

REGULAR MEETING

Monday, July 21, 1941,
7:30 p. m. (d. s. t.)

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, July 21, 1941, at 7:30 p. m. Daylight Savings Time, in regular session. President Wood in the chair.

The Clerk called the roll.

Present: Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Absent: Mr. Bach.

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

COMMUNICATIONS FROM THE MAYOR

July 10, 1941.

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

Gentlemen:

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

APPROPRIATION ORDINANCE NO. 9, 1941

AN ORDINANCE appropriating the total sum of Five Thous-

and Dollars from the anticipated unexpended and unappropriated 1941 balance of the general fund of the Department of Public Parks to certain other funds in said department, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 31, 1941
as amended

AN ORDINANCE prohibiting and regulating parking on certain parts of certain streets of the City of Indianapolis, prohibiting and restricting left-hand turns at certain intersections of certain streets in said city, providing a penalty for any violation thereof; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 59, 1941

AN ORDINANCE regulating parking on certain parts of Gray Street in the City of Indianapolis; providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 60, 1941

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 66, 1941

AN ORDINANCE to amend Section 376 of General Ordinance No. 121, known as the Municipal Code of 1925, as amended by General Ordinance No. 31, 1928, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 12, 1941

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

July 21, 1941.

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

Gentlemen:

In Re: G. O. No. 67, 1941.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice of Public Hearing" to be inserted in the Indianapolis News and the Marion County Messenger, that taxpayers would have the right to be heard on the above ordinance at the regular meeting of the Common Council to be held July 21, 1941, and by posting of copies of said notice in the City Hall, Court House and Police Station.

Very truly yours,

JOHN M. LAYTON,
City Clerk.

July 21, 1941.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 10, 1941, appropriating the total sum of Two Hundred Thousand Dollars (\$200,000.00) from the anticipated, unexpended and unappropriating December 31, 1941, balance of the Motor Vehicle Highway Account to certain funds of certain departments of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

July 21, 1941.

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

Gentlemen:

I am attaching hereto copies of General Ordinance No. 69, 1941, regulating parking on a certain part of Grace Street. This ordinance is being introduced by me on request.

Very truly yours,

ERNEST C. ROPKEY,
Member.

July 21, 1941.

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

Gentlemen:

Attached please find copies of General Ordinance No. 70, 1941, transferring moneys from certain designated funds in certain departments of the City of Indianapolis to certain other designated funds in such departments as the same appear in the annual budget of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Very truly yours,

JAMES E. DEERY,
City Controller.

At this time those present were given an opportunity to be heard on General Ordinance No. 67, 1941.

Mr. Moore asked for a recess. The motion was seconded by Mr. Ross and the Council recessed at 7:45 p. m.

The Council reconvened at 8:40 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., July 21, 1941.

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

Gentlemen:

We, your Committee of the Whole, to whom was referred
General Ordinance No. 17, 1941, entitled

Establishing daylight savings time

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

HARMON A. CAMPBELL
ALBERT O. DELUSE
WALTER E. HEMPHILL
RALPH F. MOORE
F. B. RANSOM
ERNEST C. ROPKEY
GUY O. ROSS
JOSEPH G. WOOD

Indianapolis, Ind., July 21, 1941.

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

Gentlemen:

We, your Committee Of the Whole, to whom was referred Gen-
eral Ordinance No. 57, 1941, entitled

Concerning salaries and wages of members of the Fire Department

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

H. A. CAMPBELL.
ALBERT O. DELUSE
DR. WALTER E. HEMPHILL
RALPH F. MOORE
ERNEST C. ROPKEY
F. B. RANSOM
GUY O. ROSS
JOSEPH G. WOOD

Indianapolis, Ind., July 21, 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. 61, 1941, entitled

Transferring \$2500 in Department of Public Safety, Police Department Budget

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., July 21, 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. 62, 1941, entitled

Authorizing Board of Safety to purchase six coupes

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., July 21, 1941.

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. 63, 1941, entitled

Authorizing Board of Works and Sanitation to purchase
certain equipment

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

F. B. RANSOM
ERNEST C. ROPKEY
ALBERT O. DELUSE
DR. WALTER E. HEMPHILL
HARMON A. CAMPBELL

Indianapolis, Ind., July 21, 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. 64, 1941, entitled

Prohibiting and regulating parking on certain parts of
certain streets

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., July 21, 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. 65, 1941, entitled

Amending Sec. 44 of G. O. 96, 1928 (Montcalm St.)

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

July 21, 1941.

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

Gentlemen:

The City Plan Commission, at its regular meeting on July 21, 1941, approved and recommended the passage of General Ordinance No. 67, 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.

GFR/k

Indianapolis, Ind., July 21, 1941.

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

Gentlemen:

We, your Committee on Parks to whom was referred General Ordinance No. 68, 1941, entitled

Regulating boats on certain parts of White River

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

GUY O. ROSS
ERNEST C. ROPKEY
F. B. RANSOM
RALPH F. MOORE

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 10, 1941

AN ORDINANCE appropriating the total sum of Two Hundred Thousand Dollars (\$200,000) from the anticipated, unexpended and unappropriated December 31, 1941, balance of the Motor Vehicle Highway Account to certain funds of certain departments of the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, by virtue of the enactment of Chapter 168, Acts of 1941 of the General Assembly of the State of Indiana, the anticipated, unexpended and unappropriated December 31, 1941, balance of the Motor Vehicle Highway Account available for use by the City of Indianapolis will exceed by a sum in excess of Two Hundred Thousand Dollars (\$200,000) the estimated balance of said fund at the time of the adoption of the 1941 budget of said city; and

WHEREAS, an emergency is deemed to exist in that funds appropriated in the 1941 budget are inadequate for the purpose of construction, reconstruction, repair and maintenance of streets and highways within the City of Indianapolis, and for the purpose of purchasing, erecting and operating sufficient traffic signs and signals, and also policing and providing traffic safety upon said streets and highways to meet the increased business activity arising from our defense efforts, NOW, THEREFORE,

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

SECTION 1. That the total sum of Two Hundred Thousand Dollars (\$200,000) from the anticipated, unexpended and unappropriated 1941 balance of the Gasoline Tax Fund (Motor Vehicle Highway Account) be and is hereby appropriated and allocated to the following designated funds of the several designated departments of the City of Indianapolis, according to the 1941 budget classification, in the amounts hereinafter specified, to-wit:

Gas Tax

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

Fund No. 26—Other Contractual (Special Fund) -----\$127,900.00

DEPARTMENT OF PUBLIC SAFETY
POLICE DEPARTMENT

| | |
|---------------------------------------------------------------------|-----------|
| Fund No. 11—Salaries and Wages, Regular Motorcyclen ----- | 2,000.00 |
| Fund No. 12—Salaries and Wages, Temporary (hereby created) ----- | 2,500.00 |
| Fund No. 44—General Materials ----- | 8,000.00 |
| Fund No. 71—Buildings, Structures & Improvements----- | 7,500.00 |
| Fund No. 72—Equipment ----- | 10,000.00 |

GAMEWELL DEPARTMENT

| | |
|-------------------------------------------------|----------|
| Fund No. 12—Salaries and Wages, Temporary ----- | 2,000.00 |
| Fund No. 22—Heat, Light and Power ----- | 1,400.00 |
| Fund No. 44—General Materials ----- | 6,000.00 |
| Fund No. 45—Repair Parts ----- | 3,000.00 |
| Fund No. 72—Equipment ----- | 4,000.00 |

DEPARTMENT OF PUBLIC PARKS

| | |
|-------------------------------------------------|-----------|
| Fund No. 12—Salaries and Wages, Temporary ----- | 5,000.00 |
| Fund No. 72—Equipment ----- | 20,700.00 |

| | |
|-------------|---------------------|
| Total ----- | <u>\$200,000.00</u> |
|-------------|---------------------|

SECTION 2. That all of the moneys herein appropriated in the various "Gas Tax" funds shall be used only for the several purposes as set out and only for the purposes authorized by Chapter 168, Acts of 1941.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Ropkey:

GENERAL ORDINANCE NO. 69, 1941

AN ORDINANCE regulating parking on a certain part of Grace Street in the City of Indianapolis; providing 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. That it shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked for a longer period than one and one-half (1½) hours between the hours of 7:00 o'clock A. M. and 6:00 o'clock P. M. on any day of the week except Sundays, upon a certain part of Grace Street in the City of Indianapolis, as follows:

- (a) On both sides of Grace Street from the north curb line of East Washington Street to the south curb line of Moore Avenue.

SECTION 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

SECTION 3. 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 Committee on Public Safety.

By the City Controller:

GENERAL ORDINANCE NO. 70, 1941

AN ORDINANCE transferring moneys from certain designated funds in certain departments of the City of Indianapolis to certain

other designated funds in such departments as the same appear in the annual budget of the City of Indianapolis, Indiana, for the fiscal year 1941; and fixing a time when the same shall take effect.

WHEREAS, certain funds of certain departments in the 1941 budget of the City of Indianapolis are near depletion and are insufficient to meet the needs for which said funds were created for the remainder of the year 1941, and the creation of certain other funds is imperative to the fulfillment of the smoke abatement program; and

WHEREAS, an extraordinary emergency has arisen in that sundry vital functions of government for which such funds were established and are to be created will be retarded and halted unless additional moneys are transferred to said respective funds, NOW, THEREFORE,

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

SECTION 1. That the sum of money hereinafter designated, now in the following fund of the Department of Public Safety, to-wit:

FIRE DEPARTMENT

Fund No. 11—Salaries and Wages Regular
First Grade Privates -----\$2,000.00

be and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated fund of said department in like amount, to-wit:

FIRE DEPARTMENT

Fund No. 25—Repairs -----\$2,000.00

SECTION 2. That the sum of money hereinafter designated, now in the following fund of the Department of Public Safety, to-wit:

POLICE DEPARTMENT

Fund No. 11—Salaries and Wages Regular
Patrolmen First Grade -----\$1,500.00

be and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated fund of said department in like amount, to-wit:

POLICE DEPARTMENT

Fund No. 45—Repair Parts -----\$1,500.00

SECTION 3. That the sum of money herinafter designated, now in the following fund of the Department of Public Safety, to-wit:

BUILDING DEPARTMENT

Fund No. 11—Salaries and Wages Regular

1 Combustion Engineer -----\$1,515.00

be and the same is hereby transferred therfrom, reappropriated and reallocated to the following designated funds of said department in the amounts as specified, to-wit:

BUILDING DEPARTMENT

Fund No. 11—Salaries and Wages Regular

1 Smoke Inspector (hereby created) -----\$750.00

1 Clerk-Observer (hereby created) ----- 625.00

Fund No. 21—Communication and Transportation ----- 40.00

Fund No. 72—Equipment ----- 100.00

Total -----\$1,515.00

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

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

ORDINANCES ON SECOND READING

Mr. Deluse called for General Ordinance No. 62, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, Gen-

eral Ordinance No. 62, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 62, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Ransom called for General Ordinance No. 63, 1941, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Ropkey, General Ordinance No. 63, 1941, was ordered engrossed, read a third time and paced upon its passage.

General Ordinance No. 63, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 64, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 64, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 65, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 65, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 65, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Campbell called for General Ordinance No. 67, 1941, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, General Ordinance No. 67, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 67, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Ross called for General Ordinance No. 68, 1941, for second reading. It was read a second time.

Mr. Campbell presented the following written motion to amend General Ordinance No. 68, 1941:

July 21, 1941.

Mr. President:

I move that Section 9 of General Ordinance No. 68, 1941, be

amended by striking out the last sentence of said section and inserting in lieu thereof:

"It shall be unlawful to operate any boat in and upon the stream of White River between the hours of sunset and sunrise."

H. A. CAMPBELL.

The motion was seconded by Dr. Hemphill, but failed to carry on the following roll call vote:

Ayes, 3, viz: Mr. Campbell, Dr. Hemphill, Mr. Moore.

Noes, 5, viz: Mr. Deluse, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Ross presented the following written motion to amend General Ordinance No. 68, 1941:

Indianapolis, Indiana.

July 21, 1941.

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

Gentlemen:

We, your Committee on Parks, to whom was referred General Ordinance No. 68, 1941, entitled:

"AN ORDINANCE regulating boating in and upon a certain part of White River in the City of Indianapolis; prohibiting certain boats from the use of said stream; providing for the registration of certain boats with the Department of Public Parks; providing a penalty for any violation thereof; and fixing a time when the same shall take effect,"

beg leave to report that we have had the said ordinance under consideration and believe that same should be amended before its passage as hereinafter set out, namely:

We recommend that the word "firm" appearing in sub-section (f) of Section 1, the word "firms" appearing in Section 13, and the word "firm" appearing in Section 15 be stricken out and thereby eliminated from said ordinance.

We further recommend that that portion of the sentence in Section 8 reading as follows, to-wit:

"It shall be unlawful for the owner or operator of any boat using the stream of White River, as herein defined to tow another boat at any time;"

be amended to read as follows, to-wit:

"It shall be unlawful for the owner or operator of any boat using the stream of White River, as herein defined, to tow another boat or any other kind of object at any time;"

We further recommend that the following sentences be inserted at the end of the last sentence in Section 12, to-wit:

"It shall be unlawful for any person to operate on any part of the stream of White River as herein defined any motor boat in a reckless manner or at a rate of speed so as to endanger the life or property of any person in or on said water. It shall be unlawful for any person to operate on any part of the stream of White River as herein defined any motor boat at a greater rate of speed than ten (10) miles per hour between the hours of sunset and sunrise, and in no event at a greater rate of speed than fifteen (15) miles per hour at any other time."

We respectfully recommend that the same be passed as hereinabove amended.

CHAIRMAN, GUY O. ROSS.

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

Ayes, 6, viz: Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Noes, 2, viz: Mr. Campbell, Dr. Hemphill.

On motion on Mr. Ross, seconded by Mr. Deluse, Gen-

eral Ordinance No. 68, 1941, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 68, 1941, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Noes, 2, viz: Mr. Campbell, Dr. Hemphill.

General Ordinance No. 17, 1941, General Ordinance No. 57, 1941, and General Ordinance No. 61, 1941, were held for further consideration by the Committees to which they were referred.

On motion of Mr. Moore, seconded by Mr. Ransom, the Common Council adjourned at 9:15 p. m., Daylight Savings Time.

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 21st day of July, 1941, at 7:30 p. m. Daylight Saving Time.

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

Joseph G. Wood

President.

Attest:

John M. Layton

City Clerk.

(SEAL)