

REGULAR MEETING

Monday, December 4, 1939
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, December 4, 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, Ernest C. Ropkey, President Joseph G. Wood.

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

COMMUNICATIONS FROM THE MAYOR

November 21, 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:

GENERAL ORDINANCE No. 90, 1939

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; and fixing a time when the same shall take effect.

RESOLUTION No. 6, 1939

A RESOLUTION accepting the proposal of the United States Housing Authority to annual payments in lieu of taxes with respect to the Lockefield Garden Apartments.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

December 4, 1939.

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

Gentlemen:

Re: G. O. No. 94, 1939.

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 November 25, 1939, that taxpayers would have a right to be heard on the above ordinance at the regular meeting of the Common Council, to be held on the 4th day of December, 1939, and by posting a copy of said notice in the City Hall, Court House and Police Station.

Very truly yours,

JOHN M. LAYTON,
City Clerk.

December 4, 1939.

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

Gentlemen:

Re: G. O. No. 95, 1939.

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 November 22, 1939,

that taxpayers would have a right to be heard on the above ordinance at the regular meeting of the Common Council, to be held on the 4th day of December, 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.

December 4, 1939.

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

Gentlemen:

Submitted herewith is General Ordinance No. 97, 1939, to amend Section 1 of General Ordinance No. 57, 1939, and I respectfully recommend its passage.

Respectfully submitted,

ERNEST C. ROPKEY,
Councilman.

December 4, 1939.

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

Gentlemen:

Submitted herewith is General Ordinance No. 98, 1939, establishing an 18 ft. "loading zone" at 208 E. Maryland Street for the Indiana Candy and Tobacco Company, and we respectfully recommend its passage.

Respectfully submitted,

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

December 2, 1939.

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

Gentlemen:

Attached hereto are 18 copies of General Ordinance No. 99, 1939, authorizing the Board of Public Works and Sanitation, through its duly appointed Purchasing Agent, to purchase "One Proportional Concrete Mixing Batching Bin" to be erected at the City Asphalt Plant and "Two 1½ cubic yards Concrete Agitating Machines" and "Two Chassis and Cabs," on which these rotary agitating machines are to be mounted.

These bids were duly advertised according to law and opened in public before the Board of Public Works and Sanitation, and the award to be made to the lowest and best bidder.

The Purchasing Agent respectfully recommends the passage of this ordinance.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE,
Albert H. Losche,
Purchasing Agent.

December 4, 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. 100, 1939, 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.

I respectfully recommend the passage of this general ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

December 4, 1939.

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

Gentlemen:

Attached herewith please find copies of General Ordinance No. 101 amending sections 714-715 and 716 of General Ordinance No. 121 of 1925, commonly known as the Municipal Code of Indianapolis, and repealing section 713 of General Ordinance No. 121 of 1925.

The Board of Public Works and Sanitation respectfully recommends the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION,
M. H. WALPOLE,
Executive Secretary.

December 4, 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. 102, 1939, authorizing the City Controller to make a temporary loan in the amount of Seventy-five Thousand (\$75,000.00) Dollars for the use and benefit of the Fire Pension Fund.

I respectfully recommend the passage of this general ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

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 Dr. Hemphill and the Council recessed at 7:45 P. M.

The Council reconvened at 9:40 P. M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., December 4, 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. 89, 1939, entitled:

AN ORDINANCE to amend clause (d) of sub-section (2)
of Section A-503 of General Ordinance No. 121, 1925;

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

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

Indianapolis, Ind., December 4, 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. 91, 1939, entitled:

AN ORDINANCE defining certain terms; prohibiting the
sale of adulterated, misbranded, or ungraded milk
or milk products; providing for the issuance of li-
censes and fees to be charged therefor; providing
for the grading of milk and the inspection of dairy
farms and milk plants; providing for the labeling and
placarding of milk and milk products; prohibiting
the sale of all milk or milk products to certain persons
after May 16, 1940, except grade "A" pasteurized
milk; providing for certain duties of the health of-
ficer of Indianapolis; providing for the repeal of cer-
tain ordinances and all ordinances in conflict here-
with; providing for certain penalties;

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

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

Indianapolis, Ind., December 4, 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. 92, 1939, entitled:

AN ORDINANCE regulating the parking of vehicles upon certain streets in the City of Indianapolis, providing a penalty for the violation thereof;

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
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., December 4, 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. 93, 1939, entitled:

AN ORDINANCE prohibiting parking of vehicles upon certain parts of certain streets of the City of Indianapolis, providing a penalty for the violation thereof;

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
 F. B. RANSOM
 HARMON A. CAMPBELL
 RALPH F. MOORE

Indianapolis, Ind., December 4, 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. 95, 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 for 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, Chairman
 ERNEST C. ROPKEY
 ALBERT O. DELUSE
 WALTER E. HEMPHILL
 HARMON A. CAMPBELL

Indianapolis, Ind., December 4, 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. 96, 1939, entitled:

AN ORDINANCE amending sub-sections (a) and (b) of Section 45 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 9, 1929, General

Ordinance No. 60, 1933, General Ordinance No. 55, 1935, General Ordinance No. 47, 1938, General Ordinance No. 17, 1939, General Ordinance No. 20, 1939, General Ordinance No. 46, 1939, and General Ordinance No. 49, 1939;

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
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., December 4, 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 Special Ordinance No. 12, 1939, entitled:

AN ORDINANCE accepting Seventeen Hundred Fifty Dollars (\$1750.00) given to the City of Indianapolis to be used and expended by and through the Board of Health and Charities for the use and benefit of the City Hospital as the bequest of James A. Lane, deceased, under the provisions of his last will and testament; allocating said sum of Seventeen Hundred Fifty Dollars (\$1750.00) to a fund of said city denominated "Donations to City Hospital Fund," as created by Special Ordinance No. 7, 1938;

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

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

REPORTS FROM SELECT COMMITTEES

November 27, 1939.

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

Gentlemen:

Re: G. O. No. 94, 1939.

The City Plan Commission met this day at a special session and recommended the passage of General Ordinance No. 94, 1939, an ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

General Ordinance No. 94, 1939, is an ordinance to correct or nullify General Ordinance No. 112, 1925. General Ordinance No. 112, 1925, as directed in the councilmatic proceedings, has defined many territories that have not been recognized since this ordinance was passed. Further examination of the records in the City Clerk's office do not confirm all of the points, definitions and locations as shown by the regular proceedings.

General Ordinance No. 94, 1939, as recommended, represents the true use exemplified by our maps and recognized by the general public.

Very truly yours,

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Ropkey:

GENERAL ORDINANCE No. 97, 1939

AN ORDINANCE to amend Section 1 of General Ordinance No. 57, 1939, 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 1 of General Ordinance No. 57, 1939, 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 Emerson Avenue between Michigan Street and the south curb line of the first alley south of East Tenth Street in the City of Indianapolis.

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 Committee on Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE No. 98, 1939

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 tenants of certain premises fronting on certain public streets of the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or tenants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, relative to the establishment of passenger and/or loading zones, at the 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 ordinance, 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 208-10 East Maryland Street, said premises being occupied by the Indiana Candy & Tobacco Company.

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 Committee on Public Safety.

By the Department of Public Purchase:

GENERAL ORDINANCE No. 99, 1939

AN ORDINANCE authorizing the Board of Public Works and Sanitation, through its duly authorized purchasing agent, to purchase one (1) concrete proportioning plant to be erected at the City Asphalt Plant, two (2) one and one-half (1½) cubic yard Agitating Concrete Mixers, and two (2) Automobile Trucks with chassis and cabs for said concrete mixers; 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, through its duly authorized purchasing agent, be and it hereby is authorized to receive bids, after duly advertising therefor according to law, and make purchase of the following equipment, to-wit:

One (1) Concrete Proportioning Plant to be erected at the City's Asphalt Plant.

Two (2) one and one-half (1½) cubic yard Agitating Concrete Mixers.

Two (2) Automobile Trucks with chassis and cabs to carry said mixers.

Section 2. That said purchase shall be made from the lowest and best bidder, after advertising for competitive bids therefor, and the total combined cost of all of said equipment shall not exceed the sum of Eight Thousand Five Hundred Dollars (\$8,500).

Section 3. That the purchase price of said equipment shall be paid out of funds heretofore appropriated to the Board of Public Works and Sanitation.

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 Public Works.

By the City Controller:

GENERAL ORDINANCE No. 100, 1939

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; and fixing a time when the same shall take effect.

WHEREAS, certain funds in the Department of Public Safety and in the Department of Public Works and Sanitation are near depletion and are insufficient to meet the needs of said departments for the remainder of the year 1939; and

WHEREAS, an extraordinary emergency has arisen in that sundry vital functions of government for which such funds were established will be retarded and halted unless additional moneys are transferred to said respective funds, 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 Safety, to-wit:

FIRE PENSION

Fund No. 55 (Contingent Fund).....\$10,000.00

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

FIRE PENSION

Fund No. 53—Awards and Grants.....\$10,000.00

Section 2. That the sum of money hereinafter designated, now in the following fund of the Department of Public Works and Sanitation, to-wit:

PUBLIC BUILDINGS

Fund No. 25—Repairs\$372.20

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

PUBLIC BUILDINGS

Fund No. 34—Institutional and Medical.....\$372.20

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 Public Safety.

By the Board of Public Works and Sanitation:

GENERAL ORDINANCE No. 101, 1939

AN ORDINANCE amending Sections 714, 715 and 716 of General Ordinance No. 121, 1925, commonly known as the Municipal Code of Indianapolis 1925, repealing Section 713 of General Ordinance No. 121, 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 Section 714 of General Ordinance No. 121, 1925, be and the same hereby is amended to read as follows:

Section 714. CURB, SIDEWALK AND DRIVEWAYS OVER SIDEWALK, CONSTRUCTED UNDER PRIVATE CONTRACT. It shall hereafter be unlawful to locate, construct or maintain any curb, sidewalk, or to locate, construct, or maintain any driveway or roadway over or across any sidewalk for the use of wagons, carts, carriages, trucks, automobiles or vehicles of any nature, within the city, or to cut, change, alter or remove any such sidewalk within the city, or any curbing adjacent to any such sidewalk for the purpose of locating or constructing any

such driveway or roadway except in conformity with the next following section.

Section 2. That Section 715 of General Ordinance No. 121, 1925, be and the same hereby is amended to read as follows:

Section 715. PERMIT, BOND, PLANS AND FEE. Any person or firm desiring to cut any sidewalk or curb for the purpose of constructing a driveway, or any person or firm desiring to construct or repair under private contract, any curb, sidewalk or driveway on city property, shall submit plans for said work to the City Civil Engineer for his approval, and upon said approval shall apply to the Board of Public Works and Sanitation for permission to do said work, and shall file with the Board of Public Works and Sanitation an approved surety bond in an amount of not less than One Thousand Dollars (\$1,000), payable to the City of Indianapolis for a period of two (2) years for the benefit of the said city, conditioned to guarantee the full and complete performance of his work according to specifications for Street, Alley and Miscellaneous Construction on file at the Department of Engineering, said bond to be in full force and effect up to and including the final inspection of the work and for a period of one (1) year after acceptance of the work, constituting a repair guarantee, and the said Board of Public Works and Sanitation may thereupon grant permission in writing for the construction and maintenance of such work.

Said surety bond shall be renewed as often as necessary to insure work done on any permit to be satisfactory to the city for the period of one year from date of final inspection of said work.

Permit shall be maintained in full view and in a conspicuous place during the construction or repair work called for by said permit.

Plans and estimates submitted to the City Civil Engineer for approval of work to be done under private contract, shall be prepared and certified by a Registered Professional Engineer of the State of Indiana.

The permit fee for a residential driveway shall be One Dollar (\$1.00) for a driveway twelve (12) feet or less in width, and Five Dollars (\$5.00) for a driveway more than twelve (12) feet in width. The permit fee for a business driveway of any width shall be Five Dollars (\$5.00).

The permit fee for fifty (50) lineal feet or less of Sidewalk or Curb, or Sidewalk and Curb, including one (1) residential driveway not exceeding twelve (12) feet in width, shall be One Dollar (\$1.00) plus the sum of One Dollar (\$1.00) for each additional fifty (50) lineal feet of Sidewalk, or Curb, or Sidewalk and Curb, plus the sum of One Dollar (\$1.00) for each additional driveway not exceeding twelve (12) feet in width.

The permit fee for fifty (50) lineal feet or less of Sidewalk, or Curb, or Sidewalk and Curb, including one (1) business driveway, shall be Five Dollars (\$5.00) plus the sum of One Dollar (\$1.00) for each additional fifty (50) lineal feet of Sidewalk, or Curb, or Sidewalk and Curb, plus the sum of Five Dollars (\$5.00) for each additional business driveway.

Section 3. That Section 716 of General Ordinance No. 121, 1925, be and the same hereby is amended to read as follows:

Section 716. PENALTY. Any person who shall violate any of the provisions of Sections 714 and 715 of this ordinance shall, upon conviction, be fined in a sum not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00), and the owner or owners of any premises abutting any such sidewalks or curbs, for the use of which premises anything in violation of this ordinance shall exist, or any agent, contractor, or person who may have assisted in the commission of any such violation of this ordinance shall each be guilty of a separate offense, and upon conviction thereof shall be fined as hereinbefore provided, and each day such violation shall be permitted to exist shall constitute a separate offense, and upon conviction thereof shall be fined as hereinabove provided.

Any driveway or roadway constructed, maintained or used in violation of the provisions of Section 714 and 715 of this ordinance is hereby declared to be a public nuisance and the same may be abated in such manner as nuisances are now abated under existing law.

This section and the provisions of Sections 714 and 715 of this ordinance shall not apply to any driveway or roadway across any sidewalk, which said driveway is now being lawfully used.

Section 4. That Section 713 of General Ordinance No. 121, 1925, be and the same hereby is repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

By the City Controller:

GENERAL ORDINANCE No. 102, 1939

AN ORDINANCE authorizing the city controller of the City of Indianapolis to make a temporary loan in the sum of Seventy-five Thousand Dollars (\$75,000) for the use of the Board of Trustees of the Firemen's Pension Fund of said city, in anticipation of and payable out of the current taxes for the Firemen's Pension Fund actually levied for said fund and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

WHEREAS, heretofore on the 2d day of December, 1939, the Board of Trustees of the Firemen's Pension Fund of the City of Indianapolis, Indiana, has, by resolution duly adopted, determined to make a temporary loan in the sum of Seventy-five Thousand Dollars (\$75,000) principal amount, without considering the interest thereon to be added thereto in a sum not to exceed the sum of Fifteen Hundred Dollars (\$1500.00), in anticipation of and payable out of the current taxes for the Firemen's Pension Fund actually levied and in the course of collection for the fiscal year in which said loan is made payable, and has requested the common council of the City of Indianapolis, Indiana, to authorize such temporary loan; and

WHEREAS, the Board of Trustees of the Firemen's Pension Fund of the City of Indianapolis, Indiana, is now and will continue to be until the 16th day of May, 1940, without sufficient funds to meet the payments of pensions and benefits to retired members and dependents of deceased members and other death benefits, and for other necessary current and incidental expenses of the year 1940, payable out of the Firemen's Pension Fund; and

WHEREAS, the first annual installment of taxes levied by the City of Indianapolis for the use of the Firemen's Pension Fund for the year 1940 will amount to more than Seventy-six Thousand Five Hundred Dollars (\$76,500); NOW, THEREFORE,

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

Section 1. That the City Controller of the City of Indianapolis is hereby authorized and empowered to negotiate a temporary loan for the use and benefit of the Board of Trustees of the Firemen's Pension Fund of the City of Indianapolis, Indiana, in anticipation of the current taxes for said Firemen's Pension Fund actually levied in the year 1939 and in the course of collection in the fiscal year 1940 for the use of the Firemen's Pension Fund, not to exceed the sum of Seventy-five Thousand Dollars (\$75,000), without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum, the rate of interest to be fixed by the highest bidder bidding for said loan on an interest rate basis. Said loan shall run for a period not to exceed one hundred eighty (180) days. The city controller is authorized to make sale of said time warrants after a notice thereof shall have been published once each week for two consecutive weeks in two newspapers of general circulation, printed in the English language, and published in the City of Indianapolis, and said sale to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the mayor of the City of Indianapolis and the city controller, countersigned by the president of the Board of Trustees of the Firemen's Pension Fund of the City of Indianapolis, and attested by the city clerk, and the seal of the City of Indianapolis to be attached thereto, and said time warrants shall be payable at the office of the city treasurer of the City of Indianapolis, Indiana; and to the payment of said time warrants the current revenues and taxes levied in the year 1939, payable in the year 1940, for the Firemen's Pension Fund of the City of Indianapolis are hereby irrevocably appropriated and pledged.

Section 2. That for the repayment of the principal amount of the temporary loan herein authorized by this ordinance, there is hereby appropriated to Fire Pension Fund No. 63—Payment of Temporary Loans (hereby created), out of the current revenues and taxes levied in the year 1939, payable in the year 1940, for the Firemen's Pension Fund of the City of Indianapolis, the sum of Seventy-five Thousand Dollars (\$75,000); and for the payment of the interest thereon there is hereby appropriated to Fire Pension Fund No. 61—

Interest on Temporary Loans, out of the above designated revenues and taxes, the sum of Fifteen Hundred Dollars (\$1500.00).

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 Finance.

ORDINANCES ON SECOND READING

Mr. Bach called for General Ordinance No. 89, 1939, for second reading. It was read a second time.

Mr. Bach presented the following written motion to be considered by the Council concerning General Ordinance No. 89, 1939:

December 4, 1939.

Mr. President:

I move to amend General Ordinance No. 89, 1939, by striking all of Clause (d) under Section 1 and inserting in lieu thereof the following:

“(d) Outside of the fire zones no public garage shall be located or maintained within one hundred and fifty (150) feet of any lot where there is situated a church, hospital or school building unless such garage was established prior to the establishment of the said church, hospital or school building or unless such garage, other than any part thereof devoted exclusively to office and sales room, is of first-class construction and the side wall nearest such church, hospital or school building is an unpierced fire wall.”

OLLIE A. BACH, Councilman

The motion was seconded by Mr. Moore, and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

On motion of Mr. Bach, seconded by Mr. Moore, General Ordinance No. 89, 1939, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 89, 1939, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 92, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 92, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 92, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 93, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ransom, General Ordinance No. 93, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 93, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Campbell called for General Ordinance No. 94, 1939, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, General Ordinance No. 94, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 94, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Ransom called for General Ordinance No. 95, 1939, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Deluse, General Ordinance No. 95, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 95, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 96, 1939, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 96, 1939, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 96, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Bach called for Special Ordinance No. 12, 1939, for second reading. It was read a second time.

On motion of Mr. Bach, seconded by Mr. Moore, Special Ordinance No. 12, 1939, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 12, 1939, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

General Ordinance No. 91, 1939, was held for further consideration by the Committee to which it was referred.

MISCELLANEOUS BUSINESS

Mr. Campbell made a motion that the mayor be asked to appoint a member of the Common Council to the Special Central Buying Committee now under contemplation. The motion was seconded by Mr. Bach and passed unanimously. The Clerk was instructed to inform the mayor of the motion adopted by the Council.

On motion of Mr. Ropkey, seconded by Mr. Deluse, the Common Council adjourned at 10:00 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 4th day of December, 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)