

REGULAR MEETING

Monday, June 6, 1938  
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, June 6, 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 six members, viz: Theodore Cable, Silas J. Carr, Adolph J. Fritz, Edward R. Kealing, William A. Oren, Ross H. Wallace.

Absent: Nannette Dowd, John A. Schumacher.

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

COMMUNICATIONS FROM CITY OFFICIALS

June 6, 1938.

Mr. Daniel J. O'Neill,  
City Clerk.

Dear Sir:

In re: Special Ordinance No. 8.

I am enclosing herewith copies of proposed special ordinance repealing Special Ordinance No. 3, 1938, and authorizing the sale and alienation of a certain triangular piece of ground on the south side of Prospect Street immediately west of the new opening of said street.

The purpose of this special ordinance is to correct the description of said parcel, and inasmuch as appraisers have been appointed by the circuit court the Board would appreciate if this said special ordinance could be passed under suspension of rules.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION,  
ERNEST F. FRICK,  
Executive Secretary.

June 6, 1938.

To the President, Members of the  
Common Council:

This is General Ordinance No. 51, 1938, effecting the re-zoning of property fronting Winthrop Avenue from 52nd St. to 54th St.

The Board of Zoning Appeals respectfully recommends its passage.

Sincerely,

V. B. McLEAY,  
Secretary-Engineer,  
BOARD OF ZONING APPEALS.

Mr. Oren asked for a recess. The motion was seconded by Mr. Wallace and the Council recessed at 7:35 p. m.

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

COMMITTEE REPORTS

Indianapolis, Ind., June 6, 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. 6, 1938, entitled:

Appropriating the proceeds of Airport Development Bonds.

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., June 6, 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. 7, 1938, entitled:

Appropriating proceeds of Relief Sewer Bonds

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

Indianapolis, Ind., June 6, 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. 46, 1938, entitled:

Taxi stand at Indiana and Senate Avenues

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

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

Indianapolis, Ind., June 6, 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. 47, 1938, entitled:

17th Street—one-way between Meridian and Illinois

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

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

Indianapolis, Ind., June 6, 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. 48, 1938, entitled:

Prohibited parking—Henry St. (S. S.)

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

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

Indianapolis, Ind., June 6, 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. 49, 1937, entitled:

Illinois St.—preferential at 22nd Street

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

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

Indianapolis, Ind., June 6, 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  
Special Ordinance No. 6, 1938, entitled:

Sale of real estate

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

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

Indianapolis, Ind., June 6, 1938.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred  
Special Ordinance No. 7, 1938, entitled:

Receiving \$1220.00 from the estate of Mrs. Stolte

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

ADOLPH J. FRITZ, Chairman  
THEODORE CABLE  
WM. A. OREN  
EDWARD R. KEALING

Indianapolis, Ind., June 6, 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  
Resolution No. 3, 1938, entitled:

Application for U. S. grant—grade crossing

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

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

Indianapolis, Ind., June 6, 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  
Resolution No. 4, 1938, entitled:

Application for U. S. grant—East Street improvement

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

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

Indianapolis, Ind., June 6, 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  
Resolution No. 5, 1938, entitled:

Application for U. S. grant—N. Y. St. bridge

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

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

Indianapolis, Ind., June 6, 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. 6, 1938, entitled:

Application for U. S. grant—38th St. bridge

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

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



## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Board of Public Works and Sanitation:

### GENERAL ORDINANCE No. 51, 1938

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, 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 Class U3 or Business District, the A3 or 2400 sq. ft. Area District and the H1 or 50 ft. Height District be and the same are hereby amended, supplemented and extended so as to include the following described territory:

Beginning at the intersection of the west property line of Winthrop Avenue with the north property line of 52nd Street, as the said streets are now located in the City of Indianapolis, Indiana, thence on and along the north property line of 52nd Street to a point on the north property line of 52nd Street 133.5 ft. west of the west property line of Winthrop Avenue, thence north on and along a line 133.5 ft. west of and parallel to the west property line of Winthrop Avenue to its intersection with the south property line of 54th Street, thence East on and along the south property line of 54th Street to the west right-of-way line of the Monon Railroad, thence south on and along the west right-of-way line of the Monon Railroad a distance of 100 ft. to a point, thence west along a line 100 ft. south of and parallel to the south property line of 54th Street and the production of said line to its intersection with the west property line of Winthrop Ave., thence south on and along the west property line of Winthrop Avenue to the point or place of beginning.

Section 2. That the U4 or First Industrial District, the A3 or 2400 sq. ft. Area District and the H1 or 50 ft. Height District be and the same are hereby amended, supplemented and extended so as to include the following described territory:

Beginning at a point, said point being the intersection of the east property line of Winthrop Avenue with the north property line of 52nd Street, as the said streets

are now located in the City of Indianapolis, Indiana, thence on and along the east property line of Winthrop Avenue to a point 100 ft. south of the south property line of 54th Street, thence along a line 100 ft. south of and parallel to the south property line of 54th Street to its intersection with the west right-of-way line of the Monon Railroad, thence on and along the west right-of-way line of the Monon Railroad to the north property line of 52nd Street, thence on and along the north property line of 52nd Street to the point or place of beginning.

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 Law and Judiciary.

By the City Plan Commission:

SPECIAL ORDINANCE No. 8, 1938

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis, repealing Special Ordinance No. 3, 1938, as amended, and revoking the power granted thereby, and fixing an effective date hereof.

WHEREAS, the Board of Public Works and Sanitation 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; and

WHEREAS, the Board of Public Works and Sanitation of said city has determined to sell other real estate than that described in Special Ordinance No. 3, 1938, as amended, and the real estate described in said Special Ordinance No. 3, 1938, as amended, not having been sold; and

WHEREAS, the said Board of Public Works and Sanitation does not now desire to sell said real estate, but desires to sell the real estate hereinafter set out in Section 1 of this ordinance;

NOW, THEREFORE,

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

Section 1. That the Board of Public Works and Sanitation 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:

A Parcel of Land being part of Lot No. 14 in Frank & Ryan's Subdivision, as recorded in Plat Book 4, at Page 169, in the office of the Recorder of Marion County, Indiana, being more particularly described as follows:

Beginning at a point, said point being on the south property line of Prospect Street ninety-two (92') feet east of the intersection of the south property line of Prospect Street and the east property line of Madison Avenue; thence east on and along the south property line of Prospect Street, a distance of twenty-one and twenty-nine hundredths (21.29') feet more or less to a point, said point being fourteen and seventy-one hundredths (14.71') feet more or less west of the northeast corner of the afore-described Lot No. 14; thence in a southwestwardly direction on a curve to the left, said curve having a radius of three hundred sixteen and fifty-seven hundredths (316.57') feet, a distance of fifteen and sixty-seven hundredths (15.67') feet more or less to a point; thence continuing southwestwardly on the tangent to the last described curve, a distance of ten and twenty-three hundredths (10.23') feet more or less to a point; thence north on and along a line, said line being measured at right angles to the south property line of Prospect Street, a distance of fourteen and seven tenths (14.7') feet more or less to the point or place of beginning.

That said real estate shall be sold at public or private sale, upon such notice, or notices as the Board of Public Works and Sanitation 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 said city.

Section 2. Special Ordinance No. 3, 1938, as amended, is hereby expressly and specifically repealed, and all power and au-

thority granted by said ordinance to sell the real estate described therein is hereby expressly and specifically revoked.

Section 3. 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 Works.

### ORDINANCES ON SECOND READING

Mr. Wallace called for Appropriation Ordinance No. 6, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, Appropriation Ordinance No. 6, 1938, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 6, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 7, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, Appropriation Ordinance No. 7, 1938, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 7, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Cable, Mr. Carr, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Noes, 1, viz: Mr. Fritz.

Mr. Carr called for General Ordinance No. 46, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 46, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 46, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 47, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Cable, General Ordinance No. 47, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 47, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 48, 1938, for second reading. It was read a second time.

Mr. Carr presented the following written motion to amend General Ordinance No. 48, 1938:

Indianapolis, Ind., June 6, 1938.

Mr. President:

I move that General Ordinance No. 48, 1938, be amended as follows:

By striking out the words "The first alley east" in line 5 of Section 1 and substituting in lieu thereof the following:

"Meridian Street"

SILAS J. CARR, Councilman.

The motion was seconded by Mr. Wallace, and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

On motion of Mr. Carr, seconded by Mr. Kealing, General Ordinance No. 48, 1938, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 48, 1938, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 49, 1938 for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Kealing, General Ordinance No. 49, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 49, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Cable called for Resolution No. 3, 1938, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Wallace, Resolution No. 3, 1938, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 3, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Cable called for Resolution No. 4, 1938, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Wallace, Resolution No. 4, 1938, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 4, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Cable called for Resolution No. 5, 1938, for second reading. It was read a second time.

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

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

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for Special Ordinance No. 6, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, Special Ordinance No. 6, 1938, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 6, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Fritz called for Special Ordinance No. 7, 1938, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mr. Wallace, Special Ordinance No. 7, 1938, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 7, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for Resolution No. 6, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, Resolution No. 6, 1938, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 6, 1938, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Cable asked for suspension of the rules for further consideration and passage of Special Ordinance No. 8, 1938. The motion was seconded by Mr. Wallace and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.



## COMMITTEE REPORT

Indianapolis, Ind., June 6, 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  
Special Ordinance No. 8, 1938, entitled:

Authorizing the sale, alienation and conveyance of cer-  
tain land and repealing Special Ordinance No. 3, 1938,  
as amended.

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

## ORDINANCE ON SECOND READING

Mr. Cable called for Special Ordinance No. 8, 1938,  
for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Wallace,  
Special Ordinance No. 8, 1938, was ordered engrossed, read  
a third time and placed upon its passage.

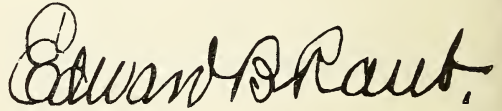
Special Ordinance No. 8, 1938, was read a third time  
by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr.  
Kealing, Mr. Oren, Mr. Wallace, President Raub.

On motion of Mr. Wallace, seconded by Mr. Kealing,  
the Common Council adjourned at 8:35 p. m.

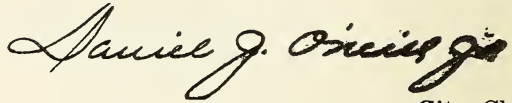
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 6th day of June, 1938, at 7:30 p. m.

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



President.

Attest:



City Clerk.

(SEAL)