

REGULAR MEETING

Monday, April 18, 1938
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 18, 1938, 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.

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

April 6, 1938.

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 the Honorable Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

GENERAL ORDINANCE No. 24, 1938

AN ORDINANCE approving a certain agreement and permit granting Grady Bros. the right to lay and maintain a sidetrack or switch from point on C. C. C. & St. L. Railway tracks over and across 27th Street, according to blue print attached, in the City of Indianapolis, Indiana.

GENERAL ORDINANCE No. 25, 1938

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said city, designated "City of Indianapolis Relief Sewer Bonds of 1938—First Issue," including all matters pertaining thereto, appropriating the funds and proceeds therefrom, and fixing an effective date.

GENERAL ORDINANCE NO. 27, 1938

AN ORDINANCE establishing a 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.

GENERAL ORDINANCE NO. 28, 1938

AN ORDINANCE prohibiting parking on a certain street in the City of Indianapolis, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 36, 1938

AN ORDINANCE regulating the sale of chickens, animals, etc.

Respectfully,

WALTER C. BOETCHER,
Acting Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

April 18, 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. 4, 1938, appropriating certain sums of money from the unappropriated and unexpended 1937 balance of the general fund of the Department of Public Parks, such certain sums being in the total amount of Fourteen Thousand Five Hundred Fifty Dollars (\$14,550.00), and

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allocating such certain sums to various funds of said Department of Public Parks.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,
Acting City Controller

April 14, 1938.

Mr. H. Nathan Swaim,
City Controller.

Dear Sir:

The Board of Park Commissioners respectfully requests that you cause to be prepared an ordinance appropriating the following sums, out of the unappropriated and unexpended balances in the Park General Fund and present the same to the Common Council at its next meeting with the recommendation of the Park Board that the same be passed.

\$12,500.00 out of the land fund of the Department of Public Parks, which land fund is carried as a part of the general fund of said department, into our fund No. 731, Land, to be used for the acquisition of the Cooper property which forms a part of the Flood Prevention program;

\$1,200.00 out of the Park General Fund into our fund No. 711, Improvements-Buildings, for use in erecting at 29th and Harding the first unit of our building program to move the Brookside Shops to this location. The \$1,200.00 building is to be used to store recreation and park property, eliminating the fire hazard to this property now existing in the frame buildings at Brookside;

\$850.00 out of the Park General Fund into our fund No. 253, Repairs—Bridge Maintenance, to pay the Park Board's share of the cost of the repairs made late in 1937 to the Ringgold Street bridge by the Indianapolis Union Railways. The actual bill for this being \$837.49.

Very respectfully yours,

/s/ LOUISE RICH,
Auditor.

12,500.00
1,200.00
850.00

14,550.00

April 18, 1938.

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

Gentlemen:

Attached hereto are copies of Special Ordinance No. 4, 1938, authorizing the sale and conveyance of certain land in the City of Indianapolis.

This ordinance provides for the sale of a tract of land twenty (20) feet wide and approximately three hundred forty-three (343) feet long, located on the east bank of White River immediately south of the Pennsylvania Railroad Company bridge over said river, which land is no longer needed by the city.

The Board of Flood Control Commissioners respectfully requests the passage of said ordinance.

Very truly yours,

BOARD OF FLOOD CONTROL COMMISSIONERS,
H. B. STEEG,
President.

April 18, 1938.

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

Gentlemen:

Attached please find copy of General Ordinance No. 37, 1938, authorizing the Board of Works and Sanitation of the City of Indianapolis to purchase road oil, used and to be used on the streets and thoroughfares of Indianapolis for laying down dust, and fixing the time when the same shall take effect.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE

A. H. LOSCHE
Purchasing Agent

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April 18, 1938.

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

Gentlemen:

We are submitting herewith General Ordinance No. 38, 1938, eliminating from General Ordinance No. 96, 1928, line 56 of Section 30 of Article 6 prohibiting parking in a certain location, which line reads as follows: "Tenth Street on the north side from Capitol Avenue to the first alley west of Capitol Avenue."

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo. H. Dammeyer,
President.

April 18, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 39, 1938, for the ratification of a contract entered into by and between the City of Indianapolis and the Town of Crows Nest for fire protection for the years 1938 and 1939. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo. H. Dammeyer,
President.

April 18, 1938.

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

Gentlemen:

We are submitting herewith General Ordinance No. 40, 1938, prohibiting west bound traffic on Market Street from making a

"U" turn at the intersection with Capitol Avenue, and respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo. H. Dammeyer,
President.

April 18, 1938.

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

Gentlemen:

Submitted herewith is General Ordinance No. 41, 1938, establishing an 18-foot "loading zone" at 1118 North Illinois Street for the Progress Laundry Company, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo. H. Dammeyer,
President.

April 14, 1938.

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

Gentlemen:

Attached hereto are twenty (20) copies of Special Ordinance No. 5, 1938, changing the names of certain streets in the City of Indianapolis.

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

Very truly yours,

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

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

The Council reconvened at 8:00 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., April 18, 1938.

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. 3, 1938, entitled:

Allocating money received from the State of Indiana
under the Gasoline Tax

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., April 18, 1938.

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. 30, 1938, entitled:

Airport bonds—testing station

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., April 18, 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. 32, 1938, entitled:

Prohibiting parking—Davidson Street

beg leave to report that we have had said ordinance under con-
sideration, and recommend that the same be passed as amended.

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

Indianapolis, Ind., April 18, 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. 33, 1938, entitled:

Amending traffic code

beg leave to report that we have had said ordinance under con-
sideration, and recommend that the same be passed.

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

Indianapolis, Ind., April 18, 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. 34, 1938, entitled:

Transfer of taxicab licenses (110-111)

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., April 18, 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. 35, 1938, entitled:

Switch contract—Richland and Market Sts.

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

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

Indianapolis, Ind., April 18, 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 Special Ordinance No. 3, 1938, entitled:

Authorizing sale of triangle—Prospect and Madison Sts.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

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

Indianapolis, Ind., April 18, 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. 22, 1938, entitled:

Authorizing purchase of road grader

beg leave to report that we have had said ordinance under con-
sideration, and recommend that the same be passed as amended.

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

Indianapolis, Ind., April 18, 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. 26, 1938, entitled:

Authorizing purchase of sand and cement

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

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

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 4, 1938

AN ORDINANCE appropriating certain sums of money from the
unappropriated and unexpended 1937 balance of the general

fund of the Department of Public Parks, such certain sums being in a total amount of Fourteen Thousand Five Hundred Fifty Dollars (\$14,550.00), and allocating such certain sums to certain designated funds of said department for the use of said department for certain purposes, and fixing a time when the same shall take effect.

WHEREAS, an extraordinary emergency now exists in the Department of Public Parks for additional funds than those provided for in the 1938 budget of said department, in order for said department to accomplish the following: (1) to purchase twenty (20) acres of land now available at an extremely low figure, a portion of which is to be used in a flood prevention program to be carried on in co-operation with the Board of Flood Control Commissioners; (2) to eliminate a fire hazard now existing to recreation and park property stored in the frame buildings at Brookside Park, by erecting a new storehouse at 29th and Harding Streets; (3) to pay the Park Board's share of the cost of repairs made late in 1937 to the Ringgold Street Bridge by the Indianapolis Union Railways;

NOW, THEREFORE,

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

Section 1. Paragraph I. There is hereby appropriated the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00) from the unappropriated and unexpended 1937 balance of the land fund of the Department of Public Parks, which land fund is carried as a part of the general fund of said department, to the following designated fund of said department and for the following purposes:

Fund No. 731—Land...\$12,500.00; to be expended in the purchase of twenty acres of land now owned by the Cooper heirs (\$12,000.00) and in payment of costs and expenses attached thereto, including taxes, appraisers' fees and publication expenses (\$500.00).

Paragraph II. The provisions of Paragraph I of this Section 1 with reference to the appropriations therein made, shall be made from the unexpended and unappropriated 1937 balance of the general fund of said above named department, inasmuch as the land fund is carried as a part thereof.

Section 2. There is hereby appropriated the sum of One Thousand Two Hundred Dollars (\$1,200.00) from the unexpended and unappropriated 1937 balance of the general fund of the Depart-

ment of Public Parks to the following designated fund of said department, for the following designated purposes:

Fund 711—Improvements—Buildings...\$1200.00; to be expended in erection and construction of a storehouse at 29th and Harding Streets, to be used to store recreation and park property.

Section 3. There is hereby appropriated the sum of Eight Hundred Fifty Dollars (\$850.00) from the unexpended and unappropriated 1937 balance of the general fund of the Department of Public Parks to the following designated fund of said department for the following purpose:

Fund No. 253—Repairs—Bridge Maintenance...\$850.00; to be used in paying the Park Board's share of the cost of the repairs made late in 1937 to the Ringgold Street Bridge by the Indianapolis Union Railways.

Section 4. 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.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Purchasing Department:

GENERAL ORDINANCE No. 37, 1938

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase certain materials and supplies to be paid for out of the Gasoline Tax funds heretofore appropriated, 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 and Sanitation of the City of Indianapolis, through its duly authorized purchasing agent, be and it is hereby authorized to purchase the necessary road oil for the street commissioner's department, used and to be used on streets and thoroughfares in the City of Indianapolis, the said materials and supplies to be purchased from the lowest and best bidder, or bidders, whose bids have heretofore been received and

opened in public by said board after advertisement therefor, and the total cost of such materials and supplies shall not exceed the sum of Eleven Thousand Dollars (\$11,000.00), to be paid out of the Gasoline Tax funds heretofore appropriated for use by said board.

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 Works.

By the Board of Public Safety:

GENERAL ORDINANCE No. 38, 1938

AN ORDINANCE amending Section 30 of General Ordinance No. 96, 1928, by striking out subdivision 56 of subsection (b) of said Section 30, thereby eliminating a certain street, herein designated in this ordinance, from the provisions of said subsection (b), which prohibits parking at all times, 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 30 of General Ordinance No. 96, 1928, be amended by striking from subsection (b) thereof the following subdivision of said subsection:

“(56) Tenth Street on the north side from Capitol Avenue to the first alley west of Capitol Avenue.”

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 the Board of Public Safety:

GENERAL ORDINANCE No. 39, 1938

AN ORDINANCE approving a certain contract heretofore entered into by the Board of Public Safety, acting for the City of Indianapolis, with the Town of Crows Nest, of Marion County, Indiana, 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 action of the Board of Public Safety on the 5th day of April, 1938, in executing, on behalf of the City of Indianapolis, a written contract between the City of Indianapolis and the Town of Crows Nest of Marion County, State of Indiana, in which the City of Indianapolis agrees to furnish such of its fire apparatus and fire fighting service to said Town of Crows Nest as may be reasonably available for said town, and in which said contract said city agrees to furnish said fire apparatus and fire service for a period of two (2) years from the first day of January, 1938, to the 31st day of December, 1939, for and in consideration of Five Hundred Dollars (\$500.00) to be paid to the City of Indianapolis for each of the years 1938 and 1939, a sum of Two Hundred Fifty Dollars (\$250.00) to be paid semi-annually, on July 1st and December 31st of each year, which said written contract has been approved by the Mayor and is now on file in the offices of the Board of Public Safety, is hereby ratified, approved and confirmed.

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

C O N T R A C T
between
CITY OF INDIANAPOLIS
and
TOWN OF CROWS NEST

THIS AGREEMENT, made and entered into as of the 12th day of March, 1938, by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Safety, with the approval of its mayor, party of the first part, and the Town of Crows Nest, Marion County, Indiana, by and through its Board of Trustees of the Town of Crows Nest, WITNESSETH THAT

WHEREAS, the party of the first part has and maintains a fire department for fire protection of the person and property of the citizens of said City of Indianapolis, and is desirous of contracting with the party of the second part for the use of the services of said fire department of said party of the first part for fire protection of the property of the citizens of said second party, and

WHEREAS, second party is desirous of contracting with the first party for the use of the facilities of the fire department belonging to said first party for the purposes aforesaid, said use to be in the nature of said fire department of the first party furnishing such of its apparatus and fire fighting service as may be reasonably available without endangering its service to be rendered to the people of the City of Indianapolis.

NOW THEREFORE, in consideration of the premises and mutual benefits of the parties hereto, IT IS AGREED AS FOLLOWS:

The party of the first part hereby agrees to furnish such of its fire apparatus and fire fighting service as may be reasonably available for the territory and purposes hereinbefore stated without endangering or crippling its service to be rendered to the people of the City of Indianapolis, and said second party agrees to pay to party of the first part for said fire protection the sum of Five Hundred (\$500.00) Dollars per year for the years 1938 and 1939 as follows: Two Hundred Fifty (\$250.00) Dollars to be paid semi-annually July 1st and December 31st of each year.

It is agreed and understood by and between the parties hereto that this contract shall be in full force and effect for a period of two years, beginning with the first day of January, 1938, and ending with the thirty-first day of December, 1939.

It is further agreed and understood by the parties hereto that no liability attaches or will attach to the party of the first part on account of the nature of the work and services performed by first party's said fire department for second party, and that said party of the first part will not be liable in damages, either to person or property, to the party of the second part or any of its citizens, or any other person, firm or corporation on account of any act or omission arising out of the performance of the services herein contracted for.

It is further agreed and understood that the party of the second part shall furnish its own water supply at its own expense.

This contract shall be of no force and effect unless its execution is authorized by an ordinance by the Common Council of the City of Indianapolis and approved by its mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 5th day of April, 1938.

CITY OF INDIANAPOLIS,
By Theo. H. Dammeyer, Pres.,
James P. Scott,
E. I. Fillean,
Its Board of Public Safety,
Party of the First Part.

Approved:

Walter C. Boetcher,
Mayor, City of Indianapolis.

TOWN OF CROWS NEST,
By Chas. J. Lynn, President,
J. A. Goodman, Town Clerk-Treasurer,
Party of the Second Part.

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 40, 1938

AN ORDINANCE prohibiting operators of vehicles from turning the same completely around at certain street intersections when such vehicles are being operated westwardly on Market Street, 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. It shall be unlawful for the operator of any vehicle being operated westwardly on Market Street to turn the same completely around so as to proceed in the opposite direction at any of the following street intersections:

(a) Market Street and Capitol Avenue.

Section 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding three hundred dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

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.

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 41, 1938

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 a certain public street 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 a passenger and/or loading zone at the place 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 zone be and the same is hereby established in the City of Indianapolis, to-wit:

An 18-foot zone in front of 1118 North Illinois Street, said premises being occupied by the Progress Laundry.

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 Safety.

By the Board of Flood Control Commissioners:

SPECIAL ORDINANCE No. 4, 1938

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land in the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the Board of Flood Control Commissioners of the City of Indianapolis has determined that certain land hereinafter described, is no longer necessary for the public use and that it would be to the best interests of said City of Indianapolis to dispose of said land by sale;

NOW, THEREFORE,

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

Section 1. That the Board of Flood Control Commissioners of the City of Indianapolis is hereby authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value thereof, which value is to be hereafter determined by appraisers appointed by the judge of the Circuit Court of Marion County, Indiana, as required by law, the following real estate belonging to the City of Indianapolis and situated in the City of Indianapolis, Marion County, Indiana, to-wit:

Part of Outlot No. 135 of the Donation Lands of the City of Indianapolis, being a twenty (20') foot strip of land between the Condemnation Line and Line "G" as described in Declaratory Resolution No. 11614, adopted March 14th, 1924, by the Board of Public Works of the City of Indianapolis, and between the north property line of a tract of land transferred to Mortimer Schussler by the Crescent Packing Company, recorded in Town Lot Record 731, page 175, in the Office of the Recorder of Marion County, Indiana, and a line fifty (50') feet south of and parallel to the center line of the old main track, St. Louis Division, P. C. C. C. & St. L. Railroad, more particularly described as follows:

Measure westwardly along the south line of said Outlot 135, seven hundred seventy-three and fifty-three hundredths (773.53') feet from the southeast corner of Outlot No. 135; thence northwardly, deflecting ninety-seven (97) degrees and thirty-four (34) minutes to the right three hundred three and eighty-nine hundredths (303.89') feet to the point of beginning; thence northwardly along the last described line produced northwardly eight and thirty-six hundredths (8.36') feet; thence northwardly along a curve to the left, said curve having a radius of three thousand six hundred one and ten hundredths (3,601.10') feet, a distance of three hundred forty-three and thirty-four hundredths (343.34') feet to a point in a

line fifty (50') feet south of and parallel to the center line of the old main track of the P. C. C. & St. L. Railroad; thence westwardly parallel to and fifty (50') feet distant from the said center line of the old main track twenty and one hundredth (20.01') feet to a point; thence southwardly along a curve to the left, said curve having a radius of three thousand five hundred eighty-one and ten hundredths (3,581.10') feet and lying west of and twenty (20') feet distant from the first described curve, a distance of three hundred forty and eighty-seven hundredths (340.87') feet to a point; thence continuing southwardly along the tangent to the curve eleven and two hundredths (11.02') feet to a point; thence eastwardly deflecting ninety-seven (97) degrees and thirty-four (34) minutes to the left, twenty and eighteen hundredths (20.18') feet to the place of beginning, containing naught and sixteen hundredths (0.16) acres, more or less.

That said real estate shall be sold at public or private sale, upon such notice, or notices, as the Board of Flood Control Commissioners may determine. The conveyance of the above described real estate shall be by the Mayor in the name of the City of Indianapolis, and attested by the City Clerk and with the seal of the city.

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 Works.

By the City Plan Commission:

SPECIAL ORDINANCE No. 5, 1938

AN ORDINANCE changing the names of certain streets 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 the name of McPhearson Street is hereby changed to and shall be known and designated as Winthrop Avenue from Twenty-eighth Street to Sutherland Avenue.

Section 2. That the name of Ellenberger Avenue is hereby changed to and shall be known and designated as Saint Clair Street from Emerson Avenue to its east terminus.

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.

ORDINANCES UPON SECOND READING

Mr. Wallace called for General Ordinance No. 30, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, General Ordinance No. 30, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 30, 1938, 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 Appropriation Ordinance No. 3, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Kealing, Appropriation Ordinance No. 3, 1938, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 3, 1938, 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. Cable called for General Ordinance No. 22, 1938, for second reading. It was read a second time.

Mr. Cable presented the following written motion to amend General Ordinance No. 22, 1938:

Indianapolis, Ind., April 18, 1938.

Mr. President:

I move that General Ordinance No. 22, 1938, be amended as follows:

By striking out the words and figures "Thirty-four Hundred Dollars (\$3400.00)" in lines 2 and 3 of Section 3 and substituting in lieu thereof the following: "Two Thousand Nine Hundred Ninety-two Dollars and Sixty cents (\$2992.60)."

THEODORE CABLE

The motion was seconded by Mr. Wallace 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.

On motion of Mr. Cable, seconded by Mr. Wallace, General Ordinance No. 22, 1938, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22, 1938, as amended, 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. Schumacher, Mr. Wallace, President Raub.

Noes, 1, viz: Mr. Oren.

Mr. Cable called for General Ordinance No. 26, 1938, for second reading. It was read a second time.

Mr. Cable made a motion to strike General Ordinance No. 26, 1938, from the files. The motion was seconded by Mr. Carr 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. Cable called for General Ordinance No. 35, 1938, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Carr, General Ordinance No. 35, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 35, 1938, 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. Cable called for Special Ordinance No. 3, 1938, for second reading. It was read a second time.

Mr. Cable presented the following written motion to amend Special Ordinance No. 3, 1938:

Indianapolis, April 18, 1938.

Mr. President:

I move that Section 1 of Special Ordinance No. 3, 1938, be amended to read as follows:

Section 1. That the Board of Public Works and Sanitation is hereby authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value thereof, which value is to be hereafter determined by appraisers appointed by the judge of the Circuit Court of Marion County, Indiana, as required by law, the following real estate, belonging to the City of Indianapolis and situated in the City of Indianapolis, Marion County, Indiana, to-wit:

A parcel of land being part of Lots 13 and 14 in Frank & Ryan's Subdivision, as recorded in Plat Book 4, at page 169, in the Office of the Recorder of Marion County, Indiana, being more particularly described as follows:

Beginning at a point, said point being on the south line of Prospect Street, ninety-two (92') feet east of the intersection of the south property line of Prospect Street and the east property line of Madison Avenue; thence south on and along a line measured at right angles to the last described line, a distance of fifty-seven and eighteen hundredths (57.18') feet more or less to a point on the south line of Lot No. 13 in the aforescribed Subdivision, said point being sixty-two and fifty-six hundredths (62.56') feet more or less west of the southeast corner of the aforescribed Lot No. 13; thence east on and along the south line of the aforescribed Lot No. 13, a distance of twenty-six and fifty-six hundredths (26.56') feet more or less to a point, said point being thirty-six (36') feet west of the southeast corner of the aforescribed Lot No. 13; thence northwestwardly a distance of sixty-two and eight hundredths (62.08') feet more or less to the point or place of beginning.

That said real estate shall be sold at public or private sale, upon such notice, or notices, as the Board of Public Works and Sanitation may determine. The conveyance of the above described real estate shall be by the Mayor in the name of the City of Indianapolis, and attested by the City Clerk and with the seal of the city.

THEODORE CABLE, Councilman

The motion was seconded by Mrs. Dowd 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.

On motion of Mr. Cable, seconded by Mrs. Dowd, Special Ordinance No. 3, 1938, as amended, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 3, 1938, as amended, 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. 32, 1938, for second reading. It was read a second time.

Mr. Carr presented the following written motion to amend General Ordinance No. 32, 1938:

Indianapolis, April 18, 1938.

Mr. President:

I move that Section 1 of General Ordinance No. 32, 1938, be amended to read as follows:

Section 1. It shall be unlawful for the operator of any vehicle to park the same, or suffer, permit or allow the same to be parked on the east side of North Davidson Street from Washington Street to Market Street, and on the west side of North Davidson Street, starting at the south curb line of East Market Street and extending south one hundred seventy-nine (179) feet.

SILAS J. CARR, Councilman

The motion was seconded by Mr. Wallace 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.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 32, 1938, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 32, 1938, as amended, 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. 35, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mrs. Dowd, General Ordinance No. 33, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 33, 1938, 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. 34, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 34, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 34, 1938, 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.

The following ordinances were held for further consideration at the request of the chairmen of the committees to whom they were referred: General Ordinance No. 106, 1937, Resolution No. 4, 1937, General Ordinances No. 16, 19, 29, 31, 1938.

On motion of Mr. Oren, seconded by Mrs. Dowd, the Common Council adjourned at 8:15 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 18th day of April, 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.

Edward R. Raut

President.

Attest:

Samuel J. Orvis Jr.

City Clerk.

(SEAL)