

REGULAR MEETING

Monday, May 16, 1938.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, May 16, 1938, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

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

Absent: Nannette Dowd.

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

COMMUNICATIONS FROM THE MAYOR

May 5, 1938.

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

Gentlemen:

I have today approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

APPROPRIATION ORDINANCE No. 4, 1938

AN ORDINANCE appropriating certain sums of money from the unappropriated and unexpended 1937 balance of the general fund of the Department of Public Parks, such certain sums being in a total amount of Fourteen Thousand Five Hundred Dollars (\$14,550.00) and allocating such certain sums to certain

designated funds of said department for the use of said department for certain purposes, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE No. 4, 1938

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land in the City of Indianapolis, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE No. 5, 1938

AN ORDINANCE changing the name of certain streets in the City of Indianapolis and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 37, 1938

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase certain materials and supplies to be paid for out of the Gasoline Tax funds heretofore appropriated, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 38, 1938

AN ORDINANCE amending Section 30 of General Ordinance No. 96, 1928, by striking out subdivision 56 of subsection (b) of said Section 30, thereby eliminating a certain street, herein designated in this ordinance, from the provisions of said subsection (b), which prohibits parking at all times, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 39, 1938

AN ORDINANCE approving a certain contract heretofore entered into by the Board of Public Safety, acting for the City of Indianapolis, with the Town of Crows Nest, of Marion County, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 40, 1938

AN ORDINANCE prohibiting operators of vehicles from turning the same completely around at certain street intersections when such vehicles are being operated westwardly on Market Street, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 41, 1938

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 44, 1938

AN ORDINANCE authorizing the Board of Public Safety to enter into certain contracts for the erection and equipment of a new Engine House at 1445 West Michigan Street, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 45, 1938

AN ORDINANCE authorizing the State Highway Commission of Indiana to improve certain projects in the City of Indianapolis, with Federal Funds, and authorizing the Mayor of said City to enter into an agreement binding said city to maintain such improvements, providing for the future maintenance of said improvements and for the enactment of ordinances for protection of said improvements and the regulation of traffic thereon and matters connected therewith, and fixing a time when the same shall take effect.

Respectfully,

WALTER C. BOETCHER,
Acting Mayor.

May 16, 1938.

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

Gentlemen:

An ordinance authorizing the State Highway Commission to improve Brookville Road from 148 feet east of Irvington Avenue to the east corporation line of Indianapolis, authorizing the Mayor to enter into an agreement for the maintenance of said improvement, and matters connected with that matter, will be introduced for your consideration, and I respectfully urge that the same be acted upon favorably.

The Highway Commission will proceed with this improvement as soon as the formal requirements are met, and I am anxious that no delay be occasioned by the city in connection with this project.

Sincerely yours,

WALTER C. BOETCHER,
Acting Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

May 16, 1938.

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

Gentlemen:

In re: A. O. No. 5, 1938.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the Indianapolis News and Indianapolis Times on May 5, 1938, that taxpayers would have a right to be heard on the above ordinance at the regular meeting of the Common Council, to be held on the 16th day of May, 1938, and by posting a copy of said notice in the following places:

City Hall,
Court House and
Police Station.

Very truly yours,

DANIEL J. O'NEILL, Jr.
City Clerk

May 16, 1938]

City of Indianapolis, Ind.

249

May 16, 1938.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 6, 1938, appropriating the proceeds derived from the sale of "City of Indianapolis Municipal Airport Development Bonds of 1938—First Issue" to the Department of Public Works "Municipal Airport Fund."

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM
Acting City Controller

May 16, 1938.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 7, 1938, appropriating the proceeds derived from the sale of "City of Indianapolis Relief Sewer Bonds of 1938—First Issue" to the Department of Finance Bond Proceeds Fund.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

May 16, 1938.

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

Gentlemen:

In re: Special Ordinance No. 6, 1938.

Submitted herewith is an ordinance authorizing the sale of certain real estate owned by the City of Indianapolis, under the jurisdiction of the Board of Safety, located as follows:

445 Indiana Avenue.
533 West Washington Street.
748 Massachusetts Avenue.
1602 Ashland Avenue.
S. E. corner Washington St. and Hawthorne Lane.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By THEO. H. DAMMEYER,
President.

May 14, 1938.

To the President and Members
of the Common Council:

Attached find copies of Special Ordinance No. 7, 1938, providing for the acceptance of Twelve Hundred Twenty Dollars (\$1220.00), received by Dr. Charles W. Myers, Superintendent of the City Hospital, representing a bequest made to the City Hospital under the provisions of Item VIII of the last will and testament of Mrs. Catherine E. Stolte. This ordinance also establishes a fund to be known as "Donations to City Hospital Fund," and allocates the above mentioned sum to this established and denominated fund.

Due to the fact that the bequest of Mrs. Stolte was made to the City Hospital, and considering that future bequests are likely to be made to the City Hospital when provision is made so that bequests

May 16, 1938]

City of Indianapolis, Ind.

251

can be directed to the maintenance, operation and equipment of the City Hospital, the Board of Health recommends the passage of this ordinance.

Respectfully submitted,

BOARD OF HEALTH,
Per H. G. Morgan,
Secretary.

May 16, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 46, 1938, establishing a 20 foot taxicab stand on the south side of Indiana Avenue at Senate Avenue, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By THEO. H. DAMMEYER,
President.

May 16, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 47, 1938, making 17th Street between Meridian and Illinois Streets, a one-way street for west-bound traffic only, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By THEO. H. DAMMEYER,
President.

May 16, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 48, 1938, prohibiting parking on the south side of Henry Street just east of South Illinois Street and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By THEO. H. DAMMEYER,
President.

May 16, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 49, 1938, making Illinois Street at 22nd Street preferential over 22nd Street and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By THEO. H. DAMMEYER,
President.

At this time those present were given a chance to speak on matters pending before the Council.

Mr. Schumacher asked for a recess. The motion was seconded by Mr. Cable and the Council recessed at 7:40 p. m.

The Council reconvened at 8:10 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., May 16, 1938.

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. 5, 1938, entitled:

Appropriation of \$60,000 to Fund No. 26—
Board of Public Works and Sanitation

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

ROSS H. WALLACE, Chairman
THEODORE CABLE
SILAS J. CARR
ADOLPH J. FRITZ

Indianapolis, Ind., May 16, 1938.

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. 42, 1938, entitled:

20 minute parking on Ohio Street, between Meridian
and Pennsylvania

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

SILAS J. CARR, Chairman
ROSS H. WALLACE
WM. A. OREN
JOHN A. SCHUMACHER

Indianapolis, Ind., May 16, 1938.

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. 43, 1938, entitled:

Churchman Avenue—preferential street

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

SILAS J. CARR, Chairman
ROSS H. WALLACE
WM. A. OREN
JOHN A. SCHUMACHER

Indianapolis, Ind., May 16, 1938.

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 Resolution No. 2, 1938, entitled:

\$1,500.00 for band concerts

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

SILAS J. CARR
ADOLPH J. FRITZ
WM. A. OREN
EDWARD B. KEALING

Mr. Wallace asked for suspension of the rules to permit the introduction of Special Ordinance No. 7, and Appropriation Ordinances No. 6 and 7, 1938. The motion was seconded by Mr. Oren and passed by the following roll call vote:

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

The rules were suspended.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 6, 1938

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating to the Department of Public Works the proceeds derived from the sale of "City of Indianapolis Municipal Airport Development Bonds of 1938—First Issue," provided for in General Ordinance No. 30, 1938, and fixing a time when the same shall take effect.

WHEREAS, the common council now finds that an extraordinary emergency exists for the appropriation of additional sums which were not provided for in the original city budget and tax levies, in that the Federal Government of the United States had, after the adoption of the annual budget ordinance, offered to locate an air testing station at the Indianapolis Municipal Airport and to develop said airport; and the common council of said city believing that an emergency exists in that said offer of the Federal Government should be accepted and that the necessary funds be provided to bring about such improvements as the Federal Government may require, has adopted General Ordinance No. 30, 1938, authorizing the issuance and sale of bonds in order to obtain the funds with which to bring about and complete the construction and equipment of a new hangar and additional runways and taxi strips at the Indianapolis Municipal Airport, and the purchase of additional land thereat; and,

WHEREAS, it is necessary, under the provisions of Chapter 150 of the Acts of 1935, to afford taxpayers an opportunity to be heard and to object to the making of such additional appropriations and thereafter to obtain approval of the State Board of Tax Commissioners as to said additional appropriation;

NOW, THEREFORE,

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

Section 1. That the proceeds derived from the sale or sales of "City of Indianapolis Municipal Airport Bonds of 1938—First Issue," authorized by General Ordinance No. 30, 1938, adopted by the Common Council on the 18th day of April, 1938, are hereby appropriated to the Department of Public Works "Municipal Airport fund" and the same shall remain and shall be a continuing appropriation until the improvement at the Municipal Airport is brought about and paid for.

Section 2. The city clerk shall give the necessary notices to taxpayers and shall set the date upon which a hearing may be afforded to taxpayers to object to such additional appropriations, and said city clerk shall likewise forward a certified copy of this ordinance to the auditor of Marion County with the request that the same be forwarded to the State Board of Tax Commissioners as provided for by Chapter 150 of the Acts of 1935.

Section 3. This ordinance shall be in full force and effect immediately upon its passage and signing by the Acting Mayor.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 7, 1938

AN ORDINANCE of the "City of Indianapolis, Indiana, appropriating to the Department of Public Works the proceeds derived from the sale of "City of Indianapolis Relief Sewer Bonds of 1938—First Issue," provided for in General Ordinance No. 25, 1938, and fixing a time when the same shall take effect.

WHEREAS, the common council now finds that an extraordinary emergency exists for the appropriation of additional sums not provided for in existing budgets and levies in order to bring about an immediate needed improvement of the Colleve Avenue sewer system, which is now inadequate, overtaxed and which has become a nuisance and a menace to the health of all the citizens of the City of Indianapolis, and particularly those residing in the College Avenue area, and said common council in order to provide additional funds to meet this grave and acute emergency has adopted General Ordinance No. 25, 1938, for the purpose of authorizing the issuance and sale of bonds in order to obtain the funds with which to bring about the necessary improvement of the College Avenue sewer system; and,

WHEREAS, it is necessary, under the provisions of Chapter 150 of the Acts of the 1935 legislature, to afford taxpayers an opportunity to be heard with reference to said additional appropriation, and to afford them an opportunity to object to such additional appropriation, and likewise to obtain approval of the State Board of Tax Commissioners as to said additional appropriation,

NOW, THEREFORE,

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

Section 1. That the proceeds derived from the sale or sales of "City of Indianapolis Relief Sewer Bonds of 1938—First Issue" authorized by General Ordinance No. 25, 1938, adopted by the common council on the 4th days of April, 1938, be and the same hereby appropriated to the use of the Department of Finance Bond Proceeds Fund, and the proceeds of said bonds shall be used for no other purpose save for the improvement and repair of the College Avenue sewer system. Said appropriation shall continue and be in full force and effect until all things necessary to be done and accomplished to improve said College Avenue sewer system are finally brought about and paid for.

Section 2. The city clerk shall give notice to taxpayers as to a date on which said taxpayers shall have an opportunity to be heard, and shall likewise deliver a certified copy of this ordinance to the auditor of Marion County with the request that he forward the same to the State Board of Tax Commissioners, as provided for by Chapter 150 of the Acts of 1935.

Section 3. This ordinance shall be in full force and effect immediately upon its passage and signing by the Acting Mayor.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Board of Public Safety:

SPECIAL ORDINANCE No. 6, 1938

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis has determined that certain land, hereinafter described, is no longer necessary for the public use and that it would be to the best interests of said City of Indianapolis to dispose of said land by sale,

NOW, THEREFORE,

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

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

PARCEL "A"

(Fire Station No. 1—445 Indiana Avenue)

All of Lot 2 in Jos. M. Ray's Sub. Div. of Square No. 12 in the City of Indianapolis, Indiana, and part of Lot 1 in said Sub. Div. described as follows: Beginning at the southwest corner of said Lot 1 at a point on the east line of Indiana Avenue thence running northeastwardly on the line dividing said Lots 1 and 2 a distance of 32 feet; thence

west and parallel with the north line of said Lot 1 to a point on the east line of Indiana Avenue; thence southeast on said line of Indiana Avenue to the place of beginning.

PARCEL "B"

(Fire Station No. 6—533 West Washington Street)

Thirty (30) feet by parallel line off the west side of Lot No. 4 of Terry, Robertson & Willard's Sub. in Outlots 140 and 141 in the City of Indianapolis.

PARCEL "C"

(Fire Station No. 8—748 Massachusetts Avenue)

All that part of Lots 2 and 3 in John Wood's Sub. of Outlot 42, commencing at a point in the south line of St. Clair Street, 33 feet east of the northwest corner of said Lot No. 3; thence south on a line parallel with the west line of said Lot No. 3, 171'5" to a point on the north line of Massachusetts Avenue; thence northeast along the north line of said avenue 46'4" to a point; thence north on a line parallel with the east line of said Lot No. 3, 150'8" to a point on the south line of St. Clair Street; thence west along the south line of St. Clair Street 34'3" to the place of beginning.

PARCEL "D"

(Fire Station No. 16—1602 Ashland Avenue)

Lot No. 7 in Routh's Sub. of part of block 21, Johnson's Hrs. Add. to the City of Indianapolis, Indiana.

PARCEL "E"

(Southeast corner of Washington Street and Hawthorne Lane)

All of Lots 2 and 3 in Walker's Sunnyside Add. to the City of Indianapolis, Indiana.

That said real estate shall be sold at public or private sale, upon such notice, or notices, as the Board of Public Safety may determine. The conveyance of the above described real estate shall

be by the Mayor in the name of the City of Indianapolis, and attested by the City Clerk and with the seal of the city.

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 Public Safety.

By the Board of Health and Charities:

SPECIAL ORDINANCE No. 7, 1938

AN ORDINANCE accepting Twelve Hundred Twenty Dollars (\$1220.00) given to the Indianapolis City Hospital as the bequest of Mrs. Catherine E. Stolte, deceased, under the provisions of her will; establishing a fund denominated "Gifts to City Hospital Fund;" allocating said sum of Twelve Hundred Twenty Dollars (1220.00) to said established and denominated fund; and fixing a time when the same shall take effect.

WHEREAS, the following provision appears in the last will and testament of Mrs. Catherine E. Stolte, who died March 9, 1937:

"ITEM VIII

I hereby devise and bequeath all the rest and residue of my estate of whatsoever kind and nature, both real and personal, to which I am entitled, or which I may have the power to dispose of at my death unto the Indianapolis City Hospital and the Public Health Nursing Association of Indianapolis, share and share alike";

and,

WHEREAS, said will was duly probated and said estate has been fully administered upon and closed on May 7, 1938 by, the executor thereof, Frank Mellis; and,

WHEREAS, the amount to which the Indianapolis City Hospital is entitled under the provisions of said above designated last will and testament is a sum of Twelve Hundred Twenty Dollars (\$1220.00); and,

WHEREAS, there has been delivered to Dr. Charles W. Myers, present Superintendent of the Indianapolis City Hospital, a check for Twelve Hundred Twenty Dollars (\$1220.00) in payment and satisfaction of said above bequest to the Indianapolis City Hospital; and,

WHEREAS, it is deemed advisable that provision be made whereby future gifts, donations and bequests of money may be made by individuals for the specific purpose of aiding in the maintenance, operation and equipment of the Indianapolis City Hospital;

NOW, THEREFORE,

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

Section 1. That the said sum of Twelve Hundred Twenty Dollars (\$1220.00) as bequeathed by Mrs. Catherine E. Stolte, and received by Dr. Charles W. Myers, Superintendent of the Indianapolis City Hospital, as set out in the preamble of this ordinance, is hereby accepted by the City of Indianapolis for and on behalf of the Indianapolis City Hospital, for the purpose of being used and expended specifically in the maintenance, operation and equipment of said Indianapolis City Hospital, subject to future appropriation by the Common Council for said specific purposes.

Section 2. That said sum, as so accepted by Section 1 hereof, is hereby allocated to and made a part of the fund as established and denominated in Section 3 hereof.

Section 3. There is hereby established a fund of said city, hereby denominated "Donations to City Hospital Fund," to consist of future moneys received as gifts, bequests and donations to the Indianapolis City Hospital. Said established and denominated fund and any money which may be allocated to such fund shall be used for no other purpose than the maintenance, operation and equipment of the Indianapolis City Hospital. Expenditures for such purposed shall be made only after appropriation therefor by the Common Council. The City Treasurer and the City Controller shall set up said fund and carry the same on proper books and make due accounting thereof as in the case of other funds of the City of Indianapolis.

Section 4. 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 Public Health and Charities.

By the Board of Public Safety:

GENERAL ORDINANCE No. 46, 1938

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis designating and establishing a certain taxicab stand location in said city, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis has adopted an order designating and establishing a certain taxicab stand location as hereinafter appears, in conformance with Section 9 of General Ordinance No. 87, 1935 (as amended), and has submitted the same for approval to the Common Council;

NOW, THEREFORE,

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

Section 1. That the order of the Board of Public Safety of the City of Indianapolis, dated May 10, 1938, designating and establishing the following taxicab stand location in said city, be, and it hereby is, in all things approved, ratified and confirmed, to-wit:

A 20 ft. taxicab stand on the south side 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 the first time and referred to the Committee on Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE No. 47, 1938

AN ORDINANCE amending sub-section (c) of Section 45 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 9, 1929, and General Ordinance No. 55, 1935, 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 sub-section (c) of Section 45 of General Ordinance No. 96, 1928, as said ordinance is amended by General Ordinance No. 9, 1929, and General Ordinance No. 55, 1935, be amended to read as follows:

(c) Traffic shall enter only from the east and proceed only to the west upon the following named streets and alleys:

- (1) Court Street from New Jersey Street to West Street.
- (2) Pearl Street, from New Jersey Street to West Street.
- (3) Seventeenth Street, from Meridian Street to Illinois Street.

Section 2. 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 the Board of Public Safety:

GENERAL ORDINANCE No. 48, 1938

AN ORDINANCE prohibiting parking of vehicles on certain streets of the City of Indianapolis, 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 on the south side of Henry Street, from the east curb line of South Illinois Street to the west curb line of the first alley east, for a distance of approximately 168 feet.

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 49, 1938

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, by adding thereto sub-section (39), and fixing a time when the same shall take effect.

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

Section 1. That Section 44 of General Ordinance No. 96, 1928, be amended by adding thereto the following subsection (39), to-wit:

(39) Illinois Street at Twenty-second Street.

Section 2. 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 Mayor Boetcher:

GENERAL ORDINANCE No. 50, 1938

AN ORDINANCE authorizing the State Highway Commission of Indiana to improve a certain project in the City of Indianapolis, with Federal funds, and authorizing the Mayor of said city to enter into an agreement binding said city to maintain such improvements, providing for the future maintenance of said improvements and for the enactment of ordinances for protection of said improvements and the regulation of traffic thereon and 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 the consent of said City of Indianapolis is hereby given to the State Highway Commission of Indiana to improve with Federal funds, apportioned to the State of Indiana under Section 204 of the National Recovery Act, the following project in said city, to-wit:

For the improvement of the Brookville Road from 148 feet east of Irvington Avenue to the east corporation line of Indianapolis.

Section 2. That said city hereby forever pledges itself and its funds, after the construction of said improvements, at its own cost and expense, to maintain the same 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 improvements.

Section 3. The Mayor of said city is hereby authorized and empowered on behalf of said city 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 does hereby ratify and confirm each act of said Mayor done and performed under the authority hereof. Said agreement so to be executed by said Mayor of said city shall be in the form prescribed by the State Highway Commission and the Secretary of Agriculture.

Section 4. When said agreement or agreements are so executed on behalf of said city, 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 5. Said city during the course of the construction of said projects, at its own expense agrees to furnish and maintain such detours as may be necessary to detour traffic in said city around such construction; such detours to be approved by the State Highway Commission of Indiana.

Section 6. Said city agrees, at its own expense, to obtain additional right of way in said city (if any required) that may be necessary to construct such project or projects and to take such steps as may be necessary to compel any railroad, street railroad or public utility occupying such street or streets to put its tracks, poles, lines or other property in such street or streets in condition that such construction may be made. Said city, at its own expense and costs agrees to perform whatever work may be required to repair or reconstruct any sanitary sewers that may be necessitated by said improvement. As soon as the plans for said project are prepared and approved by the proper Federal authorities, a copy thereof shall be submitted to said city for its consideration. If after such plans are received by said city, it shall elect not to further proceed with such project or projects, said city shall immediately notify the State Highway Commission of its election.

Section 7. 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. Providing 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 8. This ordinance shall be in full force and effect from and after its passage.

APPROVED....., 1938

.....
Mayor

City of Indianapolis, Indiana.

Attest:

.....
Clerk of said City

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

ORDINANCES ON SECOND READING

Mr. Wallace called for Appropriation Ordinance No. 5, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, Appropriation Ordinance No. 5, 1938, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 5, 1938, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Oren called for Resolution No. 2, 1938, for second reading. It was read a second time.

On motion of Mr. Oren, seconded by Mr. Wallace, Resolution No. 2, 1938, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 2, 1938, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Carr called for General Ordinance No. 42, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Cable, General Ordinance No. 42, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 42, 1938, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Carr called for General Ordinance No. 43, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Kealing, General Ordinance No. 43, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 43, 1938, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Cable asked for suspension of the rules for further consideration and passage of General Ordinance No. 50, 1938. The motion was seconded by Mr. Wallace, and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, 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 16, 1938.

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. 50, 1938, entitled:

Improving Brookfield Road with Federal Funds

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

THEODORE CABLE, Chairman
ROSS H. WALLACE
SILAS J. CARR
WM. A. OREN
JOHN A. SCHUMACHER

ORDINANCE ON SECOND READING

Mr. Cable called for General Ordinance No. 50, 1938,
for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Kealing, Gen-
eral Ordinance No. 50, 1938, was ordered engrossed, read a
third time and placed upon its passage.

General Ordinance No. 50, 1938, was read a third time
by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr.
Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Presi-
dent Raub.

On motion of Mr. Schumacher, seconded by Mr. Wal-
lace, the Common Council adjourned at 8:30 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 16th day of May, 1938.

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

Edward B. Raut

President.

Attest:

Samuel J. Orvis Jr.

City Clerk.

(SEAL)