

REGULAR MEETING

Monday, June 19, 1933.  
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, June 19, 1933, at 7:30 p. m., in regular session. President Ernest C. Ropkey in the chair.

The Clerk called the roll.

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

On motion of Mr. Welch, seconded by Mr. Wheatley, the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

6-8-33.

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

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

APPROPRIATION ORDINANCE NO. 8

AN ORDINANCE appropriating the sum of Three Thousand Seven Hundred Seventy-seven Dollars and Sixty-two Cents (\$3,777.62) from the anticipated unexpended and unappropriated balance in the General Fund for the year 1933 to the Department of

Public Safety, Building Department, Electrical Inspection Division; and also appropriating the sum of Four Hundred Fifty-five Dollars and Eighty-seven Cents (\$455.87) from the unexpended balance of the General Fund for the year 1932 to various funds in the Department of Public Safety; and also appropriating the sum of Five Hundred Thirty-nine Dollars and Twenty-seven Cents (\$539.27) from the anticipated unexpended and unappropriated balance of the Department of Public Works Airport Fund for the year 1933 to various funds of the Department of Public Works, Municipal Airport, and fixing a time when the same shall take effect.

Very truly yours,

R. H. SULLIVAN,  
Mayor.

#### COMMUNICATIONS FROM CITY OFFICIALS

June 19, 1933.

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

Gentlemen:

Attached you will find a copy of a letter from the Mayor of the City of Indianapolis, wherein he has determined that a contingency has arisen requiring the expenditure of a part of the appropriation in the Mayor's Contingency Fund, being Fund No. 26 of the Department of Finance, Controller's Office, in the sum of \$500.00 to be used in paying certain fees for expert advice and services as appraiser and engineer in connection with the water rate hearings held before the United States District Court.

I recommend that said sum of \$500.00 be set aside and made available out of said fund for the purposes aforesaid to be paid by my warrant.

This will notify you of such determination on the part of the Mayor, and my approval thereof.

Very truly yours,

EVANS WOOLLEN, JR.,  
City Controller.

June 19, 1933.

*Mr. Evans Woollen, Jr.,  
City Controller,  
Indianapolis, Ind.*

Dear Sir:

You are hereby notified that as Mayor of the City of Indianapolis, I have determined that a contingency has arisen requiring the expenditure of a part of the appropriation reserved for contingencies. This expenditure is necessary to pay Mr. John Deery the sum of \$500.00 for services as architectural appraiser and engineer. These services consist of advising the City of Indianapolis and testifying before the United States District Court of Indiana, in connection with the water rate hearing.

I request that upon your approval of this proposed expenditure you notify the Common Council in writing, so that the Common Council may, if it sees fit, adopt a resolution setting forth the circumstances regarding this contingency and approving this proposed expenditure from such appropriation.

Very truly yours,

(signed) R. H. SULLIVAN,  
Mayor.

June 19, 1933.

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

Gentlemen:

We are submitting herewith an ordinance ratifying and approving a contract entered into by and between the Board of Public Safety and G. N. Williams for fire protection at his home on West Riverside Drive by the Indianapolis Fire Department. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

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

June 19, 1933.

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

Gentlemen:

Attached hereto are 15 copies of General Ordinance No. 38, 1933, providing for a change to business use of the property on the south side of 16th Street between King and Holmes Avenue.

The City Plan Commission respectfully recommends the passage of this ordinance.

Very truly yours,

H. B. STEEG,  
Secretary-Engineer,  
CITY PLAN COMMISSION.

June 17, 1933

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

Gentlemen:

We are submitting herewith an ordinance establishing a 36 foot "Passenger Zone" and/or "Loading Zone" for the Thirty-fourth and Illinois Street Garage at Illinois and 24th Streets, and respectfully recommend the passage of this ordinance.

Respectfully submitted,

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

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 7:50 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., June 19, 1933.

*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. 9, 1933, entitled Appropriating \$118,672.12 Gasoline Tax Fund to Board of Works and Park Board, 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.  
F. C. GARDNER.  
MAURICE E. TENNANT.

Indianapolis, Ind., June 19, 1933.

*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. 10, 1933, entitled Appropriating \$17,000 from 1933 balance of General Fund to City Controller's Fund No. 81, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

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

Indianapolis, Ind., June 19, 1933.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General



Ordinance No. 36, 1933, entitled Transfer of Funds—\$15.00—Department of Public Parks, 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.  
F. C. GARDNER,  
MAURICE E. TENNANT.

Indianapolis, Ind., June 19, 1933.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred Special Ordinance No. 3, 1933, entitled changing street name of Jones Street from Lee to Belmont Avenue to West View Drive, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. A. HILDEBRAND, Chairman.  
CHAS. C. MORGAN.  
LEO F. WELCH.  
F. C. GARDNER.  
MAURICE E. TENNANT.

#### INTRODUCTION OF GENERAL ORDINANCES

By Board of Safety:

#### GENERAL ORDINANCE NO. 37, 1933

AN ORDINANCE ratifying and approving a contract entered into by and between the City of Indianapolis, by and through its Board of Public Works and its Board of Public Safety, with the approval of its Mayor, and G. M. Williams for fire protection outside of the city limits of said city, 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 contract heretofore entered into by and between the City of Indianapolis, by and through its Board of Public Works and its Board of Public Safety, with the approval of its Mayor, and G. M. Williams for fire protection of the residence of said G. M. Williams upon West Riverside Drive (also known as Meyers Road), just north of West Thirtieth Street, Wayne Township, Marion County, Indiana, which said contract is attached hereto, made a part hereof and marked "Exhibit A," be and it is hereby in all things ratified, confirmed and approved.

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

"EXHIBIT A"

.....1933

CONTRACT BETWEEN THE CITY OF INDIANAPOLIS  
AND  
G. M. WILLIAMS

THIS AGREEMENT, made and entered into this.....day of....., 1933, by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Works and its Board of Public Safety, with the approval of its Mayor, party of the first part, and G. M. Williams of West Riverside Drive (also known as Meyers Road), just north of West 30th Street, Wayne Township, Marion County, Indiana, party of the second part.

WITNESSETH: that,

WHEREAS, the party of the first part does maintain and possess a Fire Department for the fire protection of its residents and is desirous of contracting with the party of the second part for the use of the services of the Fire Department belonging to the party of the first part, and

WHEREAS, the party of the second part is desirous of contracting with the party of the first part for the use of the services of the Fire Department belonging to the party of the first part, said use to be in the nature of the Fire Department of the party of the first part rendering the same protection and service to the party of the second part as it now renders and will render to the party of the first part, NOW THEREFORE,

## THIS AGREEMENT:

The party of the first part does hereby agree to furnish the same fire protection to the party of the second part which said party of the first part now receives and will receive from its own Fire Department, in consideration of the sum of Fifty Dollars (\$50.00), paid to the party of the first part annually as hereinafter provided.

The party of the second part agrees to pay to the party of the first part, for the said fire protection rendered, the sum of Fifty Dollars (\$50.00) per year on or before the first day of each May of each year of the term of this agreement. The said party of the second part agrees to aid in the matter of fire protection by conforming to the Building Code of the party of the first part as now established insofar as the party of the second part may lawfully do so. The party of the second part further agrees to place at the disposal of the Fire Department of the party of the first part such water for Fire Department Pumper supply as existing on the premises of the party of the second part in the swimming pool and pond, in the case of a fire occurring on the premises of the party of the second part or in the neighborhood thereof. It is agreed and understood by and between both of the parties hereto that this contract shall be in full force and effect for the period of five (5) years, i. e. from the 1st day of May, 1933, to the 1st day of May, 1938, beginning and terminating at noon, and that in the event of termination of this contract by either party, that the Indiana Inspection Bureau of Indianapolis, Indiana, is to be promptly notified of the termination of this contract by each of the two parties named herein.

It is further understood and agreed by and between the parties hereto, that no liability attaches or will attach to the party of the first part on account of the nature of the work and services performed by the said Fire Department of the party of the first part, and that said party of the first part will not be liable for damages either to person or property of the party of the second part on account of any act, or omission arising out of the performance of the work and services herein contracted for.

Provided, however, that this contract shall terminate in the event that the premises of the party of the second part are annexed to, or become an integral part of the City of Indianapolis.

The contract, on the part of the City of Indianapolis shall be of no force and effect unless specifically authorized by ordinance duly passed by the Common Council of said city and approved by its Mayor.



IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate, this 19th day of June, 1933.

CITY OF INDIANAPOLIS

E. KIRK MCKINNEY

LOUIS C. BRANDT

C. O. BRITTON

Board of Public Works.

Approved by

.....

C. R. MYERS

DONALD S. MORRIS

FRANK C. DAILEY

Board of Public Safety

*Party of the First Part.*

G. M. WILLIAMS

*Party of the Second Part.*

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

By City Plan:

GENERAL ORDINANCE NO. 38, 1933

AN ORDINANCE amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

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

Section 1. That the U3 or business district, the A3 or 2400 square foot area district and the H1 or 50 foot height district are hereby amended, supplemented and extended so as to include the following described territory:

Beginning at the intersection of the south property line of 16th Street and the west property line of King Avenue; thence west on and along the south property line of 16th Street to the east property line of Holmes Avenue; thence south on and along the east property line of Holmes Avenue to the center line of the first alley south of 16th Street;

thence east on and along the center line of said alley to its intersection with the west property line of King Avenue; thence north on and along the west property line of King Avenue to the south property line of 16th Street, the point or place of beginning.

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

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

By Board of Public Safety:

#### GENERAL ORDINANCE NO. 39, 1933

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, as amended by General Ordinance No. 58, 1931, and fixing a time when the same shall take effect.

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

Section 1. That, for the purpose of providing the owners or occupants of certain premises fronting upon certain public streets of the City of Indianapolis, Indiana, with ingress and egress for passengers and freight coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, by making written application and request to the Board of Public Safety for the establishment of such loading and/or passenger zone as hereinafter set out, said Board having caused an investigation to be made thereof, and said Board having recommended the establishment of such loading and/or passenger zone, and pursuant to the terms of said Section 26 of said General Ordinance No. 96, 1928, as amended by said General Ordinance No. 31, 1931, as amended by General Ordinance No. 59, 1931, to-wit:

1. Beginning at a point seventy-five (75) feet north of the street intersection of Thirty-fourth and Illinois Streets to extend thirty-six (36) feet north on the west

side of Illinois Street; requested by Thirty-fourth and Illinois Street Garage.

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.

INTRODUCTION OF RESOLUTION

By City Controller:

RESOLUTION NO. 3, 1933

WHEREAS, the City of Indianapolis, in presenting its case in the water rate hearings now being held before the United States District Court, has needed to employ the assistance of the advice and services of experts as appraisers and engineers; and

WHEREAS, John Deery has rendered such services as architectural appraiser and engineer on an agreed total of One Thousand Dollars (\$1,000.00) remuneration; and

WHEREAS, the Mayor of said city has heretofore determined that the facts aforesaid present a contingency requiring the expenditure of a part of the appropriation reserved for said Mayor's contingency fund, to-wit: the sum of One Thousand Dollars (\$1,000.00) therefrom, and he has accordingly notified the City Controller of the circumstances making such expenditure necessary; and

WHEREAS, the City Controller has given his approval to the proposed expenditure and notified the City Council in writing, giving all pertinent facts regarding the contingency and the manner in which it is proposed to meet the same; and

WHEREAS, on or about May 22, 1933, there was paid to said John Deery out of said contingency fund the sum of Five Hundred Dollars (\$500.00) on account,

NOW, THEREFORE,

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

1. That the Common Council hereby approves and authorizes the payment of the balance of this obligation to said John Deery, to-wit: Five Hundred Dollars (\$500.00) out of the Mayor's contingency fund for the purposes specified in the preamble hereof.

2. This resolution becomes effective from and after its passage and approval by the Mayor.

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

#### ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 36, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Morgan, General Ordinance No. 36, 1933, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 36, 1933, 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. 9, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 9, 1933, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 9, 1933, 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. 10, 1933, for second reading. It was read a second time.

Mr. Houck presented the following written motion to amend Appropriation Ordinance No. 10, 1933:

Indianapolis, Ind., June 19, 1933.

*Mr. President:*

I move that Appropriation Ordinance No. 10, 1933, be amended by striking out the words and figures "Seventeen Thousand Dollars (\$17,000.00)" in lines one and two of the title of said ordinance and in lines five and six of Section 1 of said ordinance and inserting in lieu thereof the following: Twelve Thousand Dollars (\$12,000.00).

J. A. HOUCK,  
Councilman.

The motion was seconded by Mr. Welch, 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. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 10, 1933, as amended, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 10, 1933, 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.

#### MISCELLANEOUS BUSINESS

Mr. Tennant announced that the Committee on Public Safety was not ready to report on General Ordinances Nos. 32 and 34, 1933, and asked for further time for consideration of said ordinances, which was granted.

Mr. Houck announced that the Committee on Finance was not ready to report on General Ordinance No. 35, 1933, and asked for further time for consideration of said ordinance, which was granted.

Mr. Wheatley made a motion to adjourn, which motion was seconded by Mr. Henry. Mr. Wheatley received unanimous consent of the Council to withdraw his motion to adjourn and Mr. Henry likewise withdrew his second to the motion to adjourn upon receiving the unanimous consent of the Council so to do.



Mr. Houck made a motion that the rules be suspended for further consideration of Resolution No. 3, 1933. The motion to suspend the rules was seconded by Mr. Welch 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.

The rules were suspended.

The Council reverted to a previous order of business.

#### COMMITTEE REPORT

Indianapolis, Ind., June 19, 1933.

*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 Resolution No. 3, 1933, entitled Authorizing payment of \$500 from Mayor's Contingent Fund for appraisers and engineers fee, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

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

#### ORDINANCES ON SECOND READING

Mr. Houck called for Resolution No. 3, 1933, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Morgan, Resolution No. 3, 1933, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 3, 1933, 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.

On motion of Mr. Wheatley, seconded by Mr. Henry, the Common Council adjourned at 8:17 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 19th day of June, 1933, 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)