

REGULAR MEETING

Monday, April 1, 1940
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, April 1, 1940, 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, Walter E. Hemphill, Ralph F. Moore, F. B. Ransom, Guy O. Ross, Ernest C. Ropkey, President Joseph G. Wood.

Absent: Albert O. Deluse.

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

March 19, 1940

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. 3, 1940

AN ORDINANCE appropriating the sum of Three Thousand Three Hundred Fifty Dollars (\$3,350) from the unexpended and unappropriated 1939 balance of the city general fund to a certain fund, hereby created, of a certain department of the City of Indianapolis; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 10, 1940

AN ORDINANCE authorizing the Board of Health of the City of Indianapolis, through its duly authorized purchasing agent, to purchase canned goods to be used in the operation of the Indianapolis City Hospital; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 17, 1940

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.

GENERAL ORDINANCE No. 18, 1940

AN ORDINANCE repealing Section 813 and sub-section (34) of Section 476 of General Ordinance No. 121, 1925, known as the Municipal Code of 1925, General Ordinance No. 47, 1934, General Ordinance No. 30, 1937, and General Ordinance No. 31, 1937; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 19, 1940

AN ORDINANCE regulating the parking of vehicles on certain streets 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. 20, 1940

AN ORDINANCE approving certain orders of the Board of Public Safety and the Board of Public Works and Sanitation of the City of Indianapolis, establishing certain bus-stop zones in said city; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 21, 1940

AN ORDINANCE authorizing the Board of Public Works and Sanitation and the Board of Public Safety of the City of Indianapolis to purchase certain materials, supplies, merchandise and equipment, by and through the purchasing agent thereof; and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

April 1, 1940

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

Gentlemen:

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 News and the West Side Messenger on March 21, 1940, that taxpayers may have a right to be heard in the matter of General Ordinance No. 22, 1940, and that copies of said notice were posted in the City Hall, Court House and Police Station.

Respectfully yours,

JOHN M. LAYTON,
City Clerk.

April 1, 1940]

March 30, 1940.

Honorable President and
Members of the Common Council,
City of Indianapolis,
Gentlemen:

Attached hereto are twenty copies of General Ordinance No. 24,
1940, amending General Ordinance No. 114, 1922, known as the
Zoning Ordinance.

Very truly yours,

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

April 1, 1940.

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, 1940,
providing for the reallocation of certain sub-funds for temporary
wages within a certain fund, heretofore appropriated and allocated
by General Ordinance No. 59, 1939.

I respectfully recommend the passage of this general ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

April 1, 1940.

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

Gentlemen:

Attached hereto are 18 copies of General Ordinance No. 26, 1940, for introduction on April 1, 1940.

The City of Indianapolis has outstanding two issues of bonds, designated as follows:

- (1) "Flood Prevention Bonds of 1915" in the amount of \$540,000.00,
- (2) "Flood Prevention Bonds of 1916" in the amount of \$68,000.00,

making an aggregate total of \$608,000.00, all of which will mature and be payable on July 1, 1940. Sufficient provision has not been made in the budget and tax levy adopted for the year 1940 to pay the principal of said bonds, and it will be necessary, in order to preserve the credit of the city, to refund said bonds.

I recommend that the council authorize the issuance of refunding bonds in the amount of \$608,000.00 for the purpose of procuring funds to pay and redeem said maturing Flood Prevention Bonds, and that the proceeds of said refunding bonds be appropriated to the Department of Finance for that purpose. The attached form of bond ordinance has been prepared by the Department of Law, and the terms of which I approve. I recommend that this bond ordinance be passed at your next meeting, to be held on April 15, 1940, so that the publication of the required notice of determination may be started at the earliest possible date.

Dated at Indianapolis, Indiana, this 1st day of April, 1940.

JAMES E. DEERY,
City Controller of the City of Indianapolis.

April 1, 1940.

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

Gentlemen:

Attached hereto are 20 copies of General Ordinance No. 27, authorizing the Board of Public Works and Sanitation to purchase "One Road Oiler, distributor and chassis" for the Street Commissioner's Department.

Bids were advertised and opened in public before the Board of Works and Sanitation, March 27, 1940, and the award is 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.

April 1, 1940.

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

Gentlemen:

Attached hereto are 20 copies of General Ordinance No. 28, authorizing the Board of Safety to purchase "REFLECTO" Lights for the Police Department.

Bids were advertised and opened in public before the Board of Safety, March 26th, 1940, and the award is 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.

April 1, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 29, 1940, limiting parking on East Washington Street and Ritter Avenue, between certain points, to one and one-half hours, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

L. J. KEACH,
President.

April 1, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 30, 1940, prohibiting parking at all times on East Washington Street both east

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and west of the Indianapolis Union Railroad elevation for a specified distance, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

L. J. KEACH,
President.

April 1, 1940.

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

Gentlemen:

Attached herewith are 16 copies of General Ordinance No. 31, 1940, regarding the disposition of certain flocks of pigeons about the City of Indianapolis which are creating havoc with buildings all over town.

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.

March 29, 1940.

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

Re: Special Ordinance No. 4

Gentlemen:

RE: SPECIAL ORDINANCE NO. 4

Attached hereto are twenty copies of an Ordinance annexing certain territory to the City of Indianapolis, at the southeast corner of 10th and Anderson Streets.

Very truly yours,

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

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

Mr. Moore made a motion that the Council recess. The motion was seconded by Dr. Hemphill and the Council recessed at 7:50 P. M.

The Council reconvened at 9:45 P. M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., April 1, 1940.

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 licenses 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 officer of Indianapolis; providing for the repeal of certain ordinances and all ordinances in conflict herewith; 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
GUY O. ROSS
WALTER E. HEMPHILL
HARMON O. CAMPBELL

April 1, 1940.

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

Gentlemen:

The City Plan Commission of the City of Indianapolis, at its regular meeting on April 1, 1940, approved and recommended the passage of General Ordinance No. 22, 1940, an ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,

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

Indianapolis, Ind., April 1, 1940.

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, 1940, entitled:

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase certain materials, supplies, merchandise and equipment, by and through its purchasing agent;

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

ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., April 1, 1940.

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, 1940, entitled:

AN ORDINANCE changing the names of certain streets
and naming certain unnamed public ways in the City
of Indianapolis;

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

F. B. RANSOM, Chairman
ERNEST C. ROPKEY
WALTER E. HEMPHILL
HARMON A. CAMPBELL

Indianapolis, Ind., April 1, 1940.

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

Gentlemen:

We, your Committee of the Whole Council, to whom was re-
ferred Special Ordinance No. 2, 1940, entitled:

AN ORDINANCE of the City of Indianapolis to amend
Special Ordinance No. 14, 1939, of the City of In-
dianapolis;

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

F. B. RANSOM, Chairman
OLLIE A. BACH
WALTER E. HEMPHILL
RALPH F. MOORE
H. A. CAMPBELL
ERNEST C. ROPKEY
GUY O. ROSS
JOSEPH G. WOOD

Indianapolis, Ind., April 1, 1940.

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

Gentlemen:

We, your Committee on Parks, to whom was referred Special Ordinance No. 3, 1940, entitled:

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis;

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

GUY O. ROSS
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE No. 24, 1940

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

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

Section 1. That the U4 or first industrial district, the U5 or 600 sq. ft. area district, and the H3 or 108 ft. height district, be and the same is hereby amended, supplemented, and extended so as to include the following described territory:

Beginning on the intersection of the north property line of Washington Street with the East property line of Cruse Street, thence east on the north property line of Washington Street to the west property line of Highland Avenue; Thence north on the west property line of Highland Avenue to the first alley north of Washington Street. Thence West on the south property line of the first alley north of Washington Street a distance of 150 feet to the west property line of the first alley west of Highland Avenue. Thence north on and along the west property line of the first alley west of Highland Avenue a distance of 61.6 feet to the south property line of the first alley north of Washington Street. Thence west on the south property line of the first alley north of Washington Street to the east property line of Cruse Street. Thence south on the east property line of Cruse Street to the north property line of Washington Street, the point or 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 City Plan Commission.

By the City Controller:

GENERAL ORDINANCE No. 25, 1940

AN ORDINANCE to reallocate certain sub-funds for temporary wages within a certain fund, heretofore appropriated and allocated by General Ordinance No. 59-1939; and fixing a time when the same shall take effect.

WHEREAS, certain changes in equipment used for the maintenance of unpaved streets have been made since the adoption of the 1940 budget of the City of Indianapolis; and

WHEREAS, this has caused certain employees to perform similar duties and it is deemed advisable to equalize the compensation paid to such employees; NOW, THEREFORE,

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

Section 1. That the aggregate balance remaining, as of April 1, 1940, of certain sums of money heretofore appropriated for the year 1940 by General Ordinance No. 59, 1939, to "Fund No. 12-7—Salaries and Wages, Temporary, for Unpaved Street Maintenance," and allocated by said ordinance to four separate certain items, in the respective sums within said fund, as follows, towit:

3 Gradermen (semi-skilled)	
3,456 hrs. @ \$0.50 per hour.....	\$1,728.00
3 Tractormen (semi-skilled)	
3,456 hrs. @ \$0.50 per hour.....	1,728.00
3 Road Patrol (semi-skilled)	
3,456 hrs. @ \$0.55 per hour.....	1,900.00
1 Oiler Truck Driver	
1,872 hrs. @ \$0.55 per hour.....	1,029.60
	\$6,386.40

be and the same is hereby reallocated, to be effective as of April 1, 1940, for the balance of the year 1940, to the extent that the same equals the hereinafter designated balance, now in the aforesaid four items of said fund, to a new single item (hereby created) in said fund, in the manner and amount designated, as follows, to-wit:

10, (as Gradermen, Tractormen, Road Patrol and Oilers)	
11,371 hrs. @ \$0.55 per hour.....	\$6,254.05

Section 2. That said reallocation within said fund does not and shall not constitute any additional appropriation to said budget, or transfer of funds, and does not and shall not in any manner change or affect any of the several tax levies and rates established

by General Ordinance No. 59, 1939, and as approved by the State Board of Tax Commissioners.

This ordinance shall not repeal any part of said General Ordinance No. 59, 1939, but shall be supplemental thereto, and the re-allocation of funds herein prescribed shall be effective on and after April 1, 1940.

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 Works.

By the City Controller:

GENERAL ORDINANCE No. 26, 1940

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds for the purpose of refunding certain outstanding obligations of said city, and matters connected therewith; and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis, Indiana, now has outstanding certain bonds which will mature and be payable on the 1st day of July, 1940, for the payment of the principal of which no provision has been made in the budget for the year 1940, and in the taxes levied and collectible in said year; and

WHEREAS, at the regular levy period in September, 1939, the common council omitted such provision for payment because it found that it would be for the best interests of the city and its taxpayers that the time of payment of the indebtedness evidenced by said bonds should be extended and the rate of interest thereon reduced, and that provision should be made for the payment of the indebtedness evidenced by such bonds over such period of years as will equalize the tax burden, and that such result could be best obtained by raising funds for such payment through the issuance and sale of refunding bonds of the city; and

WHEREAS, said bonds maturing on July 1, 1940, payment of which is so to be provided for are as follows, to-wit:

- (1) "Flood Prevention Bonds of 1915," issued under date of June 1, 1915, in the amount of Five Hundred Forty Thousand Dollars (\$540,000.00), all of which are payable on July 1, 1940, and bear interest at the rate of four per cent (4%) per annum; and
- (2) "Flood Prevention Bonds of 1916," issued under date of May 15, 1916, in the amount of Sixty-eight Thousand Dollars (\$68,000.00), all of which are payable on July 1, 1940, and bear interest at the rate of four per cent (4%) per annum; and

WHEREAS, the common council now finds that payment of the total amount of said two outstanding bond issues of the city, in the aggregate sum of Six Hundred Eight Thousand Dollars (\$608,000.00), and which will mature and be payable on July 1, 1940, cannot be then made for the reason previously set out, and that no funds will be available therefor, except as herein to be provided, and that the credit of the city will be seriously impaired in the event of failure to provide for the payment, at maturity, of said outstanding obligations; NOW, THEREFORE,

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

Section 1. That for the purpose of obtaining funds with which to pay and cancel the outstanding bonds of the city, heretofore described, which will mature and be payable on the first day of July, in the year 1940, and for the purpose of extending the time of payment of the indebtedness evidenced by said bonds, reducing the rate of interest thereon, and equalizing the burden of taxation, there shall be issued and sold six hundred eight (608) negotiable, direct, general obligation bonds of the City of Indianapolis, in the sum of One Thousand Dollars (\$1,000.00) each, numbered from one (1) to six hundred eight (608), both inclusive, and designated as "City of Indianapolis Refunding Bonds of 1940."

All of said refunding bonds shall be dated as of July 1, 1940. Said bonds shall mature and be paid as follows:

- Thirty-one (31) bonds on January 1, 1942
- Thirty-one (31) bonds on January 1, 1943
- Thirty-one (31) bonds on January 1, 1944
- Thirty-one (31) bonds on January 1, 1945
- Thirty-one (31) bonds on January 1, 1946

Thirty-one (31) bonds on January 1, 1947
Thirty-one (31) bonds on January 1, 1948
Thirty-one (31) bonds on January 1, 1949
Thirty-one (31) bonds on January 1, 1950
Thirty-one (31) bonds on January 1, 1951
Thirty-one (31) bonds on January 1, 1952
Thirty-one (31) bonds on January 1, 1953
Thirty-one (31) bonds on January 1, 1954
Thirty-one (31) bonds on January 1, 1955
Thirty-one (31) bonds on January 1, 1956
Thirty-one (31) bonds on January 1, 1957
Thirty-one (31) bonds on January 1, 1958
Thirty-one (31) bonds on January 1, 1959
Thirty-one (31) bonds on January 1, 1960
Nineteen (19) bonds on January 1, 1961

Said bonds shall bear interest at a rate not exceeding three and one-half per cent ($3\frac{1}{2}\%$) per annum, the exact rate to be determined by bidding as hereinafter more particularly provided. The first interest shall be payable July 1, 1941. Thereafter the interest on said bonds shall be payable semi-annually on the first day of January and the first day of July of each year for the period of said bonds. Said installments of interest shall be evidenced by interest coupons attached to said bonds.

Section 2. Said refunding bonds and the interest coupons attached thereto shall be payable at the office of the treasurer of the City of Indianapolis, Indiana, in said city and state, in lawful money of the United States of America. Said bonds shall be signed in the name of the City of Indianapolis by the mayor of said city, countersigned by the city controller of said city, and attested by the city clerk, who shall affix the seal of said city to each of said bonds. The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the said mayor and the said city controller, who, by the signing of said bonds, shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the law merchant.

Section 3. The form and tenor of said refunding bonds and the interest coupons to be attached thereto shall be substantially as follows, (all blanks to be filled in properly prior to delivery), to-wit:

UNITED STATES OF AMERICA

State of Indiana

County of Marion

No.....

\$1,000.00

CITY OF INDIANAPOLIS REFUNDING BOND OF 1940

The City of Indianapolis, in Marion County, State of Indiana, for value received, hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal amount of

ONE THOUSAND DOLLARS

on the first day of, 19...., and to pay interest thereon from the date hereof until the principal is paid, at the rate of per cent (....%) per annum, payable on the first day of July, 1941, and semi-annually thereafter on the first day of January and July in each year, which interest to maturity is evidenced by and payable upon presentation and surrender of the attached interest coupons as they severally become due.

Both principal and interest of this bond are payable at the office of the treasurer of the City of Indianapolis, in said city, in lawful money of the United States of America.

This bond is one of an authorized issue aggregating Six Hundred Eight Thousand Dollars (\$608,000.00), numbered consecutively from 1 to 608, inclusive, of like denomination, tenor and effect as this bond, except as to dates of maturity, issued by the City of Indianapolis, Indiana, pursuant to an ordinance entitled, "AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds for the purpose of refunding certain out-

standing obligations of said city, and matters connected therewith; and fixing a time when the same shall take effect," duly adopted by the common council of said city on the day of April, 1940; and in compliance with an act of the General Assembly of the State of Indiana, entitled, "An Act concerning municipal corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, for the purpose of providing funds for the payment of a like amount of valid and enforceable bonds of the City of Indianapolis, maturing on July 1, 1940.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form, as provided by law, and that this bond and said total issue of bonds are within every limit of indebtedness prescribed by the Constitution and laws of the State of Indiana. The full faith and credit of the City of Indianapolis are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF the City of Indianapolis, in Marion County, State of Indiana, has caused this bond to be signed in its corporate name by its mayor, countersigned by its city controller, its corporate seal to be hereunto affixed, and attested by its city clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said mayor and said city controller, as of the first day of July, 1940.

CITY OF INDIANAPOLIS

By.....
 Mayor.

Countersigned:

 City Controler.

ATTEST:

 City Clerk.

(Form of Interest Coupon)

No. \$.....

On the day of....., 19...., the City of Indianapolis, in Marion County, Indiana, will pay to bearer, at the office of the city treasurer in said city, Dollars, being the interest due on said date on its Refunding Bond of 1940, No.

CITY OF INDIANAPOLIS

By..... (Facsimile) Mayor.

..... (Facsimile) City Controller.

Section 4. On final adoption of this ordinance, the city clerk shall immediately cause to be published and posted, in the manner required by law, a notice to taxpayers of the determination of the City of Indianapolis to issue all of the refunding bonds authorized by this ordinance. Said notice shall be published once each week for two consecutive weeks in two newspapers published in the City of Indianapolis, and representing the two leading political parties, and said notice shall also be posted in three public places in said city, all as provided by law.

Section 5. Said refunding bonds shall be offered for sale by the city controller as soon as may be done after the final adoption of this ordinance, in order that there may be no default in the payment of the outstanding bonds hereinabove described, which mature on July 1, 1940. Prior to the sale of said refunding bonds the city controller shall cause to be published a notice of the sale of said bonds, once each week for two weeks in two local newspapers. The date fixed for the sale of said bonds shall not be earlier than eight (8) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are issued, the total amount to be sold, the maximum rate of interest

thereon, the time and place of payment, and the terms and conditions upon which bids will be received and the sale made, and all such other information as the city controller shall deem necessary.

Among other things, said notice shall advise the bidders that all bids for said bonds shall be filed with the city controller in his office in said city, in sealed envelopes marked "Bid for Refunding Bonds of 1940"; that each bid shall be accompanied by a certified check payable to the City of Indianapolis in an amount equal to two and one-half per cent ($2\frac{1}{2}\%$) of the amount of said bonds to guarantee the good faith of the bidder, and that in the event the bidder to whom the bonds are awarded shall fail or refuse to comply with the provisions of its bid, then said check and the proceeds thereof shall be and become the property of the City of Indianapolis and shall be taken and considered as the liquidated damages of the city on account of such failure or refusal. Said notice shall also provide that bidders for said bonds shall be required to name the rate of interest which said refunding bonds are to bear, not exceeding the maximum rate herein provided, and that such interest must be in multiples of one-fourth ($\frac{1}{4}$) of one per cent (1%), and not more than one interest rate shall be named by each bidder; that the city controller will award said bonds to the highest qualified bidder who has submitted his bid in accordance with the notice of sale, and that the highest bidder will be the one who offers the lowest net interest cost to the city, determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any.

Section 6. No bid for less than the par value of said bonds, including the accrued interest from the date of said bonds to the date of delivery thereof, at the rate named in the bid, shall be considered. The city controller shall have the full right to reject any and all bids. In the event the city controller shall receive no satisfactory bid for said bonds at the time fixed in said notice of sale, he shall be authorized to continue to receive bids thereafter from day to day until a satisfactory bid is received, and in the event of the continuation of the sale, the city controller shall open all bids filed at the same hour each day, as stated in the bond sale notice.

Section 7. The city controller is hereby authorized and directed to have said bonds and coupons prepared, and the mayor and the city controller and the city clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided, and the city controller shall,

after the execution of said bonds, deliver the same to the city treasurer and shall take his receipt therefor. Upon the consummation of the sale of said bonds, the city controller shall certify to the treasurer the amount which the purchaser is to pay for the same, thereupon said treasurer shall be authorized to receive from the purchaser the amount so certified by the controller, and to deliver the bonds to such purchaser.

Section 8. This ordinance shall be in full force and effect immediately upon its passage and signing by the mayor.

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

By the Department of Public Purchase:

GENERAL ORDINANCE No. 27, 1940

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase certain equipment by and through the purchasing agent, 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. That the Board of Public Works and Sanitation of the City of Indianapolis be and it is hereby authorized and empowered to purchase, through its duly authorized purchasing agent, certain specified equipment, as follows, to-wit:

- 1 Only Road Oil Distributor and Chassis Requisition
- No. 10214\$5730.74

Section 2. That said purchase shall be made from the lowest and best bidder or bidders, after advertising for competitive bids thereon according to law, and the cost of said equipment shall not exceed the amount of \$5,730.74. The purchase price of said equipment shall be paid out of funds heretofore appropriated for such purchase.

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 Works.

By the Department of Public Purchase:

GENERAL ORDINANCE No. 28, 1940

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis to purchase certain materials, supplies and merchandise by and through the purchasing agent 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. That the Board of Public Safety of the City of Indianapolis be and it is hereby authorized and empowered to purchase, through its duly authorized purchasing agent, certain specified materials, supplies and merchandise, as follows, to-wit:

500 Reflectolite Signs—Requisition No. 7756. . . . \$2700.00

Section 2. The said purchase shall be made from the lowest and best bidder or bidders, after advertising for competitive bids thereon according to law, and the cost of said materials, supplies and merchandise shall not exceed the said sum of \$2700.00. The purchase price for said above named materials, supplies and merchandise shall be paid out of funds heretofore appropriated for such purpose.

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 Safety:

GENERAL ORDINANCE No. 29, 1940

AN ORDINANCE regulating the parking of vehicles on certain streets 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 on any day except Sunday, to park the same or suffer, permit or allow the same to be parked for a longer period than one and one-half (1½) hours between the hours of 7:00 o'clock A. M. and 6:00 o'clock P. M. on the following designated streets in the City of Indianapolis, to-wit:

- (a) Both sides of Washington Street, from the east curb line of Irvington Avenue to the west curb line of Audubon Road.
- (b) Both sides of Ritter Avenue, from the south curb line of Lowell Avenue to the north curb line of Julian Avenue.

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

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 30, 1940

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis, providing a penalty for the violation thereof, repealing a certain part and parts of ordinance and ordinances of said city; 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 it shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked at any time upon any of the following designated parts of streets of the City of Indianapolis, to-wit:

- (a) On the south side of East Washington Street, from the west curb line of Brookville Road to a point 33 feet west thereof.
- (b) On the south side of East Washington Street, from the east line of the track elevation of the Indianapolis Union Railway east to the east curb line of Gale Street, being a distance of 270 feet.
- (c) On the north side of East Washington Street, from the east line of the track elevation of the Indianapolis Union Railway east to the west curb line of Gale Street, being a distance of 250 feet.
- (d) On both sides of Washington Street, from the west line of the track elevation of the Indianapolis Union Railway, west to the east curb line of Tuxedo Street, being a distance of 260 feet.

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. Any part and parts of an ordinance and ordinances of the City of Indianapolis heretofore ordained, prohibiting parking on the south side of East Washington Street from the east curb line of Gale Street to the west curb line of Brookville Road are hereby repealed only as to said provision.

Section 4. 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 Works & Sanitation:

GENERAL ORDINANCE No. 31, 1940

AN ORDINANCE to amend Section 49 of General Ordinance No.

121, 1925, known as the Municipal Code of Indianapolis 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 49 of General Ordinance No. 121, 1925, known as Municipal Code of Indianapolis 1925, be and is hereby amended to read as follows, to-wit:

Sec. 49. BIRDS. (a) Any person who shall wilfully injure, molest, attack or disturb in any way any birds, or the nest, eggs, young or brood of any such birds, shall, on conviction, be fined not more than ten dollars (\$10.00); provided, however, that the above provision shall not apply to non-migratory pigeons or any bird declared or defined by any law or pursuant to any law of the State of Indiana as "pests."

(b) The Board of Public Safety is hereby authorized to issue permits to any person in such instance and under such terms and conditions as it finds to be necessary for the public safety and welfare, for the killing, trapping and otherwise disposing of any non-migratory pigeons or any birds declared or defined by any law or pursuant to any law of the State of Indiana as "pests" within the city limits, upon payment of the sum of one dollars (\$1.00) into the office of the city controller; and any such permit so issued shall be revocable at the will of said board.

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

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

INTRODUCTION OF SPECIAL ORDINANCES

By the City Plan Commission :

SPECIAL ORDINANCE No. 4, 1940

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 City of Indianapolis, Indiana, be, and the same is, hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory

constituting the City of Indianapolis:

Part of the East half ($\frac{1}{2}$) of the Northwest quarter ($\frac{1}{4}$) of Section 2, Township 15 North, Range 4 East in Marion County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the East half ($\frac{1}{2}$) of said Northwest quarter ($\frac{1}{4}$) and running East upon and along the North line thereof 91.5 feet to a point; thence South, parallel with the West line of said half ($\frac{1}{2}$) of said quarter ($\frac{1}{4}$) Section 386.5 feet to a point; thence West, parallel with the North line of said half ($\frac{1}{2}$) of said quarter ($\frac{1}{4}$) Section 91.5 feet to a point; thence North, on and along the West line of said half ($\frac{1}{2}$) of said quarter ($\frac{1}{4}$) Section 386.5 feet 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 Public Works.

ORDINANCES ON SECOND READING

Mr. Campbell called for second reading of General Ordinance No. 22, 1940. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, General Ordinance No. 22, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22, 1940, was read a third time by the Clerk and failed to pass by the following roll call vote:

Ayes, 4, viz: Mr. Bach, Mr. Campbell, Dr. Hemphill, Mr. Moore.

Noes, 4, viz: Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Campbell made a motion to reconsider General Ordinance No. 22, 1940. The motion was seconded by Mr. Ropkey, and passed unanimously by viva voce vote of the Council.

Mr. Ropkey made a motion to postpone further action on General Ordinance No. 22, 1940, until the next regular meeting of the Common Council. The motion was seconded by Mr. Ransom, and passed unanimously by viva voce vote of the Council.

Mr. Bach called for General Ordinance No. 23, 1940, for second reading. It was read a second time.

Mr. Bach presented the following written motion to amend General Ordinance No. 23, 1940:

April 1, 1940.

Mr. President:

I move to amend General Ordinance No. 23, 1940, by striking out all of subsection (c) under SECTION 1, and by striking out the captions (d), (e), (f) before the following sub-sections and placing in lieu thereof the captions (c), (d), (e).

OLLIE A. BACH, Councilman.

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

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

On motion of Mr. Bach, seconded by Mr. Campbell, General Ordinance No. 23, 1940, as amended, was ordered engrossed, read a third time by the Clerk and placed upon its passage.

General Ordinance No. 23, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Ransom called for Special Ordinance No. 2, 1940, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Moore, Special Ordinance No. 2, 1940, was ordered engrossed, read a third time, and placed upon its passage.

Special Ordinance No. 2, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Bach asked that the rules be suspended for the further consideration and passage of General Ordinance No. 30, 1940. The motion was seconded by Mr. Moore and passed by the following roll call vote:

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

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., April 1, 1940.

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. 30, 1940, entitled:

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis, providing a penalty for the violation thereof, repealing a certain part and parts of ordinance and ordinances of said city;

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

ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

ORDINANCES ON SECOND READING

Mr. Bach called for General Ordinance No. 30, 1940, for second reading. It was read a second time.

On motion of Mr. Bach, seconded by Mr. Ross, General Ordinance No. 30, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 30, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

General Ordinance No. 91, 1939, and Special Ordinances No. 1 and 3, 1940, were held for further consideration by the Committees to which they were referred. General Ordinance No. 22, 1940, was postponed for final action by the Council as a whole.

On motion of Mr. Ransom, seconded by Mr. Ross, the Common Council adjourned at 9:50 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 1st day of April, 1940, 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)