

REGULAR MEETING

Monday, January 16, 1956, 6:30 P.M. CST.

The Common Council of the City of Indianapolis met in the Council Chamber in the City Hall, Monday, January 16, 1956, at 6:30 P.M., CST., in regular session.

President Emhardt in the Chair.

The Clerk called the roll.

Present: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mr. McKinney, Mrs. Pohlmann, Mr. Wallace, Mr. Williamson and President Emhardt.

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

COMMUNICATIONS FROM CITY OFFICIALS

January 6, 1956

Mr. Noble B. Hollister
Secretary
City Plan Commission
Indianapolis, Indiana

Dear Mr. Hollister:

I hereby notify you that on January 2, 1956, Mr. William Williamson, member of the Common Council and Chairman of the Public Health Committee, of the City of Indianapolis, was duly elected by the Common Council of said city as representative of the City Plan Commission, according to the laws of the State of Indiana.

Very truly yours,

TERESA F. LAFFEY
City Clerk

January 6, 1956

Mr. Calvin F. Hamilton
Executive Director
Metropolitan Plan Commission
Indianapolis, Indiana

Dear Mr. Hamilton:

I hereby notify you that on January 2, 1956, Mr. William Williamson, member of the Common Council and Chairman of the Public Health Committee, of the City of Indianapolis, was duly elected by the Common Council of said City as representative of the Metropolitan Plan Commission, according to the laws of the State of Indiana.

Very truly yours,

TERESA F. LAFFEY
City Clerk

January 3, 1956

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

Gentlemen:

Re: General Ordinance No. 81, 1955

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

G.O. No. 81, 1955—The Indianapolis News and the Indiana Democrat—Thursday, January 5, 1956 and Thursday, January 12, 1956

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

Very truly yours,

TERESA F. LAFFEY
City Clerk

January 3, 1956

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

Gentlemen:

Re: General Ordinance No. 141, 1955

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

G.O. No. 141, 1955—The Indianapolis News and the Indiana Democrat—Thursday, January 5, 1956

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

Very truly yours,

TERESA F. LAFFEY
City Clerk

January 16, 1956

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. 1, 1956, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 7, Section 4-709, thereof, making Ohio Street, Harding Street, Market Street, Bloomington Street, Greely Street, Harris Street and Hancock Street preferential at certain designated points or intersections.

Very truly yours,

JOSEPH C. WALLACE
Councilman

January 16, 1956

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. 2, 1956, repealing General Ordinance No. 16, 1954, relating to contracts authorizing permits or licenses for the installation upon the public sidewalks of said City of "Courtesy benches" and the placing thereon by the contractor of commercial advertisements as a private business use thereof.

Very truly yours,

R. THOMAS McGILL
Councilman

January 16, 1956

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. 3, 1956, to establish a certain passenger and/or loading zone for the use and occupancy of the Indiana Building, 120 East Market Street, until December 31, 1956.

Very truly yours,

JOSEPH C. WALLACE
Councilman

January 16, 1956

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. 4, 1956, to amend General Ordinance No. 17, 1937, and to establish the present loading zone of the Indiana National Bank, 3 Virginia Avenue, to read forty (40) feet instead of twenty-five (25) feet.

Very truly yours,

JOSEPH C. WALLACE
Councilman

January 16, 1956

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. 5, 1956, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, and more particularly Title 8, Chapter 4 thereof, as amended by General Ordinance No. 39, 1955, by adding Sections 8-415, 8-416 and 8-417 thereto, re-establishing fees for annual inspection of projecting signs.

Very truly yours,

MARY M. FRANCIS
Councilman

January 16, 1956

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 1, 1956, annexing certain contiguous territory to the City of Indianapolis.

Very truly yours,

JOSEPH C. WALLACE
Councilman

January 16, 1956

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 Resolution No. 1, 1956, As Amended, electing coverage by the employees of the City of Indianapolis.

The Resolution in 1955 appropriated no money and set forth no plan for paying the city's share into the Social Security Fund and Resolution No. 1, 1956, provides a method and names a practical beginning date.

Very truly yours,

JOSEPH C. WALLACE
Councilman

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Wallace:

GENERAL ORDINANCE NO. 1, 1956

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 7, Section 4-709, thereof, by the addition of sub-sections 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193 and 194 thereto, making Ohio Street, Harding Street, Market Street, Bloomington Street, Greely Street, Harris Street and Hancock Street preferential at certain designated points or intersections 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 Title 4, Chapter 7, Section 4-709 of the Municipal Code of Indianapolis, 1951, be amended as follows, to wit:

By the addition of sub-sections 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193 and 194 thereto, as follows:

- (183) Ohio Street at its intersection with Harding Street.
- (184) Ohio Street at its intersection with Astor Street.
- (185) Harding Street at its intersection with Everett Street.
- (186) Market Street at its intersection with Harding Street.
- (187) Bloomington Street at its intersection with Market Street.
- (188) Bloomington Street at its intersection with Court Street.
- (189) Greely Street at its intersection with Court Street.
- (190) Harris Street at its intersection with Jackson Street.
- (191) Harris Street at its intersection with Bertha Street.
- (192) Harris Street at its intersection with Ida Street.
- (193) Harris Street at its intersection with Victoria Street.
- (194) Hancock Street at its intersection with Bertha Street.

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 McGill:

GENERAL ORDINANCE NO. 2, 1956

AN ORDINANCE expressly repealing General Ordinance No. 16, 1954, as now set out in the 1955 Supplement to the Municipal Code, 1951, under Title 7, Chapter 2 (2), as Clause, or Paragraph 59, and as a new Chapter 23 of Title 7; and, if and as may be necessary, also hereby expressly reviving and reordaining any and all provisions of the Municipal Code of Indianapolis, 1951, and of any amendments thereto, that may possibly have been impliedly either "repealed, amended, modified, and construed," or otherwise affected in any manner, or so referred to, by the aforesaid General Ordinance No. 16, 1954, or any provision thereof.

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

Section 1. That General Ordinance No. 16, 1954, of said City, and also, as it now appears in the 1955 Supplement to the Municipal Code, 1951, of the City of Indianapolis, and so set out under Title 7, as a new Chapter 23, being 7-2301 to 7-2314, inclusive, and also set out as a new Clause, or Paragraph, 59, under Chapter 2 (2), 59, relating to contracts authorizing permits or licenses for the installation upon the public sidewalks of said City of "Courtesy benches" and the placing thereon by the contractor of commercial advertisements as a private business use thereof, and purporting to expressly amend the provisions of the Municipal Code of Indianapolis, 1951, in sub-section (2) of Section 7-202, in Title 7, Chapter 2, by adding thereto a new Clause, or Paragraph, 59, such ordinance, being deemed invalid and void, as ordained, should be and such aforesaid ordinance is hereby expressly repealed, in its entirety.

Section 2. That to remove any doubt, or uncertainty in the purported purpose and effect of said ordinance, if it be actually wholly, or partly void; or if possibly valid in all, or any, of its provisions, as having thereby, as it purported, either "repealed, amended, modified, or construed," either expressly or by implication, any provisions whatsoever of the aforesaid Municipal Code, 1951, relating in any manner to the similar subject-matter or any private use constituting obstructions of the public streets and sidewalks of said City, or relating to any kinds of signs or advertisements, placed or used in any manner and for any purpose on such streets, or sidewalks, or public places, in said City; then, and as either such alternative may require, and as may be relevant thereto, it is hereby ordained further that each and all of such prior provisions of said Municipal Code, 1951, and of any amendments thereto, other than that in said General Ordinance 16, 1954, here repealed, or that may possibly have been impliedly referred to, or affected in any manner, as so stated or purported, by the subject matter and by the ordainment of said General Ordinance No. 16, 1954, or otherwise, are each and all hereby and henceforth expressly fully revived and reordained and are continued in full force and effect and form, as each and all of such provisions existed when such General Ordinance No. 16, 1954, was ordained and approved and purported to become effective, and all the same as if such ordinance had never been ordained.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, or as otherwise provided by law.

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

By Councilman Wallace:

GENERAL ORDINANCE NO. 3, 1956

AN ORDINANCE establishing a certain passenger zone and/or loading zone in the City of Indianapolis, pursuant to the provisions of Municipal Code of Indianapolis, 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 for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended, and the Board of Public Safety, after due investigation, having recommended the establishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

- (a) A loading zone beginning at a point twenty (20) feet from the west curb line of the alley running North from East Market Street and extending west Fifty (50) feet on the north side of East Market Street, for the use and occupancy of the Indiana Building, 120 East Market Street, until December 31, 1956.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations and to any later ordinances and regulations as may be applicable.

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 City Welfare.

By Councilman Wallace:

GENERAL ORDINANCE NO. 4, 1956

AN ORDINANCE to amend General Ordinance No. 17, 1937, as adopted by the Common Council of the City of Indianapolis, establishing certain passenger and/or loading zones for the use and occupancy of certain owners and occupants of certain premises in the City of Indianapolis.

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

Section 1. That General Ordinance No. 17, 1937, establishing certain passenger and/or loading zones in the City of Indianapolis, be and the same is hereby amended as to that portion of Section 1 of said Ordinance which establishes a loading zone for the use of the Indiana National Bank, beginning with the words "An 18 foot zone" and ending with the words "the Indiana National Bank", so as to enlarge said loading zone, and to read as follows:

A forty (40) foot zone on the West side of Virginia Avenue, beginning at a point $173\frac{1}{2}$ feet southeast of the east curb line of South Pennsylvania street and extending southeast for a distance of forty (40) feet.

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 Election

By Councilman Francis:

GENERAL ORDINANCE NO. 5, 1956

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, and more particularly Title 8, Chapter 4 thereof, as amended by General Ordinance No. 39, 1955, by the addition of Sections 8-415, 8-416 and 8-417 thereto re-es-

tablishing fees for annual inspection of projecting signs, 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 Title 8, Chapter 4 of the Municipal Code of Indianapolis, 1951, as Amended by General Ordinance No. 39, 1955, be amended as follows, to-wit:

By the addition of Sections 8-415, 8-416 and 8-417 thereto as follows:

Sec. 8-415. Fees for annual inspection of projecting signs. The owner, or person in charge or control of the maintenance of any projecting sign, over five square feet in area and under ten pounds in weight, or any such sign weighing less than ten pounds, shall pay an annual inspection fee of one dollar and fifty cents for each and every such sign in place at the time such inspection is made.

Sec. 8-416. Fees for annual inspection of signs and advertising displays other than projecting signs. An annual inspection fee shall be paid to the city controller by every person in possession, charge, or control of any kind of advertising display, other than projecting signs, as follows, to-wit:

Ground sign boards over 25 square feet in area overall, one dollar;
Roof signs, two dollars;

Wall bulletins, or wall signs, over 16 square feet in area overall, or of any area when electrically illuminated, one dollar.

Sec. 8-417. Periods covered by initial fee and annual fees for all kinds of advertising displays and signs. (1) The fee chargeable and paid at the time of the issuance of a permit for the erection of any kind of advertising display, or sign, as provided for in this chapter, shall cover all charges for any such advertising display, or sign, for the remainder of the calendar year in which such permit is issued. The annual inspection fee for any kind of such advertising display, or sign, shall be due and payable on the first of January of the year next following the erection of any such advertising display or sign, but it shall not be delinquent until thirty days after such annual

inspection is made and a written notice thereof is delivered or mailed to the person owning same.

(2) When any inspection fees shall be unpaid and delinquent, the person owning same, or in control of the sign, shall be again notified in writing thereof and that unless paid within one week from the mailing of such notice, or its personal service, the commissioner of buildings will cause such sign to be removed, at such person's expense. If so removed, no sign shall be replaced, without payment of all arrears due and also the new permit fees.

(3) A separate fee shall be paid for each and every kind of sign, or advertising display described in this title. However, two or more such signs, or advertising displays, may be grouped on one inspection slip, and when the fees therefor shall be paid one tag may be issued for the entire group. No reinspection fee shall be required for signs painted on the walls of buildings.

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 Finance.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Wallace:

SPECIAL ORDINANCE NO. 1, 1956

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:

A part of the Southwest Quarter of Section 19, Township 16 North of Range 3 East, being more particularly described as follows, to-wit:

Beginning at the northeast corner of said quarter section, running thence south upon and along the east line thereof 2662.0 feet to the southeast corner of said quarter section; running thence west upon and along the south line of said quarter section a distance of 915.7 feet to a point; running thence north 479.0 feet to a point; running thence east 26.0 feet to a point; running thence north and parallel to the east line of said quarter section 1823.0 feet to a point in the north line of said quarter section; running thence east upon and along the said north line 891.4 feet to the place of beginning containing 54.74 acres more or less.

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 Councilman Wallace:

RESOLUTION NO. 1, 1956 (As Amended)

A RESOLUTION electing coverage by the employees of the City of Indianapolis, a political subdivision of the State of Indiana, as provided by Chapter 313 of the Acts of the General Assembly of the State of Indiana, 1951, as amended; and providing for notice of withdrawal by the City of Indianapolis from further participation in the Public Employees' Retirement Act as administered by the State of Indiana; and fixing a time when said resolution shall take effect, and repealing and superseding Resolution No. 1, 1955.

WHEREAS, pursuant to a referendum as provided for by Section 9 of Chapter 329 of the Acts of the General Assembly, 1955, a ma-

jority of the employees who are presently participants under the Public Employees' Retirement Act desire to participate under the Federal Old Age and Survivors' Insurance Program, and

WHEREAS, a preliminary survey was made by the State Agency of the Old Age and Survivors' Insurance Program, which State Agency has reported that the estimated employer's cost of coverage in the Old Age and Survivors' Insurance Program will be equal to approximately 2.10 per cent of the total salaries and wages to be paid for the year 1957, and

WHEREAS, it is the desire of the Common Council of the City of Indianapolis to withdraw from further participation under the Public Employees' Retirement Act;

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

Section 1. The City of Indianapolis, Indiana, hereby elects coverage under the Old Age and Survivors' Insurance Program as provided by Chapter 313 of the Acts of the General Assembly of the State of Indiana, 1951, as amended, and as they may be amended and as the same may be implemented by regulations of the State Agency.

Section 2. All positions under the government of the civil City of Indianapolis, Indiana, shall be covered except (1) all services of an emergency nature, (2) part-time positions, (3) positions, the compensation for which is on a fee basis, (4) Members of the Police and Fire Departments.

Section 3. For the purpose of carrying out the provisions of Title 11, Sec. 218 of the Federal Social Security Acts and Amendments thereof this Agreement entered into between the State Agency with the approval of the Governor and the Social Security Administrator is made a part of this Resolution and shall constitute an integral part of the Federal agreement between this political subdivision and the State Agency and shall become a part of the agreement on modification of the Agreement between the State and the Social Security Administrator. The Common Council of the City of Indianapolis hereby agrees that it will perform the obligation of a political subdivision under said (Federal-State) agreement and Chapter 313, Acts of 1951, as amended, and as they may be amended, and as they may be implemented by regulations of the State Agency.

Section 4. The Board of Trustees of the Public Employees' Retirement Fund are hereby advised that the City of Indianapolis desires to withdraw from said Fund pursuant to the terms of Chapter 340 of the Acts of the General Assembly of the State of Indiana, 1945, as amended.

Section 5. As a plan of operation it is ordained by the members hereof that the Mayor and City Controller shall place in the annual Budget for 1957, to be prepared in 1956, a fund equal in amount to match employee contributions as required by Employers under the Federal Social Security Act. That the amount required under the law for the Public Employees' Pension Fund for said year be also so included. Further that said sums be raised by a general property tax levy in 1957. That the State Agency for Federal Social Security certify to the City of Indianapolis, the amount necessary for Social Security coverage for the calendar year of 1957 prior to July, 1956, including detailed accounting of the amounts necessary to bring about the integration of the Employees' Pension Fund with the Federal Social Security Program. That active coverage under the Federal Social Security Act shall become effective January 1, 1957, for affected employees of the City of Indianapolis.

Section 6. The effective date of this resolution insofar as active Social Security coverage is concerned is not practicable or feasible earlier than January 1, 1957, for the following reasons:

That no plan of operation, nor designation of payment sources, or agreement by the City of Indianapolis and the State Agency for Social Security was entered into during 1955, nor as yet in the year 1956. That no money was appropriated for the City's contribution to the Social Security Fund for either 1955 or 1956. That Resolution No. 1, 1955, was passed after final Employees payroll for 1955 was made up and after said Employees checks were issued, so that no Employees contributions were collected, nor were any City general funds available for contribution to the Social Security fund. That there also exists the problem of integrating the Public Employees' Pension fund with Social Security. That a plan effective January 1, 1957, is the only fiscally responsible or operationally workable method open to the City of Indianapolis for affording its employees coverage under the Social Security Program.

Section 7. Resolution No. 1, 1955, is hereby repealed and superseded by this Resolution.

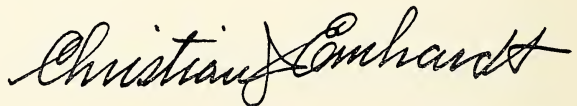
Section 8. This resolution shall be in full force and effect from and after its passage and approval by the Mayor except that active coverage under the Federal Social Security Act shall not be effective until January 1, 1957. The City Clerk is directed to certify a copy of this Resolution to the State Agency for Social Security in the State of Indiana and to request that an agreement be forwarded to the City of Indianapolis for execution in accordance with the plan set out in this resolution.

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

On motion of Mr. Bright, seconded by Mr. Wallace, the Common Council adjourned at 7:30 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 16th day of January, 1956 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.