

REGULAR MEETING

Monday, October 21, 1935  
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 21, 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 eight members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

Mr. Schumacher asked for a recess for the inspection of the new pumper which was recently built by the Fire Department. The motion was seconded by Mrs. Dowd and the Council recessed at 7:35 p. m.

The Council reconvened at 7:45 p. m., with the same members present as before.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Cable, seconded by Mrs. Dowd.

COMMUNICATIONS FROM THE MAYOR

October 9, 1935.

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

Gentlemen:

I have this day approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

## GENERAL ORDINANCE NO. 63, 1935

AN ORDINANCE establishing a central storeroom in the purchasing department of the City of Indianapolis, providing for its operation and management, appropriating the sum of Fifteen Thousand Dollars (\$15,000) as a revolving fund for the purchase of supplies to be stored in the central storeroom, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 71, 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.

## GENERAL ORDINANCE NO. 72, 1935

AN ORDINANCE transferring certain moneys from certain numbered funds in the Department of Public Parks and reappropriating the same to other numbered funds in said Department, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 73, 1935

AN ORDINANCE transferring certain moneys from certain numbered funds in the Department of Public Parks and reappropriating the same to other numbered funds in said Department, and fixing a time when same shall take effect.

## GENERAL ORDINANCE NO. 74, 1935

AN ORDINANCE authorizing the Board of Public Works and Sanitation, through its duly authorized purchasing agent to receive bids for the purchase of one (1) traction-trailer power unit for hauling garbage and ash trailers, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 76, 1935

AN ORDINANCE amending sub-section (e) of Section B-455 of General Ordinance No. 121, 1925, as amended by General Ordinance No. 11, 1931, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 77, 1935

AN ORDINANCE amending Section 2 of Appropriation Ordinance No. 26, 1935, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 78, 1935

AN ORDINANCE amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,  
Mayor.

October 18, 1935.

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

In re: G. O. No. 86, 1935.

Gentlemen:

The Federal road authorities have approved a project for the improvement of Southeastern Avenue from English Avenue to the south corporation line, constituting a part of Federal Aid Highway Route 28 through the City of Indianapolis and being designated as Project No. W. P. M. H. 45.

At the request of the State Highway Commission of Indiana, I am submitting herewith sixteen (16) copies of an ordinance designed to authorize me, as mayor, to take the steps necessary to obtain the approval of the United States Bureau of Public Roads of said proposed improvement. The passage of this ordinance by the Common Council is necessary in order that the cost of the improvement may be paid out of Federal funds.

The State Highway Commission asks that immediate steps be taken by the Common Council, and I, therefore, request that your

rules be suspended and that this ordinance be placed on its passage at your regular meeting to be held on October 21, 1935.

Respectfully yours,

JOHN W. KERN,  
Mayor.

### COMMUNICATIONS FROM CITY OFFICIALS

October 21, 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. 83, 1935, transferring moneys from certain funds and reappropriating and reallocating the same to other designated funds.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

October 16, 1935.

Walter C. Boetcher,  
City Controller,  
City of Indianapolis.

Dear Sir:

In checking over our departmental budgets we find that it will be necessary to reimburse several funds in order to carry on for the remaining months of the year, therefore, ask that an ordinance be

prepared, and presented to the Common Council at their next meeting, making the following transfers:

From the Board of Safety budget—Fund No. 11—Salaries and Wages, Regular—Transfer the sum of Eight Hundred and Seventeen (\$817.00) Dollars and reappropriate this amount as follows:

Set up and establish in the Board of Safety budget—Fund No. 12—Salaries and Wages, Temporary, and transfer thereto the sum of Four Hundred and Fifty (\$450.00) Dollars. This transfer being for the purpose of paying the members of the Merit Board, excluding Chief Kennedy, for services rendered in connection with the fire department training school as provided for under the new Merit Law.

Fifteen (\$15.00) Dollars to the Board of Safety budget—Fund No. 24—Printing and Advertising.

To the Dog Pound budget:

Two (\$2.00) Dollars to Fund No. 21—Communication and Transportation,

One Hundred (\$100.00) Dollars to Fund No. 33—Garage and Motor,

Two Hundred Twenty-five (\$225.00) Dollars to Fund No. 34—Institutional and Medical,

Twenty-five (\$25.00) Dollars to Fund No. 45—Repair Parts.

In the Fire Department budget:

Transfer Fifteen Hundred (\$1500.00) Dollars from Fund No. 11—Salaries and Wages, Regular, Privates First Grade, to Fire Department budget, Fund No. 25—Repairs.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

/s/ THEO. H. DAMMEYER,

President.

October 11, 1935.

Mr. Walter C. Boetcher,  
City Controller.

Dear Sir:

Upon the recommendation of the Superintendent of the Sanitation Department, the Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance transferring the following funds, to-wit:

From Salaries and Wages "Collection" No. II-11, \$3,600.00 and from VI-32, Fuel "Sewage," \$3,450.00, and said total sum of \$7,050.00 by distributing as follows:

Transfer to Account II-12, Temporary Labor, "Collection"—	\$5,500.00
Transfer to Account II-53, Compensation "Collection".....	350.00
Transfer to Account V-25, Repairs, "Garbage Plant".....	200.00
Transfer to Account VI-12, Temporary Labor "Sewage".....	1,000.00
	<hr/>
Total.....	\$7,050.00
Transfer from II-11, Salaries and Wages, "Collection".....	\$3,600.00
VI-32, Fuel "Sewage".....	3,450.00
	<hr/>
Total.....	\$7,050.00

and present same to the Common Council at their next meeting with the recommendation of the Board that the same be passed.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION,  
By: ERNEST F. FRICK,  
Secretary.

September 23, 1935.

Mr. Walter C. Boetcher,  
City Controller.

Dear Sir:

On recommendation of the Superintendent of the Municipal Airport, the Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance transferring the sum of One Hundred (\$100.00) Dollars from the Municipal Airport Account

October 21, 1935]

City of Indianapolis, Ind.

699

No. 11 into Account No. 12; also appropriating the sum of Two Hundred (\$200.00) Dollars from the Airport Revenue into Account No. 21 and submit the same to the Common Council at their next meeting with the recommendation of the Board of Public Works and Sanitation that the same be passed.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION

By: ERNEST F. FRICK,  
Secretary.

October 21, 1935.

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

Gentlemen:

We are submitting herewith General Ordinance No. 84, 1935, establishing the following "passenger zones" and/or "loading zones" and respectfully recommend the passage of this ordinance:

The Winter Apartment—1321N. Meridian Street—18 foot zone,  
The Griffin Shop—30 Monument Circle—18 foot zone.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
ELYTHE Q. HENDRICKS,  
Executive Secretary.

October 21, 1935.

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

Gentlemen:

Attached hereto are sixteen copies of General Ordinance No. 85, 1935, amending the general zoning ordinance.

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

Very truly yours,

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

October 21, 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. 28, 1935, appropriating the sum of Two Hundred (\$200.00) Dollars from the anticipated unappropriated and unexpended balance of the Municipal Airport Fund for the year 1935 and transferring the same to Municipal Airport Fund No. 21.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

October 21, 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. 29, 1935, appropriating and allocating the sum of Ninety-one Thousand Seven Hundred Fifty-eight Dollars and Sixty-nine Cents (\$91,758.69)

October 21, 1935]

City of Indianapolis, Ind.

701

received on October 3, 1935, from the State of Indiana as revenue under the Gasoline Tax to various departments of the City of Indianapolis in accordance with the provisions of Section 4A of General Ordinance No. 56, 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

October 21, 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. 30, 1935, appropriating and transferring to Fund No. 21 in the office of the Mayor the sum of Seventy-five (\$75.00) Dollars out of the unappropriated and unexpended balance in the general fund for the year 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

October 15, 1935.

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

Dear Mr. Boetcher:

I should like to request the appropriation of an additional sum of seventy-five dollars (\$75.00) to Fund No. 21, Office of Mayor, for the remaining months of this year.

Very truly yours,

(signed) JOHN W. KERN,  
Mayor.

## OTHER COMMUNICATIONS

October 19, 1935.

To: The City Clerk.

Dear Sir:

The Executive Committee of the United States Conference of Mayors directs me to forward to you, for presentation to the Council at its next meeting, the attached invitation.

Thanking you kindly, I am

Faithfully yours,

PAUL V. BETTERS,  
Executive Director.

October 19, 1935.

To The Council:

The Annual Conference of the United States Conference of Mayors will be held November 18-20 in Washington, D. C. All Council members are cordially invited to attend and participate in this important meeting.

Among the subjects to be considered are: Law Enforcement, Federal W. P. A. and P. W. A. programs, Old-Age Pensions, Municipal Finance, Public Safety, (including Fire Prevention and Traffic Safety) Tax Revision, et cetera. The list of speakers includes, Harry L. Hopkins, W. P. A. Administrator; Henry Morgenthau, Jr., Secretary of the Treasury; Homer S. Cummings, Attorney-General; Secretary of Labor Perkins, as well as other city and federal officials. It is expected that the President will receive all official delegates on Tuesday, November 19, at The White House.

This year's Conference promises to be one of the most valuable meetings on municipal problems ever held. We invite you to co-

operate in solving many of the common and mutual problems facing the larger cities of the country.

DANIEL W. HOAN, Mayor of Milwaukee  
F. H. LAGUARDIA, Mayor of New York  
ANGELO J. ROSSI, Mayor of San Francisco  
OSCAR F. HOLCOMBE, Mayor of Houston  
FREDERICK W. MANSFIELD, Mayor of Boston  
HOWARD W. JACKSON, Mayor of Baltimore  
WATKINS OVERTON, Mayor of Memphis  
Executive Committee,  
United States Conference of Mayors.

Mr. Schumacher asked for a recess. The motion was seconded by Mr. Oren and the Council recessed at 8:10 p. m.

The Council reconvened at 8:50 p. m. with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., October 21, 1935.

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. 80, 1935, entitled Transfers—City Departments, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.  
THEODORE CABLE.  
SILAS J. CARR.  
NANNETTE DOWD.  
ADOLPH J. FRITZ.

Indianapolis, Ind., October 21, 1935.

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. 81, 1935, entitled Transfers—Health Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.  
THEODORE CABLE.  
SILAS J. CARR.  
NANNETTE DOWD.  
ADOLPH J. FRITZ.

Indianapolis, Ind., October 21, 1935.

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. 82, 1935, entitled Acquisition of Citizens Gas Co. by City, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.  
THEODORE CABLE.  
SILAS J. CARR.  
NANNETTE DOWD.  
ADOLPH J. FRITZ.

October 21, 1935]

City of Indianapolis, Ind.

705

Indianapolis, Ind., October 21, 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. 56, 1935, entitled Inspection of motor vehicles, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

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

Indianapolis, Ind., October 21, 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. 57, 1935, entitled Repealing picketing ordinance, 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.  
JOHN A. SCHUMACHER

Indianapolis, Ind., October 21, 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. 79, 1935, entitled Amending General Ordinance No. 96, 1928, providing for 1½ hour parking on West Michigan Street, 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.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., October 21, 1935.

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

Gentlemen:

We, your committee on Public Health and Charities, to whom was referred General Ordinance No. 68, 1935, entitled Regulating barbering sanitation, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

ADOLPH J. FRITZ, Chairman,  
THEODORE CABLE.  
NANNETTE DOWD.  
WM. A. OREN.  
EDWARD R. KEALING.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

### APPROPRIATION ORDINANCE NO. 28, 1935

AN ORDINANCE appropriating the sum of Two Hundred Dollars (\$200.00) from the anticipated unappropriated and unexpended balance of the Municipal Airport Fund for the year 1935 and transferring the same to Municipal Airport Fund 21, 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 the sum of Two Hundred Dollars (\$200.00) from the anticipated unappropriated and unexpended balance of the Municipal Airport Fund for the year 1935 and transferred to Municipal Airport Fund 21—Communication and Transportation.

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 Works.

By the City Controller:

### APPROPRIATION ORDINANCE NO. 29, 1935

AN ORDINANCE appropriating and allocating the sum of Ninety-one Thousand Seven Hundred Fifty-eight Dollars and Sixty-nine Cents (\$91,758.69), received on October 3, 1935, from the State of Indiana as revenue under the Gasoline Tax, to the following departments of the City of Indianapolis in the amounts specified, in accordance with the provisions of Section 4A of General Ordinance No. 56, 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 the total sum of Ninety-one Thousand Seven Hundred Fifty-eight Dollars and Sixty-nine Cents (\$91,758.69), received on October 3, 1935, from the State of Indiana as revenue under the Gasoline Tax, be and the same is hereby appropriated, allocated and distributed to the following departments of the City of Indianapolis in the amounts specified, in accordance with the provisions of Section 4A of General Ordinance No. 56, 1934:

Board of Public Works	21.95%	.....	\$20,141 03
City Civil Engineer	4.81%	.....	4,413.59
Street Commissioner	62.87%	.....	57,688.69
Park Department	10.37%	.....	9,515.38

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 Works.

By the City Controller:

#### APPROPRIATION ORDINANCE NO. 30, 1935

AN ORDINANCE appropriating and transferring to Fund 21 in the Office of the Mayor the sum of Seventy-five Dollars (\$75.00) out of the unappropriated and unexpended balance in 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 and transferred to Fund 21—Communication and Transportation, in the Office of the Mayor, the sum of Seventy-five Dollars (\$75.00) out of the unappropriated and unexpended balance in 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. 83, 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 there be and there is hereby set up and established in the Department of Public Safety, Office Administration, Fund 12—Salaries and Wages, Temporary, and that there be and there is hereby transferred thereto the sum of Four Hundred Fifty Dollars (\$450.00) out of Fund 11—Salaries and Wages, Regular, in Department of Public Safety, Office Administration.

Section 2. That the sum of Three Hundred Sixty-seven Dollars (\$367.00), now in Department of Public Safety, Office Administration Fund 11—Salaries and Wages, Regular—be and the same is hereby transferred therefrom, reappropriated and reallocated to the following funds in said Department of Public Safety in the amounts specified:

- To Office Administration Fund 24—Printing and Advertising .....\$ 15.00
- To Dog Pound Fund 21—Communication and Transportation ..... 2.00
- To Dog Pound Fund 33—Garage and Motor.. 100.00
- To Dog Pound Fund 34—Institutional and Medical ..... 225.00
- To Dog Pound Fund 45—Repair Parts..... 25.00

Section 3. That the following transfer of funds be and the same is hereby made in the budget of the Fire Department of the Department of Public Safety, to-wit: Fifteen Hundred Dollars (\$1500.00) from Fund 11—Salaries and Wages, Regular, Privates First Grade—to Fund 25—Repairs.

Section 4. That the following transfer of funds be made in the Sanitation District, to-wit:

That the sum of Three Thousand Six Hundred Dollars (\$3,600) now in Collection Department Fund 11—Salaries and Wages, Regular—and the sum of Three Thousand Four Hundred Fifty Dollars (\$3,450), now in Sewage Disposal Fund 32—Fuel and Ice—be and the same are now transferred therefrom in the total sum of Seven Thousand and Fifty Dollars (\$7,050), reappropriated and reallocated as follows:

To Collection Department Fund 12—Salaries and Wages, Temporary.....	\$5,500.00
To Collection Department Fund 53—Awards and Indemnities.....	350.00
To Garbage Reduction Fund 25—Repairs .....	200.00
To Sewage Disposal Fund 12—Salaries and Wages, Temporary .....	1,000.00

Section 5. That the sum of One Hundred Dollars (\$100.00) now in Municipal Airport Fund 11—Salaries and Wages, Regular—be and the same is hereby transferred therefrom and reappropriated to Municipal Airport Fund 12—Salaries and Wages, Temporary.

Section 6. That the following transfer of funds be made in the City Controller's budget, to-wit:

That the sum of Fifteen Dollars (\$15.00) now in Fund 53—Refunds, Awards and Indemnities—be and the same is hereby transferred therefrom to Fund 54—Rents; and the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250) be and the same is hereby transferred from Fund 61-2—Interest on Temporary Loans—to Fund 61-1—Interest.

Section 7. 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 the Board of Safety:

GENERAL ORDINANCE NO. 84, 1935

AN ORDINANCE establishing certain passenger 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 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 places hereinafter set out, and the Board of Public Safety having caused investigation to be made thereof and having recommended the establishment, pursuant to the terms of the aforesaid ordinances, the following passenger and/or loading zones be and the same are hereby established in the City of Indianapolis, to-wit:

18 feet in front of the Winter Apartments at  
1321 North Meridian Street;

18 feet in front of No. 30 Monument Circle,  
said premises being occupied by the Griffin Shop.

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 the City Plan Commission:

GENERAL ORDINANCE NO. 85, 1935

AN ORDINANCE amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, 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 U4 or first industrial district, the A4 or 1200 square feet area district, and the H2, or 80 feet height district, be and the same are hereby amended, supplemented and changed so as to include the following described territory:

Beginning at the intersection of the northwest property line of Brookside Avenue with the southwest property line of Newman Street, thence northwestwardly on the southwest property line of Newman Street to the southeast property line of Massachusetts Avenue; thence southwestwardly on the southeast property line of Massachusetts Avenue to the north property line of 10th Street; thence eastwardly on the north property line of 10th Street to the northwest property line of Brookside Avenue; thence northeastwardly on the northwest property line of Brookside Avenue to 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 Law and Judiciary.

By Mayor Kern:

## GENERAL ORDINANCE NO. 86, 1935

AN ORDINANCE authorizing the State Highway Commission of Indiana to improve certain projects in the City of Indianapolis, with Federal Funds, and authorizing the Mayor of said City to enter into an Agreement binding said City to maintain such improvements, providing for the future maintenance of said improvements and for the enactment of ordinances for protection of said improvements and the regulation of traffic thereon and matters connected therewith.

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

Section 1. That the consent of the City of Indianapolis is hereby given to the State Highway Commission of Indiana to improve with Federal funds, apportioned to the State of Indiana under the Emergency Relief Appropriation Act of 1935 the following projects in said city, to-wit:

1. For the improvement of Southeastern Avenue from English Avenue to the south corporation line constituting a part of Federal aid highway route, No. 28, through said city and being designated as Project No. W. P. M. H. 45.

Section 2. Said city hereby forever pledges itself and its funds, after the construction of said improvements, at its own cost and expense, to maintain the same in good condition and repair and in a manner satisfactory to said State Highway Commission and/or said Secretary of Agriculture, or their authorized representatives, and said city will make ample provision each year for such maintenance of said improvements.

Section 3. The Mayor of said city is hereby authorized and empowered on behalf of said city to enter into such agreement or agreements, in duplicate, as may be required by the State Highway Commission and/or said Secretary of Agriculture to maintain said several projects set out in Section 1 of this ordinance, or such of them as said Secretary of Agriculture shall finally approve, and said city does hereby ratify and confirm each act of said Mayor done and performed under the authority hereof. Said agreement so to be executed by said Mayor of said city shall be in the form

prescribed by the State Highway Commission and the Secretary of Agriculture.

Section 4. When said agreement or agreements are so executed on behalf of said city, said Mayor on behalf of said city is hereby authorized and empowered to deliver said agreements in duplicate with a certified copy of this ordinance to said State Highway Commission for its use and the use of the Secretary of Agriculture.

Section 5. Said city during the course of the construction of said projects, at its own expense agrees to furnish and maintain such detours as may be necessary to detour traffic in said city around said construction; such detours to be approved by the State Highway Commission of Indiana.

Section 6. Said city agrees, at its own expense, to obtain additional right of way in said city (if any required) that may be necessary to construct such project or projects and to take such steps as may be necessary to compel any railroad, street railroad or public utility occupying such street or streets to put its tracks, poles, lines or other property in such street or streets in condition that such construction may be made. Said city, at its own expense and costs agrees to perform whatever work may be required to repair or reconstruct any sanitary sewers that may be necessitated by said improvement. As soon as plans for said project are prepared and approved by the proper Federal authorities, a copy thereof shall be submitted to said city for its consideration. If after such plans are received by said city, it shall elect not to further proceed with such project or projects, said City shall immediately notify the State Highway Commission of its election.

Section 7. Said city agrees whenever called upon by said State Highway Commission of Indiana, to enact and enforce an ordinance of said city, containing the following provisions:

1. Making it unlawful to erect or construct signal light standards or other obstructions in the portion or portions of streets improved under the authority herein contained.
2. Limiting the parking on said street or streets to one side of such street or streets where the same is less than thirty-six (36) feet in width from curb to curb.

3. Forbidding diagonal parking on said street or streets where the same is less than forty (40) feet in width from curb to curb.
4. Forbidding the maintenance of said street or streets of "stop and go" signals unless approved by the State Highway Commission of Indiana, and then only of such design as may be approved by such Commission.
5. Providing for the establishment and maintenance of "stop and go" signals in said street or streets when required by said State Highway Commission.
6. Forbidding the cutting into or disturbing the pavement of said street or streets without the consent of said city, and then only under its inspection and proper regulation.
7. Forbidding the building of fires and the doing of other practices in said street or streets, which would be injurious to the pavement thereof.
8. Forbidding the piling, storage of placing of material or other obstructions in said street or streets.
9. Forbidding the placing or maintenance of gasoline or other pumps in the sidewalks of said street or streets where the same is less than thirty-six (36) feet in width from curb to curb.

Section 8. This ordinance shall be in full force and effect from and after its passage.

Which was read the first time and referred to the Committee on City Welfare:

#### ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 80, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, General Ordinance No. 80, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 80, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for General Ordinance No. 81, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, General Ordinance No. 81, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 81, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for General Ordinance No. 82, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Oren, General Ordinance No. 82, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 82, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 79, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Schumacher, General Ordinance No. 79, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 79, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 56, 1935, for second reading. It was read a second time.

Mr. Carr made a motion to strike General Ordinance No. 56, 1935, from the files. The motion was seconded by Mr. Wallace and passed by a unanimous vote of the Council.

Mr. Carr called for General Ordinance No. 75, 1935, for second reading. It was read a second time.

Mr. Carr made a motion to strike General Ordinance No. 75, 1935, from the files. The motion was seconded by Mr. Wallace and passed by a unanimous vote of the Council.

Mr. Schumacher asked for a suspension of the rules for further consideration and passage of General Ordinance No. 86, 1935. The motion was seconded by Mr. Cable and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

The rules were suspended.

The Council reverted to a previous order of business.

### COMMITTEE REPORT

Indianapolis, Ind., October 21, 1935.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred General Ordinance No. 86, 1935, Authorizing the Mayor to enter into an agreement binding the City to maintain certain projects improved by the State Highway Commission, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

JOHN A. SCHUMACHER, Chairman.  
EDWARD R. KEALING.  
THEODORE CABLE.  
ADOLPH J. FRITZ.  
ROSS H. WALLACE.

### ORDINANCES ON SECOND READING

Mr. Schumacher called for General Ordinance No. 86, 1935, for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Wallace, General Ordinance No. 86, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 86, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr made a motion that Chief Kennedy be commended for the saving effected in the building of the new pumper. The motion was seconded by Mr. Wallace and passed by a unanimous vote of the Council.

On motion of Mr. Schumacher, seconded by Mr. Kealing, the Common Council adjourned at 9:10 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 21st day of October, 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)