

REGULAR MEETING

Monday, October 2, 1939,
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 2, 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, F. B. Ransom, Guy O. Ross, President Joseph G. Wood.

ABSENT: Ernest C. Ropkey.

The reading of the journal for the previous meeting was dispensed with on motion of Mr. Bach, seconded by Mr. Deluse.

COMMUNICATIONS FROM THE MAYOR

September 20, 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:

APPROPRIATION ORDINANCE No. 9, 1939 (As amended)

AN ORDINANCE appropriating the sum of Ninety-five Hundred Dollars (\$9500.00) from the unexpended and unappropriated 1938

balance of the Park General Fund of the department of Public Parks, and allocating the same to certain designated funds of said department; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 68, 1939

AN ORDINANCE prohibiting the parking of vehicles upon a certain part of East St. Clair Street, a 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. 69, 1939

AN ORDINANCE transferring moneys from a certain fund in the radio division of the Police Department budget of the Board of Public Safety and reappropriating the same to other funds of said radio division, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE No. 8, 1939

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

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

September 21, 1939.

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

Gentlemen:

In re: G. O. No. 70 and G. O. No. 76.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the

Indianapolis Star and the Indianapolis Commercial, on September 20, 1939, that taxpayers would have a right to be heard on the above ordinances at the regular meeting of the Common Council, to be held on the 2nd day of October, 1939, and by posting a copy of said notices in the City Hall, Court House and Police Station.

Very truly yours,

JOHN M. LAYTON,
City Clerk.

October 2, 1939.

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

Gentlemen:

We are enclosing herewith eighteen copies of General Ordinance No. 79, 1939, amending General Ordinance No. 114, 1922, known as the Zoning Ordinance.

The said amendments were recommended by the City Plan Commission at its regular meeting on September 18, 1939.

Very truly yours,

GEORGE F. ROOKER,
Secretary-Engineer,
City Plan Commission.

October 2, 1939.

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

Gentlemen:

Submitted herewith is General Ordinance No. 80, 1939, amending sub-section 41 of section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-section 47 establishing Rural Street as a preferential street over its intersection with both Roosevelt and Bloyd avenues. We respectfully recommend the passage of this ordinance.

Respectfully submitted,
BOARD OF PUBLIC SAFETY,
By **L. J. Keach,**
President.

October 2, 1939]

October 2, 1939.

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

Gentlemen:

Submitted herewith is General Ordinance No. 81, 1939, prohibiting parking at any time on Merrill Street from Madison Avenue to Pennsylvania Street, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,
President.

October 2, 1939.

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

Gentlemen:

Submitted herewith is General Ordinance No. 82, 1939, for the ratification of a contract entered into by and between the City of Indianapolis, through the Board of Public Safety, and the Town of Woodruff Place for fire and police protection for the years 1940 and 1941, at a yearly rate of \$7000.00.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,
President.

October 2, 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. 83, 1939, transferring moneys from a certain designated fund in the Department of Public Sanitation of the City of Indianapolis to a certain other designated fund in said department, as the same appears in the annual budget of the City of Indianapolis, Indiana, for the fiscal year 1939.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

October 2, 1939.

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

Gentlemen:

Attached hereto are 18 copies of Special Ordinance No. 10, 1939, annexing certain territory to the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Very truly yours,

RALPH F. MOORE,
Member of the Common Council.

September 30, 1939.

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

Gentlemen:

Attached find copies of Special Ordinance No. 11, 1939, annexing certain contiguous territory to the City of Indianapolis.

This territory includes Sarah Shank Golf Course and the land lying adjacent to and north of the north line of said golf course (Southern Avenue) and south of the present corporation line (Walker Avenue).

The purpose of this ordinance is to enable the Park Department to complete the construction of the addition to this golf course with the co-operation of the Works Progress Administration.

The Board of Park Commissioners respectfully recommends the passage of this ordinance.

Very truly yours,

DEPARTMENT OF PUBLIC PARKS,
M. E. Griffin,
Secretary.

At this time those present were given an opportunity to speak on matters pending before the Council.

Mr. Moore asked for a recess. The motion was seconded by Mr. Bach, and the Council recessed at 8:30 P. M.

The Council reconvened at 10:45 P. M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., October 2, 1939.

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. 50, 1939, entitled:

Providing for Certain Licenses

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

F. B. RANSOM
ALBERT O. DELUSE
OLLIE A. BACH
GUY O. ROSS

Indianapolis, Ind., October 2, 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. 60, 1939, entitled:

AN ORDINANCE regulating traffic upon certain streets in the City of Indianapolis, providing a penalty for violation thereof, providing for the issuance of special permits and the payment of fees, repealing certain ordinances.

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM

Indianapolis, Ind., October 2, 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. 70, 1939, entitled:

AN ORDINANCE to amend Section A-221 of General Or-
dinance No. 121, 1925, as amended, by adding thereto
certain additional sub-sections designated as (f), (g),
(h) and (i)

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., October 2, 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. 71, 1939, entitled:

AN ORDINANCE regulating the parking of vehicles upon
a certain part of Stillwell Street in the City of In-
dianapolis

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., October 2, 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. 72, 1939, entitled:

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-section (46)

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., October 2, 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. 73, 1939, entitled:

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis, through its duly authorized purchasing agent to purchase coal

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., October 2, 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
General Ordinance No. 74, 1939, entitled:

AN ORDINANCE ratifying, confirming and approving the
contract entered into on the 6th day of September,
1939, by and between the Indianapolis Power & Light
Company, a corporation, and the City of Indianapo-
lis, Indiana, by and through its Board of Public
Works and Sanitation, with approval of its mayor,
for lighting public streets, places and buildings, and
for furnishing electric current and power

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

F. B. RANSOM, Chairman
ALBERT O. DELUSE
W. E. HEMPHILL
HARMON A. CAMPBELL

Indianapolis, Ind., October 2, 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. 75, 1939, entitled:

AN ORDINANCE to repeal G. O. No. 97, 1937, entitled
"An ordinance concerning the issuance of dog
licenses"

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., October 2, 1939.

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. 76, 1939, entitled:

AN ORDINANCE transferring moneys from certain designated funds in certain departments of the City of Indianapolis to certain other designated funds in such departments as the same appear in the annual budget of the City of Indianapolis, Indiana, for the fiscal year 1939

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

F. B. RANSOM
ALBERT O. DELUSE
OLLIE A. BACH
GUY O. ROSS

Indianapolis, Ind., October 2, 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. 77, 1939, entitled:

AN ORDINANCE amending Section one of General Ordinance No. 71, 1937

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

ALBERT O. DELUSE, Chairman
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., October 2, 1939.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred
General Ordinance No. 78, 1939, entitled:

AN ORDINANCE authorizing the Board of Health of the
City of Indianapolis through its duly authorized pur-
chasing agent to purchase materials, supplies and
merchandise to be used in the operation of the In-
dianapolis City Hospital

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

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

Indianapolis, Ind., October 2, 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. 9, 1939, entitled:

AN ORDINANCE authorizing the sale of certain personal
property which the City of Indianapolis owns or has
an interest in:

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

F. B. RANSOM, Chairman
ALBERT O. DELUSE
WALTER E. HEMPHILL
HARMON A. CAMPBELL

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE No. 79, 1939

AN ORDINANCE to amend General Ordinance No. 114, 1922, as amended, 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 "Group 1—Residence Classes" of Section 2 of General Ordinance No. 114, 1922, as amended, be amended to read as follows:

GROUP 1—RESIDENCE CLASSES

Class U1 uses: (Dwelling Houses)

- (1) Dwelling.
- (2) Church, School, Public Library, Public Museum, Community Center Building, Private Club, excepting a club the chief activity of which is a service customarily carried on as a business, Philanthropic or eleemosynary use of institution other than a penal or correctional institution. Hospital, Sanitarium, Nursing Home, Convalescent Home, and homes for the care of the aged, infirm, blind, and children, other than for the insane or feebleminded.
- (3) Public Park, Public Playground, Public Recreation building. Water supply reservoir, well, tower or filter bed.
- (4) Railway passenger station. Railway right-of-way, not including railway yards.
- (5) Farming, Greenhouse, Nursery, Turck Gardening.

Section 2. That "Group 2—Business and Industrial Classes—Class U3 uses" of Section 2 of General Ordinance No. 114, 1922, as amended, be amended to read as follows:

GROUP 2—BUSINESS AND INDUSTRIAL CLASSES

Class U3 uses: (Business)

(1) Bank. Office. Telephone exchange. Wholesale sales office or sample room. Fire station.

(2) Oil and gas filling station. Auto tire and battery service station. Garage or repair shop for motor vehicles. Ice delivery station.

(3) Retail trade or shop for custom work or the making of articles to be sold at retail on the premises. Restaurant. Theatre. Moving picture show. Any use not included in any other use, provided that such use is not noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.

(4) Billboard or advertising sign. Hand laundry. Tailoring or pressing establishment. Electric substation.

(5) Storage in bulk, or warehouse for, such materials as building material, contractors' equipment, clothing, cotton, drugs, dry goods, lumber, food, fuel, furniture, hardware, ice machinery, metals, oils and petroleums in quantities less than tank car lots and not exceeding twelve thousand (12,000) gallons, paint and paint materials, pipe, rubber, shop supplies, tobacco, or wool.

(6) Street car or interurban barn. Motor bus passenger station.

(7) Motor vehicle parking lot for the purpose of temporary storage of any motor vehicle not used for habitation and not on display for sale, irrespective of whether a fee is charged for such parking.

Section 3. That Section 5 of General Ordinance No. 114, 1922, as amended, be amended to read as follows:

Section 5. ACCESSORY USES IN RESIDENCE DISTRICTS. An accessory use customarily incident to a class U1 or U2 use shall be permitted in, respectively, a class U1 or U2 district. In a dwelling house district a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 2,000 square feet of the lot area. In an apartment house district a private garage permitted as an accessory use

shall not provide storage for more than one motor vehicle for each 500 square feet of the lot area. A billboard, signboard or advertising sign shall in no case be permitted as an accessory use except that the placing of a "for sale" or "for rent" sign, shall, however, be permitted as an accessory use. A store, trade or business shall not be permitted as an accessory use except that the office of a physician, dentist or surgeon may be located in the dwelling or apartment used by such physician, dentist or surgeon, as his private residence, and except that any person carrying on a customary home occupation, may do so in a dwelling or apartment used by him as his private residence. In a dwelling or apartment occupied as a private residence not more than two rooms may be rented and table board may be furnished only to such occupants. A restaurant or public dining room may be located in a hotel or apartment house as an accessory use. A news stand may be located in a railway passenger station as an accessory use.

Section 4. That Section 13 of General Ordinance No. 114, 1922, as amended, be amended to read as follows:

Section 13. AREA DISTRICTS. (a) In a class AAA district no building shall be erected or altered to accommodate or make provisions for more than one family for each 30,000 square feet of the area of the lot; Provided that one single family dwelling may be erected on any lot separately owned at the time of the passage of this ordinance or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder.

(b) In a class AA district no building shall be erected or altered to accommodate or make provision for more than one family for each 15,000 square feet of the area of the lot; Provided that one single family dwelling may be erected on any lot separately owned at the time of the passage of this ordinance or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder.

(c) In a class A1 district no building shall be erected or altered to accommodate or make provision for more than one family for each 7,500 square feet of the area of the lot. Provided that one single family dwelling

may be erected on any lot separately owned at the time of the passage of this ordinance or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder.

(d) In a class A2 district no building shall be erected or altered to accommodate or make provision for more than one family for each 4,800 square feet of the area of the lot. Provided that one single family dwelling may be erected on any lot separately owned at the time of the passage of this ordinance or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder.

(e) In a class A3 district no building shall be erected or altered to accommodate or make provision for more than one family for each of 2,400 square feet of the area of the lot if an interior lot, or for each 2,000 square feet if a corner lot. Provided that one dwelling for two families may be erected on any lot separately owned at the time of the passage of this ordinance or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder.

(f) In a class A4 district no building shall be erected or altered to accommodate or make provision for more than one family for each 1,200 square feet of the area of the lot if an interior lot or for each 1,000 square feet if a corner lot.

(g) In a class A5 district no building shall be erected or altered to accommodate or make provision for more than one family for each 600 square feet of the area of the lot if an interior lot or for each 500 square feet if a corner lot.

(h) In a class A6 district there shall be no requirement as to the number of square feet of lot area per family.

(i) In computing such area of the lot for the purpose of this section any part of the area of any corner lot in excess of 30,000 square feet shall be considered an interior lot. In a class AAA, AA, A1, A2, A3 or A4 district, in computing the area of a lot for the purpose of this section, if the depth of the lot is more than three times the width of such lot, a depth of only three times such width shall be used.

(j) In a class AAA, AA, A1, A2, A3 or A4 district for each one foot that the width of the lot exceeds one-third of the depth of the lot, one per cent shall be deducted from the lot area required by this section, but not exceeding a maximum of twenty per cent shall be so deducted.

(k) In computing the area of the lot for the purposes of this section the lot shall be deemed to extend to the center of any alley adjoining the rear line of such lot.

Section 5. That Section 18 of General Ordinance No. 114, 1922, as amended, be amended to read as follows:

Section 18. FRONT YARDS IN RESIDENCE DISTRICTS. (a) Between a front yard line as here established and the street line no building or portion of a building other than a one-story unenclosed porch or fence or wall not exceeding 3½ feet in height may be erected.

(b) In dwelling house districts and apartment house districts front yard lines are hereby established as follows:

(1) On a street frontage on either side of a street where ten per cent (10%) of such frontage between two intersecting streets, exclusive of the part thereof which is improved with buildings at the street line and exclusive also of the side line of a corner lot, is improved with residence buildings which are set back from the street line, the front yard line shall be the distance back from the street line equal to the average distance of existing residence buildings back from the street line.

(2) On a street frontage on either side of a street between two intersecting streets where the front yard line is not established by the provisions of Sub-division b-1 of this section, the distance of the front yard line back from the street line shall be 33⅓% of the average depth of the lots constituting such street frontage, but such distance back from the street line need not be more than seventy-five (75) feet.

(3) The words "existing building" as used in this section shall be taken to mean any building for residence or business for which a building license has been lawfully issued and on which work has been begun and completed up to the first floor line.

(4) The unit for determining the percentage of frontage between two intersecting streets for the purpose of determining the front yard line regulations herein established shall be the lot in a subdivision or addition comprising such frontage or a part thereof, the plat for which has been regularly filed for record in the office of the Recorder of Marion County, Indiana; or, if no such plat has been so filed for record, then such unit for frontage shall, for the purpose hereof, be considered to be a parcel of ground one hundred (100) feet in width in the "AAA" district, seventy-five (75) feet in width in the "AA" district, fifty (50) feet in width in the "A1" district, and forty (40) feet in width in all other districts, whether all of said frontage is owned by one or more persons. Only such lots or parcels as are actually occupied by residence buildings shall be considered as improved frontage in determining the front yard line for any block or part thereof.

Section 6. This ordinance shall be in full force and effect from and after public notice and hearing, submission to the city plan commission for consideration and report, and its passage and approval by the mayor, and publication according to law.

Which was read the first time and referred to the City Plan Commission.

By the Board of Public Safety:

GENERAL ORDINANCE No. 80, 1939

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by amending sub-section (41) and by adding thereto sub-section (47); 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 sub-section (41) of Section 44 of General Ordinance No. 96, 1928, as amended, be amended to read as follows, to-wit:

- (41) Roosevelt Avenue from Hillside Avenue to Sherman Drive, except where said Roosevelt Avenue intersects Rural Street and Bloyd Avenue.

Section 2. That Section 44 of General Ordinance No. 96, 1928, as amended, be amended by adding thereto a sub-section (47), as follows, to-wit:

- (47) Rural Street at its intersection with Roosevelt Avenue and Bloyd Avenue.

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. 81, 1939

AN ORDINANCE prohibiting the parking of vehicles upon a certain part of Merrill Street, a street in 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 the same or suffer, permit or allow the same to be parked on the following street in the City of Indianapolis, to-wit:

- (a) Both sides of Merrill Street between Madison Avenue and Pennsylvania Street.

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. 82, 1939

AN ORDINANCE ratifying and approving a certain contract by and between the City of Indianapolis, Marion County, Indiana, by and through its Board of Public Safety, with the approval of its Mayor, and the Town of Woodruff Place, Marion County, Indiana, by and through its Board of Trustees, entered into the 12th day of September, 1939.

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

Section 1. That a certain contract by and between the City of Indianapolis, by and through its Board of Public Safety and its mayor, and the Town of Woodruff Place, by and through its Board of Trustees, entered into the 12th day of September, 1939, which contract reads as follows, to-wit:

CONTRACT

between

CITY OF INDIANAPOLIS

and

TOWN OF WOODRUFF PLACE

THIS AGREEMENT, made and entered into this 12th day of September, 1939, 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 Woodruff Place, Marion County, Indiana, by and through its Board of Trustees, party of the second part, WITNESSETH THAT:

WHEREAS, the party of the first part does maintain and possess a Police Department and a Fire Department for police and fire protection of its residents, and is desirous of contracting with the party of the second part for the use of the services of the police and fire departments belonging to the party of the first part; and

WHEREAS, the party of the second part has no police and fire departments for the use and benefit of its residents and is, therefore, desirous of contracting with the party of the first part for the use of the police and fire departments belonging to the party of the first part, said use to be in the nature of the police and fire departments of the party of the first part rendering the same protection and service to the party of the second part as they now render and will render to the party of the first part; NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

The party of the first part does hereby agree to furnish the same police and fire protection to the party of the second part which said party of the first part now receives and will receive from its own police and fire departments, in consideration of the sum of Seven Thousand Dollars (\$7,000) per year for the year beginning January 1, 1940, to and including December 31, 1940, and Seven Thousand Dollars (\$7,000) per year for the year beginning January 1, 1941, to and including December 31, 1941, paid to the party of the first part by the party of the second part.

The party of the second part hereby agrees to pay to the party of the first part for the said police and fire protection rendered the sum of Fourteen Thousand Dollars (\$14,000) in eight (8) equal payments, as follows: One Thousand Seven Hundred Fifty Dollars (\$1,750) as due and payable on the first day of each of the following months: January, April, July and October of the years 1940 and 1941. The second party agrees to aid in the matter of fire protection by conforming to the building code of the first party now established, in so far as the party of the second part can lawfully do so. It is agreed and understood by and between both parties hereto that this contract shall be in full force and effect for the period of two years, that is, from the first day of January, 1940. to the 31st day of December, 1941.

It is further agreed and understood by and between 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 said police and fire departments of the party of the first part. And said second party hereby assumes and agrees to pay and indemnify said first party against any liability incurred by first party on account of any loss or damage sustained, either to person or property, by any person whomsoever in carrying out the terms and provisions of this contract and agreement, including any liability to the Town of Woodruff Place, citizens of the Town of Woodruff Place, members of the public, employees of first and second parties, and all other persons.

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, on the part of the City of Indianapolis, shall be of no force and effect unless specifically authorized by ordinance passed by the Common Council of the City of Indianapolis and approved by its Mayor.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate, this 12th day of September, 1939.

CITY OF INDIANAPOLIS

(Signed) By L. J. Keach,
 (Signed) By Frank B. Ross,
 (Signed) By Donald F. Morris,
 Board of Public Safety,
 Party of the First Part.

Approved:
 (Signed) R. H. Sullivan, Mayor.

TOWN OF WOODRUFF PLACE
 (Signed) By J. H. Michelis,
 (Signed) By Murray H. Morris,
 (Signed) By Cornelius F. Posson,
 Trustees,
 Town of Woodruff Place,
 Party of the Second Part.

ATTEST:

(Signed) J. M. Dils,
Clerk-Treasurer,
Town of Woodruff Place.

(SEAL)

be and is hereby ratified and approved.

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

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

By the City Controller:

GENERAL ORDINANCE No. 83, 1939

AN ORDINANCE transferring moneys from a certain designated fund in the Department of Public Sanitation of the City of Indianapolis to a certain other designated fund in said department, as the same appears in the annual budget of the City of Indianapolis, Indiana, for the fiscal year 1939; and fixing a time when the same shall take effect.

WHEREAS, sundry unforeseen injuries have occurred to employees of the Department of Public Sanitation of the City of Indianapolis, Indiana; and

WHEREAS, an extraordinary emergency has arisen in that a certain hereinafter designated fund established for the purpose of indemnifying employees of said department for injuries suffered in the course of their employment is near depletion; NOW, THEREFORE,

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

Section 1. That the sum of money hereinafter designated, now in the following fund of the Department of Public Sanitation, to-wit:

SANITATION ADMINISTRATION

Fund No. 11—Salaries and Wages, Regular
 Sanitary District Manager.....\$500.00

be and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated fund of said department, to-wit:

COLLECTION

Fund No. 53—Refunds, Awards and
 Indemnities\$500.00

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 Public Works.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Moore:

SPECIAL ORDINANCE No. 10, 1939

AN ORDINANCE annexing certain territory to the City of Indianapolis, defining a part of the boundary line of said city, and repealing Special Ordinance No. 11, 1925; 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 boundary lines of the City of Indianapolis be and the same are hereby extended so as to include the following contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, to-wit:

Beginning at the intersection of the north property line of Troy Avenue with the center line of the first alley east of State Avenue; thence south along the center line of said alley as produced due south, to the center line of

State Avenue, and continuing south with the center line of State Avenue to the center line of the first alley south of Martin Street, as produced due east; thence west along the center line of said alley, as produced due east to the center line of the first alley south of Martin Street and continuing west with the center line of the first alley south of Martin Street to the center line of Carson Avenue; thence northwestwardly with the center line of Carson Avenue to the center line of Knox Street; thence east along the center line of Knox Street to the center line of Boyd Avenue as produced due south from Troy Avenue; thence north along the center line of said Boyd Avenue, as produced due south, to the north property line of Troy Avenue, thence east along the north property line of Troy Avenue to the place of beginning.

Section 2. Special Ordinance No. 11, 1925, is hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication for two (2) consecutive weeks in a daily newspaper of general circulation, printed and published in said City of Indianapolis.

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

By the Department of Public Parks:

SPECIAL ORDINANCE No. 11, 1939

AN ORDINANCE annexing certain contiguous territory to 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. That the boundary lines of the City of Indianapolis be, and the same are, hereby extended so as to include the following described contiguous territory, all of which is hereby annexed and made a part of the territory constituting the City of Indianapolis, in Marion County, State of Indiana, to-wit:

Beginning at a point in the present corporation line of the City of Indianapolis, said point being the intersection of the west property line of Keystone Avenue and the center line of Walker Avenue; thence south along the west

property line of Keystone Avenue to the center line of Troy Avenue; thence east along the center line of Troy Avenue to the southeast corner of the west half of the southwest quarter of Section 20, Township 15 North, Range 4 East, Marion County, Indiana; thence north along the east line of the west half of the southwest quarter of the aforesaid Section 20 to the southwest corner of the north half of the east half of half of the southwest quarter of the aforesaid Section 20; thence east along the south line of the north half of the east half of the southwest quarter of the aforesaid Section 20 to the southeast corner of the north half of the east half of the southwest quarter of the aforesaid Section 20; thence north along the east line of the southwest quarter of the aforesaid Section 20; said line being the center line of Perkins Street, a distance of 1007.5 feet to a point 330 feet south of the northeast corner thereof; thence west parallel to the north line of the southwest quarter of the aforesaid Section 20 a distance of 396 feet to a point; thence north parallel to the east line of the southwest quarter of the aforesaid Section 20 a distance of 330 feet to the center line of Southern Avenue; thence east along the center line of Southern Avenue to the center line of Churchman Avenue; thence northwardly along the center line of Churchman Avenue to its intersection with the center line of Walker Avenue, said point being on the present corporation line of the City of Indianapolis; thence west on and along the present corporation line to the 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 Parks.

ORDINANCES ON SECOND READING

Mr. Deluse called for General Ordinance No. 70, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Bach, General Ordinance No. 70, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 70, 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. Ransom, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 71, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Bach, General Ordinance No. 70, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 71, 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. Ransom, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 72, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 72, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 72, 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. Ransom, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 73, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 73, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 73, 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. Ransom, Mr. Ross, President Wood.

Mr. Ransom called for General Ordinance No. 74, 1939, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Bach, General Ordinance No. 74, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 74, 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. Ransom, Mr. Ross, President Wood.

Mr. Ross called for General Ordinance No. 76, 1939, for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Bach, General Ordinance No. 76, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 76, 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. Ransom, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 77, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ransom, General Ordinance No. 77, 1939, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 77, 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. Ransom, Mr. Ross, President Wood.

Mr. Ransom called for Special Ordinance No. 9, 1939, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Bach, Special Ordinance No. 9, 1939, was ordered engrossed, read a third time by the Clerk, and placed upon its passage.

Special Ordinance No. 9, 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. Ransom, Mr. Ross, President Wood.

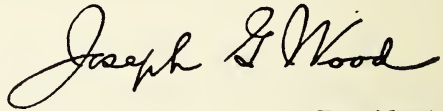
General Ordinance No. 60, 1939, not having received a majority of votes recommending passage, was held for further consideration by the Committee to which it was referred.

General Ordinances Nos. 50, 75 and 78 were also held for further consideration by the Committees to which they were referred.

On motion of Mr. Moore, seconded by Mr. Ross, the Common Council adjourned at 11:07 P. M.

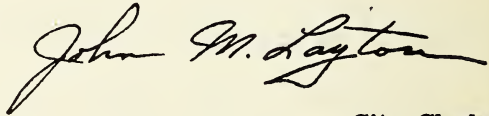
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 2nd day of October, 1939, at 7:30 P. M.

In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



Attest:

President.



City Clerk.

(SEAL)