

## REGULAR MEETING

Monday, August 3, 1931.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, August 3, 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: George A. Henry, C. A. Hildebrand, Chas. C. Morgan, Maurice E. Tennant, Leo F. Welch, Clarence I. Wheatley.

Absent: Fred C. Gardner.

On motion of Mr. Welch, seconded by Mr. Wheatley, the reading of the Journals for the Regular Meeting, July 20, 1931, and the Special Meeting, July 22nd, 1931, were dispensed with.

## COMMUNICATIONS FROM THE MAYOR

July 25, 1931.

*To the Hon. 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. 54, 1931

AN ORDINANCE transferring monies from a certain fund and reappropriating the same to a certain fund, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 55, 1931

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

## GENERAL ORDINANCE No. 56, 1931

AN ORDINANCE repealing Section 433 of General Ordinance 121, 1925, being "an ordinance concerning the government of the City of Indianapolis," and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 15, 1931

AN ORDINANCE appropriating and transferring to the Street Commissioner's Department the sum of Twenty-five Thousand Dollars (\$25,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of unimproved streets and public thoroughfares, and for labor, material, supplies and equipment necessary thereto, and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 16, 1931

AN ORDINANCE appropriating and transferring to the City Civil Engineer Gasoline Tax Fund the sum of Twenty-five Thousand Dollars (\$25,000.00) out of the Gasoline Tax Fund, now unappropriated, for the repair and maintenance of improved streets, public thoroughfares and bridges, and for labor, material, supplies and equipment necessary thereto, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 58, 1931

AN ORDINANCE amending Section 26 of Article VI of General Ordinance No. 96, 1928, as the same was amended by Section 7 of General Ordinance No. 31, 1931, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 59, 1931

AN ORDINANCE, establishing certain passenger zones and/or loading zones in the City of Indianapolis pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928 as amended by General Ordinance No. 31, 1931, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 60, 1931

AN ORDINANCE to amend sub-section (n), entitled "Police Force under Department of Public Safety," of Section 608, entitled "Designation of Officers and Employees," of General Ordinance No. 121, 1925, as amended by General Ordinance No. 4, 1926, General Ordinance No. 3, 1930, and General Ordinance No. 77, 1930, being an ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances.

GENERAL ORDINANCE NO. 61, 1931

AN ORDINANCE authorizing the City Controller of the City of Indianapolis to make a temporary loan in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) in anticipation of current revenues of such city actually levied and in the course of collection for the fiscal year in which such loan is made and payable out of the current revenues of such city for the year 1931, authorizing the rate of interest to be paid therefor, providing for legal notice, appropriating the sum of Seven

Hundred Sixty Five Thousand Dollars (\$765,000.00) for the payment of bonds and the interest thereon, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 62, 1931

AN ORDINANCE authorizing the City of Indianapolis, Indiana, to make a temporary loan or loans in the sum of One Hundred Seventy Five Thousand (\$175,000.00) Dollars for the use of the Board of Health of said city, in anticipation of its current revenues, payable out of the current revenues of the Board of Health for the year 1931, authorizing the rate of interest to be paid therefor, providing for legal notice, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 65, 1931

AN ORDINANCE authorizing the purchase of one (1) B. B. T. Flood Light, to be used by the Municipal Airport, and fixing a time when the same shall take effect.

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GENERAL ORDINANCE NO. 67, 1931

AN ORDINANCE amending 119th and 120th paragraphs of the title and sections 1, 2 and 3 of General Ordinance No. 43, 1931, and fixing a time when the same shall take effect.



GENERAL ORDINANCE NO. 68, 1931

AMENDED.

AN ORDINANCE amending sub-section (p) of General Ordinance No. 96, 1928, Section 30 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, Section 61 of General Ordinance No. 96, 1928, and Section 15 of General Ordinance No. 31, 1931, as amended by General Ordinance No. 51, 1931, which said section provided for a supplementary section to said General Ordinance No. 96, 1928, to be known as Section 68½, and fixing a time when the same shall take effect.

Very truly yours,

R. H. SULLIVAN,  
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

August 3, 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. 69, 1931, transferring the sum of One Thousand (\$1,000.00) Dollars from Board of Public Works, Municipal Garage, Fund No. 33—Garage and Motor, and reappropriating the same to Board of Public Works, Municipal Garage, Fund No. 12—Temporary Wages.

I respectfully recommend the passage of this general ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

July 27, 1931.

*Mr. Wm. L. Elder, City Controller, City Hall:*

Dear Sir:

The Board of Public Works requests that you cause an ordinance to be prepared transferring the sum of \$1,000.00 from Municipal Garage No. 33 into Municipal Garage No. 12 (temporary wages), and present the same to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

/s/ ERNEST F. FRICK,  
Secretary, Board of Public Works.

August 3, 1931.

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

Gentlemen:

We are submitting herewith an ordinance No. 70, 1931, amending Section 13 of General Ordinance No. 100, 1929, entitled "An ordinance concerning billiard rooms, providing for the licensing of the same, etc.", and respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
WALTER O. LEWIS,  
Executive Secretary.

July 30, 1931.

*Mr. Henry Goett, City Clerk, Pearl and Alabama Sts., City.*

Dear Sir:

I am handing you herewith copies of a proposed ordinance, General Ordinance No. 71, 1931, ratifying a certain contract entered into on the 17th day of July, 1931, by the Board of Public Works and the Mead Construction Company, in the sum of \$11,650.00 for improvements and construction at the Municipal Airport of signs, fence, reinforced concrete taxi-ways, grandstand bleachers, box seats, concession stand, ticket office, roadways, etc., which I desire you to present to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

/s/ ERNEST F. FRICK,

Secretary, Board of Public Works.

Mr. Wheatley asked for a recess. The motion was made and seconded by Mr. Morgan, and the Council recessed at 7:35 p. m.

The Council reconvened from its recess at 7:55 p. m., with the same members present as before.

### COMMITTEE REPORTS

Indianapolis, Ind., August 3, 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. 47, 1931, entitled Amending Section No. 455 of Gen-

eral Ordinance No. 121, 1925—Junk Dealers License, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

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

Indianapolis, Ind., August 3, 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. 64, 1931, entitled Transfer of Funds—Municipal Airport and Department of Public Works, 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.

Indianapolis, Ind., August 3, 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. 17, 1931, entitled Appropriating \$1,499.60 from 1931 balance of General Fund to Board of Works Fund No. 57,



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.

## INTRODUCTION OF GENERAL ORDINANCES

By City Controller:

### GENERAL ORDINANCE NO. 69, 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 One Thousand Dollars, now in Board of Public Works, Municipal Garage, Fund No. 33—Garage and Motor—be and the same is hereby transferred therefrom and reappropriated to Board of Public Works—Municipal Garage—Fund No. 12—Temporary Wages.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

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

By Board of Safety:

## GENERAL ORDINANCE NO. 70, 1931

AN ORDINANCE amending Section 13 of General Ordinance No. 100, 1929, entitled "An ordinance concerning billiard rooms, providing for licensing of the same, providing penalties for the violation thereof, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect," and fixing a time when the same shall take effect.

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

Section 1. That Section 13 of General Ordinance No. 100, 1929, entitled, "An ordinance concerning billiard rooms, providing for the licensing of the same, providing penalties for the violation thereof, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect," be amended to read as follows, to-wit:

"Section 13. No dice shall be thrown, nor shall a pea ball be used, nor shall cards, dominoes, or other apparatus for playing any game other than billiards or pool, nor shall any game of chance or any form of gambling be permitted in any billiard room, or in any room in which said tables are located or at any cigar stand or other business in the same room, whether or not said room is divided by a partition, or in any other room above, below or on the same level, to which access may be had directly from the room or rooms in which the billiard tables are located, nor shall any checks be given which can be redeemed for merchandise or cash."

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

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

By Board of Works:

## GENREAL ORDINANCE NO. 71, 1931

AN ORDINANCE ratifying and approving a certain contract entered into on the 17th day of July, 1931, by and between the Board of Public Works of the City of Indianapolis, Indiana, and the Mead Construction Company, for the improvement and construction at the Municipal Airport, of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office and roadways; for the consideration of payment to said company of the sum of Eleven Thousand Six Hundred Fifty Dollars (\$11,650); and fixing a time when the same shall take effect.

WHEREAS, heretofore, on the 17th day of July, 1931, the Board of Public Works of the City of Indianapolis, Indiana, acting for and on behalf of the City of Indianapolis, made and entered into a contract with the Mead Construction Company of Marion County, State of Indiana, for the improvement and construction at the Municipal Airport of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office and roadways, all according to the terms and conditions of Miscellaneous Resolution No. 386, adopted by the Board of Public Works on the 10th day of June, 1931, and the plans and specifications on file in the office of the Department of Public Works, a copy of said contract being attached hereto and made a part hereof, and for the purpose of identification marked "Exhibit A";

NOW THEREFORE,

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

Section 1. That the contract heretofore, on the 17th day of July, 1931, made and entered into by the Board of Public Works of the City of Indianapolis, acting for and on behalf of the City of Indianapolis, and the Mead Construction Company, for the improvement

and construction at the Municipal Airport of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office, and roadways, all according to the terms and conditions of Miscellaneous Resolution 386, adopted by the Board of Public Works on June 10, 1931, and the plans and specifications on file in the Department of Public Works, for and in consideration of the sum of Eleven Thousand Six Hundred Fifty Dollars (\$11,650), a copy of said contract being attached hereto and made a part hereof, and for the purpose of identification marked "Exhibit A", be and the same is hereby ratified and approved.

Section 2. This ordinance shall take effect from and after its passage and approval by the mayor.

"EXHIBIT A"

Estimated Amount of Contract, \$11,650.00

**PUBLIC IMPROVEMENT CONTRACT**

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THIS AGREEMENT, Made and entered into this 17th day of July, 1931 by and between Mead Construction Company of the County of Marion and State of Indiana, party of the first part, and the City of Indianapolis, County of Marion, and State of Indiana, by and through its Board of Public Works, party of the second part, under and by virtue of an Act of the General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto,

WITNESSETH, That the party of the first part covenants and agrees to improvement and construction at Municipal Airport of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office, roadways, etc., all according to plans and specifications and to perform all work in the prosecution of said improvement under and according to the terms and con-



ditions of Miscellaneous Resolution No. 386, adopted by the Board of Public Works June 10, 1931 and the plans, profile and specifications on file in the office of the Department of Public Works, which said resolution and said plans, profile and specifications are made a part hereof as fully and effectually as if copied and set out herein at full length.

The first party hereto further expressly covenants and agrees that in the prosecution of said work all proper skill and care will be exercised: that said first party will properly and fully guard and protect all excavations and dangerous places, and will use all due and proper precaution to prevent injury to any property, person or persons, what or whomsoever; that in the event of any injury or damage resulting from the work as it progresses, or during the guarantee period after ten days' notice in writing of any defective condition, or resulting from any matter or thing connected therewith or arising therefrom, to any person or property, he will pay and liquidate the same as his own expense, and assume the liability therefor; and in the event of any claim or claims being made or of any action or actions being brought against the city by reason or on account of or growing out of said work or its construction, or any defect therein, or any condition or thing connected therewith, whether such claim or claims, action or actions arise during the progress of the work or during the guarantee period, or both, the said first party hereto will, at his own expense, defend the same, and will pay any judgment recovered therein, and will in all respects fully indemnify and save harmless said city, its officers, agents and representatives therein, from all cost, expense, payment or judgment recovered in connection with such claim or claims, action or actions. And it is further expressly understood and agreed and made a condition hereof, that any judgment rendered against such city as aforesaid, when notice of the pendency of such action shall have been given said first party hereto, shall be conclusive against said first party and against the surety on the first party's construction bond, as to the amount, liability and other things pertaining thereto.

It is further agreed by and between said parties that the acceptance of the work provided for in this contract or the payment thereof, shall not constitute a waiver on the part of the city of any of the provisions of the contract, nor shall it release said contractor or the sureties on its bond for the faithful performance thereof, nor shall the acceptance be prima facie evidence of the performance or any provision of such contract except to the extent of entitling said contractor to receive the contract price therefor.

Said work shall be completed according to the terms of the contract on or before August 15, 1931, unless said time be extended in writing by the Board of Public Works of said city. Any extension or extensions of time granted shall in no way affect the duties, liabilities or obligations of the contractors or his sureties.

Said first party further contracts and agrees to pay any and all moneys due to any contractor, or any person or persons furnishing any material whatever for said work and to pay in full any laborers employed for any work done in the prosecution of such improvement.

It is further provided and stipulated that the party of the first part shall give to residents of said city and county preference in employment of all labor necessary in the performance of this contract, and failing to do so, shall forfeit to said city the sum of ten dollars for each failure to observe this stipulation.

To each of the conditions and stipulations of this contract, including all and singular the provisions of the plans, profile and specifications aforesaid, the undersigned, each for itself, binds itself, its successors and assigns.

IN TESTIMONY WHEREOF, We, the foregoing named parties, hereunto set our hands this July 17th, 1931 FOR THE CITY OF INDIANAPOLIS:

This contract and bond approved by us, this July 20, 1931.

MEAD CONSTRUCTION CO. :

(signed) By P. E. TAYLOR, Sec'y.

Contractor, party of the first part.

Approved

(signed) R. H. SULLIVAN,  
Mayor.

(signed) E. KIRK McKINNEY  
President

(signed) LOUIS C. BRANDT  
(signed) CHAS. O. BRITTON  
Board of Public Works, party of second part.

#### CONSTRUCTION BOND

KNOW ALL MEN BY THESE PRESENTS, That we, Mead Construction Company of the County of Marion, State of Indiana, as principals, and Independence Indemnity Company of Philadelphia, Pennsylvania, as sureties are held and firmly bound to the City of Indianapolis, Indiana, in the sum of Eleven Thousand Six Hundred and Fifty dollars (\$11,650.00), for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, administrators and assigns, firmly by these presents.

The conditions of the above obligation are such that if the above named Mead Construction Company shall faithfully comply with the foregoing contract, made and entered into this July 17, 1931 with the City of Indianapolis, Indiana, and shall fulfill all the conditions and stipulations therein contained, according to the true intent and meaning thereof, in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law. In the event the said city shall extend the time for the completion of said work, such extension shall not in any way release the sureties on this bond.

This shall be a construction bond, and the sureties to the same shall not be held responsible for the maintenance and repair of the improvement after it has been accepted by the second party, but such

sureties shall be held responsible for the faithful compliance with all other conditions, stipulations and requirements covered by or set out in the contract.

WITNESS, our hands and seals the day and year last above written. INDEPENDENCE INDEMNITY CO. (Seal.)

(signed) E. A. SCHOONOVER, Attorney-in-fact.

MEAD CONSTRUCTION CO. (Seal.) (signed) By P. E. TAYLOR, Sec'y.

Public Improvement—Improvement Resolution No. 386. Contract and bond of Mead Construction Company for construction at Municipal Airport. Amount of bond \$..... Approved..... Recorded in Contract Record Book No....., Page..... Final estimate No....., .....19..... Contract No..... Price bid, \$..... Cost per lineal foot, \$..... Assessment roll approved.....

Indianapolis, Ind.,.....

TO WHOM IT MAY CONCERN:

The time in which to complete the improvement specified in the within contract is hereby extended by the Board of Public Works of the City of Indianapolis, until.....

.....  
.....  
.....

Board of Public Works.

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



## ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 47, 1931, for second reading. It was read a second time.

Mr. Houck made a motion that General Ordinance No. 47, 1931, be stricken from the files. The motion was seconded by Mr. Welch, and passed by the following roll call vote:

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

President Ropkey ordered General Ordinance No. 47, 1931, stricken from the files. Which ordinance was stricken from the files by the Clerk.

Mr. Houck called for General Ordinance No. 64, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, General Ordinance No. 64, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1931, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Houck called for Appropriation Ordinance No. 17, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, Appropriation Ordinance No. 17, 1931, was ordered engrossed, read a third time and placed upon its passage.

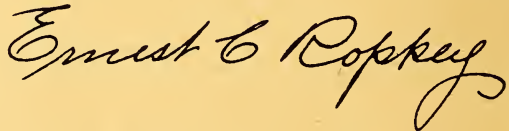
Appropriation Ordinance No. 17, 1931, was read a third time by the Clerk and passed by the following roll call vote:

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

On motion of Mr. Henry, seconded by Mr. Tennant, the Common Council adjourned at 8:05 p. m.

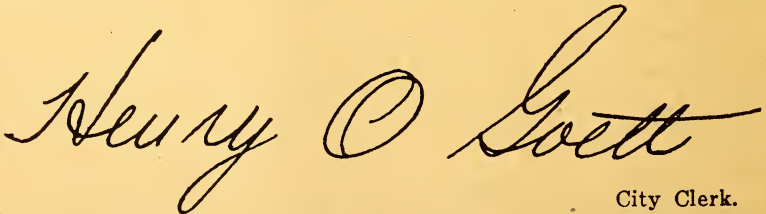
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council at the City of Indianapolis, held on the 3rd day of August, 1931, at 7:30 p. m.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



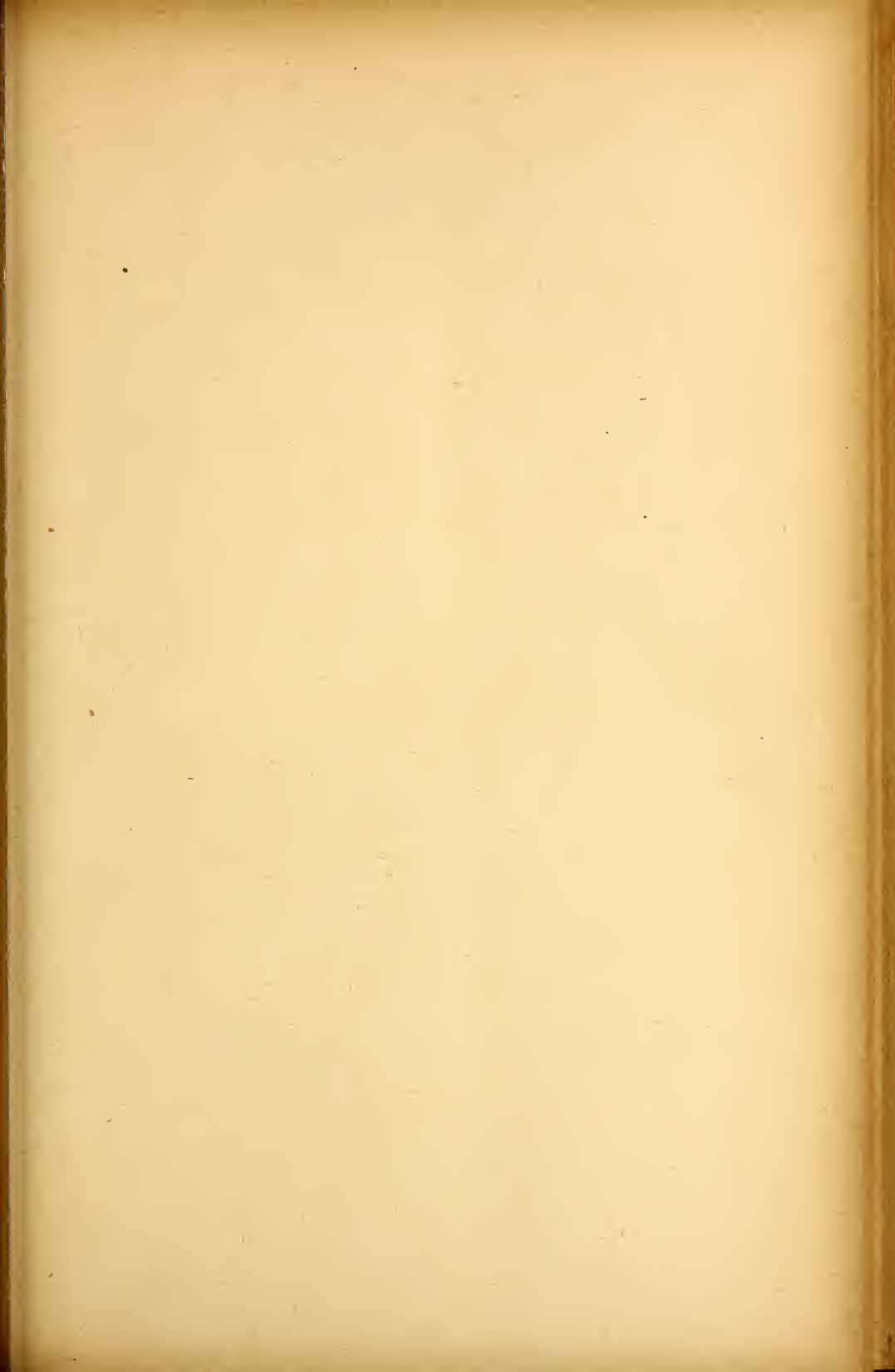
President.

Attest:



City Clerk.

(SEAL.)







## REGULAR MEETING

Monday, August 3, 1931.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, August 3, 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: George A. Henry, C. A. Hildebrand, Chas. C. Morgan, Maurice E. Tennant, Leo F. Welch, Clarence I. Wheatley.

Absent: Fred C. Gardner.

On motion of Mr. Welch, seconded by Mr. Wheatley, the reading of the Journals for the Regular Meeting, July 20, 1931, and the Special Meeting, July 22nd, 1931, were dispensed with.

## COMMUNICATIONS FROM THE MAYOR

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Hundred Sixty Five Thousand Dollars (\$765,000.00) for the payment of bonds and the interest thereon, and fixing a time when the same shall take effect.

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AN ORDINANCE approving a certain agreement and permit to Robert Beilach to install a switch from the I. C. R. R. tracks, according to blue print attached in the City of Indianapolis, Indiana.

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## GENERAL ORDINANCE NO. 68, 1931

## AMENDED.

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Very truly yours,

R. H. SULLIVAN,

Mayor.

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August 3, 1931.

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

Gentlemen:

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I respectfully recommend the passage of this general ordinance.

Yours very truly,

WM. L. ELDER,

City Controller.

July 27, 1931.

*Mr. Wm. L. Elder, City Controller, City Hall:*

Dear Sir:

The Board of Public Works requests that you cause an ordinance to be prepared transferring the sum of \$1,000.00 from Municipal Garage No. 33 into Municipal Garage No. 12 (temporary wages), and present the same to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

/s/ ERNEST F. FRICK,  
Secretary, Board of Public Works.

August 3, 1931.

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

Gentlemen:

We are submitting herewith an ordinance No. 70, 1931, amending Section 13 of General Ordinance No. 100, 1929, entitled "An ordinance concerning billiard rooms, providing for the licensing of the same, etc.", and respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
WALTER O. LEWIS,  
Executive Secretary.

July 30, 1931.

*Mr. Henry Goett, City Clerk, Pearl and Alabama Sts., City.*

Dear Sir:

I am handing you herewith copies of a proposed ordinance, General Ordinance No. 71, 1931, ratifying a certain contract entered into on the 17th day of July, 1931, by the Board of Public Works and the Mead Construction Company, in the sum of \$11,650.00 for improvements and construction at the Municipal Airport of signs, fence, reinforced concrete taxi-ways, grandstand bleachers, box seats, concession stand, ticket office, roadways, etc., which I desire you to present to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

/s/ ERNEST F. FRICK,

Secretary, Board of Public Works.

Mr. Wheatley asked for a recess. The motion was made and seconded by Mr. Morgan, and the Council recessed at 7:35 p. m.

The Council reconvened from its recess at 7:55 p. m., with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., August 3, 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. 47, 1931, entitled Amending Section No. 455 of Gen-

eral Ordinance No. 121, 1925—Junk Dealers License, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

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

Indianapolis, Ind., August 3, 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. 64, 1931, entitled Transfer of Funds—Municipal Airport and Department of Public Works, 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.

Indianapolis, Ind., August 3, 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. 17, 1931, entitled Appropriating \$1,499.60 from 1931 balance of General Fund to Board of Works Fund No. 57,



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.

## INTRODUCTION OF GENERAL ORDINANCES

By City Controller:

### GENERAL ORDINANCE NO. 69, 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 One Thousand Dollars, now in Board of Public Works, Municipal Garage, Fund No. 33—Garage and Motor—be and the same is hereby transferred therefrom and reappropriated to Board of Public Works—Municipal Garage—Fund No. 12—Temporary Wages.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

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

By Board of Safety:

## GENERAL ORDINANCE NO. 70, 1931

AN ORDINANCE amending Section 13 of General Ordinance No. 100, 1929, entitled "An ordinance concerning billiard rooms, providing for licensing of the same, providing penalties for the violation thereof, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect," and fixing a time when the same shall take effect.

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

Section 1. That Section 13 of General Ordinance No. 100, 1929, entitled, "An ordinance concerning billiard rooms, providing for the licensing of the same, providing penalties for the violation thereof, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect," be amended to read as follows, to-wit:

"Section 13. No dice shall be thrown, nor shall a pea ball be used, nor shall cards, dominoes, or other apparatus for playing any game other than billiards or pool, nor shall any game of chance or any form of gambling be permitted in any billiard room, or in any room in which said tables are located or at any cigar stand or other business in the same room, whether or not said room is divided by a partition, or in any other room above, below or on the same level, to which access may be had directly from the room or rooms in which the billiard tables are located, nor shall any checks be given which can be redeemed for merchandise or cash."

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

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

By Board of Works:

## GENREAL ORDINANCE NO. 71, 1931

AN ORDINANCE ratifying and approving a certain contract entered into on the 17th day of July, 1931, by and between the Board of Public Works of the City of Indianapolis, Indiana, and the Mead Construction Company, for the improvement and construction at the Municipal Airport, of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office and roadways; for the consideration of payment to said company of the sum of Eleven Thousand Six Hundred Fifty Dollars (\$11,650); and fixing a time when the same shall take effect.

WHEREAS, heretofore, on the 17th day of July, 1931, the Board of Public Works of the City of Indianapolis, Indiana, acting for and on behalf of the City of Indianapolis, made and entered into a contract with the Mead Construction Company of Marion County, State of Indiana, for the improvement and construction at the Municipal Airport of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office and roadways, all according to the terms and conditions of Miscellaneous Resolution No. 386, adopted by the Board of Public Works on the 10th day of June, 1931, and the plans and specifications on file in the office of the Department of Public Works, a copy of said contract being attached hereto and made a part hereof, and for the purpose of identification marked "Exhibit A";

NOW THEREFORE,

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

Section 1. That the contract heretofore, on the 17th day of July, 1931, made and entered into by the Board of Public Works of the City of Indianapolis, acting for and on behalf of the City of Indianapolis, and the Mead Construction Company, for the improvement

and construction at the Municipal Airport of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office, and roadways, all according to the terms and conditions of Miscellaneous Resolution 386, adopted by the Board of Public Works on June 10, 1931, and the plans and specifications on file in the Department of Public Works, for and in consideration of the sum of Eleven Thousand Six Hundred Fifty Dollars (\$11,650), a copy of said contract being attached hereto and made a part hereof, and for the purpose of identification marked "Exhibit A", be and the same is hereby ratified and approved.

Section 2. This ordinance shall take effect from and after its passage and approval by the mayor.

"EXHIBIT A"

Estimated Amount of Contract, \$11,650.00

**PUBLIC IMPROVEMENT CONTRACT**

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THIS AGREEMENT, Made and entered into this 17th day of July, 1931 by and between Mead Construction Company of the County of Marion and State of Indiana, party of the first part, and the City of Indianapolis, County of Marion, and State of Indiana, by and through its Board of Public Works, party of the second part, under and by virtue of an Act of the General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto,

WITNESSETH, That the party of the first part covenants and agrees to improvement and construction at Municipal Airport of signs, fence, reinforced concrete taxiway, grandstand bleachers, box seats, concession stand, ticket office, roadways, etc., all according to plans and specifications and to perform all work in the prosecution of said improvement under and according to the terms and con-



ditions of Miscellaneous Resolution No. 386, adopted by the Board of Public Works June 10, 1931 and the plans, profile and specifications on file in the office of the Department of Public Works, which said resolution and said plans, profile and specifications are made a part hereof as fully and effectually as if copied and set out herein at full length.

The first party hereto further expressly covenants and agrees that in the prosecution of said work all proper skill and care will be exercised: that said first party will properly and fully guard and protect all excavations and dangerous places, and will use all due and proper precaution to prevent injury to any property, person or persons, what or whomsoever; that in the event of any injury or damage resulting from the work as it progresses, or during the guarantee period after ten days' notice in writing of any defective condition, or resulting from any matter or thing connected therewith or arising therefrom, to any person or property, he will pay and liquidate the same as his own expense, and assume the liability therefor; and in the event of any claim or claims being made or of any action or actions being brought against the city by reason or on account of or growing out of said work or its construction, or any defect therein, or any condition or thing connected therewith, whether such claim or claims, action or actions arise during the progress of the work or during the guarantee period, or both, the said first party hereto will, at his own expense, defend the same, and will pay any judgment recovered therein, and will in all respects fully indemnify and save harmless said city, its officers, agents and representatives therein, from all cost, expense, payment or judgment recovered in connection with such claim or claims, action or actions. And it is further expressly understood and agreed and made a condition hereof, that any judgment rendered against such city as aforesaid, when notice of the pendency of such action shall have been given said first party hereto, shall be conclusive against said first party and against the surety on the first party's construction bond, as to the amount, liability and other things pertaining thereto.

It is further agreed by and between said parties that the acceptance of the work provided for in this contract or the payment thereof, shall not constitute a waiver on the part of the city of any of the provisions of the contract, nor shall it release said contractor or the sureties on its bond for the faithful performance thereof, nor shall the acceptance be prima facie evidence of the performance or any provision of such contract except to the extent of entitling said contractor to receive the contract price therefor.

Said work shall be completed according to the terms of the contract on or before August 15, 1931, unless said time be extended in writing by the Board of Public Works of said city. Any extension or extensions of time granted shall in no way affect the duties, liabilities or obligations of the contractors or his sureties.

Said first party further contracts and agrees to pay any and all moneys due to any contractor, or any person or persons furnishing any material whatever for said work and to pay in full any laborers employed for any work done in the prosecution of such improvement.

It is further provided and stipulated that the party of the first part shall give to residents of said city and county preference in employment of all labor necessary in the performance of this contract, and failing to do so, shall forfeit to said city the sum of ten dollars for each failure to observe this stipulation.

To each of the conditions and stipulations of this contract, including all and singular the provisions of the plans, profile and specifications aforesaid, the undersigned, each for itself, binds itself, its successors and assigns.

IN TESTIMONY WHEREOF, We, the foregoing named parties, hereunto set our hands this July 17th, 1931 FOR THE CITY OF INDIANAPOLIS:

This contract and bond approved by us, this July 20, 1931.

MEAD CONSTRUCTION CO. :

(signed) By P. E. TAYLOR, Sec'y.

Contractor, party of the first part.

Approved

(signed) R. H. SULLIVAN,  
Mayor.

(signed) E. KIRK McKINNEY  
President

(signed) LOUIS C. BRANDT  
(signed) CHAS. O. BRITTON  
Board of Public Works, party of second part.

#### CONSTRUCTION BOND

KNOW ALL MEN BY THESE PRESENTS, That we, Mead Construction Company of the County of Marion, State of Indiana, as principals, and Independence Indemnity Company of Philadelphia, Pennsylvania, as sureties are held and firmly bound to the City of Indianapolis, Indiana, in the sum of Eleven Thousand Six Hundred and Fifty dollars (\$11,650.00), for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, administrators and assigns, firmly by these presents.

The conditions of the above obligation are such that if the above named Mead Construction Company shall faithfully comply with the foregoing contract, made and entered into this July 17, 1931 with the City of Indianapolis, Indiana, and shall fulfill all the conditions and stipulations therein contained, according to the true intent and meaning thereof, in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law. In the event the said city shall extend the time for the completion of said work, such extension shall not in any way release the sureties on this bond.

This shall be a construction bond, and the sureties to the same shall not be held responsible for the maintenance and repair of the improvement after it has been accepted by the second party, but such

sureties shall be held responsible for the faithful compliance with all other conditions, stipulations and requirements covered by or set out in the contract.

WITNESS, our hands and seals the day and year last above written. INDEPENDENCE INDEMNITY CO. (Seal.)

(signed) E. A. SCHOONOVER, Attorney-in-fact.

MEAD CONSTRUCTION CO. (Seal.) (signed) By P. E. TAYLOR, Sec'y.

Public Improvement—Improvement Resolution No. 386. Contract and bond of Mead Construction Company for construction at Municipal Airport. Amount of bond \$..... Approved..... Recorded in Contract Record Book No....., Page..... Final estimate No....., .....19..... Contract No..... Price bid, \$..... Cost per lineal foot, \$..... Assessment roll approved.....

Indianapolis, Ind.,.....

TO WHOM IT MAY CONCERN:

The time in which to complete the improvement specified in the within contract is hereby extended by the Board of Public Works of the City of Indianapolis, until.....

.....  
.....  
.....

Board of Public Works.

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



## ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 47, 1931, for second reading. It was read a second time.

Mr. Houck made a motion that General Ordinance No. 47, 1931, be stricken from the files. The motion was seconded by Mr. Welch, and passed by the following roll call vote:

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

President Ropkey ordered General Ordinance No. 47, 1931, stricken from the files. Which ordinance was stricken from the files by the Clerk.

Mr. Houck called for General Ordinance No. 64, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, General Ordinance No. 64, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1931, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Houck called for Appropriation Ordinance No. 17, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, Appropriation Ordinance No. 17, 1931, was ordered engrossed, read a third time and placed upon its passage.

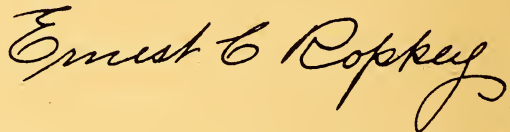
Appropriation Ordinance No. 17, 1931, was read a third time by the Clerk and passed by the following roll call vote:

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

On motion of Mr. Henry, seconded by Mr. Tennant, the Common Council adjourned at 8:05 p. m.

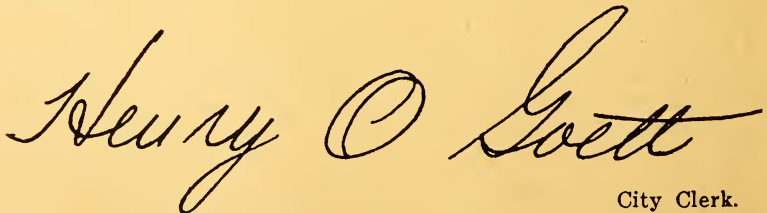
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council at the City of Indianapolis, held on the 3rd day of August, 1931, at 7:30 p. m.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



President.

Attest:



City Clerk.

(SEAL.)