

REGULAR MEETING

Monday, February 3, 1941.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, February 3, 1941, at 7:30 p. m. in regular session. President Joseph G. Wood in the chair.

The Clerk called the roll.

Present: Ollie A. Bach, Harmon A. Campbell, Albert O. Deluse, Dr. Walter E. Hemphill, Ralph F. Moore, F. B. Ransom, Ernest C. Ropkey, Guy O. Ross, President Joseph G. Wood.

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

COMMUNICATIONS FROM THE MAYOR

January 22, 1941

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

I have this day approved with my signature and delivered to Mr. John M. Layton, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 96, 1940

As Amended

AN ORDINANCE to amend Sections 1, 5 and 17 of General Ordinance No. 9, 1936, of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 1, 1941

As Amended

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis during certain hours; regulating the parking of vehicles upon certain other streets of said city; providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,

Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

February 1, 1941

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

Attached hereto are twenty copies of General Ordinance No. 5, 1941, an Ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,  
GEORGE F. ROOKER,  
Secretary-Engineer,  
CITY PLAN COMMISSION.

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February 3, 1941

City of Indianapolis, Ind.

47

February 3, 1941

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

Submitted herewith is General Ordinance No. 6, 1941, amending B-707, B-712 and B-714 of Section 865 of the Indianapolis Building Code of 1925, General Ordinance No. 121, 1925, regulating gasoline storage tanks, and we respectfully recommend its passage.

Respectfully submitted,  
BOARD OF PUBLIC SAFETY,  
By L. J. Keach,  
President.

LJK-EHA

January 29th, 1941

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

Attached hereto, please find 18 copies of General Ordinance No. 7, 1941, authorizing the Board of Safety, through its duly appointed Purchasing Agent, to Purchase 2—100 feet Steel Aerial trucks with specified accessories from the American La France Foamite Corporation of Elmira, N. Y., at a price of \$37,791.00 after deduction of trade-in allowance, Municipal discount and Federal Tax.

These bids were duly advertised according to law, and the bid proposals were opened in Public before the Board of Safety and the award made to the American-La France Foamite Corporation as the lowest and best bid submitted.

The Purchasing Agent respectfully recommends the passage of this Ordinance.

Respectfully submitted,  
DEPARTMENT OF PUBLIC PURCHASE,  
Albert H. Losche,  
Purchasing Agent.

February 3, 1941

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

Gentlemen:

Attached hereto are 14 copies of Resolution No. 2, 1941, establishing a 40-hour week and granting the right of collective bargaining to employees of the Sanitation Department of the City of Indianapolis without reduction of pay per week or month.

Very truly yours,  
W. E. HEMPHILL,  
Councilman.

Mr. Bach asked for a recess. The motion was seconded by Mr. Moore and the Council recessed at 7:50 p. m.

The Council reconvened at 9:25 p. m. with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., February 3, 1941.

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. 69, 1940, entitled

Amending Sec. 9 of G. O. 87, 1935, as amended  
(Taxistands)

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

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., February 3, 1941.

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. 2, 1941, entitled  
Limiting parking on south side of West Tenth Street  
from Capitol Avenue to Roanoke Street  
beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., February 3, 1941.

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. 3, 1941, entitled  
Establishing a loading zone at 222 Massachusetts Avenue  
beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

ALBERT O. DELUSE  
ERNEST C. ROPKEY  
F. B. RANSOM  
HARMON A. CAMPBELL  
RALPH F. MOORE

Indianapolis, Ind., February 3, 1941.

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. 4, 1941, entitled

Purchasing of materials and supplies for City Hospital  
beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

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

## INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE NO. 5, 1941

AN ORDINANCE to amend General Ordinance No. 114, 1922, com-  
monly known as the Zoning Ordinance.

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

Section 1. That the U-1 or Residential District, the A-2 or  
4800 sq. ft. Area District, the H-1 or 50 Ft. Height District, be and  
the same is hereby amended, supplemented, and extended so as to  
include the following described territory:

Beginning at a point on the present corporate line, said  
point being at the intersection of the center line of Emerson  
Avenue with the north property line of E. 21st Street; thence  
east on the north property line of 21st Street, a distance of 224'



to a point; Thence south and parallel to Emerson Avenue a distance of 769.85' to a point on the north property line of 20th Street; Thence east on the north property line of 20th street, a distance of 12 feet; Thence south and parallel to Emerson Avenue to a point on the south property line of 16th Street; Thence west along the south property line of 16th Street to the center line of Emerson Avenue; Thence north along the center line of Emerson Avenue to the north property line of 21st Street, the point or place of beginning.

Beginning at a point in the center line of Emerson Avenue said point being 667.9' north of the center line of Tenth Street; Thence east and parallel to the center line of Tenth Street a distance of 532' to a point; Thence north and parallel to the center line of Emerson Avenue 713.52' to a point; Thence west and parallel to the center line of Tenth Street a distance of 532' to a point in the center line of Emerson Avenue; Thence south on and along the center line of Emerson Avenue a distance of 713.52' to the place of beginning.

Beginning at the intersection of the center line of East Tenth Street with the center line of Ritter Avenue; Thence north on and along the center line of Ritter Avenue a distance of 789' to a point; Thence west and parallel to the center line of Tenth Street a distance of 305' to a point; Thence north and parallel to the center line of Ritter Avenue a distance of 14' to a point; Thence west and parallel to the center line of Tenth Street a distance of 180' to a point; Thence north and parallel to the center line of Ritter Avenue a distance of 26.6' to a point; Thence west and parallel to the center line of Tenth Street a distance of 205.97' to a point; Thence south a distance of 26.6' to a point. Thence west and parallel to the center line of Tenth Street a distance of 310' to a point; Thence south a distance of 558' to a point; Thence east and parallel to the center line of Tenth Street a distance of 152.63' to a point; Thence in a southeastwardly direction on and along the west property line of Irvington Avenue a distance of 246.57' to a point in the center line of East Tenth Street; Thence east on and along the center line of East Tenth Street; Thence east on and along the center line of East Tenth Street a distance of 820.97' to the center line of Ritter Avenue the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect from

and after its passage approval by the Mayor, and publication according to law.

Which was read the first time and referred to the City Plan Commission.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 6, 1941

AN ORDINANCE to amend B-707, B-712 and B-714 of Section 865, known as the Indianapolis Building Code of 1925, of General Ordinance No. 121, 1925, 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 B-707 of Section 865, known as the Indianapolis Building Code of 1925, of General Ordinance No. 121-1925, as amended, be and is hereby amended to read as follows, to-wit:

SECTION B-707. LOCATION OF TANKS.

- (a) In service stations or filling stations, the total aggregate capacity of underground tanks shall not exceed 10,000 gallons, and individual tanks up to and including 3,000 gallon capacity, shall maintain a clearance of at least 10 ft. of all property lines either public or private. Individual tanks exceeding 3,000 gallons in capacity and up to and including 6,000 gallons shall maintain a clearance of at least 20 ft. from all property lines either public or private. No individual underground tanks on the premises of a service station or filling station shall be larger than 5,000 gallon capacity.
- (b) Tanks for bulk storage whether buried or above ground shall be maintained at a minimum distance



from the lines of adjoining public or private property not less than shown in the following table:

Capacity of Tank (Gallons)	Minimum distance to line of Adjoining Property or Nearest Buildings (Feet)
3,000 or less-----	20
21,000 or less-----	25
31,000 or less-----	30
45,000 or less-----	40
64,000 or less-----	50
80,000 or less-----	60
128,000 or less-----	75
200,000 or less-----	85
266,000 or less-----	100
400,000 or less-----	150
666,000 or less-----	250
1,333,000 or less-----	300
2,666,000 or less-----	350

For tanks of over 400,000 gallon capacity a minimum distance of 175 feet to adjoining property or nearest building may be permitted, provided that an approved type of extinguishing system is installed for the tank and covering other parts of the yard or system.

For tanks permitted from 50 feet and up to 175 feet of building or property line, the capacity may be increased 33 per cent if the tanks is provided with an approved extinguishing system.

The minimum distance from tanks to adjacent tanks shall conform to the following table:

Capacity of Tank (Gallons)	Minimum Distances to any other tank
18,000 or less-----	3
24,000 or less-----	5
48,000 or less-----	10
75,000 or less-----	13

100,000 or less----- 15  
 100,000 to 2,500,000-----one tank diameter

Tanks shall be so located as to avoid possible danger from high water.

When tanks are located on a stream they shall, where possible, be down stream from burnable property.

In case of tanks for the storage of crude petroleum,

In case of tanks for the storage of crude petroleum the foregoing minimum distances shall be doubled.

These distances shall apply also to other buildings on the property except those necessarily connected with the installation (such as oil warehouse, pump-house and garage.)

Section 2. That B-712 of Section 865, known as the Indianapolis Building Code of 1925 of General Ordinance No. 121-1925, as amended be and is hereby amended to read as follows, to-wit:

#### SECTION B-712. LOCATION OF TANKS IN BUSINESS DISTRICTS.

No tank containing more than one (1) tank car of inflammable liquid or any other oil or any petroleum product of any flash point shall be located on any lot in any business district as defined by the zoning ordinances.

Section 3. That B-714 of Section 865, known as the Indianapolis Building Code of 1925, of General Ordinance No. 121-1925, as amended, be and is hereby amended to read as follows, to-wit: B-714. DEFINITIONS. A service station or filling station is any place of business where gasoline, or any highly volatile fuels for motor vehicles or internal combustion engines are sold or offered for sale at retail, and includes not only the immediate place where such highly volatile fuels for motor vehicles are sold or offered for sale at retail, but also any nearby place on the same lot or tract of land, or any contiguous or adjacent lot or tract of land used by the proprietor of such business in connection with the business. Also, a service station shall be further defined as including any place of busi-

ness where any highly volatile fuels for motor vehicles or internal combustion engines are dispensed. This definition shall include also the private storage and dispensing of such products for the same purposes as those served by a service station, whether the storage is maintained for the use of benefit of the owner, leasee, agents or employees of either, or of any others.

A Bulk Oil Storage Station is herein defined as a place where crude petroleum, gasoline, naphtha, benzine, benzol, kerosine, rock oil and earth oil, or any other liquid, except such as will stand a test of 150 degrees Fahrenheit, closed cup tester, are stored in wholesale quantities, for wholesale purposes only, where the aggregate capacity of all storage tanks is more than 10,000 gallons.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the mayor, and publication according to law.

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

By the Purchasing Department:

#### GENERAL ORDINANCE NO. 7, 1941

AN ORDINANCE ratifying and confirming the authority heretofore conferred upon the Board of Public Safety of the City of Indianapolis, to purchase through its duly authorized purchasing agent, from the proceeds of a sale of bonds, heretofore duly appropriated for such purpose, two one hundred foot steel aerial motorized trucks and accessories thereof, as equipment for the city fire department; and fixing a time when the same shall take effect.

WHEREAS, the common council of the City of Indianapolis, by its General Ordinance No. 74-1940, duly authorized the sale of bonds of said city, including therein the specific sum of \$38,000.00 for the purchase by the Board of Public Safety of certain motorized fire equipment for the city fire department, the necessity of such purchases of that kind and in that amount being then full investigated and approved by the common council; which action and issuance of bonds for such purpose were thereafter duly approved by the State

Board of Tax Commissioners, and said bonds were then sold and issued; and thereafter, by Appropriation Ordinance No. 10-1940, the common council duly appropriated all the proceeds received from such sale of bonds to the several departments and for the several specific purposes and amounts, as set out in its aforesaid previous bond ordinance, whereby the Board of Public Safety was duly authorized to expend from such proceeds, among other things, a sum not exceeding \$38,000.00 for the purchase of the aforesaid motorized fire equipment; which several appropriations were thereupon duly certified to and were all approved by the State Board of Tax Commissioners; and

WHEREAS, the Board of Public Safety has secured competitive bids through the city purchasing agent and has accepted a bid from and awarded tentatively a contract to American-La France Foamite Corporation, of Elmira, N. Y., for all such aforesaid motorized fire equipment, including accessories thereto, at a total net price of \$37,791.00; being the identical type and amount of such equipment, for which such specific appropriation of \$38,000.00 has been already made and such expenditure already authorized; such equipment being described as two one hundred (100) foot steel aerial motorized trucks and accessories therefor; and

WHEREAS, said Board now desires further consent and authority from the common council, to be thus thrice confirmed, for any contract it may now execute, pursuant to its award upon said bid, although not deeming such further consent, under the particular facts here involved, to be legally required; NOW, THEREFORE,

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

Section 1. That pursuant to all the facts recited in the aforesaid preamble, which is hereby incorporated herein by this reference thereto, the action already taken and to be hereafter taken, pursuant to the facts so recited by said Board of Public Safety and its agent, including the final execution of the aforesaid contract and the expenditure therefore from said funds; of the aforesaid sum of \$37,791.00, all as herein set out, are now in all things duly authorized, ratified and confirmed.

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

## INTRODUCTION OF RESOLUTIONS

Dr. Hemphill made a motion that the rules be suspended to permit the introduction of Resolution No. 2, 1941. The motion was seconded by Mr. Campbell and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross and President Wood.

The rules were suspended.

By Councilman Hemphill:

## RESOLUTION NO. 2, 1941

The Indianapolis Industrial Union Council C. I. O. and the State, County and Municipal Workers of America, Local 32, C. I. O., present the following resolution:

The State, County and Municipal Workers of Indianapolis have been negotiating with the Mayor and Board of Public Works and Sanitation for the past two years without results. We now respectfully petition the Common Council of Indianapolis to wit:

WHEREAS: Organized labor has for some time been working for the establishment of the 40-hour week, and

WHEREAS: We believe that government should set an example in hours and wages to the end that the taxpayer will receive efficient service, and

WHEREAS: The government of many cities have placed their employees on a 40-hour week, and

WHEREAS: The Sanitation Department of the City of Indianapolis is now working in excess of 40 hours work week.

THEREFORE BE IT RESOLVED: That the City of Indianapolis establish a 40-hour work week and collective bargaining



for the employees of the Sanitation Department without reduction in pay per week or month for members of this department.

Which was read the first time and referred to the Council as a Committee of the Whole.

### ORDINANCES ON SECOND READING

Mr. Deluse called for General Ordinance No. 2, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 2, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross and President Wood.

Mr. Deluse called for General Ordinance No. 3, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ransom, General Ordinance No. 3, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 3, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross and President Wood.

Mr. Bach called for General Ordinance No. 4, 1941, for second reading. It was read a second time.

On motion of Mr. Bach, seconded by Mr. Campbell, General Ordinance No. 4, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 4, 1941, was read a third time by the Clerk and passed by the following roll call vote:

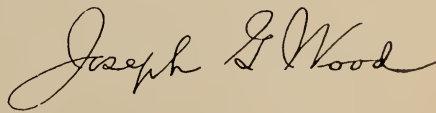
Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross and President Wood.

General Ordinance No. 69, 1940, was held for further consideration by the Committee to which it was referred.

On motion of Mr. Moore, seconded by Mr. Bach, the Common Council adjourned at 9:40 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 3rd day of February, 1941, at 7:30 p. m.

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



Attest:

President.



City Clerk.

(SEAL)