

REGULAR MEETING

Monday, January 3, 1938

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, January 3, 1938, at 7:30 p. m., in regular session. Vice-President Silas J. Carr in the chair.

The Clerk called the roll.

President: Silas J. Carr, Vice-President, and seven members, viz: Theodore Cable, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

Absent: Edward B. Raub, President.

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

COMMUNICATIONS FROM THE MAYOR

December 21, 1937

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

Gentlemen:

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

APPROPRIATION ORDINANCE No. 43, 1937

AN ORDINANCE appropriating Fourteen Thousand Dollars (\$14,000) from the anticipated unappropriated and unexpended

1937 balance of the general fund to the Board of Public Works and Sanitation, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 44, 1937

AN ORDINANCE appropriating the sum of Two Hundred Nine Dollars and Forty-one Cents (\$209.41) from the anticipated unappropriated and unexpended 1937 balance of the general fund to the Board of Public Works and Sanitation, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No: 98, 1937

AN ORDINANCE authorizing the acting city controller of the City of Indianapolis to make a temporary loan in the year 1938 in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) in anticipation of taxes of said City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 99, 1937

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) for the use of the Board of Health of said city, in anticipation of and payable out of taxes of said Board of Health actually levied for general Board of Health purposes and in course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 101, 1937

AN ORDINANCE regulating the parking of vehicles upon certain streets of the City of Indianapolis, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 102, 1937  
(As Amended)

AN ORDINANCE Amending Section 9 of General Ordinance 31, 1931, And An Ordinance Amending General Ordinance 96, 1928, And Other Ordinances Amendatory Thereof, Generally Known as "Traffic Code of the City of Indianapolis," and Declaring an Effective Date.

Respectfully,

WALTER C. BOETCHER  
Acting Mayor

COMMUNICATIONS FROM CITY OFFICIALS

January 3, 1938.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 1, 1938, appropriating the proceeds derived from the sale of "City Hospital Bonds of 1938—First Issue," provided for in General Ordinance No. 87, 1937, to the Department of Health and Charities.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,  
Acting City Controller.

December 29, 1937.

Mr. H. Nathan Swaim,  
Acting City Controller,  
City Hall,  
Indianapolis, Indiana.

Dear Sir:

The Board of Health requests that you have an ordinance prepared appropriating to the Department of Health and Charities, the proceeds received from the sale of bonds authorized by General Ordinance No. 87, 1937, said bonds being designated "City of Indianapolis City Hospital Bonds of 1938—First Issue."

The proceeds of these bonds are to be used in the completion of the construction and equipment of the new F-Wing building of the City Hospital, which said building is now in the course of construction and equipment; for paying architect's fees in supervising such completion; for razing certain old buildings; and for improving the ground adjacent to said F-Wing building.

The Board of Health further requests that you present such an ordinance to the Council with a recommendation of its passage.

Respectfully submitted,

/s/ H. G. MORGAN,  
Secretary, Board of Health.

January 3, 1938.

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

Gentlemen:

Attached find copies of General Ordinance No. 1, 1938, amending Section 42 of General Ordinance No. 96, 1928, commonly known as the Traffic Code, to take the place of General Ordinance No. 94, 1937.

The effect of this proposed amendment to said Traffic Code is to require trackless trolleys on the approach of an emergency vehicle, such as ambulances, fire wagons, etc., to stop in the congested district until said emergency vehicles have passed, and to require said trackless trolleys in the territory outside of the congested district to pull over to the side of streets and remain there until said emergency vehicles have passed.

This proposed ordinance will clarify the situation as to what trackless trolleys are to do under the circumstances as set out above.

We respectfully recommend passage of this ordinance.

DEPARTMENT OF LAW,

By John J. Cooper,

Assistant City Attorney.

January 3, 1938.

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

Gentlemen:

I am enclosing herewith twenty (20) copies of Special Ordinance No. 1, 1938, naming a dedicated public way located 416.6 ft. north of Michigan Street and extending 600 ft. east of LaSalle Street, to be known as North Street.

Very truly yours,

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

Mr. Carr announced the appointment of the standing committees as selected by Mr. Raub to be as follows:

1. FINANCE COMMITTEE—Ross H. Wallace, Chairman; Theodore Cable, Silas J. Carr, Adolph J. Fritz, Nannette Dowd.

2. PUBLIC WORKS COMMITTEE—Theodore Cable, Chairman; Ross H. Wallace, Silas J. Carr, William A. Oren, John A. Schumacher.

3. PUBLIC SAFETY COMMITTEE—Silas J. Carr, Chairman; Nannette Dowd, Ross H. Wallace, William A. Oren, John A. Schumacher.

4. PUBLIC HEALTH AND CHARITIES COMMITTEE—Adolph J. Fritz, Chairman; Theodore Cable, Nannette Dowd, William A. Oren, Edward R. Kealing.

5. PUBLIC PARKS COMMITTEE—Nannette Dowd, Chairman; Silas J. Carr, Adolph J. Fritz, William A. Oren, Edward R. Kealing.

6. LAW AND JUDICIARY COMMITTEE—William A. Oren, Chairman; Edward R. Kealing, Ross H. Wallace, Theodore Cable, Adolph J. Fritz.

7. CITY WELFARE COMMITTEE—John A. Schumacher, Chairman; Edward R. Kealing, Theodore Cable, Adolph J. Fritz, Ross H. Wallace.

8. ELECTION COMMITTEE—Edward R. Kealing, Chairman; John A. Schumacher, Silas J. Carr, Ross H. Wallace, Nannette Dowd.

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

The Council reconvened at 8:10 p. m. with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., January 3, 1938.

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 General Ordinance No. 57, 1937, entitled:

Weighing, Sale and Delivery of fuel

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

THEODORE CABLE, Chairman.  
ROSS H. WALLACE.  
SILAS J. CARR.  
WM. A. OREN.  
JOHN A. SCHUMACHER.

Indianapolis, Ind., January 3, 1938.

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. 94, 1937, entitled:

Amending G. O. 96-1928 (trolleys)

beg leave to report that we have had said ordinance under considera-  
tion, 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., January 3, 1938.

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. 103, 1937, entitled:

Regulating parking on Whittier Place

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be stricken from the files.

SILAS J. CARR, Chairman.  
NANNETTE DOWD  
ROSS H. WALLACE.

Indianapolis, Ind., January 3, 1938.

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. 104, 1937, entitled:

Reducing license fee on dogs

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

ROSS H. WALLACE.  
THEODORE CABLE.  
ADOLPH J. FRITZ.

Indianapolis, Ind., January 3, 1938.

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. 105, 1937, entitled:

Smoke abatement

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

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. 1, 1938

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating to the Department of Health and Charities the proceeds derived from the sale of "City Hospital Bonds of 1938—First Issue," provided for in General Ordinance No. 87, 1937, and fixing a time when the same shall take effect.

WHEREAS, the Common Council now finds that an extraordinary emergency exists for the appropriation of additional sums not provided for in existing budgets and levies, and said Common Council has adopted General Ordinance No. 87, 1937, for the purpose of authorizing the issuance and sale of bonds in order to obtain the funds with which to complete the construction and equipment of the new building now in the course of construction and equipment at the Indianapolis City Hospital, which building is known as the F-Wing of said hospital; and

WHEREAS, it is necessary, under the provisions of Chapter 150 of the Acts of 1935, to obtain the approval of the State Board of Tax Commissioners on said additional appropriation;

NOW, THEREFORE,

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

Section 1. The proceeds derived from the sale, or sales, of "City of Indianapolis City Hospital Bonds of 1938—First Issue," authorized by General Ordinance No. 87, 1937, adopted by the Common Council on the 6th day of December, 1937, are hereby appropriated for the use of the Department of Health and Charities in payment of costs of completing the construction and equipment of the new building now in the course of construction and equipment at the Indianapolis City Hospital, which building is known as the F-Wing of said hospital, and to pay architect's fees for supervising the completion of said building and to pay for the razing of certain old buildings and the improvement of the ground adjacent to said F-Wing building. Any amount of the said proceeds of said bonds not required for said purposes, and any premiums received as a part of the sale price of said bonds shall be placed in the sinking fund and applied

on the payment of the maturing bonds of the city. The proceeds of said bonds shall be used for no other purpose whatsoever.

Section 2. Immediately upon the final adoption of this ordinance, the City Clerk and the Acting City Controller shall deliver a certified copy of this ordinance to the Auditor of Marion County, with the request that the same be forwarded to the State Board of Tax Commissioners, as provided for by Chapter 150 of the Acts of 1935.

Section 3. This ordinance shall be in full force and effect immediately upon its passage and signing by the Acting Mayor.

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

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Legal Department:

### GENERAL ORDINANCE No. 1, 1938

AN ORDINANCE amending Section 42 of General Ordinance No. 96, 1928, commonly known as the Traffic Code, and fixing a time when the same shall take effect.

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

Section 1. That Section 42 of General Ordinance No. 96, 1928, commonly known as the Traffic Code, be amended to read as follows:

Section 42. **Operation of Vehicles on Approach of Authorized Emergency Vehicles:** Upon the approach of any authorized EMERGENCY vehicle, or vehicles, giving audible signal by bell, siren or exhaust whistle, the operator of every other vehicle (except operators of trackless trolleys) shall immediately drive the same to a position as near as possible and parallel to the right hand edge or curb of the roadway, clear of any intersection, and shall stop and remain in such position until the authorized EMERGENCY vehicle, or vehicles, shall have passed, unless otherwise directed by a police or fire department of-

ficer; and the operator of every street car shall immediately stop such car clear of any intersection and keep it in such position until the authorized EMERGENCY vehicle, or vehicles, shall have passed, unless otherwise directed by a police or fire department officer; and the operator of every trackless trolley shall immediately stop the same clear of any intersection, in a position parallel to the right-hand edge or curb of the roadway, and in a straight line with that part of the street, roadway or curbline at which such trackless trolley is then customarily being stopped at the nearest regular stopping place for loading or unloading passengers, until the authorized EMERGENCY vehicle, or vehicles, shall have passed, unless otherwise directed by a police or fire department officer; and the operator of any vehicle shall not drive the same into any street intersection if police or fire department or other authorized EMERGENCY vehicle, or vehicles, are approaching such street intersection within a distance of three hundred (300) feet thereof.

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:

SPECIAL ORDINANCE No. 1, 1938

AN ORDINANCE naming a certain public way in the City of Indianapolis and fixing a time when same shall take effect.

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

Section 1. That a 50 ft. width of dedicated public way, being 416.6 ft. north of Michigan Street and extending 600 ft. east of LaSalle Street, be and is hereby named and designated and shall hereafter be known as North Street.

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.

### ORDINANCES ON SECOND READING

Mr. Cable called for General Ordinance No. 57, 1937, for second reading. It was read a second time.

Mr. Cable made a motion to strike General Ordinance No. 57, 1937, from the files. The motion was seconded by Mr. Wallace and passed by the viva voce vote of the Council.

Mr. Wallace called for General Ordinance No. 94, 1937, for second reading. It was read a second time.

Mr. Wallace made a motion to strike General Ordinance No. 94, 1937, from the files. The motion was seconded by Mrs. Dowd and passed by the viva voce vote of the Council.

Mr. Wallace called for General Ordinance No. 103, 1937, for second reading. It was read a second time.

Mr. Wallace made a motion for the adoption of the majority report on General Ordinance No. 103, 1937, which was seconded by Mr. Cable, but failed of passage as shown by the following roll call vote:

Ayes, 4, viz: Mr. Cable, Mrs. Dowd, Mr. Wallace, Vice-President Carr.

Noes, 4, viz: Mr. Fritz, Mr. Oren, Mr. Kealing, Mr. Schumacher.

Mr. Oren called for General Ordinance No. 104, 1937, for second reading. It was read a second time.

Mr. Oren made a motion to substitute the minority report for the majority report. It was seconded by Mr. Schumacher but failed of passage as shown by the following roll call vote:

Ayes, 3, viz: Mr. Kealing, Mr. Oren, Mr. Schumacher.

Noes, 5, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Wallace, Vice-President Carr.

Mr. Wallace made a motion to strike General Ordinance No. 104, 1937, from the files. It was seconded by Mr. Cable and passed by the following roll call vote:

Ayes, 5, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Wallace, Vice-President Carr.

Noes, 3, viz: Mr. Kealing, Mr. Oren, Mr. Schumacher.

Mr. Fritz called for General Ordinance No. 105, 1937, for second reading. It was read a second time.

Mr. Fritz made a motion to strike General Ordinance No. 105, 1937, from the files. It was seconded by Mr. Wallace and passed by the viva voce vote of the Council.

#### MISCELLANEOUS BUSINESS

Mr. Carr called for nominations for a member of the Council to serve on the City Plan Commission for the year 1938.

Mr. Wallace placed in nomination the name of Mr. William A. Oren. The motion was seconded by Mr. Schumacher. Mr. Cable asked that the election of Mr. Oren be by the unanimous consent of the Council, which was granted.

On motion of Mr. Schumacher, seconded by Mr. Oren, the Common Council adjourned at 8:20 p. m.

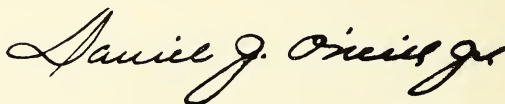
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 3rd day of January, 1938, at 7:30 p. m.

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)