

REGULAR MEETING

Monday, May 20, 1940
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, May 20, 1940, 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, F. B. Ransom, Ernest C. Ropkey, President Joseph G. Wood.

Absent: Ralph F. Moore, Guy O. Ross.

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

COMMUNICATIONS FROM THE MAYOR

May 9, 1940.

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. 31, 1940

AN ORDINANCE to amend Section 49 of General Ordinance No. 121, 1925, known as the Municipal Code of Indianapolis 1925; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 32, 1940

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-sections (52) and (53); and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 33, 1940

AN ORDINANCE prohibiting parking on certain streets in the City of Indianapolis; regulating parking on a certain part of East Tenth Street in said city; providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

PROOF OF POSTING OF NOTICE OF HEARING ON
ADDITIONAL APPROPRIATION

STATE OF INDIANA }
COUNTY OF MARION }^{ss:}

John M. Layton, being first duly sworn, upon his oath deposes and says:

That he did, on the 10th day of May, 1940, post in three public places in the City of Indianapolis a copy of the attached notice of hearing on additional appropriation; that said notice was posted at the following places:

1. In a corridor of the Police Headquarters Building.
2. Bulletin Board at City Hall.
3. South door of Marion County Courthouse.

JOHN M. LAYTON.

Subscribed and sworn to before me this 10th day of May, 1940.

ANNA F. HAMMERBECK,
Notary Public.

My commission expires April 15, 1942.

NOTICE TO TAXPAYERS OF HEARING ON ADDITIONAL
APPROPRIATION CITY OF INDIANAPOLIS

The taxpayers of the City of Indianapolis are hereby notified that the Common Council of said city will on May 20, 1940, hold a public hearing on the matter of an additional appropriation in the amount

of \$608,000.00 to provide for the payment of the principal of outstanding bonds of the city which mature and are payable on July 1, 1940. Said appropriation is in addition to all existing appropriations and items provided for in the existing budget, and is made necessary by reason of the fact that sufficient provision was not made for the payment of said maturing bonds and no funds are available for the payment of the same. Funds to meet such appropriation will be provided for by the issuance of refunding bonds heretofore authorized by the Council.

Said public hearing will be held at the Council Chambers in the City Hall on the above named date, at the hour of seven-thirty o'clock P. M., at which time all taxpayers may appear and be heard on the question of the necessity for said additional appropriation.

Dated this 10th day of May, 1940.

CITY OF INDIANAPOLIS,
JOHN M. LAYTON,
City Clerk.

May 20, 1940.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 5, 1940, appropriating the sum of Ten Thousand (\$10,000.00) Dollars from the unexpended and unappropriated 1939 balance of the general fund to the Flood Prevention Sinking Fund.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

May 20, 1940]

May 20, 1940.

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

Gentlemen:

Attached hereto are twenty copies of General Ordinance No. 40, 1940, amending General Ordinance No. 114, 1922, known as the Zoning Ordinance.

Very truly yours,

GEORGE F. ROOKER,
Secretary-Engineer, City Plan Commission.

May 20, 1940.

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

Gentlemen:

Attached hereto please find 20 copies of General Ordinance No. 41, 1940.

This ordinance provides for the transfer of \$2,100.00 from Fund No. 26-B-W. P. A., to Fund 11—Salaries and Wages, Regular, to be used for salary for an assistant to the Director of Recreation and additional clerical aid in the office.

The Board of Park Commissioners respectfully recommends the passage of this ordinance.

Very truly yours,

BOARD OF PARK COMMISSIONERS,
M. E. GRIFFIN,
Secretary.

May 20, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 42, 1940, establishing a four cab taxi stand on Pennsylvania Street at first alley south of Ninth Street, and abolishing the two car taxi stand now on Delaware Street in front of the Barton Hotel, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
L. J. KEACH,
President.

May 20, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 43, 1940, prohibiting parking at all times on the south side of East Tenth Street between Cornell and College Avenues, and we respectfully recommend its passage.

Respectfully recommended,

BOARD OF PUBLIC SAFETY,
L. J. KEACH,
President.

May 20, 1940]

May 20, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 44, 1940, making the first alley south of Prospect Street from Olive Street to Shelby Street a one-way alley for west-bound traffic only, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
L. J. KEACH,
President.

May 20, 1940.

To the Honorable President & Members
of the Common Council of
the City of Indianapolis.

Gentlemen:

Attached please find 20 copies of Special Ordinance No. 5, 1940, authorizing the sale, alienation and conveyance of certain real estate by the Board of Public Works and Sanitation, City of Indianapolis.

The Board having determined that the hereinafter described real estate heretofore acquired by the City of Indianapolis is no longer deemed necessary for public use and should be sold. Said real estate is more particularly described as follows, to wit:

East ½ of Lot No. 1 in J. Thies Sub. of A. E. Fletcher's 1st Addition, known as 1239 Massachusetts Avenue.

The Board of Public Works and Sanitation recommends the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC WORKS & SANITATION,
M. H. WALPOLE,
Executive Secretary.

May 20, 1940.

To the Honorable President & Members
of the Common Council of
the City of Indianapolis.

Gentlemen:

Attached please find 20 copies of Resolution No. 1, 1940, approving, confirming and ratifying a certain permit granted by the Board of Public Works and Sanitation of the City of Indianapolis, by its written order entered on the 10th day of May, 1940, to Indianapolis Railways, Inc., under and pursuant to the provisions of the agreement entered into by the city of Indianapolis and Indianapolis Railways, Inc., dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936.

The Board of Public Works and Sanitation recommends the passage of this resolution.

Very truly yours,

BOARD OF PUBLIC WORKS & SANITATION,
M. H. WALPOLE,
Executive Secretary.

OTHER COMMUNICATIONS

FILING OF PETITIONS

Petitions bearing the signature of more than one hundred and forty-eight (148) persons purporting to own taxable real estate in the City of Indianapolis were filed, which petitions requested the Common Council to cause to be issued bonds of the City of Indianapolis in the total sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00), for the purpose of providing funds to be used as follows: for the purpose of procuring funds to be used in paying the costs of construction, reconstruction, relocation and otherwise improving certain storm and sanitary sewers located within the City of Indianapolis. Said petitions were verified by more than one of the signers thereof and there was attached to said petitions a certificate of the Auditor of Marion County, Indiana, to the effect that 139 of such petitioners are owners of taxable real estate in the City of Indianapolis.

Said petitions, omitting the signatures thereon, were in the following words and figures:

PETITION FOR ISSUANCE OF BONDS

Counterpart No. 1

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

We, the undersigned, being the owners of taxable real estate within the boundaries of the City of Indianapolis, Indiana, hereby petition the common Council of said City of Indianapolis to authorize and issue the bonds of the City of Indianapolis in whatever amount is required to provide all necessary funds to pay either the entire cost or the proportionate share of the cost chargeable to the City of Indianapolis for bringing about the rehabilitation of certain of the storm and sanitary sewers located within the limits of said City of Indianapolis, by the construction, reconstruction, relocation, and otherwise improving the same, either by private contract, in whole or in part, or in co-operation with and in conjunction with the Work Projects Administration of the United States Government, in whole or in part, and in general to pay for all other costs incidental thereto, under and pursuant to the resolutions of the Board of Public Works and Sanitation of the City of Indianapolis pertaining to such sewer rehabilitation program.

This certificate may be circulated in several counterparts and all such counterparts are to be considered as constituting one petition.

The form of verifications on said petitions was as follows:

STATE OF INDIANA }
COUNTY OF MARION } ss:

BEING FIRST DULY SWORN UPON OATH SAYS: That he is the owner of taxable real estate located within the City of Indianapolis and is one of the signers of a petition addressed to the Common Council of the City of Indianapolis, Indiana, requesting the issuance of bonds of said City of Indianapolis for the purpose of obtaining funds to pay for the City's share, in whole or in part, in bringing about the rehabilitation of certain of the city's storm and sanitary sewers; that all the signatures appearing on the attached counterpart of said petition were affixed in h..... presence and are true and lawful signatures of the persons signing this counterpart.

Subscribed and sworn to before me this.....day of....., 1940.

.....
Notary Public.

My commission expires

A copy of the certificate of the Auditor of Marion County attached thereto is as follows:

STATE OF INDIANA }
COUNTY OF MARION } ss:

I, Glenn B. Ralston, the duly elected, qualified and acting Auditor of Marion County, Indiana, hereby certify that I have examined the eight counterparts of a petition addressed to the Common Council of the City of Indianapolis, requesting said Council to authorize and issue the bonds of said city for the purpose of procuring funds to be used in paying the costs of construction, reconstruction, relocation and otherwise improving certain storm and sanitary sewers located within the City of Indianapolis.

I further certify that I have checked the signatures on the various counterparts of said petition with the tax records in my office, and that all the counterparts of said petition are verified by affidavits of the owners of taxable real estate located within the corporate limits of the City of Indianapolis, and that said petition is signed by 139 owners of taxable real estate located within the corporate limits of the City of Indianapolis.

IN WITNESS WHEREOF, I have set my hand and seal this 15th day of April, 1940.

GLENN B. RALSTON,
Auditor of Marion County, Indiana.
By Chief Deputy Transfer Clerk.

The above was filed in the office of the City Clerk under date of May 6, 1940.

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

Mr. Bach made a motion that the Council recess. The motion was seconded by Mr. Ropkey and the Council recessed at 7:55 P. M.

The Council reconvened at 10:30 P. M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., May 20, 1940.

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
General Ordinance No. 91, 1939, entitled:

AN ORDINANCE defining certain terms; prohibiting the
sale of adulterated, misbranded, or ungraded milk or
milk products; providing for the issuance of licenses and
fees to be charged therefor; providing for the grading
of milk and the inspection of dairy farms and milk
plants; providing for the labeling and placarding of milk
and milk products; prohibiting the sale of all milk or
milk products to certain persons after May 16, 1940,
except grade "A" pasteurized milk; providing for cer-
tain duties of the health officer of Indianapolis; provid-
ing for the repeal of certain ordinances and all ordi-
nances in conflict herewith; providing for certain pen-
alties;

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

OLLIE A. BACH
ALBERT O. DELUSE
WALTER E. HEMPHILL
HARMON A. CAMPBELL

Indianapolis, Ind., May 20, 1940.

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 Appro-
priation Ordinance No. 4, 1940, entitled:

AN ORDINANCE of the City of Indianapolis, Indiana, ap-
propriating the sum of Six Hundred Eight Thousand
Dollars (\$608,000) from the proceeds of sale of certain

refunding bonds, for the payment of certain outstanding bonds of said city not provided for in existing budgets and levies;

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

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

Indianapolis, Ind., May 20, 1940.

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. 29, 1940, entitled:

AN ORDINANCE regulating the parking of vehicles on certain streets in the City of Indianapolis, providing a penalty for the violation thereof.

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

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

Indianapolis, Ind., May 20, 1940.

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. 34, 1940, entitled:

AN ORDINANCE authorizing the Board of Public Safety to purchase, by and through its purchasing agent, certain materials, supplies and merchandise;

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

Indianapolis, Ind., May 20, 1940.

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. 35, 1940, entitled:

AN ORDINANCE amending A-505 of Section 865, known as the Indianapolis Building Code of 1925, of General Ordinance No. 121, 1925, as amended, by adding thereto certain sub-sections lettered (l), (m), (n), (o), and (p)

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

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

Indianapolis, Ind., May 20, 1940.

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. 36, 1940, entitled:

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis designating

and establishing taxicab stands at certain locations in said city, providing regulations for the occupancy of said taxicab stands; providing a penalty;

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

Indianapolis, Ind., May 20, 1940.

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. 37, 1940, entitled:

AN ORDINANCE regulating the parking of vehicles on certain streets in the City of Indianapolis, providing a penalty for the violation thereof,

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

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

Indianapolis, Ind., May 20, 1940.

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. 38, 1940, entitled:

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said city, designated "City of Indianapolis Public Works Bonds of 1940," including all matters pertaining thereto;

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

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

Indianapolis, Ind., May 20, 1940.

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. 39, 1940, entitled:

AN ORDINANCE to amend Sections 697, 701 and 702 of
General Ordinance No. 121, 1925, as amended;

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

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

Indianapolis, Ind., May 20, 1940.

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. 1, 1940, entitled:

AN ORDINANCE changing the names of certain streets and
naming certain unnamed public ways in the City of
Indianapolis;

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

F. B. RANSOM, Chairman
ERNEST C. ROPKEY
ALBERT O. DELUSE
WALTER E. HEMPHILL
HARMON A. CAMPBELL

Indianapolis, Ind., May 20, 1940.

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

Gentlemen:

We, your Committee on Parks, to whom was referred Special Ordinance No. 3, 1940, 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 stricken from the files.

ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL

Indianapolis, Ind., May 20, 1940.

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. 4, 1940, entitled:

AN ORDINANCE annexing certain contiguous territory to 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
WALTER E. HEMPHILL
HARMON A. CAMPBELL

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 5, 1940

AN ORDINANCE appropriating the sum of Ten Thousand Dollars (\$10,000) from the unexpended and unappropriated 1939 balance of the general fund of the City of Indianapolis, Indiana, to the Flood Prevention Sinking Fund of said city; and fixing a time when the same shall take effect.

WHEREAS, a preponderance of Flood Prevention Bonds of the City of Indianapolis which mature during the fiscal year 1940, mature on July 1, 1940, before the fall distribution of taxes; and

WHEREAS, the spring distribution of taxes to the City of Indianapolis, levied and appropriated for the purpose of paying said bonds is insufficient in the approximate sum of Ten Thousand Dollars (\$10,000); and

WHEREAS, it is determined that an extraordinary emergency exists for the appropriation of Ten Thousand Dollars (\$10,000) to the Flood Prevention Sinking Fund in order to pay said bonds at date of maturity and preserve the credit of the City of Indianapolis; NOW, THEREFORE,

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

Section 1. That the sum of Ten Thousand Dollars (\$10,000) be and the same is hereby appropriated from the unappropriated and unexpended 1939 balance of the general fund of the City of Indianapolis to the Flood Prevention Sinking Fund of said 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 Finance.

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE No. 40, 1940

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

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

Section 1. That the U-2 or apartment house district, the A-5 or 600 sq. ft. area district, and the H-3 or 108 ft. height district, be and the same is hereby amended, supplemented, and extended so as to include the following described territory.

Beginning at the intersection of the east property line of North East Street and the south property line of E. Vermont Street, thence east on and along the south property line of E. Vermont Street to the west property line of Park Avenue, thence south on and along the west property line of Park Avenue to the north property line of the first alley north of New York Street, thence west on and along the north property line of the first alley north of New York Street to the east property line of East Street, thence north on and along the east property line of East Street to the south property line of Vermont Street, the point or place of beginning.

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 City Plan Commission.

By the Board of Park Commissioners:

GENERAL ORDINANCE No. 41, 1940

AN ORDINANCE transferring the sum of Twenty-one Hundred Dollars (\$2100.00) from a certain fund in the budget of the Board of Park Commissioners to a certain other designated fund of said Board, and fixing a time when the same shall take effect.

WHEREAS, a certain fund in the Board of Park Commissioners' budget is insufficient to meet the needs for the remaining months of the year 1940; and

WHEREAS, the Board of Park Commissioners has heretofore determined that an assistant to the Director of Recreation and additional office help are deemed necessary and should be employed at this time, by reason of the increased activities of said board in the field of recreation throughout the entire City Park and Playground system; and

WHEREAS, an extraordinary emergency has arisen in that unless a transfer of funds is made at this time, the Department of Recreation will be undermanned and will not be able to operate at the fullest efficiency; and

WHEREAS, it is of the utmost importance that said Department of Recreation and its said increased activities should not be curtailed; NOW, THEREFORE,

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

Section 1. That the sum of Twenty-one Hundred Dollars (\$2100.00), now in the following fund of the 1940 budget:

BOARD OF PARK COMMISSIONERS

Fund No. 26-B—Work Projects Administration—\$2100.00
be and the same is hereby transferred therefrom and re-appropriated and re-allocated to the following designated fund in the amount specified:

BOARD OF PARK COMMISSIONERS

Fund No. 11—Salaries and Wages, Regular—\$2100.00

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 Parks.

By the Board of Public Safety:

GENERAL ORDINANCE No. 42, 1940

AN ORDINANCE approving an order of the Board of Public Safety to establish a certain taxicab stand and to abolish another certain taxicab stand adopted pursuant to Section 9 of General Ordinance No. 87, 1935, as amended; 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 to establish a certain taxicab stand and to abolish another taxicab stand, both hereinafter described, pursuant to Section 9 of General Ordinance No. 87, 1935, as amended; NOW, THEREFORE,

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

Section 1. That the said order of the said Board of Public Safety of the City of Indianapolis shall be and is hereby approved so as to establish a taxicab stand for the number of cabs as hereinafter designated and situated as follows, to-wit:

- (a) On the west side of North Pennsylvania Street, starting at a point twenty-five (25) feet south of the first alley north of Ninth Street and extending south to a point seventy-five (75) feet—4 cabs.

Section 2. That the said order of the said Board of Public Safety of the City of Indianapolis shall be and is hereby approved so as to abolish a taxicab stand for the number of cabs as hereinafter designated and situated as follows, to-wit:

- (a) A two (2) car taxicab stand on the east side of Delaware Street, in front of the Barton Hotel, starting at a point twenty-five (25) feet north of the Michigan Street curb line and extending north for a distance of thirty-six (36) feet;

the establishment of which was heretofore approved by General Ordinance No. 102, 1935.

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. 43, 1940

AN ORDINANCE prohibiting parking on a certain part of East Tenth 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. That it shall be unlawful for the operator of any vehicle to park the same, or suffer, permit or allow the same to be parked at any time upon a certain part of East Tenth Street in the City of Indianapolis, described as follows, to-wit:

- (a) On the south side of East Tenth Street between Cornell and College Avenues.

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. 44, 1940

AN ORDINANCE amending sub-section (c) of 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. 20, 1939, 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 amended by General Ordinance No. 9, 1929, General Ordinance No. 55, 1935, General Ordinance No. 47, 1938, and General Ordinance No. 20, 1939, 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.

(4) Eleventh Street, from Central Avenue to Alabama Street.

(5) First alley south of Prospect Street from Olive Street to Shelby 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.

INTRODUCTION OF SPECIAL ORDINANCES

By the Board of Public Works and Sanitation:

SPECIAL ORDINANCE No. 5, 1940

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 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 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 Works and Sanitation is hereby authorized to sell, alienate and convey for cash, 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, Marion County, Indiana, to-wit:

The east one-half ($\frac{1}{2}$) of Lot One (1) in J. Thies Sub-division of A. E. Fletcher's First Addition to the City of Indianapolis.

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 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 Works.

Mr. Campbell made a motion that Special Ordinance No. 5, 1940, be referred back to the Board of Public Works and Sanitation for a description of the property involved, other than legal description. The motion was seconded by Dr. Hemphill but failed of passage by the following vote:

Ayes, 3: Mr. Bach, Mr. Campbell, Dr. Hemphill.

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

At this time there was an open discussion between the Members of the Council on the motion made by Mr. Campbell and President Wood stated that he would contact the Board of Works and the Park Department recommending that they supply the Council Members with the street addresses along with legal descriptions of all property mentioned in ordinances to be considered by the Council

INTRODUCTION OF RESOLUTIONS

By the Board of Public Works and Sanitation:

RESOLUTION No. 1, 1940

A RESOLUTION approving, confirming and ratifying a certain permit granted by the Board of Public Works and Sanitation of the City of Indianapolis by its written order entered on the 10th day of May, 1940, to Indianapolis Railways, Incorporated, under and pursuant to the provisions of the agreement entered into by

the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936.

WHEREAS, in the agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, amended and approved by General Ordinance No. 40, 1936, said city granted to said Indianapolis Railways, Incorporated, subject to the terms and conditions therein set forth, the right to erect and maintain poles, feeder lines, trolley wires and other structures necessary to the operation of trackless trolley car lines on certain streets and parts of streets named and designated in said agreement, together with such other streets and parts of streets as may from time to time by the Board of Public Works and Sanitation by its written orders be permitted to be used by Indianapolis Railways, Incorporated, for the operation of trackless trolleys, subject to approval of such permits by the Common Council of said city, and to use such streets and parts of streets for transportation of passengers by means of trackless trolley cars; and

WHEREAS, pursuant to said provisions contained in said agreement as amended and approved by said General Ordinance No. 40 for the use of additional streets and parts of streets by Indianapolis Railways, Incorporated, for said trackless trolley purposes, under the terms and conditions of said agreement, said Board of Public Works and Sanitation did on the 10th day of May, 1940, subject to approval by the Common Council, by written order grant to Indianapolis Railways, Incorporated, the following permit contained in the following order, to-wit:

ORDER BY THE BOARD OF PUBLIC WORKS AND SANITA-
TION OF THE CITY OF INDIANAPOLIS, INDIANA,
ENTERED MAY 10, 1940

BE IT REMEMBERED that at the hour of 10:00 o'clock in the forenoon on the 10th day of May, 1940, a public hearing was held by the Board of Public Works and Sanitation of the City of Indianapolis upon the petition of Indianapolis Railways, Incorporated, filed with said board on April 29, 1940, and which said petition is as follows, to-wit:

"1. That the petitioner operates a trackless trolley car line known as its Pennsylvania-Lincoln Trackless Trolley Car Line within the City of Indianapolis, Indiana, and is using for that purpose certain streets pursuant to the right

to use the same for said purpose granted to the petitioner by the City of Indianapolis in the agreement between the City of Indianapolis and the petitioner entered into on the 25th day of May, 1936, and approved with amendments by General Ordinance No. 40, 1936, passed by the Common Council of said City on the 21st day of September, 1936, and signed and approved by the Mayor of said City on the 23rd day of September, 1936; that said trackless trolley car line extends in part over Pennsylvania Street from Georgia Street to 16th Street, thence east on 16th Street to Talbot Avenue, thence north on Talbot Avenue to 22nd Street, thence west on 22nd Street to Pennsylvania Street, thence south on Pennsylvania Street to 21st Street, and thence east on 21st Street to Talbot Avenue.

"2. That the petitioner proposes to extend said trackless trolley line from the intersection of 21st Street and Pennsylvania Street south on Pennsylvania Street to and across 16th Street and to abandon 21st Street between Pennsylvania Street and Talbot Avenue as a part of said line; that the result of the proposed change will be that a loop will be formed on said line between 16th Street and 22nd Street and which loop will extend over 16th Street from Pennsylvania Street to Talbot Avenue, thence north on Talbot Avenue to 22nd Street, thence west on 22nd Street to Pennsylvania Street, thence south on Pennsylvania Street to and across 16th Street, and the cars on said line will be operated over said loop; that it is in the interest of public convenience and necessity, also in the interest of public safety that said proposed change in the said line be made.

"3. That the petitioner does not now have permission from the City of Indianapolis to use Pennsylvania Street between 16th Street and 21st Street for trackless trolley car operation, but that said agreement entered into between the City of Indianapolis and the petitioner on the 25th day of May, 1936, as amended by said General Ordinance No. 40, 1936, provides in Article I thereof that petitioner may operate trackless trolley cars on such other streets and portions thereof as may from time to time by the Board of Public Works and Sanitation by its written order be permitted to be used by the petitioner for that purpose, and provides further that such permit from such Board shall have the approval of the Common Council of said City before the streets included in such additional permit are used for trackless trolley car purposes.

“WHEREFORE, your petitioner requests the Board of Public Works and Sanitation of the City of Indianapolis in accordance with said provisions in said agreement as approved and amended by said General Ordinance No. 40, 1936, that it do by its written order permit the petitioner to use Pennsylvania Street from 21st Street south to and across 16th Street for the purpose of extending thereon petitioner’s said Pennsylvania-Lincoln trackless trolley car line and to operate thereon its said trackless trolley car line as so extended; and that petitioner be permitted to abandon the use of 21st Street between Pennsylvania Street and Talbot Avenue for said purpose. Petitioner further requests that upon the granting of such permit the Honorable Board of Public Works and Sanitation cause a resolution approving such permit to be prepared and to be introduced before the Common Council of the City of Indianapolis, Indiana.”

and the Board being duly advised in the premises now grants said petition and hereby orders that Indianapolis Railways, Incorporated, be, and hereby is, authorized and permitted to abandon the use of 21st Street between Pennsylvania Street and Talbot Avenue as a part of its Pennsylvania-Lincoln Trackless Trolley Car Line and it is hereby authorized and permitted to extend its said trackless trolley car line from 21st and Pennsylvania Streets south on Pennsylvania Street to and across 16th Street by erecting thereon poles, wires and overhead construction necessary to such extension so as to form a loop in said line from 16th and Pennsylvania Streets north on Pennsylvania Street to 22nd Street, thence east on 22nd Street to Talbot Avenue, thence south on Talbot Avenue to 16th Street, thence west on 16th Street to Pennsylvania Street, and to use said loop for the purpose of operating trackless trolley cars thereover by operating the same thereover north on Pennsylvania Street to 22nd Street, thence east on 22nd Street to Talbot Avenue, thence south on Talbot Avenue to 16th Street, thence west on 16th Street to Pennsylvania Street and thence south on Pennsylvania Street.

It is further ordered by the Board that said extension of said trackless trolley car line on the said part of Pennsylvania Street and the operation of trackless trolley cars thereover shall all be made and done under and pursuant to the terms and provisions of the agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, entered into on the 25th day of May, 1936, and approved with amendments by General Ordinance No. 40, 1936, passed by the Common Council of the City of Indianapolis on the

21st day of September, 1936, and signed and approved by the Mayor of said city on the 23rd day of September, 1936;

And it is further ordered by said Board that the permit herein granted shall not be exercised unless and until it is approved by the Common Council of said City.

LOUIS C. BRANDT
LEO F. WELCH
M. E. TENNANT

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

That it does hereby in all things approve, confirm and ratify the permit granted on May 10, 1940, by the Board of Public Works and Sanitation to Indianapolis Railways, Incorporated, as contained in said order; PROVIDED, that the use by Indianapolis Railways, Incorporated, of the streets and parts of streets covered by said permit for the aforesaid purposes shall in all things, including duration, be subject to, and in accordance with, all of the terms, conditions and provisions of the aforesaid agreement between the City of Indianapolis and said Indianapolis Railways, Incorporated, dated May 25, 1936, as the same is amended and approved in said General Ordinance No. 40, 1936.

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

ORDINANCES ON SECOND READING

Mr. Ropkey called for second reading of Appropriation Ordinance No. 4, 1940. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Campbell, Appropriation Ordinance No. 4, 1940, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 4, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

On motion of Mr. Campbell, seconded by Mr. Bach, General Ordinance No. 22, 1940, was reconsidered and reverted back to second reading by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Campbell presented the following written motion to amend General Ordinance No. 22, 1940:

May 20, 1940.

Mr. President:

I move that General Ordinance No. 22, 1940, be amended by striking out that part of Section 1 beginning with the word "Beginning" in line 4 of said Section 1, to the end of said section, and inserting in lieu thereof the following:

Beginning at a point on the south property line of East Tenth Street 200 feet west of the west property line of Linwood Avenue; thence south parallel with said west property line of Linwood Avenue 130 feet to a point; thence west parallel with the south property line of East Tenth Street 277 feet to a point; thence north parallel with said west property line of Linwood Avenue 130 feet to a point on the south property line of East Tenth Street; thence east on and along the south property line of East Tenth Street to the place of beginning.

—also—

Beginning at a point on the south property line of East Tenth Street 537 feet west of the west property line of Linwood Avenue; thence south parallel with the west property line of Linwood Avenue 130 feet to a point; thence west parallel with the south property line of East Tenth Street to the east property line of Gladstone Avenue; thence north on and along the east property line of Gladstone Avenue a distance of 130 feet to the south property line of East Tenth Street; thence east on and along the south property line of East Tenth Street to the place of beginning.

HARMON A. CAMPBELL,
Member of the Common Council.

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

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

On motion of Mr. Campbell, seconded by Dr. Hemphill, General Ordinance No. 22, 1940, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22, 1940, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Bach called for second reading of General Ordinance No. 24, 1940. It was read a second time.

On motion of Mr. Bach, seconded by Mr. Campbell, General Ordinance No. 24, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 24, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Deluse called for second reading of General Ordinance No. 34, 1940, It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Bach, General Ordinance No. 34, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 34, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Deluse called for second reading of General Ordinance No. 36, 1940. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Bach, General Ordinance No. 36, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 36, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Ropkey called for second reading of General Ordinance No. 38, 1940. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Bach, General Ordinance No. 38, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 38, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Ransom presented the following written motion to amend Special Ordinance No. 1, 1940, as amended:

Indianapolis, Ind., May 20, 1940.

Mr. President:

I move that Section 14 of Special Ordinance No. 1, 1940, as amended be amended to read as follows:

That Highland Drive from Central Avenue to College Avenue shall hereafter be known and designated as East 37th Street,

Also:

By striking out all of Section No. 11.

F. B. RANSOM,
Councilman.

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

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

On motion of Mr. Ransom, seconded by Mr. Deluse, Special Ordinance No. 1, 1940, as amended, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1940, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Bach made a motion to strike Special Ordinance No. 3, 1940, from the files. The motion was seconded by Mr. Ransom, and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

Mr. Ransom called for second reading of Special Ordinance No. 4, 1940. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Deluse, Special Ordinance No. 4, 1940, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 4, 1940, was read a third time by the Clerk and passed by the following roll call vote:

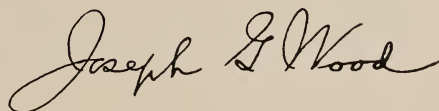
Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, President Wood.

General Ordinance No. 91, 1939, General Ordinances Nos. 29, 35, 37, and 39, 1940, were held for further consideration by the Committees to which they were referred.

On motion of Mr. Ransom, seconded by Mr. Bach, the Common Council adjourned at 10:50 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 20th day of May, 1940, 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.



Attest:

President.



City Clerk

(SEAL)