

REGULAR MEETING

Monday, March 2nd, 1959, 6:30 P.M., CST

The Common Council of the City of Indianapolis, met in the Council Chamber in the City Hall, Monday, March 2nd, 1959, at 6:30 P.M., CST, in regular session.

President Wallace in the chair.

The Clerk called the roll.

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

The reading of the Journal for the previous meeting was dispensed with on motion of Mrs. Francis, seconded by Mr. McGill.

COMMUNICATIONS FROM THE MAYOR

February 17, 1959

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, Mrs. Teresa Laffey, the following Ordinances:

GENERAL ORDINANCE NO. 6, 1959

An ordinance authorizing the City Controller of the City of

Indianapolis to purchase through the duly authorized Purchasing Agent, certain material to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 8, 1959

An ordinance authorizing the Board of Public Works of the City of Indianapolis, to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 3, 1959

An ordinance appropriating the sum of Seventy-five Thousand Dollars (\$75,000.00), from the 1959 balance of the General Fund of the City of Indianapolis, to certain designated funds and items in the Department of Public Works, Street Commissioner, created by virtue of the 1959 Budget, General Ordinance No. 85, 1958, as Amended, declaring an emergency, and fixing a time when the same shall take effect.

Respectfully,

CHARLES H. BOSWELL
Acting Mayor

COMMUNICATIONS FROM CITY OFFICIALS

March 2, 1959

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Commercial and the Indianapolis Star, on

Friday, February 20th, 1959, and February 27th, 1959, a "Notice to Taxpayers" that Appropriation Ordinance No. 4, 1959, was to be brought before the Council on March 2nd, 1959, and hearing was set for that date.

Notices of the above were posted ten days prior to the above date in the Police Station, Court House and City Hall.

Very truly yours,

CITY OF INDIANAPOLIS

TERESA F. LAFFEY,
City Clerk

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 5, 1959, appropriating, transferring and reappropriating the sum of Two Hundred Eighty-seven Thousand (\$287,000.00), from the unexpended and unappropriated 1959 balance of the Aviation General Fund of the City of Indianapolis, \$100,000.00 of which to be appropriated to the General Fund of the City of Indianapolis, and \$187,000.00 to be appropriated and reallocated to the 1959 Airport Improvement Fund.

Respectfully submitted,

WM. H. WILLIAMSON
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordi-

nance No. 18, 1959, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, and more particularly Title 4, Chapter 6, Section 4-602 thereof, by the repeal of sub-section 38 thereof, concerning one-way traffic on Muskingum Street from New York Street to North Street, and fixing a time when the same shall take effect.

Respectfully submitted,

MARY M. FRANCIS
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 19, 1959, authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect. This authorization is covered by Requisitions Nos. 8410, 8443, and 8496.

Respectfully submitted,

R. A. McKINNEY
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ord-

nance No. 20, 1959, authorizing the Board of Public Works of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect. This authorization is covered by Requisitions Nos. 12085, 12086 and 10387.

Respectfully submitted,

R. THOMAS MCGILL
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 21, 1959, fixing the annual salaries for certain officers of the City of Indianapolis for the term commencing January 1, 1960 and fixing a time when the same shall take effect.

Respectfully submitted,

WM. H. WILLIAMSON
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 22, 1959, to regulate, control and license Pinball Machines and similar Amusement machines owned, controlled, leased, used, rented, operated or the exhibiting of such devices or machines by any

person, firm or corporation, without first obtaining a license to do so, and conforming to the rules and regulations provided for such business in accordance with the provisions herein, and prohibiting playing of Pinball machines and like devices by minors, and fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

Respectfully submitted,

WM. H. WILLIAMSON
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 23, 1959, repealing sub-section 31 of Section 4-817, Title 4, Chapter 8, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, prohibiting parking between 7:00 A.M. and 9:00 A.M. except Sundays, on the East Side of Madison Avenue from South Street to Lincoln Street.

Respectfully submitted,

AUGUST C. HUBER
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 24, 1959, to amend the Municipal Code of Indianapolis, 1951,

March 2, 1959]

City of Indianapolis, Ind.

131

General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, by the addition of subsections 324, 325, 326, and 327, thereto, prohibiting parking at all times on certain designated points, and fixing a time when the same shall take effect: Delaware Street, Madison Avenue, and 25th Street.

Respectfully submitted,

MARY M. FRANCIS
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 25, 1959, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, and more particularly Section 4-834.1 prohibiting parking, stopping or standing of vehicles on Delaware Street between Bicking Street and Maryland Street, on the East Side of the Street, between the hours of 6:00 A.M. and 9:00 A.M., inclusive, and 3:00 P.M. and 6:00 P.M. inclusive, excepting Saturdays and Sundays, and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS MCGILL
Councilman

March 2, 1959

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordi-

nance No. 5, 1959, annexing certain contiguous territory of the City of Indianapolis, Indiana.

Respectfully submitted,

WM. H. WILLIAMSON
Councilman

Mrs. Francis moved that the Council act on a Special Order of Business, the same being General Ordinance No. 15, 1959, and the motion was seconded by Mr. McGill, and unanimously passed by the Council.

Mrs. Francis then asked for recess in order to hear General Ordinance No. 15, 1959, to receive committee reports and to order up for second and third reading the above named Ordinance.

The motion was seconded by Mr. McGill and the Council recessed at 6:45 P.M., CST.

The Council reconvened at 7:55 P.M., CST, with the same members present as before.

COMMITTEE REPORT

Indianapolis, Ind., March 2, 1959

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 15, 1959, entitled

AN ORDINANCE amending the Municipal Code of the City of Indianapolis, particularly Title 4, Chapter 6, Section 4-602 repealing sub-sections 18 and 39 governing the flow of traffic on East and New Jersey Street, and amending Title 4, Section 4-602 by the addition of sub-sections 121, 122, 123, 124, and 125 governing the flow of traffic on Carrollton Avenue, Stevens Street, Central Avenue, East Street and College Avenue

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

R. A. McKINNEY, Chairman
R. THOMAS MCGILL
WM. H. WILLIAMSON

ORDINANCE ON SECOND READING

Mr. McKinney called for General Ordinance No. 15, 1959, for second reading. It was read a second time.

On motion of Mr. McKinney, seconded by Mr. Huber, General Ordinance No. 15, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 15, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 5, viz: Mrs. Francis, Mr. Huber, Mr. McKinney, Mr. Williamson, President Wallace.

Noes 4, viz: Mr. Applegate, Mr. Bright, Mr. McGill, Mrs. Pohlmann.

At this time those present were given an opportunity

to be heard on General Ordinances Nos. 97, 1958; and General Ordinances Nos. 5, 7, 9, 10, 11, 12, 16, 1959 and Special Ordinance No. 2, 1959.

Mrs. Francis asked for recess. The motion was seconded by Mr. Williamson, and the Council recessed at 8:30 P.M., CST.

The Council reconvened at 9:10 P.M., CST with eight members, Councilman McKinney being absent from the Chamber.

COMMITTEE REPORTS

Indianapolis, Ind., March 2, 1959

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 Special Ordinance No. 2, 1959, entitled

AN ORDINANCE annexing contiguous territory of the City of Indianapolis from Franklin Road East to West Boundary line of Sky Harbor Airport

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

WM. H. WILLIAMSON, Chairman
R. THOMAS MCGILL
R. A. MCKINNEY
MARY M. FRANCIS
AUGUST C. HUBER

Indianapolis, Ind., March 2, 1959

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. 11, 1959, entitled

AN ORDINANCE to purchase certain supplies and equipment for
the Municipal Garage

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

R. THOMAS McGILL, Chairman
WM. H. WILLIAMSON
AUGUST C. HUBER
CHARLES W. APPLGATE
GLADYS C. POHLMANN

Indianapolis, Ind., March 2, 1959

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 Gen-
eral Ordinance No. 16, 1959, entitled

AN ORDINANCE repealing sub-section 83 of Section 4-822,
Chapter 8, Title 4, of the Municipal Code of the City of Indi-
anapolis

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

R. THOMAS McGILL, Chairman
WM. H. WILLIAMSON
AUGUST C. HUBER
CHARLES W. APPLGATE
GLADYS C. POHLMANN

Indianapolis, Ind., March 2, 1959

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 97, 1959, entitled

AN ORDINANCE to amend the Municipal Code of the City of Indianapolis, particularly Title 4, Chapter 6, Section 4-602 by the addition of sub-section 120, making Madison Avenue one-way, south, from South Street to Ray Street

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

R. A. McKINNEY, Chairman
R. THOMAS McGILL
WM. H. WILLIAMSON
JOSEPH E. BRIGHT
GLADYS C. POHLMANN

Indianapolis, Ind., March 2, 1959

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 5, 1959, entitled

AN ORDINANCE to amend the Municipal Code of Indianapolis providing for the licensing and regulation of taxicabs

beg leave to report that we have had said ordinance under considera-

tion, and recommend that the same be passed.

R. A. McKINNEY, Chairman
R. THOMAS McGILL
WILLIAM H. WILLIAMSON
JOSEPH E. BRIGHT
GLADYS C. POHLMANN

Indianapolis, Ind., March 2, 1959

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

Gentlemen:

We, your Committee on Public Safety to whom was referred
General Ordinance No. 7, 1959, entitled

AN ORDINANCE authorizing the Board of Public Works to purchase 3 trucks for the Municipal Dog Pound and Emergency Gasoline Power Supply Engine for the Police Department

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

R. A. McKINNEY, Chairman
R. THOMAS McGILL
WM. H. WILLIAMSON
JOSEPH E. BRIGHT
GLADYS C. POHLMANN

Indianapolis, Ind., March 2, 1959

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

Gentlemen:

We, your Committee on Public Safety to whom was referred
General Ordinance No. 9, 1959, entitled

AN ORDINANCE governing loud and unseemly noises between certain hours

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

R. A. McKINNEY, Chairman
R. THOMAS McGILL
WM. H. WILLIAMSON
JOSEPH E. BRIGHT
GLADYS C. POHLMANN

Indianapolis, Ind., March 2, 1959

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 10, 1959, entitled

AN ORDINANCE authorizing the Board of Public Safety to purchase certain equipment for the Fire Department

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

R. A. McKINNEY, Chairman
R. THOMAS McGILL
WM. H. WILLIAMSON
JOSEPH E. BRIGHT
GLADYS POHLMANN

Indianapolis, Ind., March 2, 1959

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. 12, 1959, entitled

AN ORDINANCE amending Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis by the addition of subsections 322 and 323 thereto; prohibiting parking on both sides of Walnut Street and Tenth Street

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

MARY M. FRANCIS, Chairman
AUGUST C. HUBER
JOSEPH E. BRIGHT
CHARLES W. APPLGATE
WM. H. WILLIAMSON

INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Williamson:

APPROPRIATION ORDINANCE NO. 5, 1959

AN ORDINANCE appropriating, transferring and reappropriating the sum of Two Hundred Eighty-seven Thousand Dollars (\$287,000.00), from the unexpended and unappropriated 1959 balance of the Aviation General Fund of the City of Indianapolis, One Hundred Thousand Dollars (\$100,000.00) of which, to the General Fund of the City of Indianapolis, and One Hundred Eighty-seven Thousand Dollars (\$187,000.00), is appropriated and reallocated to a certain designated fund and item in the Department of Aviation, Board of Aviation Commissioners, Weir Cook Municipal Airport, known as the 1959 Airport Improvement Fund in the said department, and fixing a time when the same shall take effect.

WHEREAS, the Department of Aviation has in its operating fund an excess of Two Hundred Eighty-seven Thousand Dollars (\$287,000.00), which is not presently needed for current operating expenses, and

WHEREAS, the Department of Aviation may not use any of said sum for necessary construction excepting upon authorization of the City Council, and

WHEREAS, the Department of Aviation will require monies and funds from time to time in the future for necessary runways and taxi strips in order to meet the needs of increased traffic at its Weir Cook Municipal Airport, and to accommodate larger and faster aircraft now being placed in service, and to cause said airport to offer the safety and convenience necessary to continue its high standard in air transportation, and

WHEREAS, the Department of Aviation of the City of Indianapolis has previously received the sum of One Hundred Thousand Dollars (\$100,000.00) from the General Fund of the City of Indianapolis for its use in its construction program and it now has the funds with which to repay said sum, and

WHEREAS, the City of Indianapolis is now in need of the return of said sum for use in its street maintenance and improvement program, and for other uses.

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

Section 1. That the Aviation General Fund of the City of Indianapolis, be and the same is hereby reduced in the sum of Two Hundred Eighty-seven Thousand Dollars (\$287,000.00), to-wit:

REDUCE:

Aviation General Fund of the City of Indianapolis--\$287,000.00

and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated funds:

INCREASE:

1. General Fund of the City of Indianapolis-----\$100,000.00
2. 1959 Airport Improvement Fund -----\$187,000.00

Section 2. The above transfer and appropriation is necessary because of an existing emergency. There are sufficient funds by virtue of the above reduction in the City budget to meet these appropriations and said appropriations will not result in any increase in the total budget.

Section 3. That before passage of this ordinance, the Common Council of the City of Indianapolis, shall give ten days notice by posting written or printed notice thereof in at least three public places in the City of Indianapolis, stating the time and place, when and where the Common Council will meet to consider the proposed transfer.

Section 4. 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 Francis:

GENERAL ORDINANCE NO. 18, 1959

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, and more particularly Title 4, Chapter 6, Section 4-602 thereof, by the repeal of sub-section 38 thereof, concerning one-way traffic on Muskingum Street from New York Street to North Street, 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 6, Section 4-602 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be and the same is hereby amended by the repeal of sub-section 38 thereof which reads as follows, to-wit:

Street	From	To	Direction of Traffic
Muskingum	New York Street	North Street	South

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 Health.

By Councilman McKinney:

GENERAL ORDINANCE NO. 19, 1959

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

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

Section 1. That the Board of Public Safety of the City of Indianapolis be, and it is, hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the hereinafter designated equipment, to be used by the Department as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board, after advertisement therefor, as provided by law, and the total cost of said equipment shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC SAFETY
POLICE DEPARTMENT

Req. No. 8410—3 Automobiles	\$6,306.57
Req. No. 8443—Vacuum Tubes	2,377.57
Req. No. 8496—2-Radar cars for Police Dept.	3,454.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Councilman McGill:

GENERAL ORDINANCE NO. 20, 1959

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

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

Section 1. That the Board of Public Works of the City of Indianapolis be, and it is, hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the hereinafter designated equipment, to be used by the Department as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board, after advertisement therefor, as provided by law, and the total cost of said equipment shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS
STREET COMMISSIONER

Req. No. 12085—Road Oil Distributor	\$4,364.00
Req. No. 12086—Truck & Chassis for mounting	
Road Oil Distributor	3,097.00
Req. No. 10387—Sewer Tools & Equipment	5,659.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Councilman Williamson:

GENERAL ORDINANCE NO. 21, 1959

AN ORDINANCE fixing the annual salaries for certain officers of the City of Indianapolis for the term commencing January 1, 1960 and fixing a time when the same shall take effect.

WHEREAS, it is provided by Chapter 233, Section 21 of the Acts of 1933 of the General Assembly of the State of Indiana that the Common Council of each and every city on or before April 1st of the year in which elections for election of city officers are held, shall fix the annual salaries of certain officers as provided for in Section 11 of said Act, which salaries shall not be changed during their respective terms of office, and

WHEREAS, said Section 11 of said Chapter 233 of the Acts of 1933 of the General Assembly of the State of Indiana was last amended by Chapter 293 of the Acts of 1955 of the General Assembly of the State of Indiana to include only those officers and the respective amounts as herein set forth, and

WHEREAS, the General Assembly of the State of Indiana is in session and an amendment is pending in said General Assembly pertaining to the salaries of officers of municipal corporations and the final provisions of such legislation have not yet been spelled out.

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

Section 1. Pursuant to the provisions of Chapter 233 of the Acts of 1933 of the General Assembly of the State of Indiana, as amended, and particularly pursuant to the last amendment thereof by Chapter 293 of the Acts of 1955 of the General Assembly of the State of Indiana, the following annual salaries are hereby fixed for the following officers of the City of Indianapolis, Indiana, effective for the term commencing January 1, 1960.

Mayor -----\$

City Clerk -----\$

Nine members of the Common Council (each --\$
 President of the Common Council and Chairman of
 the Finance Committee an additional (each) --\$
 Ex-officio, City Treasurer -----\$
 County Auditor for services to the Civil City -----\$

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Councilman Williamson:

GENERAL ORDINANCE NO. 22, 1959

AN ORDINANCE to regulate, control and license Pinball Machines and similar Amusement machines owned, controlled, leased, used, rented, operated or the exhibiting of such devices or machines by any person, firm or corporation, without first obtaining a license to do so, and conforming to the rules and regulations provided for such business in accordance with the provisions herein, and prohibiting playing of Pinball machines and like devices by minors, and fixing a penalty for the violation thereof, and fixing a time when the same shall take effect.

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

Section 1. PINBALL AND SIMILAR AND LIKE AMUSEMENTS.

No person, firm or corporation shall engage in the business of selling, leasing, renting, operating or exhibiting Pinball machines and like and similar amusement machines, without first obtaining a license to do so and conforming to the regulations provided for such business in accordance with the provisions of this Ordinance.

Section 2. DEFINITIONS.

For the purpose of this Ordinance the terms defined in the sub-

paragraphs of this section shall have the meanings therein assigned.

(a) "Pinball machine" shall include pinball machines, marble machines and any like and similar amusement devices operated by the insertion of a coin, disc or other insertion piece, and which registers or may register a score after the insertion of such coin, disc or other insertion piece. It shall not include coin-operated vending machines, music machines, motion picture machines or other machines or devices used for bona fide and solely for the vending of service, food or merchandise.

(b) "Distributor" shall include any person, firm or corporation which sells, leases, rents, or otherwise distributes pinball machines within the City of Indianapolis.

(c) "Exhibitor" shall mean any person, firm or corporation owning or conducting a place of business in the City of Indianapolis and operating or exhibiting one or more Pinball machines at such place of business.

Section 3. LICENSE FEE.

Every distributor shall pay an annual license fee of \$100.00 and every exhibitor shall pay an annual license fee of \$30.00, plus a fee of \$5.00 for each Pinball machine maintained or exhibited. An exhibitor maintaining or operating at more than one location shall pay a license fee for each location.

Section 4. APPLICATION FOR LICENSE.

Application for distributors' and exhibitors' licenses for pinball machine license shall be made to the City Controller on forms provided by said City Controller. Applications for distributors' license shall, in particular, set forth the place of business and residence of the distributor. If the distributor is a firm, the place of residence of all the partners shall be furnished. If the distributor is a corporation, the place of residence of the chief business manager and other controlling executive officers shall be furnished. Applications for exhibitors' license shall in addition, state the number of pinball machine for which licenses are requested and the location of the premises, and the particular room on the premises in which the pinball machines are to be exhibited. If the Board of Safety is satisfied that the applicant has complied with all the provisions of this and the following sec-

tions, and is otherwise eligible to be a licensee, it will approve the issue of the license on the payment of the license fee or fees. The license stamps for pinball machines shall specify the location in which they are to be exhibited or maintained. If a location consists of more than one room, the particular room shall be specified. Each license stamp shall be attached to the machine for which it was issued, so as to be in plain view of the persons or person playing the same.

Section 5. RESIDENCE REQUIREMENTS.

No person shall be licensed as a distributor or exhibitor unless he has been a bona fide resident of the City of Indianapolis, Indiana, for a period of at least one year, and is of good moral character. No firm or corporation shall be licensed as a distributor or exhibitor, unless all members of such firm or all officers and directors of the corporation and the chief business manager of such firm or corporation shall have been residents of Indianapolis, Indiana, for a period of at least one year prior to the issuance of a license and are of good moral character. A person convicted within the preceding five years, of a felony or of a misdemeanor involving moral turpitude shall be considered as not being of good moral character.

Section 6. MECHANICAL REQUIREMENTS.

It shall be unlawful for an exhibitor or other person to exhibit, operate or have in his possession a pinball machine, which is so constructed as to make possible, either directly, or by the use of an adjustment, the return of cash, tickets, discs or other tokens or certificates of any kind to a player operating the same. Only machines operated exclusively for the amusement provided by the operation thereof shall be licensed.

Section 7. OPERATION NEAR SCHOOLS PROHIBITED.

It shall be unlawful for any person, firm or corporation to maintain or exhibit a pinball machine on any premises situated less than five (500) hundred feet from the building and grounds of any elementary school or high school, said five hundred feet to be measured along the line of the nearest curb.

Section 8. PLAYING BY MINORS PROHIBITED.

It shall be unlawful for any person to permit a minor under 18 years of age to play a pinball machine.

Section 9. TRANSFER OF LICENSE.

Pinball machine licenses issued to a distributor or exhibitor as provided herein shall not be transferable from distributor or exhibitor to another.

Section 10. CHANGE OF LOCATION.

No licensed pinball machine shall be removed from one premises to another or from one room to another room on the same premises, unless the new location shall be approved by the City Controller and duly noted on the license stamp and on his records. Nothing herein, however, shall be understood to prevent the replacement of one machine by another and the transfer of the license to such substituted machine, if the same complies with the requirements of this ordinance.

Section 11. INSPECTION BY POLICE.

All pinball machines and all premises in which such machines are maintained or exhibited, shall be open to inspection by the police at all times.

Section 12. INFORMATION TO BE FURNISHED BY DISTRIBUTORS.

Not later than the 10th day of each month every distributor shall furnish the Board of Safety with a list of all new contracts for the sale, leasing, or renting of one or more pinball machines entered into during the preceding month with persons residing or doing business in the City of Indianapolis, giving the names and addresses of such persons, firms, or corporations and the dates of the contracts. The Board of Safety shall file such reports and maintain them for the inspection of the police for the period of not less than one year.

Section 13. REVOCATION OF LICENSE.

Should any distributor or exhibitor violate or fail to comply with any provisions of this ordinance, it shall be the duty of the Board of Safety to revoke his license. In case of the revocation of an exhibitors' license, the licenses of all machines operated by him or on his premises, shall be revoked and such machines removed from the premises within 24 hours thereafter. A distributor or exhibitor whose license has been revoked shall not be eligible to apply

for or receive a new license within the period of one year after the revocation.

Section 14. GAMING USE PROHIBITED.

Nothing in this chapter shall be construed as legalizing any such pinball machine, coin-operated vending machines and devices in which are incorporated any gaming features, and all uses thereof for gaming of any kind are prohibited.

Section 15. SEIZURE AND DESTRUCTION OF PINBALL MACHINES.

If any pinball machine is used for or as a gaming device or is otherwise operated contrary to the provisions of the Laws of the State of Indiana or of this Ordinance, such machine may, in the discretion of the Board of Safety of the City of Indianapolis, Indiana, be seized and destroyed, as in the case of gaming devices.

Section 146. PENALTY.

Any person who shall violate any of the provisions of this chapter upon conviction, shall be fined in any sum not exceeding \$300.00. Each day a violation continues shall constitute a separate offense.

Section 17. SEPARABILITY.

If any section, phrase, provisions or clause of this chapter be held invalid or unconstitutional, or if the regulation of any particular device or machine, for any purpose enumerated herein, be held invalid by any court, the same shall not be held to affect or render invalid any other provision of the ordinance relating to any other games or amusement devices covered by this ordinance; but the common council declares it would have ordained the remaining provisions of this chapter if such invalid provisions had not been included herein.

Section 18. 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 Huber:

GENERAL ORDINANCE NO. 23, 1959

AN ORDINANCE repealing sub-section 31 of Section 4-817, Title 4, Chapter 8, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, prohibiting parking between 7.00 A.M. to 9:00 A.M., except Sundays, on the East side of Madison Avenue from South Street to Lincoln Street.

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

Section 1. That sub-section 31 of Section 4-817, Title 4, Chapter 8 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is hereby repealed.

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 Parks.

By Councilman McGill:

GENERAL ORDINANCE NO. 24, 1959

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, by the addition of subsections 324, 325, 325 and 327 thereto, prohibiting parking at all times on certain designated streets between certain designated points, 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 8, Section 4-812 of the Municipal

Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be and the same is hereby amended by the addition of subsections 324, 325, 326 and 327 thereto as follows, to-wit:

	Street	Side of	From	To
324	Delaware	East	Madison Ave.	Bicking St.
325	Madison Ave.	West	Norwood Street	Ray St.
326	Madison Ave.	Both	Ray Street	South City Limits
327	25th St.	Both	W.C.L. Sherman Dr.	A point 195 ft. West thereof

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended.

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 pertinent thereto.

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

By Councilman McGill:

GENERAL ORDINANCE NO. 25, 1959

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951 as amended, and more particularly Title 4, Chapter 8, thereof, by the addition of Section 4-834.1, prohibiting the parking, stopping, or standing of vehicles on certain streets, between the hours of 6:00 A.M. and 9:00 A.M. inclusive, and 3:00 P.M. and 6:00 P.M. inclusive, excepting on Saturdays and Sundays, and fixing a time when the said amendment shall take effect, and

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

Section 1. That Title 4, Chapter 8 of the Municipal Code of Indi-

anapolis, 1951, be amended by the addition thereto of Section 4-834.1, as follows:

4-834.1. Parking, stopping or standing prohibited between 6:00 A.M. and 9:00 A.M. inclusive, 3:00 P.M. and 6:00 P.M. inclusive, excepting on Saturdays and Sundays, on certain designated streets. It shall be unlawful for the owner, driver or operator of any vehicle to park or stop on same, or to permit the same to be parked or to stand at any time between the hours of 6:00 o'clock A.M. and 9:00 o'clock A.M. inclusive and between the hours of 3:00 o'clock P.M. and 6:00 o'clock P.M. inclusive of any day of the week, excepting on Saturdays and Sundays, upon any of the following designated points of certain streets in this city, to wit:

Street	Side	From	To
1. Delaware	East	Bicking St.	Maryland St.

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

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 pertinent thereto.

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

By Councilman Williamson:

SPECIAL ORDINANCE NO. 5, 1959

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, Indiana, 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 constitut-

ing the City of Indianapolis, Indiana, and described as follows, to-wit:

Part of the Northwest Quarter of the Northwest Quarter of Section 14, Township 16 North, Range 4 East of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the Southeast corner of said Northwest quarter Quarter Section; running thence North with the East line of said quarter Quarter Section and the present corporation line of the City of Indianapolis to the North right-of-way line of 46th Street; thence West with the North right-of-way line of 46th Street a distance of 330 feet to a point; thence South and parallel with the East line of said quarter Quarter section to the South line thereof; thence East with the South line of said quarter Quarter Section a distance of 330 feet to the place of beginning, containing in all 10.0 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 Finance.

ORDINANCES ON SECOND READING

Mr. Williamson called for Special Ordinance No. 2, 1959 for second reading. It was read a second time.

On motion of Mr. Williamson, seconded by Mr. McGill, Special Ordinance No. 2, 1959, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 2, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Noes 1, viz: Mr. Applegate.

Mr. McGill called for General Ordinance No. 11, 1959 for second reading. It was read a second time.

On motion of Mr. McGill, seconded by Mr. Huber, General Ordinance No. 11, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 11, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mr. McGill called for General Ordinance No. 16, 1959, for second reading. It was read a second time.

On motion of Mr. McGill, seconded by Mr. Williamson, General Ordinance No. 16, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 16, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis,

Mr. Huber, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 97, 1958, for second reading. It was read a second time.

On motion of Mrs. Francis, seconded by Mr. Huber, General Ordinance No. 97, 1958, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 97, 1958, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 5, 1959, for second reading. It was read a second time.

On motion of Mrs. Francis, seconded by Mr. Huber, General Ordinance No. 5, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 5, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 7, 1959, for second reading. It was read a second time.

On motion of Mrs. Francis, seconded by Mr. McGill, General Ordinance No. 7, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 7, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 10, 1959, for second reading. It was read a second time.

On motion of Mrs. Francis, seconded by Mr. Huber, General Ordinance No. 10, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 10, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McKinney, Mrs. Pohlmann, Mr. Williamson, President Wallace.

Mrs. Francis called for General Ordinance No. 12, 1959, for second reading. It was read a second time.

On motion of Mrs. Francis, seconded by Mr. Huber, General Ordinance No. 12, 1959, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 12, 1959, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Applegate, Mr. Bright, Mrs. Francis, Mr. Huber, Mr. McGill, Mrs. Pohlmann, Mr. Williamson, President Wallace.

NEW BUSINESS

Mrs. Francis moved that the following Special Resolution be adopted and read in its entirety:

SPECIAL RESOLUTION, 1959

A SPECIAL RESOLUTION OF THE INDIANAPOLIS CITY COUNCIL ON THE DEATH OF ASSISTANT FIRE CHIEF FRANK O'MALEY:

WHEREAS, Chief Frank O'Maley devoted twenty-five years of his life as a public servant in the service of the Indianapolis Fire Department; and

WHEREAS, Chief Frank O'Maley served with honor and distinction during his years of service with the Indianapolis Fire Department; and

WHEREAS, Chief O'Maley died on February 4th, 1959, while on active duty with the Indianapolis Fire Department; and

WHEREAS, the City of Indianapolis, has in the death of Assistant Fire Chief Frank O'Maley lost a loyal and efficient public servant,

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Indianapolis, Indiana:

That the Common Council does hereby declare its deep regret at the untimely death of Chief Frank O'Maley and does further convey to the family of Chief O'Maley the sympathy and condolences of the Common Council and the City of Indianapolis, and instructs the City Clerk to spread a copy of this Resolution in the Journal of the Common Council and to send a copy of this Special Resolution to the family of Assistant Fire Chief Frank O'Maley.

Adopted by the Common Council of the City of Indianapolis, March 2nd, 1959.

JOSEPH C. WALLACE
President, Common Council,
City of Indianapolis

Attest:

TERESA F. LAFFEY, City Clerk

And the Mayor of the City of Indianapolis, Indiana, joins with the Common Council in the above and foregoing Special Resolution.

CHARLES H. BOSWELL, Mayor,
City of Indianapolis

Which was seconded by Mr. Huber and adopted unan-
imously by the voice vote of the Council.

On motion of Mr. Bright, seconded by Mrs. Francis,
the Common Council adjourned at 9:30 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, held on the 2nd day of March, 1959,
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.

Joseph C. Wallace

ATTEST:

President.

Teresa J. Kappay

(SEAL)

City Clerk

