

REGULAR MEETING

Monday, June 1, 1931.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, June 1, 1931, at 7:30 p. m., in regular session. President Ernest C. Ropkey took the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President, and seven members, viz: Fred C. Gardner, George A. Henry, James A. Houck, Charles C. Morgan, Maurice E. Tennant, Leo F. Welch, Clarence I. Wheatley.

Absent: C. A. Hildebrand.

On motion of Mr. Welch, seconded by Mr. Wheatley, the reading of the Journals for the Regular Meeting, May 18, 1931, and the Special Meeting, May 28th, 1931, were dispensed with.

COMMUNICATIONS FROM THE MAYOR

May 23, 1931.

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

Gentlemen:

I have this day approved with my signature, and delivered to Henry O. Goett, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 42, 1931

AMENDED.

AN ORDINANCE transferring and reappropriating certain funds in the Department of Public Safety, Fire Department, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 43, 1931.

AMENDED.

AN ORDINANCE authorizing the borrowing of Two Hundred Forty-five Thousand Dollars (\$245,000.00) and the sale of Two Hundred Forty-five (245) bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city or from the sinking fund of said city or as may be required by law, for the purpose of procuring money to be used in the paying of judgment claims, interest and costs against the City of Indianapolis, providing for the time and manner of advertising sale of said bonds and the receiving of bids for the same, together with the mode and terms of sale, appropriating the same to the Department of Law of said city, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 44, 1931

AN ORDINANCE transferring monies from certain funds and re-appportioning and reappropriating the same to other numbered funds, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 45, 1931

AN ORDINANCE authorizing the purchase by the Board of Public Health and Charities, or its duly authorized agent, of ten thousand (10,000) tons, more or less, of coal, nut, slack and/or screenings from May 1, 1931, to April 30, 1932, to be delivered to the Power Plant, City Hospital, and weighed on Hospital scales, deliveries to be made as ordered by Hospital authorities.

APPROPRIATION ORDINANCE NO. 11, 1931

AN ORDINANCE appropriating the sum of Four Hundred Dollars (\$400.00) from the anticipated balance of the general fund for the year 1931 to the Board of Public Works, Municipal Airport Fund No. 32, Fuel and Ice; and appropriating the sum of Five Hundred Dollars (\$500.00) from said anticipated balance for the year 1931 to Board of Public Works, Municipal Airport Fund No. 331, Gasoline and fixing a time when the same shall take effect.

Very truly yours,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

June 1st, 1931.

*Mr. Henry O. Goett, City Clerk, 35 South Alabama Street,
Indianapolis, Indiana:*

Dear Mr. Goett:

I am enclosing copies of General Ordinance No. 51, 1931, amending section 15 of said ordinance and supplementing General Ordinance

nance No. 96, 1928, by adding a new supplementary section number 68½ to General Ordinance No. 96, 1928, and declaring a time when the same shall take effect.

I recommend passage of this Ordinance.

Yours very truly,

GEORGE A. HENRY,
Councilman Fifth District.

June 1, 1931.

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

Gentlemen:

Attached please find copies of General Ordinance No. 52, 1931, transferring moneys from certain numbered funds and reappropriating the same to other numbered funds of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

June 1, 1931.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 13, 1931, appropriating the sum of Eight Thousand Three Hundred Sixty-

two Dollars and Seventy-one Cents (\$8,362.71) from the anticipated unexpended balance of the general fund for the year 1931 and re-appropriating the same to various numbered funds of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

Indianapolis, Indiana.

June 1st, 1931.

To the Common Council of Indianapolis, Indiana:

IN RE: ORDINANCE NO.

Gentlemen:

You are being asked to ratify a contract, tentatively awarded to The Indianapolis Motor Inn, Inc., by the Board of Public Safety, for the towing and storage of automobiles impounded by the Police Department of Indianapolis and before any action is taken on this matter the undersigned submits the following facts for your consideration. The bid submitted by the undersigned is by far the lowest; it means a saving of thousands of dollars to the citizens of this city, if the same is awarded to the undersigned. The specific items of saving are as follows:

- 1st. The bid of the undersigned Indianapolis Auto Service, Inc., for towing in with or without crane and storing of autos until midnight of same day.....\$2.75
- The bid of Indianapolis Motor Inn, Inc., with crane is.....\$3.50
- And without a crane they bid.....\$3.00

2nd. Storage per day by undersigned was .25c for 24 hours and monthly charge of \$7.00.

Bid of Indianapolis Motor Inn, Inc., .50c per day.

3rd. The undersigned submits that he prepared and submits his bid under the form prepared by Herbert M. Spencer, Assistant City Attorney, in which the charge for tow-in is set at a minimum of \$1.00 per auto with .02c per square (distance computed from Meridian and Washington Streets) which is an additional saving to the car owner.

4th. For removing auto from creeks, streams, ditches, our bid was \$1.50 which includes equipment necessary and two men. The Indianapolis Motor Inn, Inc., bid \$3.00 for same service.

The main fact seems to have been that of the fire hazard. We would respectfully submit to the Council that our storage is all on first floor property. Our one garage at 424 N. Illinois St. was rated by the Building Inspector of the City of Indianapolis as having a low fire hazard. Our garage at 1011 N. Pennsylvania St. was rated as having a low fire hazard. Our other garage being 319 E. New York St. is centrally located; being the first door East of Fire Headquarters. It is a brick building with a front and rear entrance, concrete floor and strictly modern in every respect. In this garage no gasoline, oils or greases are kept or sold, this fact of course greatly minimizes the fire hazard. The Indianapolis Motor Inn, Inc., consists largely of open concrete parking lots, under which there are basements for the storage of the cars towed in. These basements, with their small ramps, for entrance would practically prevent the control or fighting of any fire and in case of any fire there probably would be a total loss.

The Indianapolis Motor Inn, Inc., garage located off the Circle, better known as the Circle Motor Inn, is made up of extremely steep and sharp angle ramps, and the craning of cars either up or down these said steep and sharp angle ramps is not at all satisfactory.

Cars, fenders, bumpers, etc., are jammed and smashed by this method of craning. The fact must also be considered that a principal part of the Ordinance is to make our City more beautiful. Parking has been prohibited around the World Memorial Plaza and on the Circle by the new Ordinance. This writer would point out that the craning of cars around the Circle would cause a very unsightly and disagreeable situation for the "Show Spot of Our City." The additional fact of congestion of traffic must also be considered in regard to the Circle Motor Inn.

As regards to the facilities, equipment and location we have the best possible, regardless of price. We own and operate a sufficient amount of equipment to take care of all the business immediately and without delay. We have rendered, and at the present time are rendering, like service for many private organizations and the United States Government. Our locations are ideal and convenient for this type of work.

In closing we submit that we have tendered a lower bid in every respect and are entitled to serve the public. That we will co-operate with the Police Department of the City of Indianapolis in rendering to the citizens a real service which will mean the saving of thousands of dollars a year to the motoring public without decreasing the amount which goes into our City Treasury.

Thanking you for considering this matter and this letter carefully, we are,

Very truly yours,

JOHN HOHL,

Indianapolis Auto Service, Ind.

Mr. Wheatley asked for a recess. The motion was made and seconded by Mr. Welch, and the Council recessed at 7:40 p. m.

The Council reconvened from its recess at 8:55 p. m., with the same members present as before. At this time Mr. Hildebrand entered the Council Chamber and was counted present.

COMMITTEE REPORTS

Indianapolis, Ind., June 1, 1931.

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. 46, 1931, entitled Transfer of Funds—Department of Public Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
FRED C. GARDNER.
MAURICE E. TENNANT.

Indianapolis, Ind., June 1, 1931.

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. 48, 1931, entitled Regulation of Public Eating

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

LEO F. WELCH, Chairman.
J. A. HOUCK.
CHAS. C. MORGAN.
MAURICE E. TENNANT.
GEO. A. HENRY.

Indianapolis, Ind., June 1, 1931.

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. 49, 1931, entitled Tow-in Contract Ratification, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

MAURICE E. TENNANT, Chairman.
C. I. WHEATLEY.
CHAS. C. MORGAN.
LEO F. WELCH.
FRED C. GARDNER.

Indianapolis, Ind., June 1, 1931.

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. 50, 1931, entitled Ratification of Contract—Board of Safety and Indiana Inspection Bureau, beg leave to report that we

have had said ordinance under consideration, and recommend that the same be passed.

MAURICE E. TENNANT, Chairman.
LEO F. WELCH.
FRED C. GARDNER.
CHAS. C. MORGAN.
C. I. WHEATLEY.

Indianapolis, Ind., June 1, 1931.

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

Gentlemen:

We, your Committee on Public Parks, to whom was referred Special Ordinance No. 5, 1931, entitled Sale of two tracts of Real Estate, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

FRED C. GARDNER, Chairman.
C. A. HILDEBRAND.
C. I. WHEATLEY.
J. A. HOUCK.
GEO. A. HENRY.

Indianapolis, Ind., June 1, 1931.

*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. 12, 1931, entitled Appropriating \$12,500 to Department of Public Parks Fund No. 12, beg leave to report that we

have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
 C. A. HILDEBRAND.
 LEO F. WELCH.
 MAURICE E. TENNANT.
 FRED C. GARDNER.

INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

APPROPRIATION ORDINANCE NO. 13, 1931

AN ORDINANCE appropriating the sum of Eight Thousand Three Hundred Sixty-two Dollars and Seventy-one Cents (\$8,362.71) from the unappropriated and unexpended cash balance in the General Fund on January 1, 1931, to the several executive departments 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 there be and is hereby appropriated out of the unappropriated and unexpended cash balance in the General Fund on January 1, 1931, and transferred to the various funds in the different executive departments in said city, as hereinafter set forth, to-wit:

DEPARTMENT	FUND	
	NUMBER	AMOUNT
Assessment	36	\$ 3.89
Public Buildings	72	16.00
Garage	33	1579.59
City Civil Engineer	46	81.94
Dog Pound	21	4.50

DEPARTMENT	FUND NUMBER	AMOUNT
Dog Pound	31	20.00
Dog Pound	33	1.15
Dog Pound	38	6.50
Dog Pound	45	3.01
City Market	25	20.64
City Market	34	20.53
City Market	38	1.50
Gamewell	25	222.49
Gamewell	38	30.24
Gamewell	44	80.58
Gamewell	45	565.20
Gamewell	72	413.25
Weights and Measures	36	5.65
Weights and Measures	72	54.25
Fire	21	43.50
Fire	25	181.15
Fire	32	3.68
Fire	33	514.86
Fire	34	4.50
Fire	38	30.45
Fire	41	73.17
Fire	45	461.76
Fire	72	109.50
Police	21	691.47
Police	25	473.62
Police	26	325.80
Police	33	904.81
Police	34	41.33
Police	36	35.45
Police	38	435.15
Police	41	5.53
Police	44	20.16
Police	45	414.41
Police	72	461.50

Sec. 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication as by law required.

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

INTRODUCTION OF GENERAL ORDINANCES

By Mr. Henry:

GENERAL ORDINANCE NO. 51, 1931

AN ORDINANCE amending Section 15 of General Ordinance 31, 1931, and supplementing General Ordinance No. 96, 1928, by adding a new supplementary Section No. 68½ to General Ordinance No. 96, 1928 and declaring 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 15 General Ordinance No. 31, 1931, be amended to read as follows, to-wit:

Section 15. That a new supplementary section to be designated and numbered Section 68½ be added to said General Ordinance No. 96, 1928, which shall read as follows, to-wit:

“SECTION 68½. IMPOUNDING VEHICLES. AUTHORITY:

(a) Any vehicle parked or left standing in violation of Section 25 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 45, 1930, Section 30 of said General Ordinance No. 96, 1928, as amended by Section 7 of this Ordinance and Section 34 of General Ordinance No. 96, 1928, is

hereby declared to be a public nuisance and an obstruction upon the streets and any police officer upon discovering any such vehicle shall remove such vehicle, or cause the same to be removed to a stable or garage, where the same shall be kept and detained until the owner of said vehicle, his agent or representative obtains an order from the Chief of Police authorizing that such vehicle be surrendered. No notice shall be given to the owner of any such vehicle before impounding other than the notice given by the city ordinances and parking signs displayed pursuant thereto. Such removal shall be at the risk of the owner or his agent or representative and the expense of removal and storage of such vehicle shall be borne by said owner or his agent or representative and shall be paid to the person in charge of or who operates such stable or garage, whether a public or private establishment, before such vehicle is surrendered to the owner of such vehicle, his agent or representative. The removal and storage of a vehicle pursuant hereto shall in no way relieve or prevent prosecution for violation of any provision of the ordinances of this city upon which such removal and storage is based.

(b) In order to make feasible arrangements for caring for impounded vehicles the Board of Public Safety subject to the approval of the Common Council is hereby authorized and directed to designate, establish and maintain a list of garages with buildings of fireproof construction, maintaining crane equipped tow cars. Said list of garages shall consist of not less than twelve garages located as follows:

Three within the district bounded by East, North, West and South Streets.

One in the district bounded by West Fourteenth Street—North Illinois Street, Senate Avenue (Boulevard Place) and West Eighteenth Street.

One in the district bounded by East Twenty-fourth Street, College Avenue, Twenty-fifth Street and North New Jersey Street.

One in the district bounded by North Pennsylvania Street, East Fortieth Street, North Kenwood Avenue and East Thirty-sixth Street.

One in the district bounded by North Sherman Drive, East Thirteenth Street, North Linwood Avenue and East Michigan Street.

One in the district bounded by Brookville Road, Arlington Avenue, Lowell Avenue and Ritter Avenue.

One in the district bounded by Morris Street, South Pennsylvania Street, South Street and South Illinois Street.

One in the district bounded by West Washington Street, Belmont Avenue, West Michigan Street and Warman Avenue.

One in the district bounded by West Twenty-ninth Street, Ethel Street, Rader Street and West Thirty-second Street.

One in the district bounded by East Forty-sixth Street, North Keystone Avenue, Sixty-first Street and Park Avenue. And any additional garages in such other districts as the Board of Safety shall deem necessary from time to time.

Before any garage shall be placed on said list of designated garages the owner thereof shall file with the Board of Safety a verified statement that said garage is of fire proof construction, open twenty-four hours each day and that one or more crane equipped tow cars are maintained by said garage. Said applicant shall also file with the Board of Safety a surety bond or Undertaking in the sum of Two Thousand Dollars (\$2000.00) signed by two free holders or a Surety Company payable to the City of Indianapolis for the benefit of any person or per-

sons sustaining property damage to any automobile by reason of the negligence of the owners of such garage in removing, towing, impounding or storing any such vehicle.

(c) Such list of designated garages shall be furnished monthly to the Chief of Police of the City of Indianapolis who shall cause the same to be made known to the members of the Police department and it is hereby made the duty of any police officer impounding any automobile to cause the same to be taken to the nearest garage named in the list above provided for and said garage shall at all times maintain a record open to inspection by any interested person, showing the owners name if known, license number and description of cars impounded in the garage pursuant to the provision of this ordinance, the name of the Police officer ordering such car to be impounded and the date said car was impounded. Each Police officer ordering any car to be impounded shall report such fact to the Police headquarters giving the same information required to be kept by such garages.

(d) In no event shall the charge for driving or towing in, receiving and storing such vehicles as may be impounded pursuant to this ordinance exceed the sum of Three Dollars and Fifty Cents (\$3.50), to which may be added, however, storage charges at the rate of 50 cents per car per day for all storage by such garage where such car or cars are impounded after midnight of the day that such car or cars were impounded. Provided, further, that such sum shall not exceed the sum of Three Dollars (\$3.00), to which may be added, however, storage charges at the rate of 50 cents per car per day, for all storage by such garage where such car or cars are impounded after midnight of the day that such car or cars are impounded, when such car or cars so impounded shall be driven or towed in without the use of a crane or derrick.

(e) Of this sum, such garage or garages shall pay to the City of Indianapolis, the sum of Two Dollars (\$2.00) for each car or cars impounded pursuant to this ordinance."

Sec. 2. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

By City Controller:

GENERAL ORDINANCE NO. 52, 1931

AN ORDINANCE transferring moneys from certain numbered funds and reappropriating the same to other numbered funds, 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 Thousand One Hundred Five Dollars and Thirty-four Cents (\$2,105.34) now in Fund No. 22 Police Department; and the sum of Thirty-seven Dollars and Thirty Cents (\$37.30) now in Fund No. 22 Police Radio; and the sum of Three Hundred Ten Dollars and Five Cents (\$310.05) now in Fund No. 22 Fire Department, be and the same is hereby transferred and reappropriated in the total amount of Two Thousand Four Hundred Fifty-two Dollars and Sixty-nine Cents (\$2,452.69) to the various funds in the different executive departments in said city as hereinafter set forth, viz:

Board of Public Works	Fund No. 22	\$155.48
Board of Public Works	Fund No. 24	1321.46
Board of Public Works	Fund No. 36	6.00
Board of Public Works	Fund No. 51	565.00
Public Building	Fund No. 22	39.04
Garage	Fund No. 25	21.40
Garage	Fund No. 33	97.98
Garage	Fund No. 45	11.31

City Civil Engineer	Fund No. 24	2.85
City Civil Engineer	Fund No. 25	34.50
City Civil Engineer	Fund No. 38	2.85
City Civil Engineer	Fund No. 39	4.50
City Civil Engineer	Fund No. 43	42.20
City Civil Engineer	Fund No. 46	106.38
Board of Public Safety	Fund No. 25	.35
Board of Public Safety	Fund No. 36	5.50
Board of Public Safety	Fund No. 72	22.00
City Market	Fund No. 21	1.00
City Market	Fund No. 25	3.00
Gamewell	Fund No. 38	8.53
Gamewell	Fund No. 44	1.36

Sec. 2. That the sum of Three Hundred Dollars (\$300.00) now in Fund No. 25, Repairs, Market Refrigeration, be and the same is hereby transferred and reappropriated as follows:

Two Hundred Fifty Dollars (\$250.00) to Fund No. 38, General Supplies, Market Refrigeration, and Fifty Dollars (\$50.00) to Fund No. 36, Office Supplies, East Market.

Sec. 3. This ordinance shall take effect from and after its passage and publication according to law.

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

ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 46, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, General Ordinance No. 46, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 46, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Welch called for General Ordinance No. 48, 1931, for second reading. It was read a second time.

Mr. Welch presented the following written motion to amend General Ordinance No. 48, 1931:

Indianapolis, Ind., June 1, 1931.

Mr. President:

I move that Section 5 of Article I of General Ordinance No. 48, 1931, be amended to read as follows:

Section 5. The term "food" as defined in this ordinance shall mean any article of food, confection, condiment or drink used for human consumption and all ingredients entering into food, except that such term shall not include soft drinks or soda waters.

LEO F. WELCH,
Councilman.

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

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Welch, seconded by Mr. Wheatley, General Ordinance No. 48, 1931, as Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 48, 1931, as amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Tennant called for General Ordinance No. 49, 1931, for second reading. It was read a second time.

Mr. Tennant presented the following written motion to amend General Ordinance No. 49, 1931:

Indianapolis, Ind., June 1, 1931.

Mr. President:

I move that General Ordinance No. 49, 1931, be amended by striking out "Exhibit A" and inserting in lieu thereof the following:

EXHIBIT "B"

AGREEMENT

This agreement made and entered into by and between the city of Indianapolis, acting through its Board of Safety, hereinafter known as party of the first part, and Indianapolis Motor Inns, Incorporated, hereinafter known as party of the second part: WITNESSETH:

WHEREAS, the Board of Public Safety of the City of Indianapolis has supervision and control of the Police Department of the City of

Indianapolis; and said Board is empowered under the terms of General Ordinance No. 31, 1931, to make feasible arrangements for caring for impounded motor vehicles, and to contract with garages where motor vehicles may be impounded pursuant to the terms of said ordinance; such contract, however, is to be subject to the approval of the Common Council of the City of Indianapolis; and

WHEREAS, the police officers of said city as part of their duties take charge of, remove from streets and other public places and store abandoned, wrecked and stolen motor vehicles;

WHEREAS, special equipment is necessary to handle said motor vehicles; and

WHEREAS, the City of Indianapolis has no facilities for either moving said motor vehicles or safely keeping the same while in the possession and custody of said Police Department, and said City has no facilities for moving and safely keeping the motor vehicles impounded under the terms of said ordinance; and

WHEREAS, it is the desire of the party of the first part to have a fixed standard of rates for removing and storing said motor vehicles, and for impounding said motor vehicles under the terms of said ordinance; and

WHEREAS, the party of the second part has adequate equipment and is qualified to render such service to the City of Indianapolis and has submitted a bid and a schedule of rates therefor; NOW, THEREFORE,

IT IS AGREED by and between the parties hereto:

1. That for a period of one year only from the date of the passage and approval by the mayor of an ordinance ratifying this contract, upon request of the Chief of Police or any police officer, party of the second part contracts and agrees that the party of the second part will take possession of and store all abandoned, wrecked and stolen automobiles and other vehicles taken into the custody of the Police

Department of the City of Indianapolis for violation of the laws of the State of Indiana and ordinances of the City of Indianapolis in the garages owned by the party of the second part.

2. Party of the second part agrees to tow-in, or crane-in, as may be necessary, wrecked, stolen and abandoned motor vehicles, under direction of the Indianapolis Police Department, and to store the same until midnight of the day upon which said vehicles were towed-in or craned-in at the rate of One Dollar and Fifty Cents (\$1.50) for each of said vehicles towed-in or craned-in. Party of the second part further agrees that it will charge the owners of such vehicles at such rate. Party of the second part agrees that it will store such vehicles at the rate of fifty cents (\$.50) per day or fraction thereof after midnight of the day said car is towed-in, if less than one month; and at the rate of Seven Dollars (\$7.00) per month, that each vehicle is kept after midnight of the day said car is towed-in. Party of the second part agrees that it will charge the owners of such vehicles for storage at such rate. Party of the second part further agrees that it will remove such motor vehicles from streams at the rate of Three Dollars (\$3.00) per hour for labor and equipment. Party of the second part further agrees that it will charge the owners of such vehicles for such removal at such rates.

3. Party of the second part agrees that it will impound motor vehicles in accordance with the provisions of General Ordinance No. 31, 1931, and under direction of the Police Department, and to store same until midnight of the day upon which such vehicles were impounded, at the following rates:

(a) Three Dollars (\$3.00) for each of such vehicles towed-in without the use of a crane.

(b) Three Dollars and Fifty Cents (\$3.50) for each of such vehicles towed-in with the use of a crane.

(The above price includes the sum of Two Dollars (\$2.00) for each of such vehicles impounded in accordance with the provisions of said ordinance, which sums shall be paid to the City Controller

at such time and in such manner as second party may be directed, in writing, by the Board of Public Safety.)

Said party of the second part agrees to store said vehicles at the rate of fifty cents (\$.50) per day or fraction thereof that such is kept after midnight of the day said car is impounded, if less than one month, and at the rate of Seven Dollars (\$7.00) per month that such vehicle is kept after midnight of the day said car is towed-in or craned-in, if kept one month or longer.

4. Party of the second part agrees to abide by and be governed according to the regulations and direction of the Board of Public Safety and the Police Department of the City of Indianapolis in reference to the cars hauled, handled and stored by the party of the second part, and manner of hauling. Party of the second part agrees to use a pole to prevent collision on all cars towed-in or craned-in.

5. Party of the second part agrees to paint such crane cars as may be used in the performance of this contract as said Board of Public Safety may direct. Party of the second part further agrees to furnish twenty-four (24) hour service at all times under the direction of the Police Department, furnish written reports to the Chief of Police and keep records of all motor vehicles and contents taken into custody under this contract, subject to inspection of the Police Department and to make suitable provision for the safe keeping of any such vehicles as may be directed by said Board of Public Safety.

6. Party of the second part agrees to give bond in the sum of Five Thousand Dollars (\$5,000.00) to the approval of the Board of Public Safety of the City of Indianapolis, payable to said City of Indianapolis and to owners of cars conditioned for the faithful performance of this agreement and to save the said City of Indianapolis and/or the owner of said motor vehicles harmless from any loss or liability on account of the hauling, handling and storing and impound-

ing of said cars and on account of, the loss of, the caring for, and the storing of the contents of said cars, or any other loss or liability, which may arise from any cause whatever.

7. That party of the second part will take out a fire insurance policy in some reliable fire insurance company, to be approved by party of the first part, to protect party of the first part from loss or liability to the owners of such motor vehicles, resulting from fire, while in the custody of party of the second part.

8. It is further agreed by and between the parties hereto that party of the second part will render service to the City, of the nature contained in this agreement for city automobiles, free of charge; that any garage or storage place owned or controlled by the party of the second part (in the City of Indianapolis) will be used as may be directed by party of the first part. It is further agreed by and between the parties hereto that party of the second part will immediately make an inventory of every item of personal property found in any car stored pursuant to this agreement; and furnish a list thereof, together with a complete description of the property to the Police Department. And it is further understood and agreed that the party of the first part has a right to cancel this agreement if, in its option, the service rendered pursuant to this agreement is not satisfactory to the party of the first part, and the party of the first part shall be the sole judge as to whether or not said service is satisfactory. It is further understood and agreed that the party of the first part shall have the option to extend the terms of this contract at the end of each calendar year hereafter for one year additional, and all the terms of this contract shall be binding upon all of the parties hereto, if, in the discretion of said party of the first part, said party of the first part, through its Board of Public Safety shall notify said party of the second part of its intention, in writing, so to do, not less than 30 days prior to the expiration of this agreement.

IN WITNESS WHEREOF, said parties hereto have set their hands and seals, this day of May, 1931.

CITY OF INDIANAPOLIS.

C. R. MEYERS,
DONALD S. MORRIS,

Board of Public Safety,

Party of the First Part.

Approved by:

R. H. SULLIVAN,
Mayor of the City of Indianapolis.

INDIANAPOLIS MOTOR INNS, INC.,

By RALPH E. SMITH,

Party of the Second Part.

MAURICE E. TENNANT,
Councilman.

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

Ayes, 8, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Noes: Mr. Henry.

On motion of Mr. Tennant, seconded by Mr. Houck, General Ordinance No. 49, 1931, as Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 49, 1931, as amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Gardner, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Noes: Mr. Henry.

Mr. Tennant called for General Ordinance No. 50, 1931, for second reading. It was read a second time.

On motion of Mr. Tennant, seconded by Mr. Morgan, General Ordinance No. 50, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 50, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 12, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, Appropriation Ordinance No. 12, 1931, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 12, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Gardner called for Special Ordinance No. 5, 1931, for second reading. It was read a second time.

On motion of Mr. Gardner, seconded by Mr. Tennant, Special Ordinance No. 5, 1931, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 5, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

MISCELLANEOUS BUSINESS

Mr. Houck announced that the Committee on Finance was not ready to report on General Ordinance No. 47, 1931, and asked for further time for consideration of said ordinance, which was granted.

On motion of Mr. Henry, seconded by Mr. Wheatley, the Common Council adjourned at 9:20 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council at the City of Indianapolis, held on the 1st day of June, 1931, 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.

Ernest C Ropkey

President.

Attest:

Henry O Goett

City Clerk.

(SEAL.)