

REGULAR MEETING

Monday, September 17, 1951
6:30 P. M., CST

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, September 17, 1951, at 6:30 P. M., C.S.T. in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

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

COMMUNICATIONS FROM THE MAYOR

September 6, 1951

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mr. Richard G. Stewart, the following ordinances:

APPROPRIATION ORDINANCE NO. 23, 1951

An ordinance appropriating, transferring and reappropriating and reallocating a certain sum (tax levy money) to certain designated items and funds in the Department of Public

Health and Hospitals as appropriated under the 1951 Budget (G. O. 63, 1951, as amended), and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 24, 1951

An ordinance transferring, reappropriating and reallocating the sum of One Thousand, Nine Hundred and Fifty Dollars (\$1,950.00), from certain funds and items in the Department of Public Works, Street Commissioner, to certain other funds and items in the same department, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 25, 1951

An ordinance appropriating, transferring, reappropriating and reallocating the sum of Ninety One Thousand, Eight Hundred and Seventy Dollars (\$91,870.00), from certain funds and items in various divisions of the Department of Public Safety, to certain other funds and items of various divisions of the Department of Public Safety and the City Clerk, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 91, 1951, AS AMENDED

An ordinance to amend Sec. 40 of General Ordinance No. 96, 1928, as amended, regulating traffic emerging from and entering into alleys or private driveways in the Congested District, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 101, 1951

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; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 102, 1951

An ordinance abolishing a certain taxicab stand located in the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 103, 1951

An ordinance regulating parking of vehicles upon a certain part of a certain street in the City of Indianapolis, providing a penalty for the violation thereof and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 104, 1951

An ordinance establishing a certain Bus Loading Zone in the City of Indianapolis, pursuant to the provisions of Section 27 of General Ordinance No. 96, 1928, as amended, and fixing a time when the same shall take effect.

RESOLUTION NO. 12, 1951

A resolution approving, confirming, and ratifying a certain permit granted by the Board of Public Works of the City of Indianapolis by its written order on August 20, 1951, to Indianapolis Railways, Incorporated, 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; and fixing a time when the same shall take effect.

Respectfully yours,

PHILLIP L. BAYT,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

September 15, 1951

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 26, 27, 1951

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 26, 27, 1951—Friday, September 7 and 14, 1951—The Indianapolis Commercial and The Marion County Messenger

that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held at 6:30 P. M., CST, September 17, 1951 and by posting copies of said notice in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Sincerely yours,

RICHARD G. STEWART
City Clerk

September 15, 1951

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

Gentlemen:

In Re: Appropriation Ordinance No. 28, 1951
I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. No. 28, 1951—Friday, September 7 and 14, 1951—
The Indianapolis Commercial and The Marion County
Messenger

that taxpayers would have the right to be heard on the above ordinance at the meeting of the Common Council to be held at 6:30 P. M., CST, September 17, 1951 and by posting copies of said notice in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Sincerely yours,

RICHARD G. STEWART
City Clerk

September 17, 1951]

City of Indianapolis, Ind.

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September 15, 1951

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

Gentlemen:

In Re: General Ordinance No. 107, 1951

I hereby report that pursuant to the laws of the State of Indiana, I caused to be published on September 7 in The Indianapolis Commercial and the Marion County Messenger "Notice to Interested Citizens" that G. O. No. 107, 1951 (zoning ordinance) was set for hearing before the Common Council on September 17, 1951.

Sincerely yours,

RICHARD G. STEWART
City Clerk

September 15, 1951

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

Gentlemen:

In Re: General Ordinance No. 91, 1951, As Amended
General Ordinance No. 103, 1951

I hereby report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers:

G. O. Nos. 91, 103, 1951—Friday, September 7 and 14,
1951—The Indianapolis Commercial and The Marion
County Messenger

and that said ordinances are in full force and effect from and after the last date of publication and compliance with any laws pertaining thereto.

Sincerely yours,

RICHARD G. STEWART
City Clerk

September 7, 1951

To the Common Council of the
City of Indianapolis, Indiana

Gentlemen:

I am herewith transmitting a petition consisting of 12 counterparts, signed by more than fifty (50) owners of taxable real estate located within the corporate limits of the City of Indianapolis, Indiana, which was filed in the office of the City Clerk on September 7, 1951, requesting the issuance of bonds of the said City in an amount not exceeding the sum of Two Hundred Thousand Dollars \$(200,000.00) for the purpose of providing funds to pay the cost of acquiring real estate, the erection of buildings or the repair and remodeling of existing buildings, and all other costs incidental to providing enlarged and modern quarters for the Juvenile Aid Division of the Police Department of the City.

You will also find attached to said petition a certificate of the County Auditor dated September 5, 1951, certifying that said petition is signed by 174 owners of taxable real estate, located within the limits of the City of Indianapolis, Indiana.

Respectfully submitted,

RICHARD G. STEWART
City Clerk

September 11, 1951

Mr. Noble P. Hollister
Secretary to the City Plan Commission
City Hall
Indianapolis, Indiana

Dear Mr. Hollister:

General Ordinance No. 107, 1951 proposing amendments to the zoning ordinance of the City of Indianapolis was introduced on September 5, 1951 and a copy of which is attached.

September 17, 1951]

City of Indianapolis, Ind.

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Pursuant to Sec. 48-2303, Burns Revised Statutes, I have been directed by the City Council to refer said ordinance to your commission for consideration and report before any final action shall be taken by the Council.

Sincerely yours,

RICHARD G. STEWART
City Clerk

September 13, 1951

Mr. Noble P. Hollister
Executive Secretary
City Plan Commission
Indianapolis, Indiana

Dear Mr. Hollister:

Pursuant to Chapter 216 of the Acts of the General Assembly, 1949, there was filed with the Council on September 13, 1951 a petition for the annexation of certain contiguous territory to the City of Indianapolis.

Attached is a copy of said petition covering the territory described, and copies of plats and surveys for the use of your commission and other city departments.

Pursuant to agreement between city departments and the Council, it is requested that your department coordinate the discussion and submission of recommendations on this proposed annexation as a guide to Council action.

Sincerely yours,

RICHARD G. STEWART
City Clerk and Clerk of
Common Council

September 12, 1951

The Honorable Members of the City Council
City Hall
Indianapolis, Indiana

Gentlemen:

Following the organization of the Metropolitan Area Study Commission, a special committee of the Commission made a comprehensive examination of the duties assigned to it by Chapter 215 of the Acts of 1951 and submitted its program to the Commission at its regular meeting of June 13, 1951. Upon consideration of the program so submitted, the Commission concluded that it would be severely handicapped in carrying out its statutory responsibilities within the limits of the appropriations made by the City Council of the City of Indianapolis and the County Council of Marion County of \$5,000 each, as directed by statute.

Accordingly, a motion was passed at the meeting of June 13, 1951, requesting that the City Council of the City of Indianapolis and the County Council of Marion County appropriate an additional \$5,000 each as authorized by the Act referred to above.

We, therefore, respectfully request that your Council appropriate the sum of \$5,000 to be made available to the Metropolitan Area Study Commission.

Very truly yours

Metropolitan Area Study Commission
By J. Dwight Peterson, Chairman

September 17, 1951

To the Members of the Common Council
of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-one (21) copies of Appropriation Ordinance No. 29, 1951, appropriating the sum of Two Hundred Thousand (\$200,000.00) Dollars to be applied upon the cost of acquisition and improvement of a Juvenile Aid Center in said City, including all expenses incurred in connection therewith.

I recommend the passage of this ordinance.

PATRICK J. BARTON

Acting City Controller

September 11, 1951

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

Gentlemen:

Attached hereto are twenty-one (21) copies of General Ordinance No. 112, 1951, an ordinance approving a certain agreement and permit granting the Pennsylvania Railroad Company the right to lay and maintain sidetracks or switches from a point in Dakota Street opposite the First Alley North of Wilkins Street extending Southwardly across the Alley between Wilkins and Reno Streets across Reno Street; across Morris Street and in Dakota Street South of Morris Street in the City of Indianapolis.

It is respectfully recommended that this General Ordinance be passed.

Very truly yours

BOARD OF PUBLIC WORKS

Henry Mueller, Executive Secretary

September 17, 1951

To the Members of the Common Council
of the City of Indianapolis

Gentlemen:

Transmitted herewith are twenty-one copies of General Ordinance No. 113, 1951, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied upon the cost of acquisition, construction and improvement of a Juvenile Aid Center, including all expenses incurred in connection therewith, and fixing a time when the same shall take effect.

I recommend passage of this ordinance.

Patrick J. Barton

PATRICK J. BARTON
Acting City Controller

September 12, 1951

To the President and Members of the
Common Council

In Re: General Ordinance No. 114, 1951

Copies of an ordinance to amend the Zoning Ordinance in order to establish original city zoning in recently annexed territory at the southeast corner of 34th Street and Emerson Avenue, are attached herewith.

The City Plan Commission unanimously approved this proposed amendment at its regular meeting September 10, 1951, and therefore recommends and requests passage of this ordinance.

NOBLE P. HOLLISTER
Executive Secretary

September 12, 1951

To the President and Members of the
Common Council

In Re: General Ordinance No. 115, 1951

Copies of an ordinance to amend the Zoning Ordinance in order to establish original city zoning in recently annexed territory at the northwest corner of Ralston Avenue and 54th Street are attached herewith.

The City Plan Commission unanimously approved this proposed amendment at its regular meeting September 10, 1951, and therefore recommends and requests passage of this ordinance.

NOBLE P. HOLLISTER
Executive Secretary

September 12, 1951

To the President and Members of the
Common Council

In Re: General Ordinance No. 116, 1951

Copies of an ordinance to amend the Zoning Ordinance in order to establish original city zoning in recently annexed territory at the northwest corner of 38th Street and Shadeland Avenue, are attached herewith.

The City Plan Commission unanimously approved this proposed amendment at its regular meeting September 10, 1951, and therefore recommends and requests passage of this ordinance.

NOBLE P. HOLLISTER
Executive Secretary

September 17, 1951

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

Gentlemen:

Attached hereto are twenty-two copies of General Ordinance No. 117, 1951, which amends General Ordinance No. 56, 1951 as amended by General Ordinance No. 94, 1951, by adding certain streets wherein it is intended that parking meters be installed.

It is respectfully recommended that this ordinance be passed.

Very truly yours

BOARD OF PUBLIC WORKS

By Henry Mueller,
Executive Secretary

September 14, 1951

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

Gentlemen:

Submitted herewith is Special Ordinance No. 13, 1951 covering the territory desired to be annexed to the City of Indianapolis by virtue of petition filed in this office on September 13, 1951 pursuant to Section 1, Chapter 216 of the Acts of the Indiana General Assembly of the year 1949.

Sincerely yours,

RICHARD G. STEWART
City Clerk

September 17, 1951]

City of Indianapolis, Ind.

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September 12, 1951

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

Gentlemen:

Attached hereto are twenty-two (22) copies of Resolution No. 13, 1951, authorizing Indianapolis Railways, Incorporated to use, for operation of their trackless trolley cars, McLean Place between Illinois Street and Capitol Avenue instead of 24th Street between Illinois Street and Capitol Avenue.

It is respectfully recommended that this resolution be passed.

Very truly yours

BOARD OF PUBLIC WORKS

By Henry Mueller,
Executive Secretary

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 26, 27, 28, General Ordinances Nos. 93, 105, 106, 107, 108, 109, 110, 111, 1951.

Mr. Seidensticker asked for recess. The motion was seconded by Mr. Ross, and the Council recessed at 7:40 P. M., CST.

The Council reconvened at 8:40 P. M., CST, with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Indiana, September 17, 1951

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. 26, 1951, entitled

AN ORDINANCE transferring, reappropriating and reallocating
\$1,700.00 from Fund 61 to Fund 51 in the Department of
Public Parks

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Indiana, September 17, 1951

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. 27, 1951, entitled

AN ORDINANCE transferring, reappropriating and reallocating
\$3,750.00 from Fund 64 to various other funds in the Weir
Cook Municipal Airport

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Indiana, September 17, 1951

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. 28, 1951, entitled

AN ORDINANCE appropriating \$3,250,000 from the sale of

bonds for the cost of construction and improvement of sewers
in the city

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Indiana, September 17, 1951

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. 106, 1951, entitled

AN ORDINANCE authorizing the purchase of 11 air raid sirens
for the Director of Civil Defense

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Indiana, September 17, 1951

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. 111, 1951, entitled

AN ORDINANCE authorizing the issuance of bonds in the
amount of \$3,250,000 for the cost of construction and improve-
ment of sewers in the city

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Indiana, September 17, 1951

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

Gentlemen:

We, your Committee on Public Works to whom was referred
General Ordinance No. 105, 1951, entitled

AN ORDINANCE prohibiting parking on parts of Delaware, East 32nd, and Washington Boulevard between certain hours

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

JOSEPH C. WALLACE, Chairman
GUY O. ROSS
GEORGE S. LUPEAR
JOSEPH E. BRIGHT
DONALD B. JAMESON

Indianapolis, Indiana, September 17, 1951

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. 93, 1951, entitled

AN ORDINANCE amending the zoning ordinances (Southeast corner of Minnesota and Belmont Avenues)

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

J. PORTER SEIDENSTICKER, Chairman
GEORGE S. LUPEAR
JOSEPH A. WICKER
CHARLES P. EHLERS
DONALD B. JAMESON

Indianapolis, Indiana, September 17, 1951

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. 12, 1951, entitled

AN ORDINANCE annexing certain contiguous territory to the to the City (2.972 acres lying north of 52nd Street and west of Keystone)

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

J. PORTER SEIDENSTICKER, Chairman
GEORGE S. LUPEAR
JOSEPH A. WICKER
CHARLES P. EHLERS
DONALD B. JAMESON

Indianapolis, Indiana, September 17, 1951

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 General Ordinance No. 108, 1951, entitled

AN ORDINANCE repealing General Ordinance No. 59, 1951
(parking on Pine Street)

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

GEORGE S. LUPEAR, Chairman
GUY O. ROSS
JOSEPH C. WALLACE
JOSEPH E. BRIGHT
DONALD B. JAMESON

Indianapolis, Indiana, September 17, 1951

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 General Ordinance No. 109, 1951, entitled

AN ORDINANCE prohibiting parking on both sides of Pine Street from East Ohio to East St. Clair Street, between 8 A. M. and 6. P. M., except Sundays and holidays

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

GEORGE S. LUPEAR, Chairman
GUY O. ROSS
JOSEPH C. WALLACE
JOSEPH E. BRIGHT
DONALD B. JAMESON

Indianapolis, Indiana, September 17, 1951

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

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 110, 1951, entitled

AN ORDINANCE establishing loading zones (Hoosier Radio & Supply Co., 701 N. Illinois; Bova Fruit Co., 319 Virginia Avenue)

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

JOSEPH E. BRIGHT, Chairman
CHARLES P. EHLERS
JOSEPH C. WALLACE
J. PORTER SEIDENSTICKER
JOSEPH A. WICKER

INTRODUCTION OF APPROPRIATE ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 29, 1951

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of Two Hundred Thousand Dollars (\$200,000.00), to be applied upon the cost of acquisition, construction and improvement of a Juvenile Aid Center in said city, including all expenses incurred in connection therewith.

WHEREAS, the Board of Public Safety of the City of Indianapolis, Indiana, has determined that it would be for the best interests of said city and its citizens to provide for the acquisition, construction and improvement of a Juvenile Aid Center in said city, and has determined that the initial cost of said project including incidental and preliminary expenses necessary to be incurred in connection therewith, including the issuance of bonds on account thereof, will be in the approximate amount of Two Hundred Thousand Dollars (\$200,000.00); and

WHEREAS, said Board of Public Safety has heretofore adopted a Resolution requesting an appropriation in the amount of Two Hundred Thousand Dollars (\$200,000.00) for said purpose, which request has been approved by the City Controller with the recommendation that the funds necessary to cover such appropriation be obtained by the issuance and sale of general obligation bonds of the city; and

WHEREAS, this Council now finds that the city has no funds available or provided for in the existing budget and tax levy which may be applied upon said project, therefore making it necessary to authorize the issuance of bonds of the city in order to procure such funds and that an extraordinary emergency exists for the making of the additional appropriation hereinafter set out;

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

Section 1. That the sum of Two Hundred Thousand Dollars (\$200,000.00), be and the same is hereby appropriated out of the

proceeds of the bonds heretofore authorized to be issued by the Common Council, and designated as City of Indianapolis "Juvenile Aid Center Bonds of 1951", for the use of the Board of Public Safety of said city to apply upon the cost of acquisition, construction, and improvement of a Juvenile Aid Center, together with the preliminary and incidental expenses necessary to be incurred in connection therewith, including the issuance of bonds on account thereof. Any surplus of such proceeds shall be credited to the Sinking Fund as provided by law.

Section 2. Immediately upon the final passage and approval of this ordinance and determination, the City Clerk and the City Controller shall deliver two (2) certified copies thereof to the Auditor of Marion County with a request that a copy thereof be certified and transmitted by him to the State Board of Tax Commissioners for further action thereon as provided by law.

Section 3. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Works:

GENERAL ORDINANCE NO. 112, 1951

AN ORDINANCE approving a certain agreement and permit grant-in The Pennsylvania Railroad Company operating the P. C. C. & St. L. R. R. Co. the right to lay and maintain sidetracks or switches from a point in Dakota Street opposite the first alley north of Wilkins Street extending southwardly across the alley between Wilkins and Reno Streets across Reno Street: across Morris Street and in Dakota Street south of Morris Street according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, hertofore, to-wit: on the 10th day of September, 1951 the Pennsylvania Railroad Company operating the P. C. C. & St. L. R. R. filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

TO BOARD OF PUBLIC WORKS AND SANITATION,
CITY OF INDIANAPOLIS:

Gentlemen:

The Pennsylvania R. R. Company operating the P. C. C. & St. L. R. R. respectfully petitions the Board of Public Works to make certain changes in its sidetracks in the vicinity of Morris and Dakota Streets occasioned by the vacation of a portion of Dakota Street north of Morris Street and by the paving of Dakota Street south of Morris Street. This petition proposes a change of part of the track built under terms of a City Ordinance of May 26th, 1873, and recorded by Ordinance Record Number 3, page 63 general ordinance Number 22, 1873 sections 1621-1625 and granted to Barnabus Coffin, The Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company being successor to all the rights, titles and benefits originally owned or enjoyed by Barnabus Coffin.

A. L. HUNT, Superintendent, P. R. R.

NOW, THEREFORE, This agreement made and entered into this 10th day of September, 1951, by and between

THE PENNSYLVANIA RAILROAD COMPANY OPERATING THE PITTSBURGH, CINCINNATI, CHICAGO AND ST. LOUIS RAILROAD

of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a permit for a right of way for sidetracks and switches

starting from a point in Dakota Street opposite the first alley north of Wilkins Street, thence extending southwardly across the alley between Wilkins and Reno Streets; across Reno Street; across Morris Street; and in Dakota Street south of Morris Street in the City of Indianapolis, which is more specifically described as follows: 1. A right of way, ten (10) feet in width, five (5) feet on each side of the center line of a track, beginning at the center line of the principal lead track now in Dakota Street, at a point one hundred seventy-five (175) feet north of the south line of Wilkins Street, extending thence southwardly to the south line of Wilkins Street at a point sixteen (16) feet east of the east line of Dakota Street. 2. A right of way, ten (10) feet in width, five (5) feet on each side of the center line of a track crossing the first alley north of Reno Street at a point fifty and one half ($50\frac{1}{2}$) feet east of the east line of Dakota Street (vacated from the north line of Morris Street to the south line of Wilkins Street.) 3. A right of way ten (10) feet in width, five (5) feet on each side of the center line of a track crossing Reno Street at a point fifty-two (52) feet east of the east line of Dakota Street. (Vacated.) 4. A right of way ten (10) feet in width five (5) feet on each side of the center line of a track crossing the north line of Morris Street at a point twenty-six (26) feet east of the east line of Dakota Street (Vacated) and crossing the south line of Morris Street at a point nineteen (19) feet west of the east line of Dakota Street. 5. A right of way ten (10) feet in width, five (5) feet on each side of the center line of a track in Dakota Street, crossing the south line of Morris Street at a point nineteen (19) feet west of the east line of Dakota Street and the west line of Dakota Street at a point fifty-three (53) feet south of the south line of Morris Street. 6. A right of way ten (10) feet in width five (5) feet, on each side of the center line of a track crossing the west line of Dakota Street at a point two hundred twenty-four (224) feet south of the south line of Morris Street and crossing the east line of Dakota Street at a point three hundred sixty-five (365) feet south of the south line of Morris Street. All as shown in red on attached print marked Exhibit "A" and the party of the first part hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct, maintain and pay all costs and expenses either now or hereafter connected with said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, maintained, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and

shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis, and to all laws and ordinances, adopted and enacted pursuant to the police powers of said city.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council, or with any resolution or resolutions made by said Board, for the elevation or depression of said track, or tracks; provided further that all the costs thereof shall be paid by the said party of the first part, who hereby waives any division of such costs as now or hereafter provided by any statute, or otherwise.

(3) The crossing where said track intersects, the various streets and alleys shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser. Said notice shall fix a day for hearing before said Board where objections to such removal may be heard; but the decision of said Board shall be final and conclusive on the party of the first part who hereby expressly waives any right to have such exercise of discretion reviewed by any court.

(5) The party of the first part agrees to pave between the rails of said track and for eighteen inches on both sides thereof, to the entire satisfaction of the second party, and in case said tracks and pavement or either thereof shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of

the said party of the first part to promptly repair, reconstruct, or remove same, failing in which, after notification in writing of ten (10) days, said Board may do or cause the same to be done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violation of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this permit, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and of all acts amendatory thereof or supplemental thereto, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby grants and duly permits said party of the first part to exercise the right, privilege and authority to lay and maintain an additional sidetrack or switch across in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, we have hereunto set our hands this
10th day of September, 1951

THE PENNSYLVANIA RAILROAD
COMPANY OPERATING THE
P. C. C. & ST. L. R. R.
A. L. HUNT, Superintendent

CITY OF INDIANAPOLIS

By EDWARD A. GARDNER, President
CARL N. ANGST
MARTIN McDERMOTT
STANLEY S. FEEZLE
As BOARD OF PUBLIC WORKS
Party of the Second Part.

Approved by me

PHILLIP L. BAYT, acting Mayor

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

By the City Controller:

GENERAL ORDINANCE NO. 113, 1951

AN ORDINANCE of the City of Indianapolis authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied upon the cost of acquisition, construction and improvement of a Juvenile Aid Center, including all expenses incurred in connection therewith, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis has found that it would be for the best interests of said City and its citizens to provide for the acquisition of ground, erection of new buildings, repair and remodeling of any existing facilities and furnishings therefor, and has determined that the initial cost of said project including incidental preliminary expenses necessary to be incurred in connection therewith, including the issuance of bonds, will be in the approximate amount of Two Hundred Thousand Dollars (\$200,000.00); and

WHEREAS, the Board of Public Safety of said City has heretofore adopted a resolution requesting an appropriation in the amount of Two Hundred Thousand Dollars (\$200,000.00), for said purpose, which request has been approved by the City Controller, with the recommendation that the funds necessary to cover such appropriation be obtained by the issuance and sale of general obligation bonds of the City; and

WHEREAS, heretofore on the 7th day of September, 1951, a petition has been filed under the provisions of Chapter 119 of the Acts of 1937, by more than fifty (50) owners of taxable real estate in the City of Indianapolis, Indiana, requesting this Common Council to issue bonds in an amount not exceeding the sum of Two Hundred Thousand Dollars (\$200,000.00), for the purpose of providing funds to be applied upon the cost of acquisition, construction and improvement of a Juvenile Aid Center in said City, including all incidental expenses incurred in connection therewith, which petition the Council finds to be sufficient under the provisions of said Act; and

WHEREAS, the Council now finds that the acquisition, construction and improvement of a Juvenile Aid Center will benefit the City of Indianapolis and the inhabitants thereof; and

WHEREAS, there are not now and will not be sufficient funds available in the treasury of the City of Indianapolis from which to pay the cost of acquisition, construction and improvement of said Juvenile Aid Center, including the incidental expenses incurred in connection therewith, and it is therefore necessary for said City to procure the sum of Two Hundred Thousand Dollars (\$200,000.00), in order to provide such a fund to be devoted to the aforesaid purposes, and to issue and sell bonds in such an amount, payable from the General Revenues and Funds of said City, or as may be required by law:

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

Section 1. That the City Controller be and he is hereby authorized, for the purpose of providing funds to be applied upon the cost of acquisition, construction and improvement of a Juvenile Aid Center in the City of Indianapolis, Indiana, including the cost of all preliminary and incidental expenses incurred in connection therewith, to prepare, issue and sell Two Hundred (200) bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand Dollars (\$1,000.00) each, which bonds shall bear the date of December 10, 1951, and shall be numbered One (1) to Two Hundred (200), both inclusive, and shall bear interest at the rate of not exceeding four per cent (4%) per annum, the exact rate to be determined by bidding as hereinafter more particularly provided, which interest shall be payable on the first day of July, 1953, and thereafter semi-an-

nually on January 1 and July 1 of each year of the period of said bonds, and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at the office of the City Treasurer in the City of Indianapolis, Indiana, in lawful money of the United States of America. The bonds shall mature serially in the amounts and on the dates as follows:

\$10,000.00 due on July 1, 1953 and \$10,000.00 due on January 1 and July 1, each year thereafter to and including January 1, 1963.

Section 2. Said bonds shall be signed in the name of the City of Indianapolis, Indiana, by the Mayor of said city, countersigned by the City Controller, and attested by the City Clerk who shall affix the seal of said city to each of said bonds. The interest coupons attached to said bonds shall be authenticated by a lithographic facsimile of the signatures of the Mayor and the City Controller of said city engraved thereon, which for all purposes shall be taken and deemed to be equivalent to a manual signing thereon. Said bonds shall, in the hands of bona fide holders have all of the qualities of negotiable instruments under the law merchant.

Section 3. The form and tenor of said bonds and the interest coupons to be attached thereto, shall be substantially as follows, to-wit:

UNITED STATES OF AMERICA

State of Indiana
Number ———

County of Marion
\$1,000.00

CITY OF INDIANAPOLIS

JUVENILE AID CENTER BONDS OF 1951

For value received, the City of Indianapolis, Marion County, Indiana, hereby promises to pay to the bearer hereof on the first day of _____, 19____, at the City Treasurer's Office in the City of Indianapolis, Indiana,

ONE THOUSAND DOLLARS

in lawful money of the United States of America, together with interest thereon at the rate of _____ per cent (____%) per annum from date until paid.

The first interest shall be payable on the first day of July, 1953, and the interest thereafter shall be payable semi-annually on the first days of January and July respectively, on presentation of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an authorized issue of Two Hundred (200) bonds of the City of Indianapolis, Indiana, of like date, denomination, tenor and effect, except as to dates of maturity, aggregating Two Hundred Thousand Dollars (\$200,000.00), numbered consecutively from one (1) to two hundred (200) inclusive, issued for the purpose of providing funds to be applied on the cost of acquisition, construction and improvement of a Juvenile Aid Center, and expenses incidental thereto, pursuant to an ordinance adopted by the Common Council of said city on the ---- day of -----, 1951, and by virtue of the laws of the State of Indiana, including an act of the General Assembly entitled "An Act Concerning Municipal Corporations" approved March 6, 1905, and all laws amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the Constitution and the laws of the State of Indiana, and that the full faith and credit of the City of Indianapolis, Indiana, is hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Indianapolis, Marion County, Indiana, by ordinance of its Common Council has caused this bond to be signed in its corporate name, by its Acting Mayor, countersigned by its Acting City Controller, its corporate seal to be hereunto affixed, and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said Acting Mayor and Acting City Controller as of the ---- day of -----, 1951.

CITY OF INDIANAPOLIS

By -----
Acting Mayor

Burns Statutes 1933, then no further steps toward the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds.

Section 5. Prior to the sale of said bonds, the City Controller shall cause to be published a notice of sale of said bonds once each week for two (2) consecutive weeks in two (2) local newspapers. The date fixed for the sale of said bonds shall be not earlier than ten (10) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are issued, the total amount to be sold, the maximum rate of interest thereon, the time and place of payment, and the terms and conditions upon which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

Among other things the aforementioned notice shall advise the bidders that all bids for said bonds shall be filed with the City Controller in his office in said City in sealed envelopes marked "Bids For City of Indianapolis Juvenile Aid Center Bonds of 1951"; and each bid shall be accompanied by a certified or cashier's check or bank draft payable to the City of Indianapolis in an amount equal to One per cent (1%) of the amount of said bonds, to guarantee the good faith of the bidder, and that in the event the bidder to whom the bonds were awarded, shall fail to comply with the provisions of the bid, then said check and proceeds thereof shall become the property of the City of Indianapolis, and shall be taken and considered as the liquidated damages of the City, on account of such failure or refusal. The aforementioned notice shall provide also that bidders for said bonds shall be required to name the rate of interest which said bonds are to bear, not exceeding Four per cent (4%) per annum, and that such interest must be in multiples of One Eighth ($1/8$) of One per cent (1%), and not more than one interest rate shall be named by each bidder; that the City Controller shall award said bonds to the highest responsible and qualified bidder who has submitted his bid in accordance with the notices of said sale, and that the highest bidder will be the one who offers the lowest net interest to the City, determined by computing the total interest on all of the bonds to maturity and deducting therefrom the premium bid, if any.

Section 6. No bids for less than the par value of said bonds including the accrued interest from date of said bond to date of delivery thereof, at the rate named in the bid, shall be considered. The City

Controller shall have the full right to reject any and all bids. In the event the City Controller shall receive no satisfactory bids for said bonds at the time fixed in said notice of sale, he shall be authorized to continue to receive bids thereafter from day to day for a period not to exceed thirty, (30) days without re-advertising therefor, and in the event of such continuation of the sale, the City Controller shall open all bids filed, at the same hour each day as stated in the bond sale notice. No bid which may be received during said thirty (30) day period shall be accepted if less than the highest bid received at the time of the advertised sale.

Section 7. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor and City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and in the manner herein provided, and the City Controller shall, after the execution of said bonds, deliver the same to the City Treasurer and shall take his receipt therefor. Upon the consummation of the sale of said bonds, the City Controller shall certify to the City Treasurer, the amount which the purchaser is to pay for the same, and thereupon said Treasurer shall be authorized to receive from the purchaser the amount so certified by the City Controller, and to deliver the bonds to said purchaser.

Section 8. This ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

By the City Plan Commission:

GENERAL ORDINANCE NO. 114, 1951

AN ORDINANCE amending General Ordinance No. 104, 1950 (as amended), 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 General Ordinance No. 104, 1950 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis,

Indiana, be and the same is hereby amended, supplemented and extended as to the U1 or Dwelling House District, A2 or 4800 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described property to-wit:

Beginning at a point, said point being the intersection of the center line of East 34th Street and the center line of Emerson Avenue; thence east on and along the center line of East 34th Street a distance of four hundred forty-two and sixty-eight one-hundredths (442.68) feet to a point; thence south and parallel with the center line of Emerson Avenue a distance of eight hundred five and seven-tenths (805.7) feet to a point; thence west and parallel with the center line of East 34th Street to the center line of Emerson Avenue; thence north on and along the center line of Emerson Avenue to the 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 for the first time and referred to the Committee on Public Health.

By the City Plan Commission:

GENERAL ORDINANCE NO. 115, 1951

AN ORDINANCE amending General Ordinance No. 104, 1950 (as amended) and fixing the time when the same shall take effect.

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

Section 1. That General Ordinance No. 104, 1950 (as amended) commonly known as the Zoning Ordinance of the City of Indianapolis, Indiana, be and the same is hereby amended, supplemented and extended as to the U1 or Dwelling House District, A2 or 4800 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described property, to-wit:

Beginning at a point, said point being the intersection of the west property line of Ralston Avenue and the north property line of 54th Street; thence west on and along the north property line of 54th Street to a point one hundred (100) feet east of the east property line of Primrose Avenue, thence north a distance of one hundred fifty (150) feet to a point; thence east and parallel with the north property line of 54th Street a distance of one hundred eighty-two (182) feet to a point; thence south a distance of one hundred fifty (150) feet to the north property line of 52nd Street; thence west to the 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 for the first time and referred to the Committee on Public Health.

By the City Plan Commission:

GENERAL ORDINANCE NO. 116, 1951

AN ORDINANCE amending General Ordinance No. 104, 1950 (as amended), 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 General Ordinance No. 104, 1950 (as amended) commonly known as the Zoning Ordinance of the City of Indianapolis, Indiana, be and the same is hereby amended, supplemented and extended as to the U3 or Business District, A3 or 2400 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described property, to-wit:

Beginning at a point, said point being the intersection of the north right-of-way line of East 38th Street and the southeast right-of-way line of Massachusetts Avenue; thence northeasterly on and along the southeast right-of-way line of Massachusetts Avenue to its intersection with the west right-of-way line of Shadeland Avenue; thence south on and along the west right-of-way line of Shadeland Avenue to the north right-

of-way line of East 38th Street; thence west on and along the north right-of-way line of East 38th Street to the 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 for the first time and referred to the Committee on Public Health.

By the Board of Public Works:

GENERAL ORDINANCE NO. 117, 1951

AN ORDINANCE to amend section 3, sub-paragraph (a) of General Ordinance No. 56, 1951, and to further amend section 3, sub-paragraph (b) of General Ordinance No. 56, 1951 as amended by General Ordinance No. 94, 1951, as amended, and fixing a time when the same shall take effect.

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

Section 1. That section 3, sub-paragraph (a) of General Ordinance No. 56, 1951, be and the same is hereby amended by adding thereto the following named parts of streets in the City of Indianapolis, to-wit:

Both sides of Delaware Street from Maryland Street south to the railroad overhead.

Both sides of Capitol Avenue from Washington Street south to the railroad overhead.

West side of Delaware Street from Market Street to Washington Street.

Both sides of Maryland Street from Alabama Street to Delaware Street.

South side of Ohio Street from Delaware Street to Alabama Street.

West side of Alabama Street from Ohio Street south to the first alley south of Ohio Street.

Section 2. That section 3, sub-paragraph (b) of General Ordinance No. 56, 1951, as later amended by section 1, of General Ordinance No. 94, 1951, as amended, be now further amended by adding to said section 3, sub-paragraph (b), as amended, the following named parts of streets in the City of Indianapolis, to-wit:

Both sides of Senate Avenue from Washington Street to Maryland.

Both sides of North Street from Illinois Street to Capitol Avenue.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication as may be provided by law.

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

INTRODUCTION OF SPECIAL ORDINANCES

By the City Clerk:

SPECIAL ORDINANCE NO. 13, 1951

AN ORDINANCE annexing certain contiguous territory of the City of Indianapolis, 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 City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

Beginning at a point, said point being at the intersection of the present corporation line and the west right-of-way line of Arlington Avenue one hundred seventy-five (175) feet north of the south line of Section 34, Township 16 North, Range 4 East in Marion County, Indiana; thence north on and along the

west right-of-way line of Arlington Avenue to its intersection with the south property line of Eleventh Street extended west across Arlington Avenue; thence east on and along the south property line of Eleventh Street to the northeast corner of Lot 76 in Pleasant Run Eminence Addition; thence south on and along the east lines of Lot 76 and Lot 84 in Pleasant Run Eminence Addition to the north property line of Tenth Street; thence west on and along the north property line of Tenth Street to the southwest corner of said Lot 84; thence north on and along the west line of said Lot 84 and the present corporation line of the City of Indianapolis as described in General Ordinance No. 78, 1950, to the northwest corner of said Lot 84; thence west on and along the north line of Lot 81 in Pleasant Run Eminence Addition and the present corporation line of the City of Indianapolis as described in General Ordinance No. 78, 1950, to the northwest corner of said Lot 81; thence on a straight line across Arlington Avenue to the point 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 for the first time and referred to the Committee on Public Health.

INTRODUCTION OF RESOLUTIONS

By the Board of Public Works:

RESOLUTION NO. 13, 1951

A RESOLUTION, approving, confirming, and ratifying a certain permit granted by the Board of Public Works of the City of Indianapolis by its written order on September 6, 1951, 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 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 cars 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 by its written orders be permitted to be used by Indianapolis Railways, Incorporated, for the operation of trackless trolley cars, subject to approval of such permits by the Common Council, 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, 1936, for the use of additional streets and parts of streets by Indianapolis Railways, Incorporated, for said trackless trolley operation, under the terms and conditions of said agreement, the Board of Public Works did on September 6, 1951, 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
OF
THE CITY OF INDIANAPOLIS

ENTERED September 6, 1951

RE: PETITION OF INDIANAPOLIS RAILWAYS, INCORPORATED, FOR APPROVAL OF THE USE OF PART OF McLEAN PLACE FOR OPERATION OF TRACKLESS TROLLEYS.

BE IT REMEMBERED That on September 6, 1951, the Board of Public Works of the City of Indianapolis, Indiana considered the petition of Indianapolis Railways, Incorporated, heretofore filed with the Board in the above-entitled matter, requesting the Board to authorize and approve the use of the following street for the operation of trackless trolley cars, in addition to the streets upon which Petitioner has heretofore been authorized to operate trackless trolley cars.

McLean Place between Illinois Street and Capitol Avenue in lieu of the following street in said City, upon which the operation of

trackless trolley cars had previously been authorized by a written order of this Board entered on July 2, 1951:

24th Street between Illinois Street and Capitol Avenue, under and pursuant to the terms of the agreement dated May 25, 1936 between the City of Indianapolis by and through this Board and Indianapolis Railways, Incorporated, and approved with amendments in General Ordinance No. 40, 1936.

The Board having made its analysis and investigation of the facts alleged and of the requests contained in said petition, and being duly advised in the premises, now finds that said petition should be granted.

IT IS THEREFORE HEREBY ORDERED That the Board of Public Works of the City of Indianapolis hereby authorizes and approves the use by Indianapolis Railways, Incorporated, for the operation of trackless trolley cars and service, the additional street in said City set forth above; and it is further authorized and permitted, for the purpose of such trackless trolley operation, to erect such poles, overhead wires and switches, and other structures on said streets as are necessary or desirable for such operation, said construction and said operation of trackless trolley cars to be made and done under and pursuant to the terms and provisions of said agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, and approved with amendments by General Ordinance No. 40, 1936, of the City of Indianapolis; Provided, however, that no portion of said street shall be used for said construction or for said trackless trolley operation unless and until said use is approved by the Common Council of the City of Indianapolis, as required under the terms of said contract.

BOARD OF PUBLIC WORKS OF
THE CITY OF INDIANAPOLIS

By

CARL N. ANGST

MARTIN McDERMOTT

STANLEY S. FEEZLE

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

That the Common Council does hereby in all things approve, confirm and ratify the permit granted on September 6, 1951, by the Board of Public Works to Indianapolis Railways, Incorporated, as

contained in said order; Provided, that the use by Indianapolis Railways, Incorporated, of the portion of the street covered by said permit for the aforesaid purpose shall in all things be subject to, and in accordance with, all of the terms, conditions and provisions of the aforesaid agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as the same is amended and approved in said General Ordinance No. 40, 1936.

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

ORDINANCES ON SECOND READING

Mr. Wicker called for Appropriation Ordinance No. 26, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, Appropriation Ordinance No. 26, 1951 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 26, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 27, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Lupear, Appropriation Ordinance No. 27, 1951 was ordered engross, read a third time and placed upon its passage.

Appropriation Ordinance No. 27, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 28, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Lupear, Appropriation Ordinance No. 28, 1951 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 28, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 106, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Lupear, General Ordinance No. 106, 1951 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 106, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 111, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Lupear, General Ordinance No. 111, 1951 was ordered engrossed, read a third and placed upon its passage.

General Ordinance No. 111, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wallace called for General Ordinance No. 105, 1951 for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Seidensticker, General Ordinance No. 105, 1951 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 105, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Seidensticker called for General Ordinance No. 93, 1951 for second reading. It was read a second time.

Mr. Seidensticker presented the following motion to amend General Ordinance No. 93, 1951:

Indianapolis, Ind., September 17, 1951

Mr. President:

I move that General Ordinance No. 93, 1951 be amended by striking out the last three lines in Section 1, reading as follows:

“Provided, however, that no building shall be erected upon the above described territory within fifty (50) feet of the east property line of Belmont Street as now established.”

J. PORTER SEIDENSTICKER,
Councilman.

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

Ayes 8, viz: Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Bright.

Mr. Wallace presented the following motion to further amend General Ordinance No. 93, 1951:

Indianapolis, Ind., September 17, 1951

Mr. President:

I move that General Ordinance No. 93, 1951 be amended by striking out the word “street” where it appears after the word “Belmont” in

lines 9, 11, 13, 17 and 18 in Section 1 thereof and inserting in lieu thereof the following: the word "Avenue."

JOSEPH C. WALLACE,
Councilman.

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

Ayes 8, viz: Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Bright.

On motion of Mr. Seidensticker, seconded by Mr. Lupear, General Ordinance No. 93, 1951, As Amended was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 93, As Amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Bright.

Mr. Seidensticker called for Special Ordinance No. 12, 1951 for second reading. It was read a second time.

On motion of Mr. Seidensticker, seconded by Mr. Lupear, Special Ordinance No. 12, 1951 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 12, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Lupear called for General Ordinance No. 108, 1951 for second reading. It was read a second time.

On motion of Mr. Lupear, seconded by Mr. Seidensticker, General Ordinance No. 108, 1951 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 108, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Lupear called for General Ordinance No. 109, 1951 for second reading. It was read a second time.

On motion of Mr. Lupear, seconded by Mr. Ehlers, General Ordinance No. 109, 1951 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 109, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Bright called for General Ordinance No. 110, 1951, for second reading. It was read a second time.

Mr. Bright presented the following motion to amend General Ordinance No. 110, 1951:

Indianapolis, Ind., September 17, 1951

Mr. President:

I move that General Ordinance No. 110, 1951 be amended by striking out subsection 1 under Section 1 and renumbering subsection 2 to subsection 1.

JOSEPH E. BRIGHT,

Councilman.

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

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Bright, seconded by Mr. Lupear, General Ordinance No. 110, 1951, As Amended was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 110, 1951, As Amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Seidensticker, seconded by Mr. Lupear, the Common Council adjourned at 9:00 P. M., CST.

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 17th day of September, 1951, at 6:30 P. M., CST.

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)

