

REGULAR MEETING

Monday, April 7, 1947
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 7, 1947, at 7:30 P. M., in regular session. President Schumacher in the chair.

The Clerk called the roll.

Present: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Absent: Mr. Bowers.

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

COMMUNICATIONS FROM THE MAYOR

March 21, 1947.

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. 5, 1947

AN ORDINANCE appropriating the sum of Nine Thousand Five Hun-

dred (\$9,500.00) Dollars from the anticipated, estimated and unappropriated 1947 balance of the Aviation General Fund of the City of Indianapolis, Indiana, to certain designated Items in the Weir Cook Airport Division of the Department of Public Sanitation; And providing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 6, 1947

AN ORDINANCE appropriating the sum of Thirty-One Hundred Fifty (\$3,150.00) Dollars from the anticipated, estimated and unappropriated 1947 balance of the Department of Public Health and Hospitals General Fund of the City of Indianapolis, Indiana, to certain designated items, Funds and Divisions in the Department of Public Health and Hospitals; and providing a time when the same shall take effect.

GENERAL ORDINANCE NO. 27, 1947

AN ORDINANCE restricting and regulating parking on a certain part of 38th Street, (known as Maple Road) in the City of Indianapolis, Indiana; Providing a penalty for violation thereof; And fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 29, 1947

AN ORDINANCE requiring the New York Central System Railroad Company to install and maintain certain safety devices at certain street crossings of the tracks of said System in the City of Indianapolis, Indiana; And fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 30, 1947

AN ORDINANCE establishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Section 26 of the General Ordinance No. 96-1928, as Amended; And fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 33, 1947

AN ORDINANCE amending General Ordinance No. 91, 1946, so as to permit the parking of vehicles on the north side of the restricted part of 38th Street; And fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 4, 1947

AN ORDINANCE changing the names of certain streets in the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 5, 1947

AN ORDINANCE authorizing the sale of certain lighting equipment no longer needed for Park purposes; and fixing a time when the same shall take effect.

Respectfully,

ROBERT H. TYNDALL,
Mayor

March 27, 1947

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. 3, 1947

AN ORDINANCE appropriating the sum of Thirty-Five Thousand (\$35,000.00) Dollars from the anticipated, estimated and un-appropriated 1947 balance of the Gas Tax Fund of the City of Indianapolis, to Fund 72, (Gas Tax), Equipment, City Civil Engineer, Department of Public Works; And fixing a time when the same shall take effect.

Respectfully,

ROBERT H. TYNDALL,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

April 7, 1947

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

Gentlemen:

In Re: General Ordinance No. 27, 1947

I hereby report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers, to-wit: G. O. No. 27, 1947—Tuesday, April 1 and 8, 1947—The Indianapolis Star and The Indianapolis Commercial

and that said ordinance is in full force and effect as of the last date of publication.

Very truly yours,

FRANK J. NOLL, Jr.,

City Clerk

April 7, 1947

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

Gentlemen:

In Re: General Ordinances No. 35 and 38, 1947 (Zoning Ordinances)

I hereby report that pursuant to the laws of the State of Indiana, I caused "Notice to Interested Citizens" that General Ordinances Nos. 35 and 38, 1947, (Zoning Ordinances) were published Friday, March 21, 1947—General Ordinance No. 35, 1947—The Indianapolis Star and The Indianapolis Times,

General Ordinance No. 38, 1947—The Indianapolis Times and The Marion County Mail
for a hearing on April 7, 1947.

Very truly yours,

FRANK J. NOLL, Jr.,

City Clerk

April 7, 1947

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 7, 1947, re-appropriating the sum of \$200.00 in the City Hospital.

Yours very truly,

GEORGE L. DENNY,
City Controller

April 7, 1947

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

Gentlemen:

Attached herewith are copies of General Ordinance No. 39, 1947 amending the 1922 Zoning Ordinance in the Grinslade's East 38th Street Addition.

Very truly yours,

OTTO H. WORLEY,
Councilman.

April 7, 1947

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

Gentlemen:

Submitted herewith is General Ordinance No. 40, 1947, establishing and abolishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Section 26 of Gen-

eral Ordinance No. 96, 1928, as amended; And fixing a time when the same shall take effect.

We respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY,
By WM. H. REMY, President.

April 7, 1947

President and Members
Indianapolis City Council
Indianapolis, Indiana.

Gentlemen:

The Board of Public Health and Hospitals at its regular meeting on March 14, 1947, passed a resolution requesting the introduction of General Ordinance No. 41, 1947, regulating the heating of apartments, office buildings, schools, hospitals, rooms, hotels and factories.

The reason for introducing the ordinance at this time is that it will give the people opportunity to prepare for next winter. During the past winter a great deal of actual suffering occurred among the families of people who had no control over the temperatures in the places in which they lived. Every one appeared to be under impression that the city had the same power to require sufficient heating to protect the public health as it has over plumbing, ventilating and other unsanitary conditions. This however is found not to be the case and the rules of the State Administrative Building Council which are the same as those included in this ordinance are too difficult to enforce because they require action through the County Circuit Court.

This ordinance has the approval of Mr. Wolf and Mr. Bacon as well as the Board of Health and Hospitals.

Very truly yours,

GERALD F. KEMPF,
Director of Health.

March 31, 1947

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

Gentlemen:

Submitted herewith is General Ordinance No. 42, 1947, authorizing the Board of Public Safety of Indianapolis, Indiana, through its duly appointed Purchasing Agent, to sell a certain Dodge Tractor-Trailer Emergency Broadcasting Station (Mobile Unit), heretofore purchased from the War Emergency and no longer needed; and fixing a time when the same shall take effect.

We respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY, President.

March 31, 1947

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

Gentlemen:

Submitted herewith is General Ordinance No. 43, 1947, establishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; and fixing a time when the same shall take effect.

We respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY, President.

March 31, 1947

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

Gentlemen:

Submitted herewith is General Ordinance No. 44, 1947, amending Section 44 of General Ordinance No. 96-1928, as amended; and fixing a time when the same shall take effect.

We respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY, President.

March 31, 1947

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

Gentlemen:

Submitted herewith is General Ordinance No. 45, 1947, establishing and abolishing certain Bus Loading Zones in the City of Indianapolis, pursuant to the provisions of Section 27 of General Ordinance No. 96, 1928, as amended; And fixing a time when the same shall take effect.

We respectfully recommed the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY, President.

April 7, 1947]

City of Indianapolis, Ind

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April 7, 1947

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

Gentlemen:

Submitted herewith is General Ordinance No. 46, 1947, prohibiting parking on a certain part of Highland Avenue in the City of Indianapolis; providing a penalty for violation thereof; and fixing a time when the same shall take effect.

We respectfully recommend the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY, President.

April 7, 1947

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

Gentlemen:

Attached herewith are copies of Special Ordinance No. 7, 1947, annexing certain territory to the City of Indianapolis.

Very truly yours,

OTTO H. WORLEY,

Councilman.

March 28, 1947

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

Gentlemen:

Attached hereto are copies of Special Ordinance No. 8, 1947, approving the changing of the name of a certain street within the City

of Indianapolis; and fixing a time when the same shall take effect:

That portion of Wallace Avenue, south from the south property line of Washington Street to the north property line of Pleasant Run Parkway, North Drive, shall hereafter be known and designated as Wallace Lane.

The City Plan Commission, at its regular meeting on March 24, 1947, approved the change of name.

The Board of Public Works and Sanitation respectfully recommends the passage of this ordinance, and requests that the same be passed.

Respectfully submitted,

BOARD OF PUBLIC WORKS AND
SANITATION,
EMANUEL B. WETTER,
Executive Secretary.

At this time those present were given an opportunity to be heard on General Ordinances Nos. 16, 20, 28, 31, 32, 34, 35, 36, 37, 38, 1947 and Special Ordinance No. 6, 1947.

Mr. Manly asked for recess. The motion was seconded by Mr. Worley and the Council recessed at 8:05 P. M.

COMMITTEE REPORTS

Indianapolis, Ind., April 7, 1947

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. 16, 1947, entitled

AN ORDINANCE establishing rates of taxicab fares,

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

EDWARD R. KEALING, Chairman
R. C. DAUSS
WM. A. BROWN
MAX WHITE

Indianapolis, Ind., April 7, 1947

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. 20, 1947, entitled

AN ORDINANCE increasing the number of taxicabs,

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

R. C. DAUSS, Chairman
HERMAN E. BOWERS

Indianapolis, Ind., April 7, 1947

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. 28, 1947, entitled

AN ORDINANCE establishing a loading zone on a certain part of N.
Capitol Ave.,

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

EDWARD R. KEALING, Chairman
R. C. DAUSS
WM. A. BROWN
MAX WHITE

Indianapolis, Ind., April 7, 1947

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. 31, 1947, entitled

AN ORDINANCE prohibiting left-turns at the intersection of 16th Street and Central Ave.,

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

R. C. DAUSS, Chairman

Indianapolis, Ind., April 7, 1947

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 General Ordinance No. 34, 1947, entitled

AN ORDINANCE establishing 2 loading zones,

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
A. ROSS MANLY

March 26, 1947

Mr. Otto H. Worley, Chairman
Committee on Law & Judiciary
Common Council of the
City of Indianapolis.

Dear Mr. Worley:

The City Plan Commission, at its regular meeting March 24, 1947, approved and recommended passage of General Ordinance No. 35, 1947, an ordinance to amend Section 1 of G. O. No. 75, 1945, "An Ordinance to amend Sections 3, 4 and part of 2 of G. O. No. 114, 1922 (as amended), commonly known as the Zoning Ordinance."

Respectfully yours,

NOBLE P. HOLLISTER, Secretary,
CITY PLAN COMMISSION.

Indianapolis, Ind., April 7, 1947

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. 32, 1947, entitled

AN ORDINANCE regulating parking on a certain part of Wendell St.,

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

EDWARD R. KEALING, Chairman
R. C. DAUSS
WM. A. BROWN
MAX WHITE

Indianapolis, Ind., April 7, 1947

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred
General Ordinance No. 35, 1947, entitled

AN ORDINANCE amending G. O. No. 114, 1922 (as amended) Zoning
Ordinance,

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

OTTO H. WORLEY, Chairman
WM. A. BROWN
EDWARD R. KEALING
LUCIAN B. MERIWETHER

Indianapolis, Ind., April 7, 1947

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 General
Ordinance No. 36, 1947, entitled

AN ORDINANCE amending the 1925 Code relating to bonds of City
Officials and employees,

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

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

March 26, 1947

Mr. Otto H. Worley, Chairman
Committee on Law and Judiciary
Common Council of the
City of Indianapolis.

Dear Mr. Worley:

The City Plan Commission, at its regular meeting March 24, 1947, approved and recommended passage of General Ordinance No. 38, 1947, an ordinance to amend Sections 1 & 2 of General Ordinance No. 10, 1947, which amended G. O. No. 114, 1922 (as amended), commonly known as the Zoning Ordinance.

Respectfully yours,

NOBLE P. HOLLISTER, Secretary,
CITY PLAN COMMISSION.

Indianapolis, Ind., April 7, 1947

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred General Ordinance No. 37, 1947, entitled

AN ORDINANCE approving a switch permit,

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

OTTO H. WORLEY, Chairman
WILLIAM A. BROWN
EDWARD R. KEALING
LUCIAN B. MERIWETHER

Indianapolis, Ind., April 7, 1947

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred
General Ordinance No. 38, 1947, entitled

AN ORDINANCE to amend Sections 1 and 2 of General Ordinance
No. 10, 1947, which amended General Ordinance No. 114, 1922
(as amended),

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

OTTO H. WORLEY, Chairman
WILLIAM A. BROWN
EDWARD R. KEALING
LUCIAN B. MERIWETHER

Indianapolis, Ind., April 7, 1947

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

Gentlemen:

We, your Committee on Law & Judiciary, to whom was referred
Special Ordinance No. 6, 1947, entitled

AN ORDINANCE annexing territory to the City of Indianapolis,

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

OTTO H. WORLEY, Chairman
WILLIAM A. BROWN
EDWARD R. KEALING
LUCIAN B. MERIWETHER

IN THE MATTER OF THE CITIZENS GAS AND
COKE UTILITY IN THE FOLLÓWING SPECIAL ORDER
OF BUSINESS, TO-WIT:

City of Indianapolis, State of Indiana, Marion County, SS:

The Common Council of the City of Indianapolis to the Sergeant
at Arms thereof and the Chief of Police of said City, GREETINGS:

You are hereby commanded to summon Mayor Robert H. Tyndall;
Arch N. Bobbit, Corporation Counsel, City of Indianapolis, J. Ralph
Fenstermaker, Member of Board of Directors for Utilities, Leroy J.
Keach, Member of Board of Directors for Utilities, Issac E. Woodard,
Member of Board of Directors for Utilities, Donald J. Angus, Mem-
ber of Board of Directors for Utilities, Roy Sahn, Member of Board
of Directors for Utilities, Broadhurst Elsey, Member of Board of
Directors for Utilities, and J. E. Ohleyer, member of Board of Direc-
tors for Utilities, Thomas L. Kemp, General Manager Citizens
Gas & Coke Utility to appear before the Honorable President and
Members of the Common Council of the City of Indianapolis in the
Council Chamber at the City Hall on Monday the 7th day of April,
1947, at 8:00 o'clock P. M., then and there to testify as to the investi-
gation of the Citizen's Gas & Coke Utility, and have you then and
there this writ.

Witness my hand and the official seal of the City of Indianapolis,
this 5th day of April, 1947.

FRANK J. NOLL, Jr.

(SEAL)

City Clerk and Clerk of the Common Council

I, Frank J. Noll, Jr., City Clerk of Indianapolis, hereby
certify that the records in my office show that the fore-
going persons were served with Subpoena in this matter
by the members of the Indianapolis Police Department.

FRANK J. NOLL, Jr.,

City Clerk of Indianapolis.

The following letters were introduced as evidence by President John A. Schumacher:

Copy of Telegram

Dated—April 2, 1947

Mr. Thomas L. Kemp, Manager
Citizens Gas & Coke Utility
Indianapolis, Indiana.

Dear Mr. Kemp:

A strike of gas utility employees must not happen in Indianapolis.

A simple vote of the employees involved in the dispute can settle the issue peacefully and quickly.

As president of the City Council of Indianapolis I am now requesting that you ask that such a vote of employees involved be held immediately and that you will cooperate and discuss the problems with the proper representatives.

JOHN A. SCHUMACHER,

Deft's Exh. "A"

Cause No. 63713

Frances C. Cameron, Official Reporter
Circuit Court of Marion County.

LDB63 MD PD

Indianapolis, Ind. 451J, April 2, 1947

John A. Schumacher, President City Council
City Hall Indpls.

Dear Mr. Schumacher:

Retel even date We beg to advise that an election has been held by our employes and representatives of such employes were duly elected. These employe representatives negotiated and signed a valid contract for all employes in the production and maintenance depart-

ments. This contract became effective as of March 30, 1947. It is the 12th consecutive contract negotiated by employe representatives.

THOS. L. KEMP

Deft's Exh. "B"
Cause No. 63713
Frances C. Cameron, Official Reporter
Circuit Court of Marion County.

April 3, 1947

United Gas, Coke & Chemical Workers of America, C.I.O.
229 West Washington Street
Indianapolis, Indiana.

Gentlemen:

To resolve the present strike in the City-owned utility and protect the welfare of all citizens, I, John A. Schumacher, President of the Common Council of the City of Indianapolis, now urgently request that you immediately accept the following proposals:

1. Temporary reinstatement of the employees alleged to have been discharged for union activity.
2. Immediate holding of a free election among all the employees involved.

Please reply by ten o'clock tomorrow morning, Friday, April 4, 1947.

The reply should be addressed to my home, 5657 North Pennsylvania Street, Indianapolis, Indiana.

Respectfully,

JOHN A. SCHUMACHER,
President City Council

Deft's Exh. "C"
Cause No. 63713
Frances C. Cameron, Official Reporter
Circuit Court of Marion County.

**Citizens Gas and Coke Utility
Indianapolis 9, Indiana**

Office of
General Manager

April 4, 1947

Mr. John A. Schumacher
President, City Council
5657 North Pennsylvania
Indianapolis 5, Indiana.

Dear Mr. Schumacher:

I appreciate your interest and concern over the matter which is now under the jurisdiction of the Marion County Circuit Court. It would be interesting to have available your understanding of just what would be a fair election.

Would it contemplate the abrogation of the existing contract between the Utility and our employes who have heretofore, for eleven years past, elected their own representatives? Second, would it contemplate the cancellation of supposed existing applications for memberships in any other so-called union?

We are doing everything possible to protect the interests of the City and the Utility's consumers.

Again, I appreciate your concern and hope for a continuation of your interest.

Very truly yours,

THOS. L. KEMP,
General Manager

Deft's Exh. "D"
Cause No. 63713
Frances C. Cameron, Official Reporter
Circuit Court of Marion
County.

April 7, 1947]

City of Indianapolis, Ind

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The United Chemical Workers of America

—C I O—

Telephone Riley 3505

229 W. Washington Street — Indianapolis 4, Indiana

April 4, 1947

Mr. John A. Schumacher, President

City Common Council
5657 N. Pennsylvania Street
Indianapolis, Indiana

Dear Mr. Schumacher:

This will acknowledge receipt of your communication of April 3rd. Due to the confusion created by the current situation at the Citizens' Gas & Coke Utility, prompt reply to your letter has been overlooked.

We also wish to express our appreciation for your efforts in attempting to settle this dispute.

Respectfully,

ARTHUR F. MILTNER,
International Representative

POWERS HAPGOOD
CIO Regional Director

Deft's Exh. "E"
Cause No. 63713
Frances C. Cameron, Official Reporter
Circuit Court of Marion County.

April 4, 1947

Mr. Thomas L. Kemp, Manager
Citizens Gas & Coke Utility
Department of Utilities of the City of Indianapolis
Indianapolis, Indiana

Dear Mr. Kemp:

By virtue of the statutory power and implied duty of the common council of every city to supervise and investigate all departments, officers and employees of the government of such city and to examine into any charge preferred against them or any of them and to compel the attendance of witnesses and the production of books, papers and other evidence at any meeting of the council or of any committee thereof and, for that purpose, such council or committee may issue subpoenas and attachments in any case of inquiry I, John A. Schumacher, President of the City Council of Indianapolis, now direct you to appear at the Indianapolis City Council meeting to be held Monday at eight P. M., April 7, 1947.

Formal charges are not hereby made. However, there have been general charges made of refusal to discuss any differences which may exist between employees and management of the city-owned gas utility. This refusal may cause a serious curtailment in the supply of gas which is vitally necessary to all citizens of Indianapolis.

The strike of gas utility workers must be agreeably settled at the very earliest date. The public City Council meeting will afford an opportunity for a complete airing of facts. This will open the way to a quick, peaceful solution.

Respectfully,

JOHN A. SCHUMACHER

Deft's Exh. "F"
Cause No. 63713

Citizens Gas and Coke Utility

Indianapolis 9, Indiana

Office of
General Manager

April 7, 1947

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City of Indianapolis, Ind

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Hon. John A. Schumacher
President Common Council
City of Indianapolis
Indianapolis, Indiana.

Dear Mr. Schumacher:

This is to advise you that the undersigned individual members of the Board of Directors for Utilities and the General Manager of Citizens Gas and Coke Utility, respectfully decline summons issued on April 5, 1947, over the signature of the Clerk of the Common Council, until such time as it is duly and finally determined that they, or any of them, are under a legal duty to respond.

Very truly yours,

THOS. L. KEMP,
General Manager

Citizens Gas and Coke Utility

B ELSEY

JULIUS E. OHLEYER

LEROY J. KEACH

J. E. WOODWARD

D. J. ANGUS

J. R. FENSTERMAKER

ROY SAHM

Members of Board of Directors
for Utilities

Deft's Exh. "G"
Cause No. 63713
Frances C. Cameron, Official Re-
porter Circuit Court of Marion
County.

April 5, 1947.

Mr. Thomas L. Kemp, Manager
Citizens Gas & Coke Utility
Department of Utilities of the
City of Indianapolis
Indianapolis, Indiana

Dear Mr. Kemp:

I am personally convinced that there is some substantial dispute now existing between employees and management of the city-owned Citizens Gas & Coke Utility. Furthermore, I am personally aware of the serious consequences that could result from an impending breakdown of gas service to the citizens and industry of Indianapolis.

Consequently, by virtue of the express and implied powers of the City Council of Indianapolis, as set forth briefly in my letter to you of April 4, 1947, I now request you to notify by direct contact both General Robert T. Tyndall, Mayor of Indianapolis and me, John A. Schumacher, President of the City Council eight hours before any imminent breakdown or curtailment of gas service to the citizens and industry of Indianapolis.

This is necessitated by your apparent refusal to discuss this strike issue with any persons other than your own board of directors. The citizens must not be innocent victims of such arbitrary action by any public officials of Indianapolis.

After a brief, friendly discussion with the representatives of the employees involved in the dispute they have agreed with me to exert every effort to prevent a breakdown in gas service pending the early peaceful solution we are working to accomplish.

Respectfully,

JOHN A. SCHUMACHER

Deft's Exh. "H"

Cause No. 63713

Frances C. Cameron, Official Reporter
Circuit Court of Marion County

At this time evidence was heard on the investigation relative to the Citizen's Gas & Coke Utility strike. There was no one present to represent the Gas Company. Speakers heard were in the following order:

Powers Hapgood, Regional Director of the CIO, who headed a delegation of representatives of the union; Frank Uberto, member of the CIO committee; Lloyd Walker, Vice-President of the CIO; Ed Corman; the following officers of the CIO: Secretary-Treasurer, Sergeant at Arms, and Lynn Miles, Counsel at the Injunction hearing.

President John A. Schumacher appointed the committee on Public Safety to try to arrange a meeting between the Utility heads and union representatives with a view of settling the six day old strike.

The Council reconvened at 9:45 P. M., with the same members present as before.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 7, 1947.

AN ORDINANCE reappropriating, transferring and reallocating the sum of Two Hundred (\$200.00) Dollars from one Item in Fund No. 12, City Hospitals, Department of Public Health and Hospitals, to another under Item and Fund in the same Division and 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 Two Hundred (\$200.00) Dollars, now held under the following Item and Fund in the Division of City Hospital, Department of Public Health and Hospitals, to-wit:

REDUCE:

Fund No. 12, Salaries & Wages, Temporary ----\$200.00

be and the same is hereby reappropriated, transferred and reallocated to the following Item and Fund in the same Division and Department, to-wit:

APPROPRIATE TO:

Fund No. 11, Salaries & Wages, Regular

Change classification of position of Supervising Hospital Admitting Officer @ \$2400.00 to Director of Home Service and Hospital Admissions @ \$2700.00, (reappropriating \$1600 unexpended monies of Supervising Hospital Admitting Officer to new classification), effective May 1, 1947 -----\$200.00

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 for the first time and referred to the Committee on Finance.

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Worley:

GENERAL ORDINANCE NO. 39, 1947

AN ORDINANCE to amend General Ordinance No. 114, 1922 (as amended), 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 General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis, be and the same is hereby amended, supplemented and extended as to U3 or Business District, A2 or 2400 square feet per family District and H1 or 50 feet Height Limit District, so as to include the following described territory, to-wit:

Beginning at the South East corner of Lot No. Eight (8) in the Grinslade's East 38th Street Addition, an addition to the City of Indianapolis, Indiana, as recorded in Plat Book No. 25 p.p. 212, thence south along the west property line of Sherman Drive for a distance of one hundred ten (110) feet to the south property line of said Grinslade's 38th Street Addition; thence west along said south property line of said Grinslade's 38th Street addition, a distance of one hundred ninety-three (193) feet to the west property line of lots Nine (9) and ten (10) in said Grinslade's 38th Street Addition; thence north along said west property line of said Lots nine (9) and ten (10), and along said property line extended north to the south property line of Lots five (5), six (6), seven (7) and eight (8) in said Grinslade's 38th Street Addition; thence east along said south property line of said Lots five (5), six (6), seven (7) and eight (8) to the 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 for the first time and referred to the Committee on Law & Judiciary.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 40, 1947

AN ORDINANCE establishing and abolishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; And fixing a time when the same shall take effect.

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

Section 1. That, for the purpose of providing the owners and/or owners and/or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress

for passengers, materials and merchandise coming to or going from such premises, such owners and/or occupants having complied with all provisions of law relating to the establishment of passenger and/or loading zones at the place hereinafter described, and the Board of Public Safety having investigated and recommended the establishment of same,—the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, Indiana, to-wit:

“To begin at a point 94½ feet north of the north curb line of Market Street and extend south 25 feet on the East side of North Alabama Street.”

Section 2. That the following described passenger and/or loading zone heretofore established in the City of Indianapolis pursuant to General Ordinance No. 36, 1945 be and the same is hereby abolished, to-wit:

“25 foot loading zone on the east side of North Alabama Street starting at a point 16 feet south of the south curb line of East Court Street and extending south for a distance of 25 feet.”

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By the Board of Public Health and Hospitals:

GENERAL ORDINANCE NO. 41, 1947

AN ORDINANCE regulating the temperatures to be maintained in Schools, Hospitals, Theatres or Amusement Places (including Motion Picture Houses), Hotels, Rooms rented with heat supplied, apartments, offices, stores, factories and machine shops, foundries and boiler shops; Providing for enforcement and inspection; 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 in order to protect the health and well-being

of those who have no control over the temperatures of places where they must work, live and have recreation, adequate and appropriate heating systems which conform with all existing laws and the Rules and Regulations of the Building and Air Codes of the State of Indiana and City of Indianapolis shall be provided, maintained and operated for all of the hereinafter designated occupied areas in the City of Indianapolis, during the hereinafter designated hours, every day of the week, beginning with the 24th day of September and ending on the 21st day of May in each year, or whenever the outside temperature in said City shall fall below a mean of 65 degrees Fahrenheit as recorded by the United States Weather Bureau at Indianapolis, so as to make and maintain the inside dry bulb temperatures at or above the following specified minimum, to-wit:

TYPE OF BUILDING DEGREES TEMP. F.

1. Schools: (between 8:00 o'clock A. M. and 3:30 o'clock P. M., or when occupied by school children.

Class Rooms—30" above floor line	70
Assembly Rooms	68
Gymnasiums	60
Toilet Rooms	68
Wardrobe and Locker Rooms	65
Kitchens	68
Dining and Lunch Rooms	68
Play Rooms	65
Natatoriums and Shower Rooms	75

2. Hospitals: (Whenever occupied)

Private Rooms	70
Private Rooms, Surgical	72
Operating Rooms	72
Wards	68
Kitchens and Launderies	65
Toilets	68
Bath Rooms	74

3. Theatres: or Amusement Places: (including Motion Picture Houses) (whenever open to the public).

Seating Space	68
Lounge Room	68

Toilets	68
4. Hotels and Rooming Houses: Rooms Rented with Heat Supplied: (Whenever occupied).	
Bedrooms and Baths	70
Dining Rooms	70
Kitchen and Laundry	66
Ballrooms	66
Toilets and Service	68
5. Apartments, (when occupied)	72
6. Offices, (when occupied)	68
7. Stores, (whenever open for business).	65
8. Factories and Machine shops, (whenever men are at work).	60
9. Foundries and Boiler Shops, (whenever men are at work).	50

Section 2. That it shall be the duty of the Director and officers of the Department of Public Health and Hospitals to enforce the provisions of this Ordinance, and for the purpose of such enforcement, the Director or any authorized officer or member of that Department may, at all reasonable hours, enter any building or premises within his jurisdiction for the purpose of making any inspection or investigation which, under the provisions of this Ordinance, he or they may deem necessary to be made. Such inspector or investigator shall produce certified credentials on demand of the building or premises owner and/or occupant.

Section 3. Any person violating any provision of this Ordinance shall, upon conviction, be fined in any amount not to exceed three hundred (\$300.00) dollars, to which may be added imprisonment not exceeding one hundred eighty (180) days, and each and every day that prohibited conditions are maintained shall constitute a separate offense.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 42, 1947

AN ORDINANCE authorizing the Board of Public Safety of Indianapolis, Indiana, through its duly appointed Purchasing Agent, to sell a certain Dodge Tractor-Trailer Emergency Broadcasting Station (Mobile Unit), heretofore purchased for the War Emergency and no longer needed; and fixing a time when the same shall take effect.

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

Section 1. That the Board of Public Safety of the City of Indianapolis, through its duly appointed Purchasing Agent, be and the same is hereby authorized and empowered to sell the following described Dodge Tractor-Trailer Emergency Broadcasting Station (Mobile Unit)—said Station having been heretofore purchased for the War Emergency and being no longer needed, the description of which is as follows:

One—1942 Model Dodge WF-21 Tractor, color dark Blue.

One—Custom Built steel and wood body Trailer.

One—Pincor 2000 watt BA-20 Gasoline Engine 120 V AC Power Supply with control unit.

One—Webster-Rauland 600 Watt Amplifier and 2-25 Watt Loudspeaker horns.

Four—200 Watt Floodlights.

said Broadcasting Station and equipment to be sold to the highest bidder, at private or public sale, for cash, at an amount equivalent to or above its duly appraised valuation, after the same has been duly appraised and advertised according to law.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 43, 1947

AN ORDINANCE establishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96-1928, as amended; and fixing a time when the same shall take effect.

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

Section 1. That, for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis, with ingress and egress for passengers, materials and merchandise coming to or going from such premises,—such owners or occupants having complied with all laws relative to the establishment of passenger and/or loading zones at such places, and the Board of Public Safety, after due investigation, having recommended the establishment thereof,—the following passenger and/or loading zones be and the same are hereby established in the City of Indianapolis, to-wit:

“To begin at a point 70 feet south of the south property line of Vermont Street and extend 25 feet south on the west side of North Delaware Street.”

“To begin at a point 15 feet east of the east curb line of Scioto Street and extend east 75 feet on the north side of East Georgia Street.”

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 44, 1947.

AN ORDINANCE amending Section 44 of General Ordinance No. 96-1928, 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 Section 44 of General Ordinance No. 96-1928, as amended, be and the same is hereby amended so as to include the following, additional subsection, to-wit:

“That at the intersection of Pleasant Run Parkway, North Drive with the extension of New York Street east of Emerson Avenue, the portion of Pleasant Run Parkway, North Drive which is an extension of New York Street shall take preference over the portion of Pleasant Run Parkway, North Drive from the south-west and that at this intersection the portion of Pleasant Run Parkway, North Drive which is an extension of New York Street shall constitute and be declared a ‘THRU’ Street.”

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 45, 1947.

AN ORDINANCE establishing and abolishing certain Bus Loading Zones in the City of Indianapolis, pursuant to the provisions of Section 27 of General Ordinance No. 96, 1928, 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 action of the Board of Safety heretofore had, designating certain new Bus Loading Zones (commonly known as “Bus Stops”) on the Mars Hill Bus Line, be and the same is hereby approved, and the following Bus Loading Zones are hereby established pursuant thereto, to-wit:

1. Establish a bus stop on the south side of Washington Street (for buses turning south on Illinois Street) beginning at a point 170 feet east of the east curb line of Capitol Avenue and extending east 84½ feet to the west limit of the "No Parking" zone at the Lincoln Hotel entrance.
2. Establish a bus stop on the west side of Illinois Street (for buses turning west on Maryland Street) beginning at a point 191 feet north of the north curb line of Maryland Street and extending north 79½ feet to the south limit of the "No Parking" zone at the Tower Theatre entrance.

Section 2. That the action of said Board in abolishing a certain Bus Loading Zone (or Bus Stop), heretofore established on the north side of Maryland Street, west of Illinois Street under General Ordinance No. 32, 1945, be and it is hereby approved and the same is hereby abolished, and that, pursuant to said action by said Board of Public Safety, a "Free Passenger and/or Loading Zone, between the hours of 7:00 o'clock A. M. and 6:00 o'clock P. M., is hereby established in the same location, to-wit:

"On the north side of Maryland Street extending 70 feet west from the west property line of Illinois Street."

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 46, 1947.

AN ORDINANCE prohibiting parking on a certain part of Highland Avenue in the City of Indianapolis; 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 owner or operator of any vehicle to park the same, or to suffer, permit or allow the

same to be parked, at anytime, upon the following part of Highland Avenue in the City of Indianapolis, Indiana, to-wit:

“From the south property line of East Tenth Street to a point 90 feet south on the west side of Highland Avenue.”

Section 2. Any person violating any provision of this ordinance, shall, upon conviction, be fined in any sum not exceeding Three Hundred (\$300.00) Dollars, 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 for the first time and referred to the Committee on Election.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Worley:

SPECIAL ORDINANCE NO. 7, 1947.

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

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

Section 1. That the City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

Lots 149 and 150 in Little Ranches, as per plat thereof recorded in Plat Book 25, page 255, in the office of the Recorder 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 for the first time and referred to the Committee on Law & Judiciary.

By the Board of Public Works and Sanitation:

SPECIAL ORDINANCE NO. 8, 1947.

AN ORDINANCE changing the name of a certain street within the City of Indianapolis; and fixing a time when the same shall take effect.

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

Section 1. That the portion of Wallace Avenue, south from the south property line of Washington Street to the north property line of Pleasant Run Parkway, North Drive, shall hereafter be known and designated as Wallace Lane.

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

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

ORDINANCES ON SECOND READING

Mr. Kealing called for General Ordinance No. 16, 1947 for second reading. It was read a second time.

Mr. Kealing presented the following motion to amend General Ordinance No. 16, 1947:

Indianapolis, Ind., April 7, 1947.

Mr. President:

I move that General Ordinance No. 16, 1947 be amended in Section 1, the 6th paragraph, the eleventh line after the word "Board" by adding "and approved by the Common Council."

EDWARD R. KEALING,
Councilman.

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

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

On motion of Mr. Kealing, seconded by Mr. Dauss, General Ordinance No. 16, 1947, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 16, 1947, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Kealing called for General Ordinance No. 28, 1947 for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Dauss, General Ordinance No. 28, 1947 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 28, 1947 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Kealing called for General Ordinance No. 32, 1947 for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Manly, General Ordinance No. 32, 1947 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 32, 1947 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Worley called for General Ordinance No. 35, 1947 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Manly, General Ordinance No. 35, 1947 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 35, 1947 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Worley called for General Ordinance No. 37, 1947 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Manly, General Ordinance No. 37, 1947 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 37, 1947 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr.

Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Worley called for General Ordinance No. 38, 1947 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Dauss, General Ordinance No. 38, 1947 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 38, 1947 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Worley called for Special Ordinance No. 6, 1947 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Manly, Special Ordinance No. 6, 1947 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 6, 1947 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

On motion of Mr. Kealing, seconded by Mr. Dauss, the Common Council adjourned at 10:15 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 7th day of April, 1947, 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.

(SEAL)

John A. Schumaker

President

ATTEST:

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Frank J. Hall Jr.

City Clerk