

## REGULAR MEETING

Monday, March 19, 1934.

7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, March 19, 1934, 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 six members, viz: Fred C. Gardner, George A. Henry, Carl A. Hildebrand, James A. Houck, Leo F. Welch, Clarence I. Wheatley.

Absent: Chas. C. Morgan, Maurice E. Tennant.

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

## COMMUNICATIONS FROM THE MAYOR

March  
Sixth,  
1934.

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

Gentlemen:

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

### APPROPRIATION ORDINANCE No. 9, 1934.

AN ORDINANCE appropriating the unappropriated and unexpended balance in the General Fund of the Recreation Department for the year 1933 to the General Fund of the Department of Public Parks, and fixing a time when same shall take effect.

### GENERAL ORDINANCE No. 19, 1934.

AN ORDINANCE transferring moneys from certain funds and re-

appropriating the same to other numbered funds, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 20, 1934.

AN ORDINANCE amending General Ordinance No. 83, 1933, and fixing a time when the same shall take effect.

Respectfully,

REGINALD H. SULLIVAN,  
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS.

March 19, 1934.

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

Gentlemen:

Attached hereto are 14 copies of General Ordinance No. 25, 1934, authorizing the Board of Public Works, through its duly appointed Purchasing Agent, to purchase the seasonal requirements for the Asphalt Plant for and in the maintenance and repair of all public streets, thoroughfares and alleys.

These bids were duly advertised according to law and opened in public before the Board of Public Works at 10:00 a. m., March 12th, 1934, and after being duly considered by said Board, the award was made to the lowest and best bidders.

The City Purchasing Agent respectfully recommends the passage of this ordinance in order to facilitate the immediate repair of improved streets, thoroughfares and alleys.

Very truly yours,  
DEPT. OF PUBLIC PURCHASE.  
ALBERT H. LOSCHE,  
Purchasing Agent.

March 19, 1934.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 15,

1934, appropriating the sum of Thirty-four Dollars and Twenty Cents (\$34.20) from the unappropriated and unexpended balance of the Airport Fund for the year 1933, and transferring the same to Airport Fund No. 32—Fuel and Ice.

I respectfully recommend the passage of this ordinance.

Yours very truly,

EVANS WOOLLEN, Jr.  
City Controller.

March 19, 1934.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 16, 1934, appropriating the sum of One Thousand Four Hundred Sixty-two Dollars and Forty-seven Cents (\$1,462.47) from the unappropriated and unexpended balance of the General Fund for the year 1933 and transferring and apportioning the same to certain designated funds of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

EVANS WOOLLEN, Jr.  
City Controller.

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

The Council reconvened from its recess at 8:30 p. m., with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., March 19, 1934

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. 21, 1934, entitled Licensing and Regulating theatres or concert halls in the City of Indianapolis, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

LEO F. WELCH, Acting Chairman  
F. C. GARDNER.  
C. I. WHEATLEY.

Indianapolis, Ind., March 19, 1934

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 General Ordinance No. 22, 1934, entitled Changing Street Name, first street north of Kessler Boulevard to 60th Street, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

Indianapolis, Ind., March 19, 1934

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. 11, 1934, entitled Appropriating \$1,194.51—1933 balance to various City funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.  
C. I. WHEATLEY.  
LEO F. WELCH.  
F. C. GARDNER.

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Indianapolis, Ind., March 19, 1934

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, 1934, entitled Appropriating \$14.40, 1933 balance Street Commissioners Fund to City Hospital Fund No. 38, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.

C. I. WHEATLEY.

LEO F. WELCH.

F. C. GARDNER.

Indianapolis, Ind., March 19, 1934

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. 13, 1934, entitled Appropriating \$1,875.00 from Board of Health General Fund to City Hospital Fund No. 721, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.

C. I. WHEATLEY.

LEO F. WELCH.

F. C. GARDNER.

Indianapolis, Ind., March 19, 1934

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. 14, 1934, entitled Appropriating \$20,608.39 and \$446.93, Board of Health to various funds of Health Department, beg leave to report that we have had said ordinance under con-

sideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.  
C. I. WHEATLEY,  
LEO F. WELCH.  
F. C. GARDNER.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

### APPROPRIATION ORDINANCE No. 15, 1934

AN ORDINANCE appropriating the sum of Thirty-four Dollars and Twenty Cents (\$34.20) from the unappropriated and unexpended balance of the Airport Fund for the year 1933, transferring the same to Airport Fund No. 32—Fuel and Ice, 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 Thirty-four Dollars and Twenty Cents (\$34.20) be and the same is hereby appropriated out of the unappropriated and unexpended balance of the Airport Fund for the year 1933 and transferred to Airport Fund No. 32—Fuel and Ice.

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 Finance.

By City Controller:

### APPROPRIATION ORDINANCE No. 16, 1934.

AN ORDINANCE appropriating the sum of One Thousand Four Hundred Sixty-two Dollars and Forty-seven Cents (\$1,462.47) from the unappropriated and unexpended balance of the General Fund for the year 1933, transferring and apportioning the same to certain designated 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 total sum of One Thousand Four Hundred

Sixty-two Dollars and Forty-seven Cents (\$1,462.47) be and the same is hereby appropriated out of the unappropriated and unexpended balance of the General Fund for the year 1933 and transferred to the following designated funds in the amounts specified, to-wit:

Department of Public Works	
Public Buildings Fund No. 41 -----	\$ 9.00
City Civil Engineer Fund No. 72 -----	70.66
Department of Public Safety:	
Gamewell Fund No. 44 -----	1,268.88
Police Dept. Fund No. 45 -----	113.93

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 Finance.

## INTRODUCTION OF GENERAL ORDINANCES

By City Purchasing Agent:

GENERAL ORDINANCE No. 25, 1934.

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis, Indiana, through its duly authorized agent, to purchase the season's requirements for all street and road materials and supplies, used and to be used in the repair, upkeep and maintenance of public streets and roadways in the City of Indianapolis, out of the Gasoline Tax Fund, which has heretofore been appropriated for this purpose, 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 Board of Public Works of the City of Indianapolis, through its duly authorized agent, be and it is hereby authorized and empowered to purchase the estimated season's requirements for the necessary materials and supplies used in the repair, upkeep, maintenance and improvements of all public streets, thoroughfares and roadways in the City of Indianapolis, the said materials and supplies to be purchased only after competitive bids have been advertised therefor according to law, and purchases to be made from the lowest and best

bidder, or bidders, and the total cost for said supplies and materials shall not exceed the sums of money as hereinafter set out, to-wit:

Our Requisition No. 998: 975 bbls. Quick Setting Cement in paper sacks—City Specifications. Total bid—All prices submitted at \$2.79 per bbl. -----	\$2,720.25
Our Requisition No. 999: 2,000 bbls. Portland Cement in paper sacks—City Specifications. Total bid—All prices submitted at \$2.19 per bbl. -----	\$4,380.00
Our Requisition No. 1,000: 20,000 gals., more or less, Emulsified Asphalt—City Specifications. Delivered in drums @ .1118 per gal. -----	\$2,236.00
Our Requisition No. 1,001: 27,500 gals. Cut Back Asphalt—more or less—City Specifications. Delivered in drums @ .0973 per gal. -----	\$2,675.75
Our Requisition No. 1,002: 500 tons—more or less—Refined Asphalt—City Specifications. Delivered in drums @ \$19.80 per ton -----	\$9,900.00
Our Requisition No. 1,003: 900 tons—more or less— $\frac{1}{4}$ " Crushed Stone—City Specifications @ \$1.60 per ton	\$1,440.00
Our Requisition No. 1,004: 950 tons—more or less—Stone Dust in paper sacks—City Specifications, @ \$5.50 per ton -----	\$5,225.00
Our Requisition No. 1,005: 1,400 tons—more or less—Lake Cicotte Sand—City Specifications, @ \$1.50 per ton -----	\$2,100.00
Our Requisition No. 1,006: 55,000 cu. ft. River Sand—City Specifications. @ \$1.45 per ton -----	\$1,033.85
Our Requisition No. 1,007: 55,000 cu. ft. Washed Gravel—City Specifications. @ \$1.45 per ton-----	\$1,033.85
Our Requisition No. 1,009: 200,000 gals. Road Oil—City Specifications, delivered in tank cars @ .043461 per gallon -----	\$8,692.20
Our Requisition No. 1,010: 25,000 cu. ft., Concrete Sand @ \$1.40 per ton -----	\$1,809.60

All of which said bids have heretofore been submitted to the Board of Public Works for their approval and acceptance.



SECTION 2. This ordinance shall be in full force and effect 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. Welch called for General Ordinance No. 21, 1934, for second reading. It was read a second time.

Mr. Welch presented the following written motion to amend General Ordinance No. 21, 1934:

MOTION

I move that General Ordinance No. 21, 1934, be amended to read as follows:

GENERAL ORDINANCE No. 21, 1934

AN ORDINANCE licensing and regulating theatres and/or concert halls in the City of Indianapolis, repealing all ordinances and parts of ordinances in conflict therewith, and fixing a time when the same shall take effect.

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

SECTION 1. That from and after the taking effect of this ordinance there shall be a license required and the fee therefor shall be as follows: For the operation of each theatre or concert hall One Hundred Dollars (\$100.00). Such license shall be for the term of one (1) year and shall be issued by the city controller and for issuing such license there shall be paid to such controller by the applicant a fee of One Dollar (\$1.00) in addition to the prescribed license fee. All annual licenses shall be taken out and dated on the first day of January. All semi-annual licenses shall be taken out and dated on the first day of January or the first day of July each year. All other licenses shall be dated as of the date of the issuing thereof: Provided, In case existing annual licenses shall expire or a new annual license be issued before the next ensuing first day of January, the license shall be issued running to that date. In case an existing semi-annual license shall expire or a new semi-annual license be issued before the ensuing first day of the next ensuing January or July, the license shall be issued running to

the first day of the next ensuing July or January, as the case may be. If an annual license at present existing is not expired on the first day of the next ensuing January, a new annual license shall be taken out and credit given to the applicant for the unexpired time in proportion the same bears to the whole license period, and in case an existing semi-annual license will not have expired on the first day of the next ensuing July, a new license shall be taken out, giving credit to the applicant for the unexpired term in the proportion the same bears to the whole license period. Unless otherwise specifically provided by law or ordinance, the license fee for the entire year shall be paid by each person applying for a license prior to July 1st. For any license issued after July 1st and before October 1st, one-half of the annual fee shall be paid, and for any license issued after October 1st, one-fourth of the annual premium shall be paid. The controller shall endorse upon each license issued by him the license fee charged therefor. In case any license shall have been issued during the year 1934 for any such theatre or concert hall a new license shall be issued without charge subject to the provisions of this ordinance.

SECTION 2. No operator or licensee of any theatre or concert hall shall permit or allow any person or persons upon the stage or otherwise to exhibit his or her private parts upon the stage thereof or elsewhere in such theatre or concert hall under penalty of forfeiture of such license.

SECTION 3. Any person or licensee under the provisions hereof who shall permit or allow any violation of Section 2 hereof to occur in such theatre or concert hall shall after hearing before the mayor of the City of Indianapolis and after notice thereof given ten (10) days prior thereto forfeit such license upon finding of the truth of the charges at such hearing by the mayor of said city.

SECTION 4. Any person who shall engage in the business or occupation of owning, maintaining, possessing, using or operating any theatre or concert hall in the City of Indianapolis without a license therefor shall upon conviction be fined in any sum not exceeding Two Hundred Dollars (\$200.00).

SECTION 5. It shall be unlawful for any operator or licensee of any theatre or concert hall to permit or allow any person or persons upon the stage or otherwise to exhibit his or her private parts upon the stage thereof or elsewhere in such theatre or concert hall. Any person violating any of the provisions of

this section shall be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not to exceed six (6) months.

SECTION 6. It shall be unlawful for any person to expose or exhibit his or her private parts upon the stage of any theatre or concert hall in the City of Indianapolis. Any person violating any of the provisions of this section shall be fined in any sum not exceeding Five Hundred Dollars (\$500.00), to which may be added imprisonment not to exceed six (6) months.

SECTION 7. Whoever, being over fourteen (14) years of age, makes an indecent exposure of her person in a public place where there are other persons to be offended or annoyed thereby, shall, upon conviction, be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00), to which may be added imprisonment not exceeding six (6) months.

SECTION 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. This ordinance shall be in full force and effect from and after its passage, approval by the mayor and publication according to law.

LEO F. WELCH.

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

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

General Ordinance No. 21, 1934, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Gardner called for General Ordinance No. 22, 1934, for second reading. It was read a second time.

On motion of Mr. Gardner, seconded by Mr. Wheatley, General Ordinance No. 22, 1934, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22, 1934, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 11, 1934, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 11, 1934, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 11, 1934, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 12, 1934, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 12, 1934, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 12, 1934, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 13, 1934, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 13, 1934, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 13, 1934, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 14, 1934, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 14, 1934, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 14, 1934, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Welch, Mr. Wheatley, President Ropkey.

#### MISCELLANEOUS BUSINESS

Mr. Gardner announced that the Committee on Public Parks was not ready to report on General Ordinance No. 90, 1933, and asked for further time for consideration of said ordinance, which was granted.

Mr. Houck announced that the Committee on Finance was not ready to report on General Ordinances Nos. 23 and 24, 1934, and asked for further time for consideration of said ordinances which was granted.

On motion of Mr. Henry, seconded by Mr. Wheatley, the Common Council adjourned at 8:45 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 March, 1934, 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)