

REGULAR MEETING

Monday, October 17, 1949
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 17, 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. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Absent: Mr. Ehlers.

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

COMMUNICATIONS FROM THE MAYOR

October 4, 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 ordinance:

GENERAL ORDINANCE NO. 64, 1949

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

Respectfully

AL FEENEY, Mayor

AF:ms

COMMUNICATIONS FROM CITY OFFICIALS

October 5, 1949

Mr. Edward Knight
Corporation Counsel
City Hall
Indianapolis, Indiana

Dear Mr. Knight:

At the regular meeting of the Common Council of the City of Indianapolis, held on the 3rd day of October, 1949, a motion was made, duly seconded, and passed requesting the City Legal Department 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.

Acting as Clerk of the Common Council, I am thereby informing you of their action.

Sincerely yours,

RICHARD G. STEWART
City Clerk

October 15, 1949

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

Gentlemen:

In Re: General Ordinance No. 65, 1949

I hereby report that pursuant to the laws of the State of Indiana, I caused to be published on October 7, 1949 in The Indianapolis Commercial and The Marion County Messenger "Notice to Interested Citizens" that G. O. No. 65, 1949 (Zoning Ordinance) was set for hearing before the Common Council on October 17, 1949.

Sincerely yours,

RICHARD G. STEWART
City Clerk

October 15, 1949

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 33, 34, 35, 1949

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

A. O. Nos. 33, 34, 35, 1949—Friday, October 7 and 14,
1949—The Indianapolis Commercial and The Marion
County Messenger

that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held at 7:30 P. M., October 17, 1949 and by posting copies of said notice in the City Hall, Court House and Police Station in the City of Indianapolis, which notice remained posted for ten days or more prior to date of hearing.

Sincerely yours,

RICHARD G. STEWART
City Clerk

October 15, 1949

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

Gentlemen:

In Re: General Ordinance No. 64, 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. No. 64, 1949—Friday, October 7 and 14, 1949—

October 17, 1949]

City of Indianapolis, Ind.

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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

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. 66, 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 unani-
mous vote of the members present, approved and recommended its
passage.

Respectfully submitted,

NOBLE P. HOLLISTER
Executive Secretary
CITY PLAN COMMISSION

October 14, 1949

Honorable President and Members
of the Common Council
City of Indianapolis

Gentlemen:

We submit herewith General Ordinance No. 67, 1949.

This Ordinance makes Arsenal Avenue preferential from the NCL

of East Washington Street to the SCL of East New York Street, also from the NCL of East New York Street to the SCL of East Michigan Street.

We respectfully request its passage.

Yours very truly,
BOARD OF PUBLIC SAFETY
L. J. Keach, President

October 14, 1949

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

We submit herewith General Ordinance No. 68, 1949.

This Ordinance removes parking at all times from the east side of State Avenue from the NCL of English Avenue to the SCL of East Washington Street.

We respectfully request its passage.

Yours very truly,
BOARD OF PUBLIC SAFETY
L. J. Keach, President

October 14, 1949

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

Gentlemen:

We submit herewith General Ordinance No. 69, 1949.

This Ordinance provides for making State Street and Raymond Street intersection a 4-way stop.

We respectfully request its passage.

Yours very truly,
BOARD OF PUBLIC SAFETY
L. J. Keach, President

October 15, 1949

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

Gentlemen:

Transmitted herewith is twenty-one copies of General Ordinance No. 70, 1949, establishing a budget for the remainder of the year 1949, for the operation, maintenance, repairs, collection and disbursement of revenues, rental and partial payment of contractual obligations of parking meters, and fixing a time when the same shall take effect.

I recommend the passage of this ordinance.

PHILLIP L. BAYT, City Controller.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 33, 34, 35, General Ordinance No. 65, Resolution No. 3, 1949.

Mr. Wicker asked for recess. The motion was seconded by Mr. Seidensticker, and the Council recessed at 8:00 P. M.

The Council reconvened at 8:30 P. M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., October 17, 1949

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. 33, 1949, entitled

AN ORDINANCE appropriating, transferring, reappropriating and reallocating \$3500.00 from Fund 11 in the Department of Public Hospitals, as appropriated under the 1949 Budget

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Indianapolis, Ind., October 17, 1949

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. 34, 1949, entitled

AN ORDINANCE appropriating, transferring, reappropriating and reallocating as of October 1, 1949, \$500.00 from Fund 26 in the Department of Public Works, as appropriated under the 1949 Budget to Fund 12 in the same Department

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

October 17, 1949]

City of Indianapolis, Ind.

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Indianapolis, Ind., October 17, 1949

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. 35, 1949, entitled

AN ORDINANCE appropriating the sum of \$5000.00 from the unexpended and unappropriated balance of Gasoline Tax Fund, now in the hands of the City Controller to Fund 43 in the Department of Public Parks

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Indianapolis, Ind., October 17, 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 Resolution No. 3, 1949, entitled

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. Also, rescinding Resolution No. 1, 1949

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

GUY O. ROSS, Chairman
 JOSEPH A. WICKER
 JOSEPH C. WALLACE
 JOS. E. BRICHT

Indianapolis, Ind., October 17, 1949

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

Gentlemen:

We, your Committee on Public Health to whom was referred General Ordinance No. 65, 1949, entitled

AN ORDINANCE to amend General Ordinance No. 114, 1922
 (as amended) (zoning ordinance) (area bounded by Fletcher
 Ave., Bosart, Lexington & Temperance)

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

J. PORTER SEIDENSTICKER
 Chairman
 MARY C. CONNOR
 JOSEPH A. WICKER
 DONALD B. JAMESON

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE NO. 66, 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, A2 or 4800 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described territory, to-wit:

Beginning at a point, said point being the intersection of the center line of Sixteenth Street and the center line of Hawthorne Lane; thence north on and along the center line of Hawthorne Lane a distance of one thousand seven hundred fifty-two and three-tenths (1752.3) feet to a point; thence east on a line parallel to the center line of Sixteenth Street to the center line of Ritter Avenue; thence south on and along the center line of Ritter Avenue to a point two hundred ninety-five (295) feet north of the center line of Sixteenth Street; thence west on a line parallel to the center line of Sixteenth Street a distance of two hundred eighty (280) feet; thence south on a line parallel to the center line of Ritter Avenue to the center line of Sixteenth Street; thence west on and along the center line of Sixteenth Street to the place of beginning.

Section 2. 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 U3 or Business District, A4 or 1200 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described territory, to-wit:

Beginning at a point, said point being the intersection of the center line of Sixteenth Street and the center line of Ritter Avenue; thence west on and along the center line of Sixteenth Street a distance of two hundred eighty (280) feet to a point; thence north on a line parallel to the center line of Ritter Avenue a distance of two hundred ninety-five (295) feet; thence east on a line parallel to the center line of Sixteenth Street to the center line of Ritter Avenue; thence south on and along the center line of Ritter Avenue to the place of beginning.

Section 3. 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.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 67, 1949

AN ORDINANCE to amend Section 44 of General Ordinance No. 96-1928, as amended, to establish Arsenal Avenue as a preferential street from the north curb line of East Washington Street to the south curb line of East New York Street and from the north curb line of East New York Street to the south curb line of East Michigan Street.

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 further amended by adding thereto the following sub-section:

Arsenal Avenue from the north curb line of East Washington Street to the south curb line of East New York Street and from the north curb line of East New York Street to the south curb line of East Michigan 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 Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 68, 1949

AN ORDINANCE regulating and prohibiting parking on certain parts of a certain street in the City of Indianapolis, providing a pen-

alty 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 owner or operator of any vehicle to park the same or to suffer, permit or allow the same to be parked at any time on the following designated parts of a certain street in the City of Indianapolis, as follows, to-wit:

On the east side of State Avenue from the north curb line of English Avenue to the south curb line of Washington Street.

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 to exceed 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 Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 69, 1949

AN ORDINANCE to amend Section 44 of General Ordinance No. 96-1928, of the City of Indianapolis as amended, designating a certain intersection at which the operator of any vehicle approaching the same shall stop his vehicle, 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 the operator of any vehicle approaching the following intersection, to-wit:

Intersection of State Street and Raymond Street,

shall bring his vehicle to a full and complete stop at such place where the roadway upon which he is traveling meets the prolongation of the nearest property line of such other roadway forming the above described intersection.

The Board of Public Safety is hereby authorized and required to place and maintain or cause to be placed and maintained appropriate signs or markers bearing the word "STOP" to be located in such a position and to be provided with letters of such size as to be legible to the operator of a vehicle at least 100 feet from such place where such operator is required by the provisions of this section to stop.

Section 2. Any person violating any provision of Section 1 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 and 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 Public Safety.

By the City Controller:

GENERAL ORDINANCE NO. 70, 1949

AN ORDINANCE of the City of Indianapolis, establishing a budget for the remainder of the year 1949, for the operation, maintenance, repairs, collection and disbursement of revenues, rental and partial payment of contractual obligations of parking meters, 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 from the monies anticipated and estimated to be received as revenue of parking meters upon the public streets for the remainder of the year 1949, and constituting a "Parking Fund" (hereby created) and allocated to the Department of Finance, City Controller, as authorized thereon by the 1945 Acts of the General Assembly of the State of Indiana, Chapter 237, which special fund does not affect or involve any special levy, or rate of taxes for said City, or revenues therefrom, there is hereby appropriated and allocated as a budget thereon, the sums appearing hereinafter under the term "Parking Fund" of the schedule of the Department of Finance, City Controller, as herein established. Said expenditures are prescribed hereby for uses germane to the purpose of said special fund, as so created, and for the several purposes and in the monthly amounts and not exceeding the several totals, as hereinafter set out, to-wit:

DEPARTMENT OF FINANCE

CITY CONTROLLER

1. SERVICES—PERSONAL	PARKING FUND
11. Salaries and wages, regular	
1 Collector and Maintenance Man @ \$225.00 per mo. \$	675.00
1 Account Clerk @ \$150.00 per mo. -----	450.00
1 Cart Man—350 hrs. @ \$1.00 per hr. -----	350.00
13. Other Compensation for balance year -----	400.00
2. SERVICES—CONTRACTUAL	
25. Repairs -----	100.00
26. Other Contractual -----	250.00
3. SUPPLIES	
33. Garage and Motors -----	100.00
36. Office Supplies -----	100.00

4. MATERIALS

45. Repair Parts -----	300.00
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5. CURRENT CHARGES

53. Refunds, Awards & Indemnities -----	25.00
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7. PROPERTIES

72. Equipment -----	95.00
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TOTAL -----	<u>\$2845.00</u>
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Section 2. That the City Controller be and he is hereby authorized to pay from said Parking Fund, in addition to the foregoing expenses, any and all sums of money which may be due M. H. Rhodes, Incorporated, or assigns, under and pursuant to the terms of a certain contract dated August 8, 1949, by and between the City of Indianapolis, Indiana, acting by and through its Board of Public Works, with the approval of its Mayor and M. H. Rhodes, Incorporated; which contract was authorized by General Ordinance No. 46, 1949, and is by this reference thereto, as appearing in the records of said Board of Public Works, made a part hereof and incorporated herein, the same as though fully set forth, said contract providing for the selection and installation of said parking meters on a temporary experimental trial basis only.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and publication according to law.

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

ORDINANCES ON SECOND READING

Mr. Wicker called for Appropriation Ordinance No. 33, 1949 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, Appropriation Ordinance No. 33, 1949 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 33, 1949 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 34, 1949 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, Appropriation Ordinance No. 34, 1949 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 34, 1949 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 35, 1949 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, Appropriation Ordinance No. 35, 1949 was or-

dered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 35, 1949 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross called for Resolution No. 3, 1949 for second reading. It was read a second time.

Mr. Wallace presented the following motion to amend Resolution No. 3, 1949:

Indianapolis, Ind., October 17, 1949

Mr. President:

I move that Section 4 of Resolution No. 3, 1949, be amended to read as follows:

Resolution No. 1, 1949, of the Common Council of the City of Indianapolis is hereby rescinded.

JOSEPH C. WALLACE, Councilman.

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

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Ross, seconded by Mr. Seidensticker, Resolution No. 3, 1949, As Amended, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 3, 1949, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Seidensticker called for General Ordinance No. 65, 1949 for second reading. It was read a second time.

On motion of Mr. Seidensticker, seconded by Mr. Jameson, General Ordinance No. 65, 1949 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 65, 1949 was read a third time and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Miss Connor made a motion that Resolution No. 2, 1949 be ordered engrossed, read a third time and placed upon its passage. Which was seconded by Mr. Seidensticker.

Mr. Bright made a motion that Miss Connor's motion be laid upon the table. The motion was seconded by Mr. Jameson.

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

Ayes 5, viz: Mr. Bright, Mr. Jameson, Mr. Wallace, Mr. Wicker, President Emhardt.

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

UNFINISHED BUSINESS

Mr. Wicker made a motion that Mr. Knight's written opinion on the Housing Authority questions be read by the Clerk and made a part of the record. The motion was seconded by Mr. Wallace and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Miss Connor, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

The Clerk read the following written opinion.

October 13, 1949

To The Honorable President
and Members of the Common
Council of the City
of Indianapolis
c/o City Clerk
City Hall

Gentlemen:

I have your inquiry, of October 5th, through the City Clerk, rel-

ative to the proposed Housing Authority, submitting five questions, as follows:

1. Whether a Housing Authority created by this Council would be required to take over the management of Lockfield Gardens?

Under the relevant statutes it is optional whether the Housing Authority should take such action and it is not required to do so.

2. What funds the City would be required to furnish to get a Housing Authority started?

There are two statutes applying, namely the Acts of 1937, Chapter 207 and Acts of 1937, Chapter 209, both being set out in the Supplement of Burns Revised Statutes, Secs. 48-8103 et seq. and 48-8201 et seq. Section 6 of the 2nd of such acts provides that when a Housing Authority is created **the Common Council shall immediately make an estimate of the amount necessary** for the administrative expenses and overhead during the first year thereafter and shall appropriate such amount to the authority, out of any monies of the city not appropriated to some other purposes. Since the powers of the Housing Authority are very broad, when once created, and it has full discretion, under Section 5 of the first of such acts, to employ various persons therein specified and to determine their duties and compensation, the amount needed for its first year's operation would depend largely on what the authority thus determined to be necessary and the language of the second act would seem to make it mandatory for the Common Council to appropriate the money required, if it was found to be available. However, it is my opinion that the language of the section in question vests primarily in the Common Council discretion in determining the amount necessary and that the only mandatory requirement is to make the appropriation out of any available funds for the amount so determined by the Council.

3. What funds the City would have to put up to get a Federal Grant?

There is considerable uncertainty in the precise provisions of the Federal Housing Act of 1949, effective July 27th, 1949, as to the amount of the local contribution and I think best to refer you for an answer to this question to the "Handbook of Information on Provisions of the Act," issued by the U. S. Senate Committee on Banking and Currency. I have written that body for additional copies of this Handbook and if and when received, will deliver them to the City

Clerk for use in connection with your questions. I also suggest that some definite information be obtained from the government authorities operating "The Housing and Home Finance Agency," or other body, dealing with their regulations in respect to loans to local authorities.

Generally, the local authority, following a survey of local needs for housing, applies to the Government for a temporary loan to cover the estimated preliminary expenses and when the government pledges a certain amount for such loan, the local authority issues its temporary loan notes to private investors, when thus secured the government promises to pay the amount of such temporary loan. When the project proceeds further in securing sites and constructing emergency housing, the long term serial bonds of the local authority are issued under the Indiana statute to finance such cost and a portion of such cost is guaranteed by annual contributions from the Government. The Handbook on the Federal law indicates that such "debt service" to the Government for a year would be under 4½% of the capital cost and if the bonds were sold at interest rates averaging 1½% per annum the project cost could be amortized in 29 years, or more rapidly if interest rates were lower. Other provisions of the Federal law indicate that the local authority is required to make a further contribution to keep rents low, in the form of exemption from all real and personal property taxes, but that when any state (such as is true of Indiana) does not provide such tax exemption, the local contribution must be in cash in amounts equal to 20% of the Federal contribution. The exact method of financing these projects is too indefinite to give a more direct answer than just indicated.

4. If the City has any choice in the manner of financing?

The answer to the next preceding question covers this question sufficiently. In addition to the temporary and permanent loans of the government and the proceeds from sale of bonds of the local Authority it may obtain further funds by mortgaging any houses it erects and by sales of such houses.

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?

Bonding indebtedness limitation of the city is not fixed by statute, but by the Constitution. The bonds of the local Housing Authority are expressly limited to being obligations of the authority and

not a debt of the city. Such bonds and the interest thereon shall be exempt from all taxes.

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

The several controls of the City Council over such Authority, after its creation, is as follows: (1) Approving the amount of its expenses for the first year of operation; (2) the approval of all bonds issued by the authority; (3) the approval of all projects before they are initiated; and (4) the approval of all federal loans before they are obtained.

An examination of both the state and Federal statutes reveals very much uncertainty, however, in the practical operation of the local Housing Authority, and since the Indiana statute expressly creates such Housing Authority as a "public body, corporate and politic," with quite broad powers, it is thus in no way a department or board of the city, such as our other existing departments. However, its powers and actions are so interwoven with and dependent upon the foregoing duties and control of the Common Council as to make its actual operations similar to those of a city department.

The Mayor has no control whatsoever over any of the appointments of the five Commissioners after his initial appointment of the five members, except to fill vacancies in unexpired terms. The statute has no provision as to the manner of appointing successors when the original terms expire and it may be uncertain whether the mayor can exercise that authority, or how it can be exercised. The mayor has authority to remove commissioners, for cause, after a hearing. The mayor shall designate the first chairman, but thereafter the chairman and all other employees and officers are designated solely by the commissioners. The power of eminent domain is vested in the Housing Authority to acquire any and all property it decides is necessary to carry out its purpose and in all such actions the Authority seems to be the sole judge of the necessity for and scope of such action. Persons affected may appeal to the courts.

Since your action herein is of manifest interest to the Mayor, I am also sending him a copy of this letter; and I trust that I have covered sufficiently your inquiries.

Very truly yours,

EDW. H. KNIGHT
Corporation Counsel

On motion of Mr. Bright, seconded by Mr. Jameson, the Common Council adjourned at 8:55 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 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.