

REGULAR MEETING

Monday, October 3, 1949
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 3, 1949, at 7:30 P. M., in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

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

COMMUNICATIONS FROM THE MAYOR

September 20, 1949

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. Richard G. Stewart, the following ordinances:

GENERAL ORDINANCE NO. 59, 1949

An ordinance authorizing the Board of Public Works, through

its duly authorized Purchasing Agent, to contract for certain services and supplies for repairs of its garage, at 1022 Sanders Street, to be paid out of funds heretofore appropriated, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 60, 1949

An ordinance prohibiting and regulating parking on certain parts of certain streets in the City of Indianapolis, providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 62, 1949

An ordinance amending Section 44, of G. O. 96, 1928, as amended, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 63, 1949, AS AMENDED

An ordinance prohibiting and regulating parking on certain parts of certain streets in the City of Indianapolis, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 27, 1949

(AS AMENDED)

An ordinance appropriating, transferring and reappropriating and reallocating a certain sum (tax levy money) to a certain designated item and fund in the Department of Redevelopment as appropriated under the 1949 Budget (G. O. 74, 1948, as amended), and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 28, 1949

An ordinance appropriating, transferring, reappropriating and reallocating as of August 1, 1949, certain sums (tax levy money), from a certain designated item and fund in the Department of Public Safety, as appropriated under the 1949 Budget (G. O. 74, 1948) to certain other funds in the Department of Finance, as hereby amended, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 29, 1949

An ordinance appropriating the total sum of Ten Thousand (\$10,000.00) Dollars from the unexpended and unappropriated balance of the Gasoline Tax Fund now in the hands of the City Controller, to certain funds of the Department of Public Works, Street Commissioner, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 30, 1949

An ordinance appropriating, transferring, reappropriating and reallocating as of September 20th, 1949, certain sums (tax levy money), from certain designated items and funds in the Department of Public Safety, as appropriated under the 1949 Budget (G. O. 74, 1948) to certain other funds in the Department of Public Safety, as hereby amended, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 31, 1949

An ordinance appropriating, transferring and reappropriating and reallocating a certain sum (tax levy money) from certain designated items and funds in the Department of Public Hospitals as appropriated under the 1949 Budget (G. O. 74, 1948, as amended), to certain other designated items and funds therein, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 32, 1949

An ordinance appropriating, transferring, reappropriating and reallocating a certain sum (tax levy money) from certain designated items and funds in the Department of Public Health and Hospitals as appropriated under the 1949 Budget (G. O. 74, 1948, as amended), to certain other designated items and funds therein, declaring an emergency, and fixing a time when the same shall take effect.

Respectfully

AL FEENEY, Mayor

COMMUNICATIONS FROM CITY OFFICIALS

October 1, 1949

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

Gentlemen:

In Re: General Ordinances Nos. 60, 62, 63, 1949

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. Nos. 60, 62, 63, 1949—Friday, September 23 and
30, 1949—The Indianapolis Commercial and The Marion
County Messenger

and that said ordinances are in full force and effect as of the last date of publication and compliance with laws pertaining thereto.

Sincerely yours,

RICHARD G. STEWART
City Clerk

October 1, 1949

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

Gentlemen:

In Re: Resolution No. 2, 1949

I hereby report that pursuant to the laws of the State of Indiana, I caused to be published on September 22, 1949 in the Indianapolis Times and The Indianapolis Star "Notice of Public Hearing" that Res. No. 2, 1949 relative to a City Housing Authority was set for hearing before the Common Council on October 3, 1949.

Sincerely yours,

RICHARD G. STEWART
City Clerk

October 3, 1949

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

Gentlemen:

Attached hereto are twenty-two (22) copies of Appropriation Ordinance No. 33, 1949, which transfers the sum of \$3,500.00 from Department of Public Hospitals, General Hospital, Administration, Services—Personal to Indianapolis General Hospital, Administration and Power Plant for various supplies. This ordinance is requested for the reason that funds for these supplies are nearly depleted and this amount is needed for operating expenses for the balance of the year.

It is respectfully recommended that this ordinance be passed.

Very truly yours,

By Roy T. Lanahan, Administrator
DEPARTMENT OF PUBLIC HOSPITALS

September 27, 1949

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

Attached hereto are twenty-two (22) copies of Appropriation Ordinance No. 34, 1949, which transfers the sum of \$500.00 from Department of Public Works, Administration, Tax Levy, Services—Contractual to Department of Public Works, Assessment Bureau, Services—Personal, Salaries and Wages Temporary. This ordinance is requested for the reason that the funds in this item of the Assessment Bureau budget are depleted.

It is respectfully recommended that this ordinance be passed.

Very truly yours,

BOARD OF PUBLIC WORKS
By Henry Mueller
Executive Secretary

September 30, 1949

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

Gentlemen:

Attached hereto are twenty-two (22) copies of Appropriation Ordinance No. 35, 1949, which transfers the sum of Five Thousand Dollars (\$5000.00) from the unappropriated Gas Tax money to the Department of Public Parks.

Yours very truly,

DEPARTMENT OF PUBLIC PARKS
By Jesse W. Peden, Attorney

September 28, 1949

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

Gentlemen:

Attached hereto are copies of General Ordinance No. 65, 1949, an ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

The City Plan Commission held a public hearing on September 26, 1949 with reference to this proposed ordinance and, by the unanimous vote of the members present, approved and recommended its passage.

Respectfully submitted,

NOBLE P. HOLLISTER
Executive Secretary
CITY PLAN COMMISSION

September 30, 1949

Common Council
City of Indianapolis
Indianapolis, Indiana

Gentlemen:

In Re: Resolution No. 3, 1949

Submitted herewith is a Resolution pertaining to the acceptance of a Grant Offer and the execution of a Grant Agreement for Federal Aid in the Development of Weir Cook Municipal Airport. The Common Council has previously taken, what we term adequate action on this matter, by their Resolution No. 5, 1948 and Resolution No. 1, 1949.

The General Council, CAA, has taken exception to Resolution No. 5, 1948, in which the Common Council accepted the Grant Offer for Project No. 9-12-008-801 now underway at Weir Cook Municipal Airport, and authorized execution of the Grant Agreement on behalf of the City in two respects, both of which related to compliance with CAA Regulations. The first exception was that the body of the Resolution did not specifically adopt and ratify the covenants, warrants, etc., made by the Board of Aviation Commissioners in the Project Application. Second, the Resolution did not set-forth at length, the copy of the Grant Offer. Resolution No. 1, 1949, adopted May 16, 1949 did correct the acceptance or criticisms, however, the latter Resolution rescinded the original Resolution No. 5, 1948 of acceptance. The Federal Airport Act provides that construction cost to be allowable for reimbursement to the City must be incurred after acceptance of the Grant Agreement. Approximately \$100,000.00 in construction costs were incurred between October 5, 1948 and May 16, 1949.

The Resolution submitted herewith is drafted in an effort to eliminate any question of allowability to the City for reimbursement of costs, and the Resolution is so prepared as to assure satisfactory compliance with CAA regulations in acceptance of the Grant and to avoid any question of allowability of monies. The prime purpose of this Resolution is to have the acceptance relate to the date of the original acceptance by the Council of October 5, 1948, in accordance with Resolution No. 5, 1948.

This entire matter has been discussed at length with Mr. Red-

dington of the Legal Department, who prepared this Resolution. It is therefore, respectfully requested that the Common Council pass subject Resolution in order to eliminate objections made by the General Council, CAA.

Yours very truly,

FOR THE BOARD OF AVIATION COMMISSIONERS

By: P. H. Roettger, Superintendent

Weir Cook Municipal Airport

cc: Mr. Christian J. Emhardt
Mr. Joseph Wicker
Mr. Don Jameson

At this time those present were given an opportunity to be heard on General Ordinance No. 64, 1949 and Resolution No. 2, 1949.

Mr. Wicker asked for recess. The motion was seconded by Mr. Bright, and the Council recessed at 10:50 P. M.

The Council reconvened at 11:20 P. M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., October 3, 1949

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 64, 1949, entitled

AN ORDINANCE prohibiting parking for a longer period than

1½ hrs. between the hours of 7:00 o'clock a. m. and 6:00 o'clock p. m. on both sides of East 21st Street from Arlington Avenue to Pasadena Street

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

GUY O. ROSS, Chairman
JOSEPH A. WICKER
JOSEPH C. WALLACE
CHAS. P. EHLERS
JOS. E. BRIGHT

Indianapolis, Ind., October 3, 1949

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

Gentlemen:

We, your Committee on Parks to whom was referred Resolution No. 2, 1949, entitled

A RESOLUTION declaring the need for a housing authority in the City of Indianapolis

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

MARY C. CONNOR, Chairman
GUY O. ROSS
JOSEPH C. WALLACE

INTRODUCTION OF APPROPRIATION ORDINANCES

By the Board of Public Health & Hospitals:

APPROPRIATION ORDINANCE NO. 33, 1949

AN ORDINANCE appropriating, transferring, reappropriating and

reallocating a certain sum (tax levy money) from a certain designated item and fund in the Department of Public Hospitals, as appropriated under the 1949 Budget (G. O. 74, 1948, as amended), declaring an emergency, and fixing a time when the same shall take effect.

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

Section 1. That the total sum of Three Thousand Five Hundred Dollars (\$3,500.00) now held in the following item and fund of the Department of Public Hospitals, General Administration, according to the 1949 budget (G. O. 74, 1948, as amended) in the following classification, be reduced:

DEPARTMENT OF PUBLIC HOSPITALS
GENERAL HOSPITAL ADMINISTRATION

	Tax Levy
1. SERVICES PERSONAL	
11. Salaries and Wages, regular -----	\$ 3,500.00

Section 2. That there be appropriated the sum of Three Thousand Five Hundred Dollars (\$3,500.00) so reduced from the anticipated, estimated and unappropriated 1949 balance of the Public Health and Hospital Fund (Department of Public Health and Hospitals), thus created, and the same is hereby appropriated, transferred, reappropriated and reallocated in the amounts and to the funds and items hereinafter indicated.

INDIANAPOLIS GENERAL HOSPITAL
ADMINISTRATION

	Tax Levy
3. SUPPLIES	
36. Office Supplies -----	\$ 500.00

INDIANAPOLIS GENERAL HOSPITAL
POWER PLANT

2. SERVICES—CONTRACTUAL	
25. Repairs -----	1,000.00

3. SUPPLIES

37. Power Plant Supplies -----	1,500.00
38. General Supplies -----	500.00
	\$ 3,500.00

Section 3. The above transfer and reappropriation is necessary because of an existing emergency. There are sufficient funds by virtue of the above reduction in said budget to meet this appropriation, and said appropriation will not result in any increase in the total original budget.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

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

By the Board of Public Works:

APPROPRIATION ORDINANCE NO. 34, 1949

AN ORDINANCE appropriating, transferring, reappropriating and reallocating as of October 1, 1949, a certain sum (tax levy money) from a certain designated item and fund in the Department of Public Works, as appropriated under the 1949 Budget (G. O. 74, 1948) to certain other funds in the Department of Public Works, as hereby amended, and fixing a time when the same shall take effect.

WHEREAS, there is an extraordinary emergency existing for the transferring, appropriating, reappropriating and reallocating of certain funds in the Department of Public Works.

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

Section 1. That the total sum of Five Hundred (\$500.00) Dollars, now held in the following item and fund of the Department of Public

Works, according to the 1949 Budget (G. O. 74, 1948) classification, to-wit:

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

	Tax Levy
2. SERVICES—CONTRACTUAL	
26. Other Contractual—Special Fund -----	\$500.00
	<hr/>
Total Reduction -----	\$500.00

be and the same is hereby reduced and transferred therefrom, re-appropriated and reallocated to the following designated funds in the amount specified:

DEPARTMENT OF PUBLIC WORKS
ASSESSMENT BUREAU

	Tax Levy
1. SERVICE—PERSONAL	
12. Salaries and Wages Temporary -----	\$500.00
	<hr/>
Total Appropriation -----	\$500.00

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

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all existing laws pertaining thereto.

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

By the Board of Park Commissioners:

APPROPRIATION ORDINANCE NO. 35, 1949

AN ORDINANCE appropriating the total sum of Five Thousand Dollars (\$5,000.00) from the unexpended and unappropriated balance of the Gasoline Tax Fund, now in the hands of the City Controller to certain funds of the Department of Public Parks and fixing a time when the same shall take effect.

WHEREAS, there is now in the hands of the City Controller in the Gasoline Tax Fund, certain monies which are unappropriated and unexpended and are available for the use of the City of Indianapolis for certain purposes, and

WHEREAS, an emergency exists by reason of the fact that funds heretofore appropriated under the 1949 Budget (G. O. 74, 1948, as amended) are inadequate for the purpose of boulevard construction, reconstruction, repair and maintenance in said city, including all other purposes incidental thereto. •

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

Section 1. That the total sum of Five Thousand Dollars (\$5,000.00), from the unexpended and unappropriated balance of the Gasoline Tax Fund now in the hands of the City Controller be and the same is hereby appropriated and allocated to the following designated fund of the Department of Public Parks, according to the 1949 budget (G. O. 74, 1948, as amended) Classification in the amount as herein specified, to-wit:

DEPARTMENT OF PUBLIC PARKS

Gas Tax

4. MATERIALS

43. Boulevard Materials -----\$5,000.00

Section 2. That all monies hereby appropriated as "Gasoline Tax" Funds, shall be used only for the purposes authorized by law.

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 Finance.

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE NO. 65, 1949

AN ORDINANCE to amend General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

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

Section 1. That General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis, Indiana, be and the same is hereby amended, supplemented and extended as to the U1 or Dwelling House District, A3 or 2400 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described territory, to-wit:

Beginning at the intersection of the center line of Fletcher Avenue and the center line of Temperance Avenue; thence east on and along the center line of Fletcher Avenue to its intersection with the center line of Bosart Avenue; thence south on and along the center line of Bosart Avenue to the south property line of Lexington Avenue; thence west on and along the south property line of Lexington Avenue to its intersection with the center line of Temperance Avenue; thence north on and along the center line of Temperance Avenue to the place of beginning.

Section 2. This ordinance shall be in full force and effect upon and after its passage, approval by the mayor and publication as required by law.

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

INTRODUCTION OF RESOLUTIONS

By the Board of Aviation Commissioners:

RESOLUTION NO. 3, 1949

A RESOLUTION pertaining to the acceptance of the Grant Offer and execution of a Grant Agreement for aid on Federal Airport Project No. 9-12-008-801, Weir Cook Municipal Airport, Indianapolis, Indiana. Also, rescinding Resolution No. 1, 1949, Common Council, City of Indianapolis, Indiana.

WHEREAS, The City of Indianapolis, Indiana, Sponsor, acting by and through its Board of Aviation Commissioners, has previously presented a Project Application to the Civil Aeronautics Administrator under date of June 25, 1948, for approval and federal aid under the Federal Aid Airport Act for further development of the Weir Cook Municipal Airport, and which project application has been approved by the Civil Aeronautics Administrator, and,

WHEREAS, the Project Application submitted was approved by the Civil Aeronautics Administrator, satisfactory Grant Offer has been presented to the City of Indianapolis, Indiana, which was accepted by the Board of Aviation Commissioners by Resolution No. 23, adopted by said Board on October 1, 1948, and,

WHEREAS, said Common Council, by Resolution No. 5, 1948, adopted October 4, 1948 and approved October 5, 1948, accepted the Grant Offer and authorized execution of said agreement, and said Grant Agreement was executed under date of October 5, 1948, and,

WHEREAS, certain objections have been raised by the Civil Aeronautics Administration, namely, that the previous ratifications of this body did not incorporate the grant agreement as a part of the previous resolutions, and furthermore that this Common Council and the various city officers have not specifically ratified the representations, warranties and conditions of the grant agreement and it is now and has always been the intention of this Common Council that the grant agreement and the representations, warranties and conditions are specifically ratified by this Common Council, ab initio.

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

Section 1. The foregoing preamble is hereby incorporated and made a part of this resolution.

Section 2. That the Common Council adopts and ratifies specifically all statements, representations, warranties, covenants and agreements contained in the Project Application submitted by the Board of Aviation Commissioners to the Civil Aeronautics Administrator, dated June 25, 1948, which Project Application is hereby incorporated by reference and made a part hereof;

Section 3. That the Common Council confirms and ratifies its acceptance of the Grant Offer on October 4, 1948, and ratifies execution of said Grant Agreement on October 5, 1948, which Offer and Agreement as executed, are set forth as follows:

DEPARTMENT OF COMMERCE
CIVIL AERONAUTICS ADMINISTRATION
Washington 25

Contract No. C3CA-5547

GRANT AGREEMENT

Part I—Offer

Date of Offer September 28, 1948
Weir Cook Municipal Airport
Project No. 9-12-008-801

TO: The City of Indianapolis, Indiana
(herein referred to as the "Sponsor")

FROM: The United States of America (acting through the Administrator of Civil Aeronautics, herein referred to as the "Administrator")

WHEREAS, the Sponsor has submitted to the Administrator a Project Application dated June 25, 1948 for a grant of Federal funds for a project for development of the Weir Cook Municipal Airport (herein

called the "Airport"), together with plans and specifications for such project, which Project Application, as approved by the Administrator, is hereby incorporated herein and made a part hereof; and

WHEREAS, the Administrator has approved a project for development of the Airport (herein called the "Project") consisting of the following described airport development:

Clearing; grading, drainage and paving of apron, taxiways and extensions to apron and NW/SE runway (100'x700'); resurfacing portion of NE/SW runway (100'x750'); alterations of administrations building and construction of control tower,

all as more particularly described in the survey map and plans and specifications incorporated in the said Project Application;

NOW THEREFORE, pursuant to and for the purposes of carrying out the provisions of the Federal Airport Act (60 Stat. 170; Pub. Law 377, 79th Congress), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application, and its acceptance of this Offer, as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport, as herein provided,

THE ADMINISTRATOR, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share of costs incurred in accomplishing the project, 50 per centum of all allowable project costs, subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be \$250,000.00.
2. The Sponsor shall
 - (a) begin accomplishment of the Project within a reasonable time after acceptance of this Offer, and
 - (b) carry out and complete the Project in accordance with the terms of this Offer, and the Federal Airport Act and the

Regulations promulgated thereunder by the Administrator in effect on the date of this Offer, which Act and Regulations are incorporated herein and made a part hereof, and

- (c) carry out and complete the Project in accordance with the plans and specifications incorporated herein as they may be revised or modified with the approval of the Administrator or his duly authorized representatives.
3. The Sponsor shall operate and maintain the Airport as provided in the Project Application incorporated herein.
4. Any misrepresentation or omission of a material fact by the Sponsor concerning the Project or the Sponsor's authority or ability to carry out the obligations assumed by the Sponsor in accepting this Offer shall terminate the obligation of the United States, and it is understood and agreed by the Sponsor in accepting this Offer that if a material fact has been misrepresented or omitted by the Sponsor, the Administrator on behalf of the United States may recover all grant payments made.
5. The Administrator reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.
6. This Offer shall expire and the United States shall not be obligated to pay any of the allowable costs of the Project unless this Offer has been accepted by the Sponsor within 60 days from the above date of Offer or such longer time as may be prescribed by the Administrator in writing.
7. (a). The Administrator in tendering this offer in behalf of the United States recognizes the existence of an agency relationship between the City of Indianapolis, Indiana, as principal, and the Aeronautics Commission of Indiana, as agent created by the Agency Agreement executed for the City of Indianapolis by Joseph G. Wood, Chairman, Board of Aviation Commissioners, pursuant to a resolution of the Board adopted April 23, 1948, and by George W. Starr, Chairman, Aeronautics Commission of Indiana, pursuant to action of the Commission taken on May 10, 1948, copy of which Agreement is attached hereto and made a part hereof. The City of Indianapolis agrees that it will not amend, modify, or terminate said Agency Agreement without the prior approval, in

writing, of the Administrator or his designated representative.

- (b). It is understood and agreed by the parties hereto that the United States shall not make nor be obligated to make final payment under this Grant Agreement until the Sponsor has submitted evidence satisfactory to the Administrator that the easement to the Citizen's Gas and Coke Utility of a right-of-way to lay gas lines across part of the north-east quarter of Section 23 as it appears on Exhibit "A" to the Project Application has been extinguished or the exercise of rights thereunder limited in such manner as to cause no interference with the accomplishment of the project or the operation of the airport in the opinion of the Administrator.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and acceptance shall comprise a Grant Agreement, as provided by the Federal Airport Act, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA

THE ADMINISTRATOR OF CIVIL AERONAUTICS

By George W. Vest, Regional Administrator, Region III

Part II—Acceptance

The City of Indianapolis, Indiana, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this 5th day of October, 1948.

THE CITY OF INDIANAPOLIS, INDIANA
(Name of Sponsor)

By Christian J. Emhardt
Title President of the Common Council

By Joseph G. Wood
Title Chairman of Board of Aviation Commissioners

Attest: Richard G. Stewart
(SEAL) Title City Clerk of Indianapolis, Indiana

Attest: Irving M. Fauvre
Title: Secretary of Board of Aviation Commissioners

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Michael B. Reddington, acting as Attorney for the City of Indianapolis, Indiana, do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said City of Indianapolis, Indiana, relating thereto, and find that the Acceptance thereof by said City of Indianapolis, Indiana, has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Indiana, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the City of Indianapolis, Indiana, in accordance with the terms thereof.

Dated at Indianapolis, Indiana, this 6th day of October, 1948.

Michael B. Reddington
Title: City Attorney

Section 4. Resolution No. 1, 1949, is hereby repealed.

Section 5. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor as by law provided.

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

ORDINANCES ON SECOND READING

Mr. Ross called for General Ordinance No. 64, 1949 for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 64, 1949 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1949 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Miss Connor called for Resolution No. 2, 1949 for second reading. It was read a second time:

Mr. Jameson made a motion that Resolution No. 2, 1949 be laid upon the table until the next regular meeting of the Council. The motion was seconded by Mr. Wicker.

Mr. Seidensticker made a motion that Mr. Jameson's motion be laid upon the table. The motion was seconded by Mr. Ross.

Mr. Seidensticker's motion failed to pass by the following roll call vote:

Ayes 3, viz: Miss Connor, Mr. Ross, Mr. Seidensticker.

Noes 6, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Jameson's motion passed by the following roll call vote:

Ayes 6, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 3, viz: Miss Connor, Mr. Ross, Mr. Seidensticker.

President Emhardt announced that Resolution No. 2, 1949 was laid upon the table until the next regular meeting.

UNFINISHED BUSINESS

Mr. Wicker made a motion that the City Legal Department be requested to give the Council a written opinion, and if possible, have it for the next regular meeting, on the following questions:

1. Whether a Housing Authority created by this Council would be required to take over the management of Lockfield Gardens.
2. What funds the City would be required to furnish to get a Housing Authority started.
3. What funds the City would have to put up to get a Federal Grant.
4. If the City has any choice in the manner of financing.
5. That if the City borrows money from Washington under the provisions of the Federal Housing Authority, whether or not that money so borrowed would be charged against the bonding indebtedness of the City as fixed by Statute.

6. Whether the City Council would have any control or jurisdiction over the Housing Authority and its acts if it is created.

7. And any other questions that the President may deem desirable for the Council to have a legal opinion on.

The motion was seconded by Mr: Ehlers and carried by a unanimous voice vote.

On motion of Mr. Ross, seconded by Mr. Ehlers, the Common Council adjourned at 11:35 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 3rd day of October, 1949, 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.



President.

ATTEST:



(SEAL)

City Clerk.

