

REGULAR MEETING

Monday, June 17, 1935.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, June 17, 1935, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

Present: Edward B. Raub, President, and seven members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, Ross H. Wallace.

Absent: John A. Schumacher.

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

COMMUNICATIONS FROM CITY OFFICIALS

June 17, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 21, 1935, appropriating to the Office of the Mayor, Item 3—Supplies, Fund 36—Office Supplies, the sum of One Hundred (\$100.00) Dollars from the unappropriated and unexpended balance of the general fund for the year 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

June 15, 1935.

Mr. Walter C. Boetcher,
City Controller,
Indianapolis, Indiana.

Dear Sir:

It appears to be necessary to secure an additional appropriation to Fund No. 36, for office supplies. It is my opinion that an additional one hundred dollars will be sufficient, and I, therefore, respectfully request that the necessary steps be taken to secure this appropriation.

Very truly yours,

(signed) JOHN W. KERN,
Mayor.

June 17, 1935.

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

Gentlemen:

Attached please find copies of General Ordinance No. 43, 1935, transferring moneys from certain funds and reappropriating and reallocating the same to other designated funds of the general fund of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

June 17, 1935]

City of Indianapolis, Ind.

267

June 17, 1935.

Mr. Walter C. Boetcher,
City Controller,
Indianapolis, Ind.

Dear Sir:

Because of the fact that we have subscribed for the annual service on Burns Indiana Statutes 1933 and also the annual service on Burns Indiana Decimal Digest, there is not sufficient money in our Fund 55—Subscriptions and Dues to meet this expense, and we are, therefore, asking for a transfer of \$50.00 from Fund 24—Printing and Advertising, to the above mentioned fund to take care of these subscriptions.

Very truly yours,

(signed) JAMES E. DEERY,
Corporation Counsel.

June 11, 1935.

Mr. Walter C. Boetcher,
City Controller,
City Hall.

Dear Sir:

Due to the change in administration all of our office supplies that carry the names had to be changed this year and it was also necessary to purchase a General Ordinance Record. This expense has exhausted our Fund No. 36—Office Supplies.

Accordingly, I am asking that you cause to be prepared an ordinance transferring the sum of \$100.00 from our Printing and Advertising Fund No. 24 and appropriating the same to Fund No. 36—Office Supplies, and present the same to the Common Council at their next meeting with the recommendation that the same be passed.

Yours very truly,

(signed) DANIEL J. O'NEILL, JR.,
City Clerk.

IND. U. LAW LIB. INDIANAPOLIS

June 17, 1935.

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

Gentlemen:

We are handing you herewith copies of General Ordinance No. 44, 1935, authorizing the Board of Sanitary Commissioners of the City of Indianapolis to purchase one thousand seven hundred (1,700) feet of steel pipe and two thousand seven hundred (2,700) feet of electric cable for use in the Sanitation Plant.

The Board of Sanitary Commissioners respectfully requests the passage of this ordinance.

Very truly yours,

BOARD OF SANITARY COMMISSIONERS,

A. S. LEWIS,

Secretary.

June 17, 1935.

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

Gentlemen:

We are submitting herewith General Ordinance No. 45, 1935, establishing an 18 foot "passenger zone" and/or "loading zone" for the L. S. Ayres & Company at 30 West Maryland Street. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

BLYTHE Q. HENDRICKS,

Executive Secretary.

June 17, 1935]

City of Indianapolis, Ind.

269

June 17, 1935.

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

Gentlemen:

Acting under instructions from the Department of Public Health and Charities, I am submitting herewith a bill for an ordinance ratifying, confirming and approving a certain contract by and between the City of Indianapolis, and J. Edwin Kopf and Deery, Architects, for supervision and inspection of the new Flower Mission Memorial Hospital Building and John Maurice Butler Dispensary.

Respectfully yours,

H. G. MORGAN.

June 8, 1935.

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

Gentlemen:

Attached hereto are fifteen copies of General Ordinance No. 47, 1935, amending the Official Thoroughfare Plan of the City of Indianapolis.

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

Yours very truly,

V. B. McLEAY,
Secretary-Engineer,
CITY PLAN COMMISSION.

IND. U. LAW LIB. INDIANAPOLIS

June 17, 1935.

Mr. Daniel J. O'Neill, Jr.,
City Clerk,
Indianapolis, Ind.

Dear Sir:

I am returning herewith the petition for an ordinance annexing certain territory to the City of Indianapolis.

I note that this petition is made by Richard L. Lowther and addressed to the Common Council. For this reason the petition should be presented to the Common Council at its meeting tonight. In the event that the Common Council desires to comply with this petition, they should so advise this department so that we can prepare an ordinance for introduction at some future meeting.

Very truly yours,

JAMES E. DEERY,
Corporation Counsel.

Which was read and referred to the Committee on Public Parks.

FINANCIAL REPORT OF CORNELIA COLE FAIR- BANKS TRUST FUND

Indianapolis, Indiana
June 6, 1935.

To the Honorable John W. Kern, Mayor,
and the Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

Pursuant to the terms of the Cornelia Cole Fairbanks Memorial Trust I have verified the statement of assets as set out in the Treasurer's report. I have inspected the securities under date of

June 4, 1935, and the bank balance was verified by correspondence with the Indiana National Bank.

For your general information about this trust I quote from the report made to your predecessors by the former City Controller under date of March 12, 1934.

“The beginning of this fund was a bequest of the late Charles Warren Fairbanks, Vice-President of the United States, of \$50,000 left to the City of Indianapolis to be used as a memorial to his wife, Cornelia Cole Fairbanks. Seven trustees, under the terms of the will, were named to administer the fund. The bequest provided that the proceeds of the bequest should be invested for a period of five hundred years, with the right to the city to use the earnings of the principal every fifty years for the intellectual, moral and physical well-being of the worthy poor of the community. The trustee-ship was created in 1922, and the funds were invested immediately after they came into the custody of the trustees.”

The expense of the administration of this trust is limited to the rent of a safety box and such incidental commissions as may be required in the purchase of securities. The trustees serve without pay.

Attached please find operating statement for the year 1934.

Respectfully submitted,

WALTER C. BOETCHER,
City Controller.

WCB/b
Copy to
John W. Kern, Mayor,
Members of Common Council,
H. U. Brown.

CORNELIA COLE FAIRBANKS MEMORIAL FUND

TREASURER'S STATEMENT FOR YEAR ENDING JANUARY 6, 1935

RECEIPTS:

Balance in bank December 31, 1933..		\$ 3,681.60
3/8/34—Coupons	\$1,065.00	
Cash—Interest	10.63	1,075.63
	<hr/>	<hr/>

IND. U. LAW LIB. IND'POLIS

*Total checking account which was transferred to Savings Account..		\$ 4,757.23
7/13/34—Coupons		568.79
9/14/34—Coupons (Certificate of Deposit)		518.33
1/ 2/35—Interest on Savings Account	66.57	
Coupons	1,588.84	
Bonds called	1,050.00	
		<hr/>
Certificate of Deposit..		2,705.41
		<hr/>
TOTAL RECEIPTS....		\$ 8,549.76

*EXPENDITURES:

9/14/34—Coupons exchanged for Certificate of Deposit.....		518.33
Coupons exchanged for Certificate of Deposit.....		1,588.84
1/ 2/35—Bonds called		1,050.00
Interest on Savings Account....		66.57
		<hr/>
Amount in Savings Account		5,326.02

* (Simply a shifting of funds from one account to another)

STATEMENT OF ASSETS

2 4th Liberty Loan Bonds @ \$10,000 each	20,000.00	
3 4th Liberty Loan Bonds @ 1,000 each	3,000.00	
1 U. S. Treasury Bond @ 500	500.00	
2 4th Liberty Loan Bonds @ 500 each	1,000.00	
1 4th Liberty Loan Bond @ 100	100.00	
1 4th Liberty Loan Bond @ 50	50.00	
25 School Bonds @ 1,000 each	25,000.00	
26 School Bonds @ 1,000 each	26,000.00	
2 Municipal Certificates @ 1,000 each	2,000.00	77,650.00
		<hr/>
Indiana National Bank Savings Book		5,326.02
Certificate of Deposit dated 9/24/34		518.33
		<hr/>
		83,494.35

The following bonds called:

H 06408198 Fourth Liberty.....	50.00	
B 02482372 Fourth Liberty.....	1,000.00	
		<hr/>
		82,444.35

Certificate of Deposit dated 1/6/35—

B-10279 as follows

Coupons	1,588.84
Called Bonds	1,050.00
Interest Savings Account....	66.57

Certificate of Deposit.....	2,705.41	2,705.41
-----------------------------	----------	----------

TOTAL ASSETS.....		\$85,149.76
-------------------	--	-------------

Mr. CARR asked for a recess. The motion was seconded by Mr. Cable and the Council recessed at 7:40 p. m.

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

COMMITTEE REPORTS

Indianapolis, Indiana, June 17, 1935.

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 Appropriation Ordinance No. 19, 1935, entitled Appropriating to Board of Safety—City Market budget—the sum of \$8,000.00, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.

Indianapolis, Indiana, June 17, 1935.

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

Gentlemen:

IND. U. LAW LIB. IND'POL.

We, your Committee on Public Safety, to whom was referred Appropriation Ordinance No. 20, 1935, entitled Appropriating the sum of \$2,000.00 to fund No. 53 of Board of Public Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.

Indianapolis, Indiana, June 17, 1935.

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, 1935, entitled An ordinance concerning the storage of gasoline, etc., beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.

Indianapolis, Indiana, June 17, 1935.

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. 37, 1935, entitled An ordinance concerning salaries of Police Department, Fire Department, Police Radio De-

partment and Gamewell Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
R. H. WALLACE.
WM. A. OREN.

Indianapolis, Indiana, June 17, 1935.

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. 39, 1935, entitled An ordinance requiring safety gates on the Pennsylvania Railroad, in Irvington, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
R. H. WALLACE.
WM. A. OREN.

Indianapolis, Indiana, June 17, 1935.

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. 42, 1935, entitled An ordinance amending Section 50 of General Ordinance No. 96, 1928, use of trailers restricted, beg leave to report that we have had said ordinance under

IND. U. LAW LIB. IND'POLIS.

consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.

Indianapolis, Indiana, June 17, 1935.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 32, 1935, entitled Repealing Special Ordinance No. 5, 1933, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

WM. A. OREN, Chairman.
EDWARD R. KEALING.
THEODORE CABLE.
ROSS H. WALLACE.
ADOLPH J. FRITZ.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 21, 1935

AN ORDINANCE appropriating to the Office of the Mayor, Item 3—Supplies, Fund 36—Office Supplies, the sum of One Hundred Dollars (\$100.00) from the unappropriated and unexpended balance of the general fund for the year 1934, 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 there is hereby appropriated to the Office of the Mayor, Item 3—Supplies, Fund 36—Office Supplies, the sum of One Hundred Dollars (\$100.00) from the unexpended and unappropriated balance of the general fund for the year 1934.

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 the City Controller:

GENERAL ORDINANCE NO. 43, 1935

AN ORDINANCE transferring moneys from certain funds, reappropriating and reallocating the same to other 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 sum of Fifty Dollars (\$50.00) be and the same is hereby transferred from Department of Law budget, Item 2—Services, Contractual, Fund 24—Printing and Advertising, and reappropriated and reallocated to Department of Law budget, Item 5—Current Charges, Fund 55—Subscriptions and Dues.

Section 2. That the sum of One Hundred Dollars (\$100.00) be and the same is hereby transferred from City Clerk's budget, Item 2—Services, Contractual, Fund 24—Printing and Advertising, and reappropriated and reallocated to City Clerk's budget, Item 3—Supplies, Fund 36—Office Supplies.

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

IND. U. LAW LIB. IND'POLIS

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

By the Board of Sanitary Commissioners:

GENERAL ORDINANCE NO. 44, 1935

AN ORDINANCE authorizing the Board of Sanitary Commissioners of the City of Indianapolis, Indiana, to purchase One Thousand Seven Hundred (1,700) feet of steel pipe and Two Thousand Seven Hundred (2,700) feet of electric cable for use in the Sanitation Plant; and fixing a time when the same should take effect.

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

Section 1. That the Board of Sanitary Commissioners of the City of Indianapolis is hereby authorized to purchase One Thousand Seven Hundred (1,700) feet of secondhand steel pipe and Two Thousand Seven Hundred (2,700) feet of electric cable of the kind and quality called for in specifications therefor prepared by the Superintendent of the Sanitation Plant, and now on file in the office of the Board of Sanitary Commissioners.

Section 2. That said purchase or purchases shall be made from the lowest and best bidder or bidders, and the cost of said One Thousand Seven Hundred (1,700) feet of secondhand steel pipe shall not exceed Three Thousand Eight Hundred Sixty-three Dollars and Forty-two Cents (\$3,863.42), and the cost of said Two Thousand Seven Hundred (2,700) feet of electric cable shall not exceed Three Thousand One Hundred Sixty-Four Dollars and Forty Cents (\$3,164.40).

Section 3. The purchase price of said One Thousand Seven Hundred (1,700) feet of secondhand steel pipe and of said Two Thousand Seven Hundred (2,700) feet of electric cable shall be paid out of funds heretofore appropriated in Account No. VI-44 of the Board of Sanitary Commissioners of the City of Indianapolis for the year 1935.

Section 4. This ordinance shall be in full force and effect from

and after its passage, signature and approval by the Mayor.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 45, 1935

AN ORDINANCE establishing a certain passenger and/or loading zone 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 on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise 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, relative to the establishment of passenger and/or loading zones, at the place hereinafter set out, and the Board of Public Safety having caused an investigation to be made thereof and having recommended the establishment, pursuant to the terms of the aforesaid ordinances, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

18 feet in front of 30 West Maryland Street, said premises being occupied by L. S. Ayres & Company.

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.

IND. U. LAW LIB. IND'POLIS

By the Board of Health:

GENERAL ORDINANCE NO. 46, 1935

AN ORDINANCE ratifying, confirming and approving a certain contract by and between the City of Indianapolis, acting through its Board of Public Health, and J. Edwin Kopf & Deery, architects, for supervision and inspection of new City Hospital building, and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis has under construction a new addition to the City Hospital, to be known as the Indianapolis Flower Mission Memorial Hospital Building, the John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis, and Public Works Administration Project No. 8436, and it is necessary to have an architect present to supervise and inspect the construction thereof, and to protect the city's interest; and

WHEREAS, the City of Indianapolis, acting by and through its Board of Public Health, has entered into a contract with J. Edwin Kopf & Deery, architects, for such supervision and inspection, which contract is in the words and figures as follows, to-wit:

“THIS AGREEMENT, made and entered into at Indianapolis, Indiana, by and between the City of Indianapolis, acting by and through the Board of Health of said city, hereinafter referred to as the Owner, and J. Edwin Kopf and Deery, Architects of the City of Indianapolis, Indiana, hereinafter referred to as the Architects, WITNESSETH:

“ARTICLE ONE

“THAT, said Owner hereby employs said Architects for the purposes and under the conditions and for the compensation hereinafter designated and set forth, and the Architects accept the employment under said conditions and for such compensation.

“ARTICLE TWO

“SAID ARCHITECTS shall inspect and supervise as

provided herein, the construction and completion of a hospital building to be located on the grounds of the Indianapolis City Hospital on that part situated west of Wilson Street and south of the Fall Creek Boulevard, Indianapolis, Indiana, and to be known as Indianapolis Flower Mission Memorial Hospital, The John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis, and Federal Public Works Project No. 8436, in accordance with the plans and specifications prepared by the said Architects and the construction contracts entered into between the Owner and the several contractors for the general construction, plumbing, heating, electrical work and elevator.

“ARTICLE THREE

“FURTHER, the Architects agree to inspect all material and supervise continuously, during the hours of actual construction and at such other reasonable intervals as the Owner or the Federal Public Works Administration may require, the construction of said building, and to certify to the Owner each month, the value of the various kinds of labor and material permanently installed according to plans and specifications.

“The Architects agree to continuously superintend at the building site, the execution of all work by the several contractors employed by the Owner, in such manner that will insure the Owner and the Federal Administration of Public Works, that the kind, quantity and quality of all material and equipment used by the said contractors shall be in conformity with the plans and specifications upon which the contracts for construction are based; that the Architects will continuously supervise the erection, construction and installation of all materials and equipment named in the specifications and indicated on the plans and require said erection, construction and installation to be done in a workmanlike manner.

“The Architects shall prepare daily detailed reports of the nature and progress of the building construction, on the Architect's field inspection forms, and furnish copies of the same to the Owner, and shall likewise fill out and certify all papers relating to the construction

IND. U. LAW LIB. IND'PIS

of the building required by the Federal Public Works Administration from the Owner.

"The Architects will endeavor to guard the Owner against defects and deficiencies in the work of the contractors, but do not guarantee the performance of their contracts.

"ARTICLE FOUR

"FURTHER, it is mutually agreed by and between the parties hereto that John A. Deery, of the said Architects, shall be and is hereby designated as the person who shall represent the Owner on the site of the project and be in full charge thereof and shall also represent the Owner on the project in all technical matters. The said John A. Deery shall check grades, locations, alignments, elevations, etc., as established by the plans and specifications: verify the measurements and check quantities, volumes, weights, etc., for partial and final payments, and do all necessary field inspection, testing and acceptance of materials, workmanship and installations as the Owner's representative, in accordance with the plans and specifications, and the said John A. Deery as the Owner's representative shall cooperate with the duly designated P. W. A. Engineer Inspector regarding the endorsement or certification of pay rolls, bills, invoices, vouchers and periodical estimates, and in so doing the architect for the Owner shall be governed in so far as is applicable by the "Manual for Engineer Inspectors," issued July 3, 1934, by the P. W. A.

"It is further understood and agreed that the Architects shall have the right to designate another person to act in place of the said John A. Deery as the Owner's representative at the site of the project, provided he is a duly licensed and qualified architect or engineer in the employ of the Architects and satisfactory to the Owner.

"ARTICLE FIVE

"THE ARCHITECTS shall receive for all services herein set forth, in connection with inspecting and super-

vising the construction of said building, the sum of \$4,764.48, which shall be final and complete payment for all such services rendered. This sum is based on a 3% fee and a total construction cost of \$158,816, and is a final and not contingent fee, except that in the event the Public Works Administration will not allow or approve a 3% architect's fee herein, then it is mutually understood by the parties that each of them will accept such reduced fee as the Federal Public Works Administration may advise. The amount of such reduced fee, in the percentage so advised based on a total construction cost of \$158,816.00 shall then constitute full and complete payment for all services rendered under this contract.

"PROGRESS PAYMENTS. The Owner shall pay the Architect each month during the progress of the work, an amount which shall be 85% of 3% of the value of labor and materials permanently in place in the building, and such amount shall be paid within approximately ten days from receipt of the Architect's certificate showing the amount of such labor and materials so permanently installed in said building, and said payments shall continue until the Owner has paid the Architect the sum of \$4,049.80, and the remaining 15%, or \$714.67, shall be paid by the Owner to the Architect within 65 days after the Architect has certified to the Owner that all Building Contracts have been satisfactorily completed and upon affidavits and releases being given that all sub-contractors, suppliers, laborers and materialmen and all other obligees under this building contract are fully and completely paid and satisfied. Provided, also, that if the Federal Public Works Administration advises that a lower figure than 3% be used, then these progress payments shall be prorated accordingly, and a 15% reserve maintained in the same prorata manner.

"ARTICLE SIX

"THIS CONTRACT is intended to secure to the Owner the professional services of the Architects in person, and therefore if the Architects shall, before the completion of the work herein specified, die or become incapacitated, the Owner agrees to pay to the Architects' personal representatives, so far as then unpaid, the equit-

able value at the rates aforesaid of the work done by the Architects as compared with that of the work of the Architects not done before their death or incapacity.

"IN WITNESS WHEREOF, said parties have hereunto set their hands and seals, in six copies, this 7th day of June, 1935.

"CITY OF INDIANAPOLIS

"By

"BOARD OF HEALTH OF SAID CITY

"By M. JOSEPH BARRY, *President*

CLARKE ROGERS

L. A. ENSMINGER

FRANK I. LAIRD

Members.

"ATTEST:

"By H. G. MORGAN, *Secretary*

(SEAL)

"APPROVED:

JOHN W. KERN, Mayor

"J. EDWIN KOPF & DEERY

By J. EDWIN KOPF

Architects"; and

WHEREAS, said architects' fee is to be paid out of funds in control of the city, other than tax revenues, namely, funds accumulated from the gift of the Indianapolis Flower Mission, The Butler Snow Bequest, and a grant from the Federal Public Works Administration to the Board of Public Health of the City of Indianapolis; NOW, THEREFORE,

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

Section 1. That the contract hereinbefore set out be and the same is hereby in all things confirmed, ratified and approved.

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 Public Health and Charities.

By the City Plan Commission:

GENERAL ORDINANCE NO. 47, 1935

AN ORDINANCE to amend General Ordinance No. 9, 1925, known as the Official Thorofare Plan of the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the City Plan Commission of the City of Indianapolis has by resolution adopted the following amendment to the Official Thorofare Plan for such city indicating the location, alignment, and width of thorofares within the limits of said city, and

WHEREAS, the Board of Public Works of the City of Indianapolis has by its resolution concurred in said amendment to the Official Thorofare Plan, Therefore

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

Section 1. That General Ordinance No. 9, 1925, known as the Official Thorofare Plan of the City of Indianapolis, be amended and changed so as to include as a thorofare that portion of East 38th Street from Fall Creek Parkway, North Drive, east to the eastern corporate limits of the city, and indicating for such portion of said East 38th Street a property line maximum width of 100.0 feet and a roadway width of 46.0 feet.

Section 2. That all copies of the Official Thorofare Plan maps be amended and changed so as to include such portion of East 38th Street as set out in Section 1.

Section 3. 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 Law and Judiciary.

IND. U. LAW LIB. IND'P. I.

ORDINANCES ON SECOND READING

Mr. Carr called for Appropriation Ordinance No. 19, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Cable, Appropriation Ordinance No. 19, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 19, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for Appropriation Ordinance No. 20, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Kealing, Appropriation Ordinance No. 20, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 20, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 42, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Fritz, General Ordinance No. 42, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 42, 1935, was read a third time

by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Wallace, President Raub.

On motion of Mr. Carr, seconded by Mr. Wallace, the Common Council adjourned at 8:10 p. m.

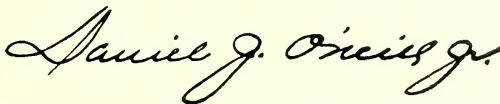
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 17th day of June, 1935, at 7:30 p. m.

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)

IND. U. LAW LIB. IND'POLIS