

SPECIAL MEETING

Wednesday, May 22, 1935
4:00 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Wednesday, May 22, 1935, at 4:00 p. m., President Edward B. Raub in the chair, pursuant to the following call:

To the Members of the Common Council,
Indianapolis, Indiana.

Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the COMMON COUNCIL held in the Council Chamber on Wednesday, May 22, 1935, at 4:00 p. m., the purpose of such SPECIAL MEETING being to introduce and pass, rules suspended, General Ordinance No. 41, 1935, which is AN ORDINANCE authorizing the Mayor of the City of Indianapolis to petition and request the State Highway Commission of Indiana to improve the roadside of certain highways in said city with federal funds, and to enter into an agreement binding said city to maintain such improvements, providing for the future maintenance of said improvements, and for the matters connected therewith.

Respectfully,

JOHN W. KERN,
Mayor.

I, Daniel J. O'Neill, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such SPECIAL MEETING, pursuant to the rules.

IN WITNESS WHEREOF, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

DANIEL J. O'NEILL, JR.,
City Clerk.

(SEAL)

IND. U. LAW LIB. IND'PLS.

Which was read.

President Raub called the meeting to order.

The Clerk called the roll.

Present: Edward B. Raub, President, and seven members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, William A. Oren, John A. Schumacher, Ross H. Wallace.

Absent: Edward R. Kealing.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Schumacher, seconded by Mr. Carr.

COMMUNICATIONS FROM THE MAYOR

May 22, 1935.

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

Gentlemen:

This special meeting of the Council was called today for the purpose of considering General Ordinance No. 41, authorizing me to petition the State Highway Commission to improve the roadside of Sixty-first Street, and to enter into an agreement binding the city to the maintenance of said improvement in the future. This improvement is to be made with Federal funds, and such an agreement is required by the government before the expenditure of the funds can be authorized.

I should appreciate it if this ordinance were to be passed under suspension of the rules, in order that work may be begun on this project as soon as possible.

Thanking you, I am

Very truly yours,

JOHN W. KERN,
Mayor.

INTRODUCTION OF GENERAL ORDINANCES

By the Mayor:

GENERAL ORDINANCE NO. 41, 1935

AN ORDINANCE authorizing the Mayor of the City of Indianapolis to petition and request the State Highway Commission of the State of Indiana to improve the roadside of certain highways in said City with Federal Funds, and to enter into an Agreement binding said city to maintain such improvements, providing for the future maintenance of said improvements and for the matters connected therewith, 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 John W. Kern, 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 the National Recovery Act, the following project in said City of Indianapolis, to-wit: The Roadside Improvement from 61st Street to White River through said City of Indianapolis and being designated as Project No. N. R. S. 222.

Section 2. Said City of Indianapolis hereby forever pledges itself and its funds, after the completion of said project, at its own cost and expense, to maintain said project in good condition 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 project.

Section 3. The Mayor of said City 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 project set out in Section One (1) of this ordinance, and said City of Indianapolis does hereby ratify and confirm each act

IND. U. LAW LIB. INDIANAPOLIS

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 form prescribed by the Secretary of Agriculture, which form is as follows:

“Agreement by Municipality or Political Sub-division to Maintain Highways Improved Under National Industrial Recovery Act.

“The City of Indianapolis, State of Indiana, hereinafter referred to as City, and the State Highway Commission of Indiana, hereinafter referred to as the Highway Department, hereby agree as follows:

“1. That the Highway Department will submit a project for the roadside improvement of 0.423 mile of the municipal highway from 61st Street to White River, known as New 31, and to be designated as Indiana project No. N. R. S. 222, and will recommend its approval by the Secretary of Agriculture for construction with funds apportioned to the State under Section 204 of the National Industrial Recovery Act; subject, however, to the condition that the City shall provide for its proper maintenance after completion of said project.

“2. The said City 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 signatures, the City of Indianapolis on the.....day of....., 193....., and the Highway Department on the.....day of....., 193.....

CITY OF INDIANAPOLIS

By.....

Mayor

STATE HIGHWAY COMMISSION

By..... Chairman

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

Approved....., 193.....

.....
Mayor
City of Indianapolis, Indiana

ATTEST:

.....
Clerk of Said City

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

Mr. Oren asked for suspension of the rules for further consideration and passage of General Ordinance No. 41, 1935. The motion was seconded by Mr. Carr and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., May 22, 1935.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 41, 1935, entitled To petition the Mayor of the City of Indianapolis to enter into an agreement with the State Highway Commission, of the State of Indiana, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

WM. A. OREN, Chairman.
R. H. WALLACE.
THEODORE CABLE.
ADOLPH J. FRITZ.

ORDINANCES ON SECOND READING

Mr. Oren called for General Ordinance No. 41, 1935, for second reading. It was read a second time.

On motion of Mr. Oren, seconded by Mr. Cable, General Ordinance No. 41, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 41, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Cable, seconded by Mr. Carr, the Common Council adjourned at 4:50 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 22nd day of May, 1935, at 4:00 p. m.

May 22, 1935

City of Indianapolis, Ind.

247

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

Edward R. Raut

President.

Attest:

Samuel J. Orvis Jr.

City Clerk.

(SEAL)

IND. U. LAW LIB. IND'POLIS.