

REGULAR MEETING

Monday, April 17, 1939,
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 17, 1939, at 7:30 P. M., in regular session. President Joseph G. Wood in the chair.

The Clerk called the roll.

Present: Ollie A. Bach, Harmon A. Campbell, Albert O. Deluse, Dr. Walter E. Hemphill, Ralph F. Moore, Ernest C. Ropkey, Guy O. Ross, President Wood.

Absent: F. B. Ransom.

The reading of the Journal for the previous meeting was dispensed with on motion of Ollie Bach, seconded by Doctor Hemphill.

COMMUNICATIONS FROM THE MAYOR

April 6, 1939

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. John M. Layton, City Clerk, the following ordinances and resolution:

APPROPRIATION ORDINANCE No. 3, 1939

AN ORDINANCE appropriating Thirty-four Hundred Dollars (\$3400.00) from the unappropriated and unexpended 1938 balance of the Park General Fund of the Department of Public Parks and allocating the same to a certain designated fund of said department, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 4, 1939
As Amended

AN ORDINANCE appropriating certain sums of money from the unappropriated and unexpended 1938 balances of certain funds of certain departments and allocating the same to certain designated departments of the City of Indianapolis in certain specified amounts, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 13, 1939
As Amended

AN ORDINANCE regulating traffic upon certain streets in the City of Indianapolis, particularly prohibiting the use of certain streets for motor vehicles other than passenger cars or motor buses devoted to the carriage of passengers for hire, except for local deliveries, and prohibiting the use of certain other streets for motor vehicle trucks of more than one and one-half (1½) tons capacity, except for local deliveries, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 16, 1939

AN ORDINANCE prohibiting the parking of vehicles on a certain street 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. 17, 1939

AN ORDINANCE amending Section 45 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 9, 1929, General Ordinance No. 55, 1935, and General Ordinance No. 47, 1938, by adding thereto an additional sub-section (e), and fixing a time when the same shall take effect.

RESOLUTION No. 2, 1939

A RESOLUTION approving, confirming and ratifying a certain permit granted by the Board of Public Works and Sanitation of the City of Indianapolis to Indianapolis Railways, Incorporated, for the use of additional streets and parts of streets for trackless trolley purposes, pursuant to the provisions of the agreement entered into by the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as the same was amended and approved by General Ordinance No. 40, 1936.

Respectfully,

R. H. SULLIVAN,

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

April 17, 1939.

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

Gentlemen:

Attached please find copies of General Ordinance No. 24, 1939, regulating the management and running of engines or trains upon and over the crossing of the Belt Railroad and the Peoria & Eastern Division of the C. C. C. & St. L. Railway Company and the Springfield Division of the Baltimore & Ohio Railroad Company in the City of Indianapolis, Indiana, and providing a penalty for the violation thereof.

I respectfully recommend the passage of this ordinance.

Respectfully submitted,

A. O. DELUSE,
Member of the Common Council.

April 17, 1939.

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

Gentlemen:

Attached please find copies of General Ordinance No. 25, 1939, requiring bonds to be executed by certain employes and assistants of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

April 17, 1939.

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

Gentlemen:

Submitted herewith is General Ordinance No. 26, 1939, limiting parking to one and one-half hours on West Washington Street from the west boundary line of the White River bridge west to White River Boulevard, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By Leroy J. Keach,
President.

April 17, 1939.

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

Gentlemen:

Submitted herewith is Resolution No. 3, 1939, for the adoption of a new schedule of taxicab rates, such schedule of rates having been approved by the Board of Public Safety on April 4, and we respectfully recommend the adoption of resolution.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Leroy J. Keach,

President.

At this time Mr. Deluse asked for a recess. The motion was seconded by Mr. Bach and the Council recessed at 8:00 P. M.

The Council reconvened at 9:25 P. M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., April 17, 1939

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. 18, 1939, entitled:

An Ordinance approving a new schedule of rates to be charged by the Red Cab Co.

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

ALBERT O. DELUSE, Chairman
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., April 17, 1939

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. 19, 1939, entitled:

An Ordinance amending rule 9 of rules governing Common Council

beg leave to report that we have had said ordinance under consideration, and recommend that the same be reported without recommendation.

HARMON A. CAMPBELL, Chairman
OLLIE BACH
GUY O. ROSS
WALTER E. HEMPHILL

Indianapolis, Ind., April 17, 1939

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. 20, 1939, entitled:

An Ordinance prohibiting eastbound traffic on certain streets and alleys

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

ALBERT O. DELUSE, Chairman
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., April 17, 1939

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred
General Ordinance No. 21, 1939, entitled:

An Ordinance prohibiting parking on the south side of
Eleventh street between Central Ave. and Alabama
St.

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

ALBERT O. DELUSE, Chairman
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., April 17, 1939

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. 22, 1939, entitled:

An Ordinance amending Section 22 of General Ordinance
No. 87 of 1935 generally known as the Taxicab
Ordinance

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

ALBERT O. DELUSE, Chairman
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., April 17, 1939

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. 23, 1939, entitled:

An Ordinance prohibiting placing and maintenance of ob-
structions in the proximity of intersections of public
streets and alleys.

beg leave to report that we have had said ordinance under consid-
eration, and recommend that the same be held for further con-
sideration.

ALBERT O. DELUSE, Chairman
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., April 17, 1939

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. 1, 1939, entitled:

An Ordinance changing the name of Shelley St. to Pleas-
ant Run Parkway

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

ERNEST C. ROPKEY
ALBERT O. DELUSE
W. E. HEMPHILL
HARMON A. CAMPBELL

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Deluse:

GENERAL ORDINANCE No. 24, 1939

AN ORDINANCE regulating the management and running of engines or trains upon and over the crossing of the Belt Railroad and the Peoria & Eastern Division of the C. C. C. & St. L. Railway Company and the Springfield Division of the Baltimore & Ohio Railroad Company in the City of Indianapolis, Indiana, and providing a penalty for the violation thereof.

Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the following regulations are hereby established to govern the management and running of engines or trains upon and over the crossing of the tracks of the Belt Railroad (leased by The Indianapolis Union Railway Company) and the tracks of the Peoria & Eastern Division of the C. C. C. & St. L. Railway Company (Big Four) and the tracks of the Springfield Division of the Baltimore & Ohio Railroad Company, which crossing is sometimes referred to as crossing KD and which crossing is located between McCormick and Ohio Streets and between Richland Street and Miley Avenue, in the City of Indianapolis, Indiana, viz:

1. At said crossing there shall be maintained a crossing target with tilting arm, governing all movements over said crossing.
2. When said arm is in a diagonal position, engines or trains moving upon the tracks of The Indianapolis Union Railway Company (Belt Railroad) may proceed upon and over said crossing after first having made a full crossing stop.
3. When said arm is in a horizontal position, engines or trains moving upon the tracks of the C. C. C. & St. L. Railway Company (Big Four) and of the Baltimore & Ohio Railroad Company may proceed upon and over said crossing without stopping, but at a speed not in excess of fifteen (15) miles per hour.
4. Any person (including any railroad company and any locomotive engineer operating an engine) violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than five dollars (\$5) and not more than fifty dollars (\$50).
5. This ordinance shall be in full force and effect from and after its passage and publication according to law.

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

By the City Controller:

GENERAL ORDINANCE No. 25, 1939

AN ORDINANCE requiring bonds to be executed by certain employes and assistants of the City of Indianapolis, 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. In addition to those officers, heads of departments, assistants and employes who are required to execute bonds by the provisions of Section 122 of General Ordinance No. 121, 1925, and subsequent amendments thereof, each of the following assistants and employes of the City of Indianapolis shall execute a bond, payable to the City of Indianapolis, conditioned upon the faithful performance of the duties of his respective office, and for the payment and transfer to the proper persons of all moneys and property received by him as such assistant and employe. Such bonds shall be in the several sums hereinafter stated respectively, as follows:

DEPARTMENT OF PUBLIC SAFETY
POLICE DEPARTMENT

| | |
|--|------------|
| 1—Chief Clerk—Traffic Violation Bureau..... | \$1,000.00 |
| 2—Assistant Clerks—Traffic Violation Bureau, each | 1,000.00 |

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

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 26, 1939

AN ORDINANCE regulating the parking of vehicles upon a certain street of the City of Indianapolis, providing a penalty for the violation thereof, 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 to park, or suffer, permit or allow the same to be parked for a longer period of time than one and one-half (1½) hours between the hours of 7:00 A. M. and 6:00 P. M. on the following named street, to-wit:

On both sides of West Washington Street, beginning at the east bank of White River (said east bank being the west termination of the Central Traffic District) and continuing west on and along Washington Street to a point, said point being at the intersection of the north curb line of Washington Street with the west curb line of White River Parkway, West Drive.

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.

INTRODUCTION OF RESOLUTIONS

By the Board of Public Safety.

RESOLUTION No. 3, 1939

A RESOLUTION approving, confirming and ratifying certain action of the Board of Public Safety of the City of Indianapolis relative to the adoption of a new schedule and tariff of rates for taxicabs.

WHEREAS, heretofore, on the 13th day of March, 1939, a petition was filed with the Board of Public Safety of the City of Indianapolis by the Red Cab, Incorporated, a corporation operating taxicabs on and upon the streets and highways of the City of Indianapolis, wherein said petitioner asked said Board for a change in the rate schedule governing taxicab rates of fare as regulated by Section 21 of General Ordinance No. 87, 1935, as amended on May 18, 1936; and

WHEREAS, thereafter, on the 4th day of April, 1939, being more than ten (10) days subsequent to the filing of said petition, the Board of Public Safety has, subject to approval by the Common Council, approved said proposed new rate schedule;

NOW, THEREFORE,

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

1. That the Common Council of the City of Indianapolis, acting under the provisions of Section 21 of General Ordinance No. 87, 1935, as amended on May 18, 1936, does hereby in all things approve, confirm and ratify the action of the Board of Public Safety in approving and adopting a new schedule and tariff of rates to be charged by all motor vehicles operated as taxicabs within the limits of the City of Indianapolis.

2. That the aforesaid schedule and tariff of rates for taxicabs is in the following words and figures, to-wit:

RATES OF FARE

"For the first mile and one-half or fraction thereof, fifteen cents (15c) and an additional ten cents (10c) for each additional mile or fraction thereof covered in said trip up to a distance of five and one-half (5½) miles, with a maximum charge of fifty-five cents (55c) for any trip within the city limits to a given destination in a certain general direction; for each three minutes waiting time, ten cents (10c); if the charge registered on the meter shall read fifty-five cents (55c) and the driver is requested by the passenger to stop at a certain point and stand at his command, such action by the passenger shall terminate such trip and the driver shall disengage his meter and register a new trip on said meter. The rate by the hour is one dollar and fifty cents (\$1.50)."

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

ORDINANCES ON SECOND READING

Mr. Campbell called for General Ordinance No. 19, 1939, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Dr. Hemphill, General Ordinance No. 19, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 19, 1939, was read a third time by the clerk but failed of passage as shown by the following roll call vote:

Ayes, 3, viz: Mr. Campbell, Mr. Hemphill, Mr. Moore.

Noes, 5, viz: Mr. Bach, Mr. Deluse, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 20, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 20, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 20, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Mr. Hemphill, Mr. Moore, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 21, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Bach, General Ordinance No. 21, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 21, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Ropkey called for Special Ordinance No. 1, 1939, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Bach, Special Ordinance No. 1, 1939, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ropkey, Mr. Ross, President Wood.

General Ordinances Nos. 18, 22 and 23, 1939, were held for further consideration at the request of the committees to whom they were referred.

On motion of Mr. Campbell, seconded by Mr. Bach, the Common Council of the City of Indianapolis adjourned at 9:45 P. M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 17th day of April, 1939, 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.

Joseph G. Wood

Attest:

President.

John M. Layton

City Clerk.

(SEAL)