

## REGULAR MEETING

Monday, August 7, 1939  
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, August 7, 1939, at 7:30 P. M. in regular session. President Joseph G. Wood in the chair.

The clerk called the roll.

Present: Ollie A. Bach, Harmon A. Campbell, Albert O. Deluse, Dr. Walter E. Hemphill, Ralph F. Moore, F. B. Ransom, Ernest C. Ropkey, President Joseph G. Wood.

Absent: Guy O. Ross.

The reading of the journal for the previous meeting was dispensed with on motion of Mr. Bach, seconded by Mr. Deluse.

## COMMUNICATIONS FROM THE MAYOR

July 19, 1939

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

Gentlemen:

I have this day approved with my signature and delivered to Mr. John M. Layton, City Clerk, the following ordinances:

### GENERAL ORDINANCE No. 48, 1939

AN ORDINANCE prohibiting parking of vehicles upon certain streets of the City of Indianapolis, providing a penalty for the violation thereof, repealing Section 2 of General Ordinance No. 14, 1939; and fixing a time when the same shall take effect.

## SPECIAL ORDINANCE NO. 6, 1939

AN ORDINANCE changing the names of certain streets and naming certain unnamed public ways in the City of Indianapolis, and fixing a time when the same shall take effect.

## RESOLUTION NO. 5, 1939

A RESOLUTION approving and authorizing the expenditure, during the current fiscal year, ending December 31, 1939, of the aggregate amount of One Thousand Dollars (\$1,000), or any part thereof, out of Fund No. 26-1-Mayor's Contingent Fund, as set out under the 1939 budget of the Department of Finance—City Controller, for the purposes specified in the preamble hereof, i. e.:

WHEREAS, the services of an engineer and accountants have been required to intelligently consider the proposal for the purchase of the Indianapolis Water Company by the City of Indianapolis, etc.

## GENERAL ORDINANCE 33, 1939

(As Amended)

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, by adding sub-section 45 thereto, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE No. 40, 1939

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.

## GENERAL ORDINANCE No. 45, 1939

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-sections (41) (42), and (43), and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 46, 1939

AN ORDINANCE amending Section 45 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 9, 1929, General Ordinance No. 55, 1935, General Ordinance No. 47, 1938, and General Ordinance No. 17, 1939, by adding thereto an additional sub-section (f), and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,  
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

August 7, 1939

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

Gentlemen:

Attached hereto are eighteen copies of Appropriation Ordinance No. 8, 1939, appropriating the sum of \$479.25 from the unexpended and unappropriated 1938 balance of the General Fund of the Department of Health and Charities, and allocating the same to certain designated funds of said department.

I respectfully recommend the passage of this ordinance.

Respectfully submitted,

DEPARTMENT OF FINANCE,  
James E. Deery  
City Controller

August 7, 1939]

August 7, 1939

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

Gentlemen:

Attached please find copies of General Ordinance No. 55, 1939, transferring moneys from a certain fund in the Radio Division of the Police Department budget of the Board of Public Safety and reappropriating the same to other funds of said Radio Division.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,  
City Controller

July 27th, 1939

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

Gentlemen:

Attached hereto are 18 copies of General Ordinance No. 56, authorizing the Board of Health, through its duly appointed Purchasing Agent, to purchase \$3,500.00 worth of canned goods, and coal in the amount of \$35,000 for the Indianapolis City Hospital.

These bids were duly advertised according to law and opened in public before the Board of Health at 10:00 A. M. Monday July 24th, 1939, and after being duly considered by the Board, the awards were made to the lowest and best bidders.

The Purchasing Agent respectfully recommends the passage of this ordinance.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE  
Albert H. Losche,  
Purchasing Agent

August 5, 1939

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

Gentlemen:

Submitted herewith is General Ordinance No. 57, 1939, prohibiting the parking of vehicles upon a certain part of Emerson Avenue.

Respectfully submitted,

ERNEST C. ROPKEY,  
Member of the Common Council

August 3, 1939

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

Gentlemen:

Submitted herewith is General Ordinance No. 58, 1939, limiting parking on certain streets and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
By L. J. Keach,  
President.

Mr. Moore asked for a recess. The motion was seconded by Dr. Hemphill and the Council recessed at 7:50 P. M.

The Council reconvened at 9:25 P. M. with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., August 7, 1939

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, 1939, entitled:

AN ORDINANCE regulating the parking of vehicles upon  
the streets of the City of Indianapolis.

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

ALBERT O. DELUSE, Chairman  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., August 7, 1939

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, 1939, entitled:

AN ORDINANCE amending Section 43 of General Ordinance No. 96-1928, as amended by General Ordinance No. 9-1939, General Ordinance No. 55, 1935, General Ordinance No. 47-1938, General Ordinance No. 17, 1939, and General Ordinance No. 46-1939, by adding thereto an additional sub-section (g)

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

ALBERT O. DELUSE, Chairman  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., August 7, 1939

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. 50, 1939, entitled:

AN ORDINANCE providing for certain licenses;  
beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

ERNEST C. ROPKEY, Chairman  
F. B. RANSOM  
ALBERT O. DELUSE  
OLLIE A. BACH

Indianapolis, Ind., August 7, 1939

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. 51, 1939, entitled:

AN ORDINANCE amending Section 44, of General Ordinance No. 96-1928, as amended, by adding thereto subsection (44)

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

ALBERT O. DELUSE, Chairman  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., August 7, 1939

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. 52, 1939, entitled:

AN ORDINANCE regulating the parking of vehicles upon  
the streets of the City of Indianapolis

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

ALBERT O. DELUSE, Chairman  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., August 7, 1939

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. 53, 1939, entitled:

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

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

ALBERT O. DELUSE, Chairman  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE



Indianapolis, Ind., August 7, 1939

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. 54, 1939, entitled:

AN ORDINANCE providing for the regulation of the deposit of refuse matter upon private property, the payment of fees and the granting of permits, providing for penalties for violation thereof;

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

ERNEST C. ROPKEY, Chairman  
F. B. RANSOM  
ALBERT O. DELUSE  
OLLIE A. BACH

Indianapolis, August 7, 1939

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. 7, 1939, entitled:

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis

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

F. B. RANSOM, Chairman  
ERNEST C. ROPKEY  
ALBERT O. DELUSE

On motion of Mr. Ropkey, seconded by Mr. Bach, the rules were suspended to permit the introduction of Appropriation Ordinance No. 8, 1939.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

### APPROPRIATION ORDINANCE NO. 8, 1939

AN ORDINANCE appropriating Four Hundred and Seventy-nine Dollars and Twenty-five Cents (\$479.25) from the unappropriated and unexpended 1938 balance of the general fund of the Department of Health and Charities and allocating the same to certain designated funds of said department, and fixing a time when the same shall take effect.

WHEREAS, there remain due and unpaid certain debts and obligations which were incurred during the year 1938 and which are chargeable against certain funds of the Department of Health and Charities of the City of Indianapolis; and

WHEREAS, an emergency exists in that payment of said unpaid 1938 bills should be made in order to avoid a multiplicity of collection suits against the City and it is deemed essential and expedient to pay said bills in order to avoid such lawsuits and litigation, NOW THEREFORE.

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

Section 1. That the sum of Four Hundred and Seventy-nine Dollars and Twenty-five Cents (\$479.25) is hereby appropriated from the unappropriated and unexpended 1938 balance of the General Fund of the Department of Health and Charities of the City of Indianapolis and allocated to the following designated funds of said Department as per 1939 budget classification for the payment of unpaid 1938 bills:

## DEPARTMENT OF HEALTH AND CHARITIES

Fund No. 25—Repairs.....	\$ 18.00
Fund No. 31—Food.....	63.75
Fund No. 33—Garage and Motor.....	36.82
Fund No. 34—Institutional, Medical and Janitor .....	347.88
Fund No. 38—General Supplies.....	12.80
	<hr/>
	\$479.25

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.

## INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

## GENERAL ORDINANCE NO. 55, 1939

AN ORDINANCE transferring moneys from a certain fund in the Radio Division of the Police Department budget of the Board of Public Safety and reappropriating the same to other funds of said Radio Division, and fixing a time when the same shall take effect.

WHEREAS, several funds in the Radio Division of the Police Department budget of the Board of Public Safety are insufficient to meet the needs of the remaining months of this year; and

WHEREAS, the Board of Public Safety has heretofore approved Chief Morrissey's recommendation for the transfer of moneys from a certain fund hereinafter named to said funds; and

WHEREAS, an extraordinary emergency has arisen in that unless such transfers are made the Radio Division of the Police Department will not be able to operate at the fullest efficiency; and

WHEREAS, it is of the utmost importance that said division of the Police Department operate efficiently and to the fullest extent for the remainder of this year, NOW, THEREFORE,

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

Section 1. That the sum of Fifty Dollars (50.00) now in the following fund:

DEPARTMENT OF PUBLIC SAFETY  
POLICE RADIO

Fund No. 46—Radio parts

be and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated funds in the amounts specified:

DEPARTMENT OF PUBLIC SAFETY  
POLICE RADIO

Fund No. 24—Printing and Advertising.....	\$25.00
Fund No. 34—Janitor Supplies.....	25.00
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Total.....	\$50.00

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.

By the Department of Public Purchase:

GENERAL ORDINANCE NO. 56, 1939

AN ORDINANCE authorizing the Board of Health of the City of Indianapolis, through its duly authorized purchasing agent, to purchase materials, supplies and merchandise to be used in the operation of the Indianapolis City Hospital, 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 Board of Health of the City of Indianapolis, through its duly authorized purchasing agent, be and it is hereby authorized to purchase the hereinafter designated materials, supplies and merchandise to be used in the operation of the City Hospital, to-wit:

Requisition No. 6196—Canned Goods.....\$3,500.00

Requisition No. 6170—Coal (approximately  
1100 tons required monthly).....\$35,000 00

Section 2. That said purchases shall be made from the lowest and best bidders thereon whose bids have been received after a published advertisement for competitive bids therefor, according to law, and the total cost of the same shall not exceed the sum of money hereinbefore set out.

Section 3. That the purchase price for said above named materials, supplies and merchandise shall be paid out of funds heretofore appropriated to the Department of Public Health and Charities for the year 1939.

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 Councilman Ernest C. Ropkey:

GENERAL ORDINANCE NO. 57, 1939

AN ORDINANCE prohibiting the parking of vehicles upon a certain part of Emerson Avenue, a street in 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 west side of Emerson Avenue between Michigan and East Tenth Streets in the City of Indianapolis.

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 Pubic Safety:

GENERAL ORDINANCE NO. 58, 1939

AN ORDINANCE regulating the parking of vehicles upon certain streets of the City of Indianapolis, providing a penalty for 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, on any day except Sunday or on a holiday, to park the same or suffer, permit or allow the same to be parked for a longer period than one and one-half hours between the hours of 7:00 A. M. and 6:00 P. M. on the following streets in the City of Indianapolis, to-wit:

- (a) Both sides of Park Avenue between Michigan Street and Massachusetts Avenue,
  
- (b) Both sides of North Street between East and Noble Streets.

Section 2. It shall be unlawful for the operator of any vehicle, on any day except Sunday or on a holiday, to park the same or suffer, permit or allow the same to be parked for a longer period than twenty (20) minutes between the hours of 7:00 A. M. and 6:00 P. M. on the following streets in the City of Indianapolis, to-wit:

- (a) On the east side of Meridian Street between Pearl and Washington streets.
  
- (b) On the east side of Pennsylvania Street between Maryland and Ohio Streets.
  
- (c) On the north side of Washington Street between Delaware and Pennsylvania Streets.
  
- (d) On both sides of Virginia Avenue between Delaware and Washington Streets.
  
- (e) On both sides of Market Street between Delaware Street and Monument Circle.

Section 3. 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 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.

## ORDINANCES ON SECOND READING

Mr. Deluse called for General Ordinance No. 47, 1939, for second reading. It was read a second time.

Mr. Deluse presented the following written motion to amend General Ordinance No. 47, 1939:

Indianapolis, Ind. Aug. 7, 1939

Mr. President:

I move that section 2 of General Ordinance No. 47, 1939, be amended by adding thereto after the word "Merrill Street" at the end of said section 2, the following:

"except on the west side of Illinois Street south from the south curb line of South Street to a point 96' 6" south of the south curb line of Henry Street."

Respectfully submitted

ALBERT O. DELUSE,  
Councilman

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

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 47, 1939, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 47, 1939, as amended, was read a third time by the clerk and passed by the following roll call vote:



Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 49, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 49, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 49, 1939, was read a third time by the Clerk and passed by the following roll call vot:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 51, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 51, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 51, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

At this time Mr. Campbell made a motion to disregard the Committee Report on General Ordinance No. 50, 1939, which motion was seconded by Dr. Hemphill, and some time was given to open debate on the question.

The motion failed by the following roll call vote:

Ayes, 3, viz: Mr. Campbell, Dr. Hemphill, Mr. Moore.

Noes, 5, viz: Mr. Bach, Mr. Deluse, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 52, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 52, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 52, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Deluse called for General Ordinance No. 53, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 53, 1939, was ordered engrossed, read a third time by the Clerk, and placed upon its passage.

General Ordinance No. 53, 1939, was read a third time by the Clerk, and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Ransom called for Special Ordinance No. 7, 1939, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Deluse, Special Ordinance No. 7, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

Special Ordinance No. 7, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Bach, Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ropkey, President Wood.

Noes, 2, viz: Mr. Campbell, Dr. Hemphill.

At this time those present were given an opportunity to speak further on the matter of General Ordinance No. 50, 1939.

#### MISCELLANEOUS BUSINESS

Dr. Hemphill presented the following written motion relative to the purchase of the Water Company by the City:

Indianapolis, Ind., August 7, 1939

Mr. President

I move that the President of the Council appoint a Committee from the membership of the Council's committees on Election, Judiciary, and Finance, to investigate the feasibility and possibility of setting up a machinery for conducting a referendum on the question of whether or not the city of Indianapolis should purchase the Water Company for the price asked.

Respectfully submitted

DR. WALTER E. HEMPHILL,  
Councilman

The motion was seconded by Mr. Campbell but failed of passage by the following roll call vote:

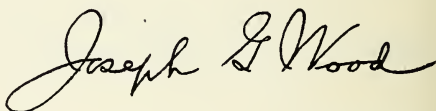
Ayes, 4, viz: Mr. Bach, Mr. Campbell, Dr. Hemphill, Mr. Moore.

Noes, 4, viz: Mr. Deluse, Mr. Ransom, Mr. Ropkey, President Wood.

General Ordinance No. 50, 1939 and No. 54, 1939, were held for further consideration by the Committees to whom they were referred.

On motion of Mr. Deluse, seconded by Mr. Bach, the Common Council adjourned at 10:15 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)