Wheatley, seconded by Mr. Morgan, General Ordinance No. 60, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 60, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Wheatley, Vice President Welch.

Mr. Houck called for General Ordinance No. 61, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Morgan, General Ordinance No. 61, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 61, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Wheatley, Vice President Welch.

Mr. Gardner called for General Ordinance No. 62, 1933, for second reading. It was read a second time.

On motion of Mr. Gardner, seconded by Mr. Morgan, General Ordinance No. 62, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 62, 1933, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan,

Mr. Tennant, Mr. Wheatley, Vice President Welch.

Mr. Morgan asked for suspension of the rules for further consideration and passage of General Ordinance No. 64, 1933. The motion was seconded by Mr. Wheatley and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Wheatley, Vice President Welch.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., October 2, 1933.

*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. 64, 1933, entitled Authorizing Mayor to execute certain agreements with Indiana State Highway Department and Secretary of Agriculture, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

F. C. GARDNER, Acting Chairman.
LEO F. WELCH.
CHAS. C. MORGAN.
M. E. TENNANT.

ORDINANCES ON SECOND READING

Mr. Morgan called for General Ordinance No. 64, 1933, for second reading. It was read a second time.

On motion of Mr. Morgan, seconded by Mr. Wheatley, General Ordinance No. 64, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1933, was read a third time by the

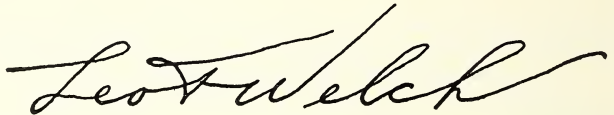
Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Wheatley, Vice President Welch.

On motion of Mr. Wheatley, seconded by Mr. Henry, the Common Council adjourned at 8:15 p. m.

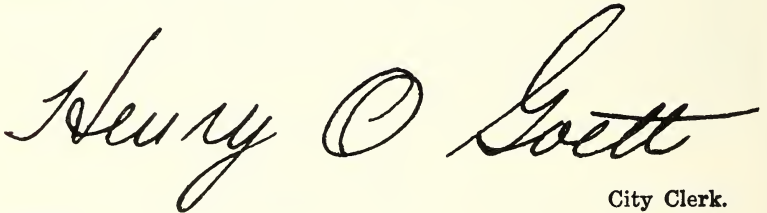
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 2nd day of October, 1933, at 7:30 p. m.

IN WITNESS WHEREOF, We have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



Vice-President.

ATTEST:



City Clerk.

(SEAL)