

REGULAR MEETING

Monday, January 17, 1944.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chambers at the City Hall, Monday, January 17, 1944, at 7:30 p. m., in regular session. Vice-President Kealing in the chair.

The Clerk called the roll.

Present: Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, Vice-President Kealing.

Absent: Mr. Bowers, President Schumacher.

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

COMMUNICATIONS FROM THE MAYOR

January 1, 1944.

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, Mr. Frank J. Noll, Jr., the following ordinances:

GENERAL ORDINANCE No. 85, 1943

AN ORDINANCE providing for the employment of three (3) attorneys for the purpose of revising, codifying, indexing and publishing certain ordinances of the City of Indianapolis, Indiana, at designated fees; and providing for the time when the same shall take effect.

APPROPRIATION ORDINANCE No. 83, 1943

AN ORDINANCE establishing and providing for the employment upon a yearly basis, of a veterinarian at the Municipal Dog Pound of Indianapolis, Indiana, beginning as of January 1, 1944; appropriating the sum of One Thousand Five Hundred Dollars (\$1,500.00) as of said January 1, 1944, from the estimated, anticipated and unappropriated balance of the General Fund of the City of Indianapolis, Indiana, for such purpose; and fixing a time when the same shall take effect.

Respectfully,
ROBERT H. TYNDALL,
Mayor.

January 4, 1944.

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, Mr. Frank J. Noll, Jr., the following ordinances:

APPROPRIATION ORDINANCE No. 85, 1943

AN ORDINANCE amending General Ordinance No. 62, 1943, relating to the 1944 Budget, to provide for three additional services and compensations in the City Civil Engineer Division of the Department of Public Works of the City of Indianapolis, Indiana, and appropriating and allocating thereto for such purpose the total sum of Six Thousand Two Hundred Dollars (\$6,200.00) from the estimated, anticipated and unappropriated 1944 balance of the General Fund of said City, as of January 1, 1944; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 86, 1943

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of Five Hundred Sixty Thousand Seven Hundred Ninety-Five Dollars and Eighty-Three Cents (\$560,795.83) from the proceeds of the sale of certain City of Indianapolis Barrett Law Deficiency Bonds for the payment of deficiencies in the various improvement funds, arising because of payment of assessments and the consequent stoppage of interest by operation of the law or by the failure to collect interest to the due date of the pre-paid installments thereof; and because of the diversion of certain funds paid on one improvement roll and account to the payment of bonds and coupons chargeable to another roll and account; and because of the loss of certain Barrett Law funds by the closing and insolvency of certain banks in which said funds were on deposit; and because of certain other diversions or misapplication of certain of such funds, resulting in the non-payment of certain bonds and coupons to which such collected funds should have been applied, not provided for in existing budgets and levies; and fixing a time when the same shall take effect.

Respectfully,

ROBERT H. TYNDALL,

Mayor.

January 6, 1944.

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, Mr. Frank J. Noll, Jr., the following ordinance:

APPROPRIATION ORDINANCE No. 90, 1943

(As Amended)

AN ORDINANCE providing for certain additional items in certain funds of the 1944 budget for the Division of City Civil Engineer, Department of Public Works of the City of Indianapolis, Indiana, as shown by General Ordinance No. 62, 1943; appropriating the necessary amount of Four Thousand Eight Hundred Seventy-Seven Dollars (\$4,877.00), therefore, as of January 1, 1944, by transferring, re-appropriating, and re-allocating thereto a part thereof as of January 1, 1944, from monies already provided in said budget for a certain other item in Fund No. 11-8 of said division and department, and by providing the balance of Three Thousand, Two Hundred Ninety-Nine Dollars and Thirty-Cents; therefore by appropriating same, as of January 1, 1944, from the estimated, anticipated, and unappropriated 1944 balance of the Gas Tax Fund of said City; and fixing a time when the same shall take effect.

Respectfully yours,

ROBERT H. TYNDALL,
Mayor.

January 6, 1944.

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

Gentlemen:

I am returning to you herewith without my signature, within ten days after their receipt by me, Appropriation Ordinances numbered 87, 88 and 89, 1943. My objections to each of the above mentioned ordinances are as follows:

1. Each of said ordinances makes an appropriation from Gas Tax Funds, when in my opinion such appropriation should be made from the City General Fund.
2. The total of these appropriations is the sum of \$111,088.97 to be paid out of approximately \$130,000.00 of Gas Tax Funds estimated to be available for street maintenance and repair for the year of 1944.
3. Should these appropriations be made out of Gas Tax Funds, a balance of only \$18,911.03 would remain for street repair and maintenance out of the 1944 Gas Tax Fund.
4. There is a 1943 unexpended balance of Gas Tax Funds in the sum of \$28,000.00 in the street repair fund, which added to the foregoing sum of \$18,911.03 would constitute a fund of \$46,911.03 for street repairs and maintenance during 1944. As the City Engineer estimates that the maintenance, repair and resurfacing program for 1944 will cost at least \$130,000.00 there would therefore be a shortage of approximately \$83,088.97 to carry out the 1944 program on the maintenance, repair and resurfacing of streets within the City of Indianapolis.

5. These ordinances appropriate funds for certain salaries and wages mentioned in each ordinance. I feel that the primary intent of the law making grants of Gas Tax money to municipalities is that such funds be used first for the repair and maintenance of streets. I also feel that where there are insufficient funds, as in this case, that the Gas Tax Funds should be permitted to remain intact for use for street repairs, maintenance and resurfacing and that wages and salaries should be met out of the City General Fund.

6. The City Controller, who is in charge of the City's fiscal affairs and on whom rests the responsibility of determining from what funds certain expenditures shall be made, requested that these ordinances be drawn so that these appropriations would be made out of the City General Fund. These ordinances were so drawn and introduced, but were amended by the Council to provide that the appropriations be made out of the Gas Tax Funds as above stated.

Respectfully,

ROBERT H. TYNDALL,
Mayor.

SPECIAL ORDER OF BUSINESS

At this time Vice-President Kealing interrupted the reading of communications for action on Appropriation Ordinances Nos. 87, as amended, 88, as amended, and 89, as amended, 1943.

Mr. Dauss made the following motion:

Indianapolis, Ind., January 17, 1944.

Mr. President:

I move that Appropriation Ordinance No. 88, 1943, as amended, be passed, the Mayor's veto notwithstanding.

RAYMOND C. DAUSS,
Councilman.

Which was seconded by Mr. Manly and passed by the following roll call vote:

Ayes, 7, viz: Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, Vice-President Kealing.

Vice-President Kealing declared Appropriation Ordinance No. 87, as amended, 1943, passed over the Mayor's veto.

Mr. Dauss made the following motion:

Indianapolis, Ind., January 17, 1944.

Mr. President:

I move that Appropriation Ordinance No. 87, 1943, as amended, be passed, the Mayor's veto notwithstanding.

RAYMOND C. DAUSS,
Councilman.

Which was seconded by Mr. Manly and passed by the following roll call vote:

Ayes, 7, viz: Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, Vice-President Kealing.

Vice-President Kealing declared Appropriation Ordinance No. 88, as amended, 1943, passed over the Mayor's veto.

Mr. Manly made the following motion:

Indianapolis, Ind., January 17, 1944.

Mr. President:

I move that Appropriation Ordinance No. 89, 1943, as amended, be passed, the Mayor's veto notwithstanding.

A. ROSS MANLY,
Councilman.

Which was seconded by Mr. Dauss and passed by the following roll call vote:

Ayes, 7, viz: Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, Vice-President Kealing.

Vice-President Kealing declared Appropriation Ordi-

nance No. 89, as amended, 1943, passed over the Mayor's veto.

The Council then reverted to previous order of business.

COMMUNICATION FROM CITY OFFICIALS

January 17, 1944.

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

Gentlemen:

In Re: Appropriation Ordinance No. 1, 1944

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers of Public Hearing" to be inserted in the following newspapers, to-wit:

A. O. No. 1, 1944—Friday, January 7, 1944—The Indianapolis Times and The Indianapolis Star

that Taxpayers would have the right to be heard on the above ordinances at the regular meeting of the Common Council to be held January 17, 1944, and by posting copies of notices in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for more than 10 days prior to the date of hearing.

Sincerely,

FRANK J. NOLL, JR.,
City Clerk

January 17, 1944.

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

Gentlemen:

In Re: General Ordinance No. 77, 1943

General Ordinance No. 86, 1943

General Ordinance No. 87, 1943, As Amended

General Ordinance No. 88, 1943

General Ordinance No. 89, 1943

General Ordinance No. 91, 1943

I beg leave to report pursuant to the laws of the State of Indiana I caused publication to be inserted in the following newspapers:

G. O. No. 77, 1943—Thursday, January 6 and 13, 1944—The Indianapolis Times and Indianapolis News

G. O. No. 86, 1943—Thursday, January 6 and 13, 1944—The Indianapolis Times and Indianapolis News

G. O. No. 87, 1943—As Amended—Thursday, January 6 and 13, 1944—The Indianapolis Star and Indianapolis Commercial

G. O. No. 88, 1943—Thursday, January 6 and 13, 1944—The Indianapolis Star and Indianapolis Commercial

G. O. No. 89, 1943—Thursday, January 6, and 13, 1944—The Indianapolis News and Indianapolis Commercial

G. O. No. 91, 1943—Thursday, January 6 and 13, 1944—The Indianapolis Star and Indianapolis Commercial

and that said Ordinances are now in full force and effect as of the last date of publication.

Sincerely,

FRANK J. NOLL, JR.,
City Clerk.

January 17, 1944.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 2, 1944, appropriating the sum of \$550.00 from the anticipated, estimated, unappropriated 1944 balance of the Board of Health General Fund to Fund No. 51, Insurance and Premiums, City Hospital.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

January 17, 1944.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 3, 1944, appropriating the sum of \$100,000 from the estimated, anticipated, unappropriated 1944 balance of the Gas Tax Fund to Fund No. 26, Other Contractual, Administration, Board of Public Works.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

January 17, 1944.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 4, 1944, appropriating the sum of \$10,000 from the estimated, anticipated, unappropriated 1944 balance of the City General Fund to Fund No. 26, Office of the Mayor.

Yours very truly,

ROY E. HICKMAN,
City Controller.

January 17, 1944.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 5, 1944, appropriating the sum of \$2,000 from the estimated, anticipated, un-appropriated 1944 balance of the City General Fund to Fund No. 11, Salaries and Wages, Public Buildings, Department of Public Works, for the employment of two additional janitors.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

January 17, 1944.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 6, 1944, appropriating the sum of \$292.24 from the estimated, anticipated 1944 balance of the City General Fund to Fund No. 24, Printing and Advertising, City Clerk.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

January 17, 1944.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 7, 1944, appropriating the sum of \$600.00 from the estimated, anticipated, unappropriated 1944 balance of the City General Fund to Fund No. 12, Salaries and Wages, Temporary, Department of Public Purchase.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller,

January 17, 1944.

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

Gentlemen.

Attached are copies of Appropriation Ordinance No. 8, 1944, appropriating the sum of \$3,680 from the anticipated, estimated, unappropriated 1944 balance of the Gas Tax Fund to the Department of Public Works, City Civil Engineer.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,
City Controller.

January 13, 1944.

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

Gentlemen:

Attached hereto are twenty copies of General Ordinance No. 1, 1944, an Ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Respectfully yours,

OTTO T. FERGER,
Secretary,
CITY PLAN COMMISSION

January 17, 1944.

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

Gentlemen:

Attached please find 21 copies of General Ordinance No. 2, 1944.

I respectfully recommend the passage of this ordinance.

Sincerely,

A. ROSS MANLY,
Councilman.

January 17, 1944.

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

Gentlemen:

Submitted herewith is General Ordinance No. 3, 1944, for the ratification of a contract entered into by and between the City of Indianapolis, through the Board of Public Safety, and the Town of Woodruff Place for fire and police protection for the year 1944.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY,

President.

January 17, 1944.

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

Gentlemen:

Submitted herewith is General Ordinance No. 4, 1944, prohibiting parking at all times on the north side of East North Street and on the west side of Kealing Avenue between designated points.

We respectfully recommend the passage of this ordinance.

Respectfully submitted.

BOARD OF PUBLIC SAFETY,

By WM. H. REMY,

President.

January 17, 1944.

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

Gentlemen:

Submitted herewith is General Ordinance No. 5, 1944, limiting parking to one and one-half (1½) hours between the hours of 7:00 a. m. and 6:00 p. m. on the west side of South Illinois Street beginning at a point twenty (20) feet south of the railroad elevation and extending south for a distance of eighty-one (81) feet.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By **WM. H. REMY,**

President.

January 17, 1944.

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

Gentlemen:

Attached are copies of General Ordinance No. 6, 1944, amending G. O. No. 12, 1943, to increase the bond necessary for the Business Manager of the City Hospital.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,

City Controller.

January 17, 1944.

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

Gentlemen:

Attached are copies of proposed General Ordinance No. 7, 1944,
amending Section 476 in General Ordinance No. 77, 1943.

We respectfully recommend the passage of this ordinance.

Very truly yours,

SIDNEY S. MILLER,
Corporation Counsel.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 1, 1944, Appropriation Ordinance No. 84, 1943, and General Ordinance No. 71, 1943.

Mr. Dauss asked for a recess. The motion was seconded by Mr. Jordan and the Council recessed at 7:40 p. m.

The Council reconvened at 8:25 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., January 17, 1944.

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

Gentlemen:

We, your Special Committee, composed of Councilmen Manly, Chairman; Kealing and Jordan, to whom was referred Appropriation Ordinance No. 84, 1943, entitled:

AN ORDINANCE appropriating, as of January 1, 1944, the total sum of Four Thousand Five Hundred Dollars (\$4,500.00) from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 13, other Compensations, Department of Law, according to 1944 Budget Classifications, for the purpose of providing compensation for the services of persons to be employed and compensated as provided for by General Ordinance No. 85, 1943, for the Revision and Codification, etc., of City Ordinances; and fixing a time when the same shall take effect;

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

ROSS MANLY, Chairman
EDWARD R. KEALING
CARSON C. JORDAN

Indianapolis, Ind., January 17, 1944.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 1, 1944, entitled:

AN ORDINANCE appropriating the total sum of Two Thousand Five Hundred and Sixty Dollars (\$2,560.00) from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, as of February 1, 1944, and allocating same among certain designated funds in the Assessment Bureau Division of the Department of Public Works, according to 1944 budget classifications, for the purpose of creating and providing for certain additional services and supplies, beginning as of February 1, 1944; and fixing a time when this ordinance shall take effect;

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
ROSS MANLY

Indianapolis, Ind., January 17, 1944.

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

Gentlemen:

We, your Special Committee, composed of Councilmen Manly, Chairman; Meriwether, Jordan, Worley, to whom was referred General Ordinance No. 71, 1944, entitled:

AN ORDINANCE to repeal General Ordinance No. 10, 1943, concerning the driving around safety zones; and fixing a time when the same shall take effect;

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

ROSS MANLY, Chairman
LUCIAN B. MERIWETHER
CARSON C. JORDAN
O. H. WORLEY

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 2, 1944

AN ORDINANCE appropriating the sum of Five Hundred and Fifty Dollars (\$550.00) from the anticipated, estimated and unappropriated 1944 balance of the General Fund of the Department of Public Health and Charities of Indianapolis, Indiana, to Fund No. 51, Insurance and Premiums, City Hospital in the same Department, according to 1944 budget classifications, for the purpose of covering increased premiums due to increased valuations of City Hospital buildings and contents, as well as increased bond premium of the Business Manager of the City Hospital; and fixing a time when the same shall take effect.

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

Section 1. That the sum of Five Hundred and Fifty Dollars (\$550.00) be and the same is hereby appropriated from the anticipated, estimated and unappropriated 1944 balance of the General Fund of the Department of Public Health and Charities of Indianapolis, Indiana, to Fund No. 51, Insurance and Premiums, City Hospital in the same department, according to 1944 budget classifications, for the purpose of covering increased premiums due to increased valuations of City Hospital buildings and contents, as well as increased bond premium of the Business Manager of the City Hospital.

Section 2. That this ordinance shall be in full force and effect upon its passage, approval by the Mayor and compliance with all law pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 3, 1944

AN ORDINANCE appropriating the sum of One Hundred Thousand Dollars (\$100,000) from the estimated and anticipated, unappropriated 1944 balance of the Gas Tax Fund of the City of Indianapolis, Indiana, to Fund No. 26, Other Contractual, Administration under the Board of Public Works of said city; and fixing a time when the same shall take effect.

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

Section 1. That the sum of One Hundred Thousand Dollars (\$100,000) be and the same is hereby appropriated from the estimated, anticipated and unappropriated 1944 balance of the Gas Tax Fund of the City of Indianapolis, Indiana, to Fund No. 26, Other Contractual, Administration under the Board of Public Works, according to 1944 budget classifications.

Section 2. That this ordinance shall be in full force and effect upon its passage, approval by the Mayor and compliance with all law pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 4, 1944

AN ORDINANCE appropriating the sum of Ten Thousand Dollars (\$10,000.00) from the estimated and anticipated, unappropriated balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 26, Office of the Mayor, Executive Department; and fixing a time when the same shall take effect.

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

Section 1. That the sum of Ten Thousand Dollars (\$10,000) be and the same is hereby appropriated from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to the hereby created Fund No. 26, Other Contractual, Office of the Mayor, Executive Department, according to 1944 budget classifications.

Section 2. That this ordinance shall be in full force and effect upon its passage, approval by the Mayor and compliance with all law pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 5, 1944

AN ORDINANCE appropriating the sum of Two Thousand Dollars (\$2,000.00) from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 11, Salaries and Wages, Regular, Division

of Public Buildings, under the Department of Public Works, according to 1944 budget classifications, for the purpose of providing two (2) additional janitors, beginning as of March 1, 1944; and fixing a time when this ordinance shall take effect.

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

Section 1. That the sum of Two Thousand Dollars (\$2,000.00) be and the same is hereby appropriated, as of March 1, 1944, from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 11, Salaries and Wages, Regular, Division of Public Buildings under the Department of Public Works, according to 1944 budget classifications, as hereinafter designated, for the purpose of providing two (2) additional janitors, beginning as of March 1, 1944, at the salaries indicated, to-wit:

DEPARTMENT OF PUBLIC WORKS

PUBLIC BUILDINGS

Fund No. 11—Salaries and Wages, Regular (Tax Levy)

2 Janitors @ \$1,200.00 each per annum.....\$2,000.00

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

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

By the City Controller:

APPROPRIATION ORDINANCE No. 6, 1944

AN ORDINANCE appropriating the sum of Two Hundred Ninety-Two Dollars and Twenty-Four Cents (\$292.24) from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 24, Printing and Advertising, City Clerk, for payment of 1943 bills which were presented too late for payment in 1943; and fixing a time when the same shall take effect.

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

Section 1. That the sum of Two Hundred Ninety-Two Dollars and Twenty-Four Cents (\$292.24) be and the same is hereby appropriated from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 24, Printing and Advertising, City Clerk, for the payment of 1943 bills which were presented too late for payment in 1943.

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

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

By the City Controller:

APPROPRIATION ORDINANCE No. 7, 1944

AN ORDINANCE appropriating the sum of Six Hundred Dollars (\$600.00) from the estimated and anticipated, unappropriated 1944 balance of the General Fund of the City of Indianapolis,

Indiana, to the hereby created Fund No. 12, Salaries and Wages, Temporary, in the Department of Public Purchase, according to 1944 budget classifications; and fixing a time when the same shall take effect.

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

Section 1. That the sum of Six Hundred Dollars (\$600.00) be and the same is hereby appropriated from the estimated, anticipated and unappropriated 1944 balance of the General Fund of the City of Indianapolis, Indiana, to the hereby created Fund No. 12, Salaries and Wages, Temporary, in the Department of Public Purchase, according to 1944 budget classifications.

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

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

By the City Controller:

APPROPRIATION ORDINANCE No. 8, 1944

AN ORDINANCE appropriating the total sum of Three Thousand Six Hundred and Eighty Dollars (\$3,680.00) from the anticipated, estimated and unappropriated 1944 Gas Tax Fund of the City of Indianapolis, Indiana, and allocating same among certain designated funds in the Division of City Civil Engineer under the Department of Public Works of said City, according to

1944 budget classifications; 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 total sum of Three Thousand Six Hundred and Eighty Dollars (\$3,680.00) be and the same is hereby appropriated and allocated in the respective amounts hereinafter indicated, from the anticipated, estimated and unappropriated 1944 Gas Tax Fund of the City of Indianapolis, Indiana, to the hereinafter designated funds (number 12-1 of which is hereby created) in the Division of City Civil Engineer, under the Department of Public Works of said City, according to 1944 budget classifications, to-wit:

DEPARTMENT OF PUBLIC WORKS

CITY CIVIL ENGINEER

Fund No. 12-1—Maintenance Division—Street Signs (Gas Tax)	
1 Sign Repairman @ \$2,080.00.....	\$2,080.00
Fund No. 22—Heat, Light and Power (For Gas).....	1,600.00
TOTAL.....	<u>\$3,680.00</u>

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

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

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE No. 1, 1944

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.

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

Section 1. That the U-4 or First Industrial District, the A-3 or 2,400 Square 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:

Part of the South West quarter, Section Thirty-six (36) Township Seventeen (17) North of Range Three (3) East in Marion County, Indiana, more particularly described as follows: Beginning on the East line of the right-of-way of the Chicago, Indianapolis and Louisville Railway Company, at a point Ten Hundred Fifty-two (1052) feet East of the West line and Twenty-four Hundred Thirty and Three-Tenths (2430.3) feet North of the South line of said section and running East Three Hundred Fifty-six (356) feet to the West line of what was formerly the Indianapolis gravel road now known as State Road 431; thence with the West line of said road to White River as follows: North Fifty-eight and One-half ($58\frac{1}{2}$) degrees East Three Hundred Forty-seven and Two-tenths (347.2) feet, thence North Thirty-one (31) degrees East Two Hundred Fifty-four and Five-tenths (254.5) feet, thence South Seventy-nine and One-half ($79\frac{1}{2}$) degrees East Fifty-two and Two-tenths (52.2) feet, thence North Sixty-six and One-half ($66\frac{1}{2}$) degrees East Eighty (80) feet to White River, thence down White River with the meandering thereof to the East line of the right-of-way of the above named railway, thence Southward with the East line of said right-of-way One Thousand Two Hundred Ten (1210) feet to the beginning; containing Fifteen and Twenty-one Hundredths (15.21) acres more or less; said territory including lots

numbered Two (2), to Twenty-two (22) both inclusive in North Ripple, an addition to and in the town of Broad Ripple, Indiana, now a part of and in the City of Indianapolis, Indiana, but excluding therefrom lot numbered One (1) in said addition as shown on Plat Book Sixteen (16) page Fifty-nine (59) in the Recorder's Office of Marion County, Indiana.

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 Committee on City Welfare with instructions to refer the same to the City Plan Commission for its recommendation.

By Councilman Manly:

GENERAL ORDINANCE No. 2, 1944

AN ORDINANCE prohibiting the operation of sand blasting in the open and unenclosed; providing a penalty for 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 sand blaster to operate same in the open and unenclosed, or to suffer, permit or allow the same to be operated in the open and unenclosed.

Section 2. All sand and dirt must be screened and collected so same cannot be blown out of any vent or chimney to scatter over surroundings.

Section 3. Any person violating any provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hun-

dred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 4. 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 Parks.

By the Board of Public Safety:

GENERAL ORDINANCE No. 3, 1944

AN ORDINANCE ratifying and approving a certain contract by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Safety, with the approval of its Mayor, and the Town of Woodruff Place of Marion County, State of Indiana, by and through its Board of Trustees, made and entered into as of December 21, 1943, effective as of January 1, 1944, and concerning police and fire protection for the Town of Woodruff Place, and fixing a time when this ordinance shall take effect.

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

Section 1. That a certain contract by and between the City of Indianapolis, by and through its Board of Public Safety, with the approval of its Mayor, and the Town of Woodruff Place, by and through its Board of Trustees, made and entered into as of December 21, 1943, effective as of January 1, 1944, which contracts reads as follows:

THIS AGREEMENT, made and entered into this 21st day of December, 1943, by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Safety, with the approval of its Mayor, party of the first part, and the Town of Woodruff Place, Marion County, Indiana, by and through its Board of Trustees, party of the second part, WITNESSETH, that:

WHEREAS, the party of the first part does maintain and possess a Police Department and a Fire Department for police and fire protection of its residents, and is desirous of contracting with the party of the second part for the use of the services of the police and fire departments belonging to the party of the first part; and

WHEREAS, the party of the second part has no police and fire departments for the use and benefit of its residents and is, therefore, desirous of contracting with the party of the first part for the use of the police and fire departments belonging to the party of the first part, said use to be in the nature of the police and fire departments of the party of the first part rendering the same protection and service to the party of the second part as they now render and will render to the party of the first part;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

The party of the first part does hereby agree to furnish the same police and fire protection to the party of the second part which said party of the first part now receives and will receive from its own police and fire departments, in consideration of the sum of Seven Thousand Dollars (\$7,000.00) per year for the year beginning January 1, 1944, to and including December 31, 1944, paid to the party of the first part by the party of the second part.

The party of the second part hereby agrees to pay to the party of the first part for the said police and fire protection

rendered the sum of Seven Thousand Dollars (\$7,000.00) in four (4) equal quarterly payments, as follows: One Thousand Seven Hundred Fifty Dollars (\$1,750.00) as due and payable on the first day of each of the following months: January, April, July and October of the year 1944. The second party agrees to aid in the matter of fire protection by conforming to the building code of the first party now established, in so far as the party of the second part can lawfully do so. It is agreed and understood by and between both parties hereto that this contract shall be in full force and effect for the period of one (1) year, that is, from the first day of January, 1944, to the 31st day of December, 1944.

It is further agreed and understood by and between the parties hereto that no liability attaches or will attach to the party of the first part on account of the nature of the work and services performed by said police and fire departments of the party of the first part. And said second party hereby assumes and agrees to pay and indemnify said first party against any liability incurred by first party on account of any loss or damage sustained, either to person or property, by any person whomsoever in carrying out the terms and provisions of this contract and agreement, including any liability to the Town of Woodruff Place, citizens of the Town of Woodruff Place, members of the public, employees of first and second parties, and all other persons.

It is further agreed and understood that the party of the second part shall furnish its own water supply at its own expense.

This contract, on the part of the City of Indianapolis, shall be of no force and effect unless specifically authorized by ordinance passed by the Common Council of the City of Indianapolis and approved by its Mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate this 21st day of **December**, 1943.

January 17, 1944]

City of Indianapolis, Ind.

81

CITY OF INDIANAPOLIS

By

SMILEY N. CHAMBERS (signed)

PAUL ROBERTSON (signed)

WM. H. REMY (signed)

BOARD OF PUBLIC SAFETY

Party of the First Part

APPROVED:

ROBERT H. TYNDALL (signed)
MAYOR

By

ARTHUR P. KERN (signed)

A. C. SCHRADER (signed)

CLYDE E. TITUS (signed)

TRUSTEES OF
TOWN OF WOODRUFF PLACE

Party of the Second Part

ATTEST:

M. H. MORRIS (signed)
CLERK-TREASURER
TOWN OF WOODRUFF PLACE

be and it is hereby ratified and approved.

Section 2. 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 Works.

By the Board of Public Safety:

GENERAL ORDINANCE No. 4, 1944

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis, Indiana; providing a penalty for the violation thereof; and repealing any and all ordinances or parts of ordinances in conflict herewith; 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 at any time upon any of the following designated parts of streets of the City of Indianapolis, Indiana, to-wit:

On the north side of East North Street from the first alley west of Sherman Drive, west to the Indianapolis Union Railway Company right-of-way;

On the west side of Kealing Avenue from the north curb line of East Michigan Street to the south curb line of North Street.

Section 2. Any person violating any provisions 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. Any part or parts of an ordinance and ordinances heretofore ordained any in conflict herewith are repealed as to such provisions.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 5, 1944

AN ORDINANCE regulating the parking of vehicles on a certain part of a certain street in the City of Indianapolis, Indiana, and repealing all ordinances and/or parts of ordinances in conflict herewith; 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, on any day except Sunday, to park the same or suffer, permit or allow the same to be parked for a longer period than twenty (20) minutes between the hours of 7:00 o'clock a. m. and 6:00 o'clock

p. m. on the following designated part of a certain street in the City of Indianapolis, Indiana, to-wit:

On the west side of South Illinois Street beginning at a point twenty (20) feet south of the railroad elevation and extending south a distance of eighty-one (81) feet.

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. Any and all ordinances or parts of ordinances and/or regulations in conflict herewith are hereby repealed as to said provision.

Section 4. 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 Parks.

By the City Controller:

GENERAL ORDINANCE No. 6, 1944

AN ORDINANCE amending a certain item in General Ordinance No. 12, 1943, relating to the amount of bonds required of certain employees of the City of Indianapolis, Indiana, to require a Five Thousand Dollar (\$5,000.00) bond for the Business Manager of the City Hospital 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 following item only, now contained under Department of Public Health and Charities in General Ordinance No. 12, 1943, relating to the amount of bonds required of certain City employees of the City of Indianapolis, Indiana, to-wit:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES

Business Manager of City Hospital.....\$1,000.00
be and the same is hereby amended to read as follows:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES

Business Manager of City Hospital.....\$5,000.00

Section 2. Any part or parts of an ordinance of the City of Indianapolis heretofore ordained, requiring a different amount of bond for the Business Manager of the City Hospital are hereby repealed only as to said provision.

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 Public Works,**

By the Corporation Counsel:

GENERAL ORDINANCE No. 7, 1944

AN ORDINANCE amending General Ordinance No. 77, 1943, amending Section 476 in General Ordinance No. 77, 1943; and fixing a time when the same shall be in effect.

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

Section 1. That General Ordinance No. 77, 1943, heretofore ordained by this Council be and the same is hereby amended to read as follows, to-wit:

Section 1. That paragraph numbered fourteen (14) of Section 476 in General Ordinance No. 121, 1925, commonly known as the "Municipal Code of Indianapolis, 1925" be and the same is hereby amended to read as follows, to-wit:

(14) Hotels, etc. For each hotel, public lodging or rooming house, containing 5 to 25 rooms, One Dollar (\$1.00) per room; containing 26 or more rooms, Fifty Dollars (\$50.00).

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 Committee on City Welfare.

The Council reverted to the previous order of business.

Mr. Jordan made a motion that the rules be suspended for the further consideration and passage of General Ordinance No. 7, 1944.

The motion was seconded by Dr. Meriwether and passed by the following roll call vote:

Ayes, 7, viz: Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, Vice-President Kealing.

The rules were suspended.

COMMITTEE REPORT

Indianapolis, Ind., January 17, 1944.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred
General Ordinance No. 7, 1944, entitled:

AN ORDINANCE amending General Ordinance No. 77,

1943, amending Section 476, in General Ordinance No.
77, 1943; and fixing a time when the same shall be
in effect;

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

CARSON C. JORDAN, Chairman
WM. A. BROWN
LUCIAN B. MERIWETHER
ROSS MANLY

ORDINANCES ON SECOND READING

Mr. Jordan called for General Ordinance No. 7, 1944,
for second reading. It was read a second time.

On motion of Mr. Jordan, seconded by Dr. Meriwether,
General Ordinance No. 7, 1944, was ordered engrossed, read
a third time, and placed upon its passage.

General Ordinance No. 7, 1944, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Brown, Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Worley, Vice-President Kealing.

On motion of Mr. Jordan, seconded by Mr. Worley, the Common Council adjourned at 8:35 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 17th day of January, 1944, 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.

Edward R. Kealing

Vice-President

Attest:

Frank J. Hollis

City Clerk.

(SEAL.)