

REGULAR MEETING

Monday, August 15, 1955, 6:30 P.M. CST

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, August 15, 1955, at 6:30 P.M. CST, in regular session.

President Bright in the chair.

The Clerk called the roll.

Present: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Absent: Mr. Ehlers.

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

COMMUNICATIONS FROM THE MAYOR

August 2, 1955

TO THE 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, Mrs. Grace M. Tanner, the following ordinances:

APPROPRIATION ORDINANCE NO. 22, 1955

An ordinance appropriating from the current and/or anticipated balances in the Parking Fund, Commonly known as the

Parking Meter Fund, such sums as shall be needed for the payment of principal and interest becoming due at any time upon the proposed One Million Eight Hundred Thousand (\$1,800,000.00) Dollars, more or less, bond issue of 1955 of the City of Indianapolis Off-Street Parking Commission, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 72, 1955

An ordinance to amend Section 11-103 (a) of Title 11, Chapter 1 of the Municipal Code of the City of Indianapolis, Indiana, 1951, said Title 11, Chapter 1 being commonly known as the Zoning Code of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Respectfully,

ALEX. M. CLARK,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

August 15, 1955

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 23, 24, 25,
26, 27 and 28, 1955

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. 23, 24, 25, 26, 27 and 28, 1955—The Indianapolis News and The Indianapolis Commercial—Thursday, Aug. 4 and 11, 1955

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

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P.M. CST, Aug. 15, 1955 and by posting copies of said ordinances at the City Hall, Court House and Police Station ten days or more prior to date of hearing.

Very truly yours,

GRACE M. TANNER,
City Clerk

August 15, 1955

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

Gentlemen:

In Re: General Ordinances Nos. 74, 76, 77 and 78, 1955

Pursuant to the laws of the State of Indiana, I caused to be published on Friday, Aug. 5, 1955 in The Indianapolis Star and The Indianapolis Commercial "Notice to Interested Citizens" that

G.O. Nos. 76 and 77, 1955 hearing was set before the Common Council Aug. 15, 1955

G.O. Nos. 74 and 78, 1955 hearing was set before the Common Council Sept. 7, 1955

Very truly yours,

GRACE M. TANNER,
City Clerk

August 15, 1955

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

Gentlemen:

In Re: General Ordinance No. 72, 1955

Pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers:

G.O. No. 72, 1955—The Indianapolis News and The Indianapolis Commercial—Monday, Aug. 8 and 15, 1955,

and that said ordinance is in full force and effect eight days after the last publication date and compliance with any laws pertaining thereto.

Very truly yours,

GRACE M. TANNER,
City Clerk

August 11, 1955

To President and Members of the Common Council

In Re: General Ordinance No. 73, 1955

In compliance with letter dated July 19, 1955, signed by Grace M. Tanner, City Clerk, the subject ordinance was given a public hearing after due public notice by the City Plan Commission at its meeting August 8, 1955, resulting in a vote of 4 "Yes" and 4 "No" on a motion to approve. Since 6 votes of the Commission are required to approve or disapprove, no recommendation is made by the City Plan Commission with respect to passage of General Ordinance No. 73, 1955.

This proposed ordinance would change the zoning to U3 or Business on all lots between 40th Street and a line 80' north of 39th Street on the west side of Illinois Street, and also on 2 lots on the east side of Illinois Street a short distance south on 40th Street.

NOBLE P. HOLLISTER,
Executive Secretary
City Plan Commission

June 29, 1955

To President and Members of the Common Council

In Re: General Ordinance No. 81, 1955 to create a new 5-member board of zoning appeals for the city of Indianapolis.

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Submitted herewith are copies of the subject ordinance, which was given a public hearing after due public notice by the Commission at its meeting June 27, 1955, resulting in unanimous approval by the Commission, which therefore requests and recommends the passage of said ordinance as herewith submitted.

It is believed that a 5-member board of zoning appeals created under the provisions of this ordinance will conform with the provisions of Section 69, Chapter 283, Acts of 1955, Indiana General Assembly.

NOBLE P. HOLLISTER
Executive Secretary
City Plan Commission

August 15, 1955

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of Appropriation Ordinance No. 29, 1955, appropriating the sum of One Thousand Seven Hundred (\$1,700.00) Dollars, Tax Levy Money, from the anticipated, estimated, unexpended and unappropriated 1955 balance of the General Fund of the City of Indianapolis, to a certain designated fund and item in the Department of Finance, City Controller.

Very truly yours,

CHARLES P. EHLERS
Councilman

August 15, 1955

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of Appropriation

Ordinance No. 30, 1955, appropriating and allocating the sum of One Hundred Thirty-one Thousand Two Hundred (\$131,200.00) Dollars from the unexpended and unappropriated balance of the Redevelopment District Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Redevelopment.

Very truly yours,

CHARLES P. EHLERS
Councilman

August 15, 1955

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of Appropriation Ordinance No. 31, 1955, appropriating the sum of Two Thousand (\$2,000.00) Dollars, Gas Tax Money, from the anticipated, estimated, unexpended and unappropriated 1955 balance of the General Fund of the City of Indianapolis, to a certain designated fund and item in the Department of Finance, City Controller.

Very truly yours,

CHARLES P. EHLERS
Councilman

August 15, 1955

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of Appropriation Ordinance No. 32, 1955, appropriating and allocating the sum of

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Twelve Thousand Six Hundred (\$12,600.00) Dollars from the unexpended and unappropriated balance of the Department of Aviation General Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Aviation, Board of Aviation Commissioners, Weir Cook Municipal Airport.

Very truly yours,

CHARLES P. EHLERS
Councilman

August 15, 1955

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 80, 1955, to amend Title 4, Chapter 8, Section 4-822 of the Municipal Code of Indianapolis, 1951, by the addition of subsection 95 thereto, limiting parking of vehicles to one and one-half hours between 7:00 A.M. and 6:00 P.M., except on Sundays, on College Avenue between certain designated points.

Very truly yours,

GLENN W. RADEL
Councilman

August 15, 1955

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

Gentlemen:

Submitted herewith are 24 copies of General Ordinance No. 81, 1955,

to create a new 5-member Board of Zoning Appeals for the City of Indianapolis.

Very truly yours,

J. WESLEY BROWN
Councilman

August 15, 1955

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 27, 1955, annexing various areas north of 16th Street east of Speedway City (CCC & St. L. R. R.); along Lafayette Road (including Twp. school) to 38th Street, to Cold Spring Road and the north half of 38th Street to the Canal.

Very truly yours,

J. WESLEY BROWN
Councilman

August 15, 1955

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 28, 1955, annexing an area from the southeast corner of Section 21, west of Holt Road, north to the CCC & St. L. R. R. then north to Grande Ave.,

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to the south line of Little Eagle Creek Park and the present corporation line.

Very truly yours,

J. WESLEY BROWN
Councilman

August 15, 1955

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 29, 1955, annexing an area from 21st Street to Mass. Ave. and from Emerson to Arlington.

Very truly yours,

J. WESLEY BROWN
Councilman

Mr. Radel asked for recess. The motion was seconded by Mr. Brown and the Council recessed at 7:05 P.M. CST.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 27, 1955, General Ordinances Nos. 65, 73, 76, 77, 79, 1955 and Special Ordinances Nos. 22, 23, 24, 25, 26, 1955.

The Council reconvened at 8:45 P.M. CST with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., August 15, 1955

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, 1955, entitled

AN ORDINANCE appropriating \$9,000.00 from General Fund to Fund 62-5, Indianapolis-Marion Building Authority, City Controller,

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

CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., August 15, 1955

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. 65, 1955, entitled

AN ORDINANCE increasing assessment of cutting weeds from \$15.00 to \$100.00,

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

CARTER W. ELTZROTH, Chairman
GLENN W. RADEL
JOSEPH C. WALLACE
CHRISTIAN J. EMHARDT

Indianapolis, Ind., August 15, 1955

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 General Ordinance No. 73, 1955, entitled

AN ORDINANCE amending the Zoning Code—U3—15 lots on west side of Illinois St., 2 lots on east side of Illinois St. between 39th and 40th Sts.,

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

J. WESLEY BROWN, Chairman
JOHN A. SCHUMACHER
CHRISTIAN J. EMHARDT
JOSEPH A. WICKER

Indianapolis, Ind., August 15, 1955

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 General Ordinance No. 76, 1955, entitled

AN ORDINANCE regulating conversion of residential buildings in districts zoned for business or industrial use,

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

J. WESLEY BROWN, Chairman
JOHN A. SCHUMACHER
CHARLES P. EHLERS
CHRISTIAN J. EMHARDT
JOSEPH A. WICKER

Indianapolis, Ind., August 15, 1955

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 General Ordinance No. 77, 1955, entitled

AN ORDINANCE amending the Zoning Code in recently annexed area—Keystone Ave., Kessler Blvd., E. D., Evanston Ave. & 62nd St. (S.O. No. 10, 1955),

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

J. WESLEY BROWN, Chairman
JOHN A. SCHUMACHER
CHRISTIAN J. EMHARDT
JOSEPH A. WICKER

Indianapolis, Ind., August 15, 1955

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. 79, 1955, entitled

AN ORDINANCE authorizing purchase of 1 Allis Chalmers Diesel Motor Grader, \$14,460.00 for St. Commissioner,

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

CARTER W. ELTZROTH, Chairman
GLENN W. RADEL
JOSEPH C. WALLACE
CHRISTIAN J. EMHARDT

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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. 22, 1955, entitled

AN ORDINANCE repealing S.O. No. 24, 1953, S.O. No. 5, 1954
and S.O. No. 3, 1955,

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

JOHN A. SCHUMACHER, Chairman
J. WESLEY BROWN
JOSEPH C. WALLACE

Indianapolis, Ind., August 15, 1955

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. 23, 1955, entitled

AN ORDINANCE annexing territory 38th to 42nd Sts., Graham
Ave. to Sherman Drive (See S.O. No. 22, 1955),

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

JOHN A. SCHUMACHER, Chairman
J. WESLEY BROWN
GLENN W. RADEL

Indianapolis, Ind., August 15, 1955

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. 24, 1955, entitled

AN ORDINANCE repealing Special Ordinance No. 8, 1954,

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

JOHN A. SCHUMACHER, Chairman
J. WESLEY BROWN
GLENN W. RADEL
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., August 15, 1955

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. 25, 1955, entitled

AN ORDINANCE annexing an area Ritter Ave. to Arlington Ave., 16th to 21st Sts., also 13th to 16th Sts., Ritter to Graham Ave.,

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

JOHN A. SCHUMACHER, Chairman
J. WESLEY BROWN
GLENN W. RADEL
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., August 15, 1955

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. 26, 1955, entitled

AN ORDINANCE annexing all territory contained in Center Twp.
not presently in—north of Troy Ave., west of Emerson Ave.,
northern boundary Mass. Ave.,

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

JOHN A. SCHUMACHER, Chairman
J. WESLEY BROWN
GLENN W. RADEL
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Ehlers:

APPROPRIATION ORDINANCE NO. 29, 1955

AN ORDINANCE appropriating the sum of One Thousand Seven
Hundred (\$1,700.00) Dollars, Tax Levy Money, from the anti-
cipated, estimated, unexpended and unappropriated 1955 balance
of the General Fund of the City of Indianapolis to a certain desig-
nated fund and item in the Department of Finance, City Con-
troller, created by virtue of the 1955 Budget (General Ordinance
No. 109, 1954, as amended), declaring an emergency, 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 sum total of One Thousand Seven Hundred
(\$1,700.00) Dollars, Tax Levy Money, from the anticipated, unexpended-

ed and unappropriated 1955 balance of the General Fund of the City of Indianapolis, be and the same is hereby appropriated and allocated to the following designated fund and item in the Department of Finance, City Controller, created by virtue of the 1955 Budget (General Ordinance No. 109, 1954, as amended), to-wit:

DEPARTMENT OF FINANCE
CITY CONTROLLER

5. CURRENT CHARGES

51. Insurance and Premiums -----\$ 1,700.00

Section 2. The above appropriation is necessary because of the existing emergency requiring additional fund for the use of the Department of Finance, City Controller, of the City of Indianapolis.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

By Councilman Ehlers:

APPROPRIATION ORDINANCE NO. 30, 1955

AN ORDINANCE appropriating and allocating the sum of One Hundred Thirty-one Thousand Two Hundred (\$131,200.00) Dollars from the unexpended and unappropriated balance of the Redevelopment District Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Redevelopment, created by virtue of the 1955 Budget (General Ordinance No. 109, 1954, as amended), declaring an emergency, 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 sum total of One Hundred Thirty-one Thousand Two Hundred (\$131,200.00) Dollars from the unexpended and unappropriated balance of the Redevelopment District Fund of the City of Indianapolis, now in the hands of the City Controller, be and

the same is hereby appropriated, transferred and allocated to the following designated funds and items in the Department of Redevelopment, to wit:

DEPARTMENT OF REDEVELOPMENT

2. SERVICES—CONTRACTUAL

21. Communication and Transportation -----	\$ 500.00
24. Printing and Advertising -----	500.00

3. SUPPLIES

36. Office Supplies -----	200.00
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7. PROPERTIES

73. Land and Improvements -----	130,000.00
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TOTAL -----	\$131,200.00
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Section 2. The above appropriation is necessary because of the existing emergency requiring additional funds for the use of the Department of Redevelopment.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

By Councilman Ehlers:

APPROPRIATION ORDINANCE NO. 31, 1955

AN ORDINANCE appropriating the sum of Two Thousand (\$2,000.00) Dollars, Gas Tax Money, from the anticipated, estimated, unexpended and unappropriated 1955 balance of the General Fund of the City of Indianapolis, to a certain designated fund and item in the Department of Finance, City Controller, created by virtue of the 1955 Budget (General Ordinance No. 109, 1954, as amended), declaring an emergency, 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 sum total of Two Thousand (\$2,000.00) Dollars, Gas Tax Money, from the anticipated, estimated, unexpended and unappropriated 1955 balance of the General Fund of the City of Indianapolis, be and the same is hereby appropriated and allocated to the following designated fund and item in the Department of Finance, City Controller, created by virtue of the 1955 Budget (General Ordinance No. 109, 1954, as amended), to wit:

DEPARTMENT OF FINANCE
CITY CONTROLLER

5. CURRENT CHARGES

GAS TAX

51. Insurance and Premiums -----\$ 2,000.00

Section 2. The above appropriation is necessary because of the existing emergency requiring additional funds for the use of the Department of Finance, City Controller, of the City of Indianapolis.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

By Councilman Ehlers:

APPROPRIATION ORDINANCE NO. 32, 1955

AN ORDINANCE appropriating and allocating the sum of Twelve Thousand Six Hundred (\$12,600.00) Dollars from the unexpended and unappropriated balance of the Department of Aviation General Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Aviation, Board of Aviation Commissioners, Weir Cook Municipal Airport, created by virtue of the 1955 Budget (General Ordinance No. 109, 1954, as amended), declaring an emergency, 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 sum total of Twelve Thousand Six Hundred (\$12,000.00) Dollars from the unexpended and unappropriated 1955 balance in the Department of Aviation General Fund of the City of Indianapolis, now in the hands of the City Controller, be and the same is hereby appropriated, transferred and allocated to the following designated funds and items in the Department of Aviation, Board of Aviation Commissioners, Weir Cook Municipal Airport, to wit:

DEPARTMENT OF AVIATION BOARD OF AVIATION COMMISSIONERS WEIR COOK MUNICIPAL AIRPORT

2. SERVICES—CONTRACTUAL

22. Light and Power -----\$ 12,000.00

3. SUPPLIES

38. General Supplies ----- 600.00

TOTAL -----\$ 12,600.00

Section 2. The above appropriation is necessary because of the existing emergency requiring additional funds for the use of Weir Cook Municipal Airport.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Radel:

GENERAL ORDINANCE NO. 80, 1955

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particu-

larly Title 4, Chapter 8, Section 4-822 thereof, by the addition of sub-section 95 thereto, limiting parking of vehicles to one and one-half hours between 7:00 A.M. and 6:00 P.M., except on Sundays, on College Avenue between certain designated points, and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-822 of the Municipal Code of Indianapolis, 1951, be and hereby is amended as follows, to wit:

By the addition of sub-section 95, as follows:

Street	Side of Street	From	To
95. College Ave.	Both	Eleventh St.	First Alley North

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

By Councilman Brown:

GENERAL ORDINANCE NO. 81, 1955

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 11, Chapter 1, Section 11-122 thereof, by creating a new Board of Zoning Appeals for the City of Indianapolis, repealing all sections, subsections or parts of ordinance in conflict therewith, and fixing a time when the same shall take effect.

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

Section 1. That Section 11-122, Sub-sections (a), (b), (c), and (d)

of Title 11, Chapter 1, be and the same are hereby amended to read as follows:

11-122. Board of zoning appeals and enforcement (a) There is hereby created a board of zoning appeals for the City of Indianapolis consisting of five (5) members to be appointed by the Mayor. Said members so appointed shall have the following qualifications: all members shall be residents of the City of Indianapolis, two (2) of the members so appointed shall be members of the city plan commission, and none of the members shall hold other elective or appointive office in the city government. Upon the creation of a board of zoning appeals, the members shall be appointed for the following terms: one for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. The terms shall expire on the first day of January of the first, second, third or fourth year, respectively, following their appointment; thereafter, as their terms expire, each new appointment shall be for a term of four years. In case of a vacancy among the members of the board of zoning appeals, the Mayor shall appoint a member for the unexpired term. At the first meeting each year, the board of zoning appeals shall elect a chairman and vice chairman from its members. The vice-chairman shall have the authority to act as chairman during the absence or disability of the chairman. A majority of the members of the board shall constitute a quorum and no action of the board shall be official, unless authorized by a majority of the board. The executive secretary of the city plan commission shall be the executive secretary of the board of zoning appeals, such other employees as are now employed or will hereafter be employed by the city plan commission shall also serve the board of zoning appeals in order to effectuate the purposes of said board of zoning appeals. The city council shall provide suitable quarters for the holding of hearings and the preservation of records, documents and accounts. The city council may appropriate funds to carry out the duties of the city plan commission and board of zoning appeals, and said commission and board are authorized jointly or severally to expend said funds under regular city procedure. The members of said board of zoning appeals shall serve without salary. The board of zoning appeals shall adopt such rules concerning the filing of appeals, giving of notice and the conduct of hearings as shall be necessary to carry out their duties. The board shall keep minutes of its proceedings, keep records of all its official actions and record its vote on all actions taken. All minutes and records shall be filed in the office of the board and shall be a public record.

(b) The city plan commission and the board of zoning appeals are charged with the enforcement of all provisions of the statutes and of all provisions of this chapter and code; and for such purpose, this chapter and the provisions thereof shall be enforced by the executive secretary of said commission and board, under their rules and regulations.

(c) Such secretary, in the performance of his duties as provided in sub-section (b) hereof, or in any other instances, is empowered to call upon any employee of said commission and board. The city building commissioner, the police and firemen and other city officials, to act for and aid him in any inspections and also in the enforcement of any phase of his duties aforesaid, which also involve their respective duties and powers as officials of this city. These so acting shall report their acts and recommendations thereon to said secretary, and he shall thereupon make and enter on his records such decision and order therein as he determines the facts so disclosed and the law applicable thereto requires. No building permit shall be issued contrary to any such order of said secretary, unless authorized by said board, after a hearing thereon, as herein provided.

(d) Any decision and order of said secretary, so made and entered, may be appealed to the board of zoning appeals by any person or persons claiming to be adversely affected thereby, for a hearing thereon, as authorized by the statutes and by this chapter, or by any other ordinance.

Section 2. All of the books, records and plans of the present board of zoning appeals are hereby transferred to the newly created board of zoning appeals, upon the effective date of this ordinance.

Section 3. All sections, sub-sections or parts of Municipal Code of Indianapolis, 1951, that are in conflict with the provisions of Section 11-122 as herein amended are hereby repealed.

Section 4. All rights of appeal or causes of action accrued and existing at the time of the taking effect of said new Section 11-122, of Chapter 1, Title 11, or any rights, liabilities, orders of decisions of the commissioner of buildings, the board of zoning appeals or its executive secretary as now constituted, which will be in effect at the time this ordinance shall be effective, shall not be abrogated, affected, or impaired in any way.

Section 5. 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 Works.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Brown:

SPECIAL ORDINANCE NO. 27, 1955

AN ORDINANCE annexing certain contiguous territory to 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 annexed to and made a part of the City of Indianapolis, to wit:

Beginning at the point of intersection of the west right-of-way line of the C.C.C. and St. L. RR (Chicago Division) and the north right-of-way line of 38th Street; thence east with the north right-of-way line of 38th Street to the west line of the Town of Woodstock; thence south with the west line of the Town of Woodstock to the north line of Section 22, Township 16 North, Range 3 East, in Marion County, Indiana; thence west with the north line of said Section 22 and the north line of adjoining Section 21 to the west property line of Cold Spring Road; thence southwesterly and southerly with the west property line of Cold Spring Road and the present corporation line of the City of Indianapolis to the north line of Woolings Gold Coast Addition; thence west with the north line of said addition to the center line of Warman Avenue; thence south with the center line of Warman Avenue and said center line extended south to a point 353.9 feet north of the south line of Section 28, Township 16 North, Range 3 East, in Marion County, Indiana; thence west and parallel with said south line of Section 28 to the east property line of Kessler Boulevard; thence north with the east property line of Kessler Boulevard to

the northeast property line of Lafayette Road; thence northwest with the northeast property line of Lafayette Road to the north line of Kessler Park Addition extended east; thence west with the said north line of Kessler Park Addition to the east right-of-way line of Tibbs Avenue; thence north with the east right-of-way line of Tibbs Avenue and said east line extended to the southwesterly right-of-way line of Lafayette Road; thence northwesterly with the southwesterly right-of-way line of Lafayette Road to a point located due west of a point in the center line of Lafayette Road 1224.16 feet northwest of its intersection with the center line of Tibbs Avenue; thence west and parallel with the north line of Section 29, Township 16 North, Range 3 East, in Marion County, Indiana, to a point 645.98 feet west of the aforesaid point in the center line of Lafayette Road; thence north on a deflection angle to the right of 90 degrees a distance of 533.73 feet to a point; thence west and parallel with the aforesaid north line of Section 29 a distance of 271.36 feet to a point; thence north to the north right-of-way line of 30th Street; thence west with the north right-of-way line of 30th Street to the east right-of-way line of the C.C.C. and St. L. R.R. (Chicago Division); thence south with said east railroad right-of-way line to a point 1050 feet north of the southwest corner of the northeast $\frac{1}{4}$ of said Section 29; thence east and parallel with the south line of said northeast $\frac{1}{4}$ section a distance of 1700 feet to a point; thence south and parallel with the west line of said $\frac{1}{4}$ section a distance of 1010 feet to a point; thence east and parallel with the south line of said $\frac{1}{4}$ section to the west right-of-way line of Tibbs Avenue; thence south with the west right-of-way line of Tibbs Avenue to the south property line of 19th Street; thence east with the south property line of 19th Street to the west property line of Goodlet Avenue; thence south with the west property line of Goodlet Avenue and the present corporation line of the City of Indianapolis to the north property line of 16th Street; thence west with the north property line of 16th Street and the present corporation line of the City of Indianapolis to a point 207.35 feet west of the west property line of Centennial Street; thence north with the present corporation line of the City of Indianapolis to a point 238 feet north of the south line of the northwest $\frac{1}{4}$ of Section 33, Township 16 North, Range 3 East, in Marion County, Indiana; thence east 90 feet; thence north with the present corporation line of the City of Indianapolis to the south property line of 18th Street; thence west with the present corporation line of the City of Indianapolis a distance 295.85 feet to a point; thence south with the

present corporation line of the City of Indianapolis to a point 238 feet north of the south line of the northwest $\frac{1}{4}$ of said Section 33; thence east 90.34 feet to a point; thence south to the north property line of 16th Street; thence west with the north property line of 16th Street to the west right-of-way line of the C.C.C. and St. L. R.R. (Chicago Division); thence north with said west railroad right-of-way line to the south line of Section 29, Township 16 North, Range 3 East, in Marion County, Indiana; thence west with the south line of said Section 29 to the west line of the east half of the southwest $\frac{1}{4}$ of said Section 29, said west line being also the east line of the Town of Speedway; thence north with said west line of said half quarter section a distance of 1990.7 feet, more or less, to a point; thence east with the corporation line of the Town of Speedway to the west right-of-way line of the C.C.C. and St. L. R. R. (Chicago Division); thence north with said west railroad right-of-way line 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 Councilman Brown:

SPECIAL ORDINANCE NO. 28, 1955

AN ORDINANCE annexing certain contiguous territory to 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 City of Indianapolis, to-wit:

Beginning at the southeast corner of Section 21, Township 15 North, Range 3 East, in Marion County, Indiana; thence west with the south line of said Section 21 to the southwest corner thereof, and continuing west with the south line of the adjoining Section 20 to the west property line of Holt Road; thence north

with the west property line of Holt Road and said west line extended north to the north right-of-way line of the Cleveland, Cincinnati, Chicago and St. Louis Railroad; thence west with said north right-of-way line to the west line of Section 8, Township 15 North, Range 3 East, in Marion County, Indiana; thence north with said west section line and the west line of the adjoining Section 5 to a point 551.6 feet north of the southwest corner of said Section 5; thence east and parallel to the south line of Section 5 a distance of 1602 feet to a point; thence north and parallel with the east line of the southwest $\frac{1}{4}$ of Said Section 5 to the north line of said southwest $\frac{1}{4}$ section; thence west to the west property line of Grande Avenue produced south; thence north with the west property line of Grande Avenue and the present corporation line of the City of Indianapolis to the south line of Little Eagle Creek Park; thence east with the south line of Little Eagle Creek Park and the present corporation line of the City of Indianapolis to the west property line of Olin Avenue; thence south with the west property line of Olin Avenue to the south property line of Michigan Street; thence east with the south line of Michigan Street to the center line of Little Eagle Creek; thence southeasterly with the meanderings of the center line of Little Eagle Creek and the present corporation line of the City of Indianapolis to the center line of Vermont Street; thence east with the center line of Vermont Street and the present corporation line of the City of Indianapolis to the west property line of Tibbs Avenue; thence south and southeasterly with the west property line of Tibbs Avenue and the present corporation line of the City of Indianapolis to the east line of the aforesaid Section 5; thence south with the east line of said Section 5 to the north property line of Market Street; thence west with the north property line of Market Street and the present corporation line of the City of Indianapolis to the top of the east bank of Big Eagle Creek; thence southeasterly with the top of the east bank of Big Eagle Creek to the center line of Market Street produced west; thence west with the center line of Market Street to the northwest production of the southwestern property lines of Lots 4, 5, and 6 of Block 11, Salem Park Subdivision; thence southeasterly with the southwestern lines of said lots and the present corporation line of the City of Indianapolis to the top of the west bank of Big Eagle Creek; thence southerly and southeasterly with the top of the west bank of Big Eagle Creek and the present corporation line of the City of Indianapolis to the east property line of Exeter Avenue produced north; thence south with the east property line of Exeter Avenue

and the present corporation line of the City of Indianapolis to the south property line of Tibbs Avenue; thence easterly, southeasterly and south with the southerly and westerly property line of Tibbs Avenue and the present corporation line of the City of Indianapolis to the south right-of-way line of the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad; thence northeasterly with said south right-of-way line to the center line of Big Eagle Creek; thence southerly with the meanderings of the center line of Eagle Creek and the present corporation line of the City of Indianapolis to the center line of Morris Street; thence west with the center line of Morris Street to the west bank of Eagle Creek; thence southerly with the meanderings of the west bank of Eagle Creek and the present corporation line of the City of Indianapolis to the west line of the east half of the southeast $\frac{1}{4}$ of Section 16, Township 15 North, Range 3 East, in Marion County, Indiana; thence south with the west line of said east half quarter section and the present corporation line of the City of Indianapolis to the south property line of Raymond Street; thence east with the south property line of Raymond Street to the southeasterly right-of-way line of Kentucky Avenue; thence southwesterly with the southeasterly right-of-way line of Kentucky Avenue and the present corporation line of the City of Indianapolis to a corner in said corporation line approximately 360 feet, more or less, southwest of the south property line of Raymond Street; thence southeasterly with the present corporation line of the City of Indianapolis to a point in the east line of Section 21, Township 15 North, Range 3 East, said point being 378.83 feet south of the northeast corner of said Section 21; thence south with the east line of said Section 21 and the present corporation line of the City of Indianapolis 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 Councilman Brown:

SPECIAL ORDINANCE NO. 29, 1955

AN ORDINANCE annexing certain contiguous territory to 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 City of Indianapolis, to-wit:

Beginning at the intersection of the west property line of Arlington Avenue and the north line of 21st Street; thence west with the north line of 21st Street to the east property line of Emerson Avenue; thence north with the east property line of Emerson Avenue to the south right-of-way line of the Indiana Traction line, now abandoned; thence southwest with the south right-of-way line of said abandoned traction line to the west line of Section 27, Township 16 North, Range 4 East, in Marion County, Indiana; thence north with said west section line to the southeast property line of Massachusetts Avenue; thence northeast with the southeast property line of Massachusetts Avenue and the present corporation line of the City of Indianapolis to the east property line of Arlington Avenue; thence south with the east property line of Arlington Avenue to the southerly right-of-way line of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company; thence southwesterly with the southerly right-of-way line of said railway and the present corporation line of the City of Indianapolis to the west property line of Bolton Avenue; thence south with said west property line and the present corporation line of the City of Indianapolis to the north property line of 24th Street; thence west with said north property line and the present corporation line of the City of Indianapolis to the west line of Lot 261 in Arlington Manor 2nd Section extended north; thence south with said west lot line and the present corporation line of the City of Indianapolis to the south property line of 23rd Street; thence east with the south property line of 23rd Street and the present corporation line of the City of Indianapolis to the west property line of Arlington Avenue; thence south with the west property line of Arlington Avenue and the present corporation line of the City of Indianapolis 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.

ORDINANCES ON SECOND READING

Mr. Eltzroth called for Appropriation Ordinance No. 27, 1955 for second reading. It was read a second time.

On motion of Mr. Eltzroth, seconded by Mr. Radel, Appropriation Ordinance No. 27, 1955 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 27, 1955 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Eltzroth made a motion that General Ordinance No. 65, 1955 be stricken from the files.

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

Ayes 8, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Brown called for General Ordinance No. 77, 1955, for second reading. It was read a second time.

On motion of Mr. Brown, seconded by Mr. Wicker, General Ordinance No. 77, 1955 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 77, 1955 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Eltzroth called for General Ordinance No. 79, 1955 for second reading. It was read a second time.

On motion of Mr. Eltzroth, seconded by Mr. Wicker, General Ordinance No. 79, 1955 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 79, 1955, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Schumacher called for Special Ordinance No. 22, 1955 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Brown, Special Ordinance No. 22, 1955 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 22, 1955 was read a third time by the Clerk and FAILED TO PASS by the following roll call vote:

Ayes 2, viz: Mr. Brown, Mr. Schumacher.

Noes 6, viz: Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Schumacher called for Special Ordinance No. 23, 1955 for second reading. It was read a second time.

Mr. Brown made a motion that Special Ordinance No. 23, 1955 be tabled, which failed for want of a second.

On motion of Mr. Schumacher, seconded by Mr. Radel, Special Ordinance No. 23, 1955 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 23, 1955 was read a third time by the Clerk and FAILED TO PASS by the following roll call vote:

Ayes 3, viz: Mr. Brown, Mr. Schumacher, Mr. Wicker.

Noes 5, viz: Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, President Bright.

Mr. Schumacher called for Special Ordinance No. 24, 1955 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Radel, Special Ordinance No. 24, 1955 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 24, 1955 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Schumacher called for Special Ordinance No. 25, 1955 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Radel,

Special Ordinance No. 25, 1955 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 25, 1955 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

* * * * *

On motion of Mr. Wicker, seconded by Mr. Schumacher, the Common Council adjourned at 9:05 P.M. CST.

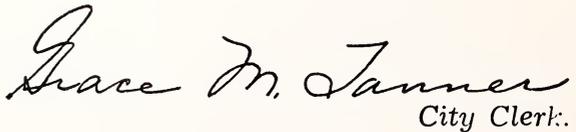
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 15th day of August, 1955, at 6:30 P.M. CST.

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



ATTEST:

President.



(SEAL)

City Clerk.