

REGULAR MEETING

Monday August 5, 1940  
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, August 5, 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, 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. Moore.

COMMUNICATIONS FROM THE MAYOR

July 22, 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:

GENERAL ORDINANCE No. 60, 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.

Respectfully,

R. H. SULLIVAN,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

August 5, 1940.

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

Gentlemen:

As required by Section 48-1410, Burns Revised Statutes of 1933, I submit the following report:

On June 20, 1940, in conformity with General Ordinance No. 26, 1940, passed by the Common Council on the 15th day of April, 1940, and signed by the Mayor on the 16th day of April, 1940, I sold \$608,000 City of Indianapolis Refunding Bonds of 1940 to Union Securities Corporation, Equitable Securities Corporation and Roosevelt and Weigold of New York City, at a rate of  $1\frac{3}{4}\%$  and a premium of \$4,682.00. Said bonds were delivered to said purchasers on July 1, 1940, and checks in the amount of \$612,682.00 were received and delivered to the City Treasurer.

On July 22, 1940, in conformity with General Ordinance No. 38, 1940, passed by the Common Council on the 20th day of May, 1940, and signed by the Mayor on the 23rd day of May, 1940, I sold \$250,000 City of Indianapolis Public Works Bonds of 1940 to The First National Bank of Chicago, Chicago, Illinois, at a rate of  $1\frac{3}{4}\%$  and a premium of \$4,569.00. Said bonds were delivered to said purchaser on August 5, 1940, and a check in the amount of \$254,982.20 was received and delivered to the City Treasurer.

Respectfully submitted,

JAMES E. DEERY,  
City Controller.

August 5, 1940.

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

Gentlemen:

Re: A. O. No. 7, 1940.

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 Indianapolis Times on July 17, 1940, that taxpayers may have a right to be heard in the matter of Appropriation Ordinance No. 7, 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.

July 25, 1940.

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

Gentlemen:

Re: G. O. No. 65 and 70, 1940.

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 July 26, 1940, that taxpayers may have a right to be heard in the matter of General Ordinances Nos. 65 and 70, 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.

August 2, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 71, 1940, an ordinance requiring the Pennsylvania Railroad Company to install flashing light signals at certain street crossings of the tracks of said company in the City of Indianapolis, Indiana, and repealing Section 655 of General Ordinance No. 121, 1925, as amended by General Ordinance No. 34, 1932, and Section 656 of said General Ordinance No. 121, 1925, as amended by General Ordinance No. 34, 1932, and Section 656 of said General Ordinance No. 121, 1925, and General Ordinance No. 125, 1927, as amended by General Ordinance No. 18, 1929; and General Ordinance No. 34, 1932, all relating to crossing protection at the intersections of certain streets in said city and the tracks of said company, and repealing all other ordinances in conflict herewith, and fixing a time when the same shall take effect.

We respectfully recommend the passage of this ordinance.

BOARD OF PUBLIC SAFETY,

By L. J. Keach,  
President.

August 1, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 72, 1940, an ordinance amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-sections (54) (55) and (56), as follows, to wit:

- (54) West 29th Street at its intersection with Kenwood Avenue.
- (55) South Street, from the east curb line of South West Street to the west curb line of South East Street, except at its intersections with South Illinois, South

Meridian, and South Delaware Streets, at which intersections said streets shall be "THRU" streets.

- (56) Fletcher Avenue, from the east curb line of South East Street to its eastern extremity, except at its intersections with Shelby and South State Streets, at which intersections said streets shall be "THRU" streets.

We respectfully recommend the passage of this ordinance.

BOARD OF PUBLIC SAFETY,

By L. J. Keach,  
President.

August 1, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 73, 1940, an ordinance prohibiting parking on certain parts of certain streets in the City of Indianapolis and at certain times; regulating the parking of vehicles upon certain other streets of said city; providing a penalty for the violation thereof; and fixing a time when the same shall take effect, as follows to wit:

Section 1. (a) On the south side of West 26th Street between North Meridian Street and Capitol Avenue.

(b) On the north side of Georgia Street, from the east curb line of South West Street east to a point 342 feet east of the east curb line of South West Street.

(c) On both sides of East Michigan Street, from a point 15 feet east of the east curb line of Tuxedo Street east to a point 196 feet east of the east curb line of Tuxedo Street.

Section 2. (a) On the south side of East New York Street between Highland and Arsenal Avenue.

Section 3. (a) Both sides of East Michigan Street between Oakland Avenue and Gray Street and between Tuxedo Street and Sherman Drive.

We respectfully recommend the passage of this ordinance.

Yours very truly,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,

President.

August 5, 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. 74, 1940, for introduction on August 5, 1940.

The Board of Public Safety of the City of Indianapolis and the Board of Public Works and Sanitation of the City of Indianapolis have determined that it is necessary to erect a fire station at the northeast corner of Prospect Street and Madison Avenue on property of the City of Indianapolis, that it is further necessary to relocate and rebuild a fire drill tower from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street, to purchase motorized fire equipment, to erect an addition to the Police Radio Station in Willard Park and to purchase motorized road equipment including two street sweepers and a road patrol as recommended by the Chief of the Fire Department of the City of Indianapolis, the Chief of the Police Department of the City of Indianapolis and the Street Commissioner of the City of Indianapolis, and as shown by the adoption by said Board of Public Safety of Miscellaneous Resolution No. 1, 1940, and as shown by the adoption by said Board of Public Works and Sanitation of Miscellaneous Resolution No. 409, 1940.

Said boards have determined that the sum of \$125,000.00 will be required to pay for the buildings, improvements and equipment contemplated, and inasmuch as there are no funds budgeted for such buildings, improvements and equipment with which to pay the same, it will be necessary to issue bonds in the amount of \$125,000.00 to provide said funds.

I recommend that the council authorize the issuance of bonds in an amount of \$125,000.00 for the purpose of providing funds to pay the cost of such buildings, improvements and equipment as more particularly set out in said ordinance. 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 August 19, 1940, so that publication of the required notice of determination may be started at the earliest possible date.

Dated at Indianapolis, Indiana, this 5th day of August, 1940.

Respectfully yours,

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

August 5, 1940.

Members of the Common Council,  
City of Indianapolis.

Gentlemen:

Re: S. O. No. 6, 1940.

Acting under instructions from the Board of Health, I respectfully submit a bill for an ordinance authorizing the expenditure of certain funds received by the City Hospital, by donations and legacies, for the purpose of re-equipping a ward in B Wing of said hospital.

Respectfully submitted,

HERMAN G. MORGAN,  
Secy. Dept. of Public Health and Charities.

## OTHER COMMUNICATIONS

### FILING OF PETITIONS

Petitions bearing the signatures of more than 174 persons purporting to own taxable real estate in the City of Indianapolis were filed, which petitions requested the common council to cause to be issued bonds of the City of Indianapolis in an amount not to exceed \$150,000, to be used for the following purposes:

Erection of a fire station at the northeast corner of Prospect Street and Madison Avenue on property now owned by the City of Indianapolis.

Relocate and rebuild a fire drill tower from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street.

Purchase of motorized fire equipment for fire department.

Purchase of motorized road equipment.

Erection of an addition to the Police Radio Station in Willard Park.

Said petitions were verified by more than one of the signers thereof, and there was attached to said petitions a certificate of the auditor of Marion County, Indiana, to the effect that 174 of such petitioners are owners of taxable real estate in the City of Indianapolis.

Said petitions, omitting the signatures thereon, were in the following words and figures:

#### PETITION FOR ISSUANCE OF BONDS

To the Honorable Members of the Common Council  
of the City of Indianapolis, Indiana:

We, the undersigned, being owners of taxable real estate within the boundaries of the City of Indianapolis, Indiana, hereby petition the Common Council of said city to authorize and issue the bonds of the City of Indianapolis in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000) to pay for and be used for the following purposes:

Erection of a fire station at the northeast corner of Prospect Street and Madison Avenue on property now owned by the City of Indianapolis.

Relocate and rebuild a fire drill tower from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street.

Purchase of motorized fire equipment for fire department.

Purchase of motorized road equipment.

Erection of an addition to the Police Radio Station in Willard Park.

This petition may be circulated in several counterparts and all such counterparts are to be considered as constituting one petition. The form of verification on said petition was as follows:



STATE OF INDIANA  
COUNTY OF MARION

SS:

....., being first duly sworn,  
upon oath says:

That he is the owner of taxable real estate located within the City of Indianapolis, Indiana, and is one of the signers of a petition addressed to the Common Council of the City of Indianapolis, Indiana, requesting the issuance of bonds of said city for the purpose of obtaining funds to pay for the proposed fire station, fire department equipment, street sweepers and police radio station, enumerated in said petition; that all the signatures appearing on the attached counterpart of said petition were affixed in h..... presence and are true and lawful signatures of the persons signing the counterpart.

Subscribed and sworn to before me, this.....day of  
....., 1940.

.....  
Notary Public.

My commission expires

.....  
A copy of the certificate of the auditor of Marion County attached thereto is as follows:

STATE OF INDIANA  
COUNTY OF MARION

SS:

I, Glenn B. Ralston, the duly elected, qualified and acting Auditor of Marion County, Indiana, hereby certify that I have examined the 7 counterparts of a petition addressed to the Common Council of the City of Indianapolis, requesting said council to authorize and issue the bonds of said city for the purpose of procuring funds to be used for the following purposes:

Erection of a fire station at the northeast corner of Prospect Street and Madison Avenue on property now owned by the City of Indianapolis.

Relocate and rebuild a fire drill tower from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street.

Purchase of motorized fire equipment for fire department.

Purchase of motorized road equipment.

Erection of an addition to the Police Radio Station in Willard Park.

I further certify that I have checked the signatures on the various counterparts of said petition with the tax records in my office, and that all the counterparts of said petition are verified by affidavits of the owners of taxable real estate located within the corporate limits of the City of Indianapolis, and that said petition is signed by 174 owners of taxable real estate located within the corporate limits of the City of Indianapolis, as shown more particularly by the following computation:

Counterpart No.	Verified by Affidavit of	Number of Signers
1	Paul W. Lindemann.....	33 28
2	Robert L. Simmes .....	32 23
3	A. Frank Craig .....	32 27
4	Michael Hyland .....	33 28
5	Bernard A. Lynch .....	31 18
6	Charles Gregory .....	31 25
7	John J. McNellis .....	31 25
	Total number of signers .....	223
	Total number of signers who are owners of real estate....	174
	Total number of signers who are not owners of real estate	49

IN WITNESS WHEREOF, I have set my hand and seal this 31st day of July, 1940.

GLENN B. RALSTON,  
Auditor of Marion County, Indiana.

By PAUL B. SCOTT,  
Chief Deputy, Transfer Clerk.

The above was filed in the office of the City Clerk and presented to the members of the City Council of City of Indianapolis on August 5, 1940.

STATE OF INDIANA  
 COUNTY OF MARION

SS:

I, Glenn B. Ralston, the duly elected, qualified and acting Auditor of Marion County, Indiana, hereby certify that I have examined the 7 counterparts of a petition addressed to the Common Council of the City of Indianapolis, requesting said council to authorize and issue the bonds of said city for the purpose of procuring funds to be used for the following purposes:

Erection of a fire station at the northeast corner of Prospect Street and Madison Avenue on property now owned by the City of Indianapolis.

Relocate and rebuild a fire drill tower from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street.

Purchase of motorized fire equipment for fire department.  
 Purchase of motorized road equipment.

Erection of an addition to the Police Radio Station in Willard Park.

I further certify that I have checked the signatures on the various counterparts of said petition with the tax records in my office, and that all the counterparts of said petition are verified by affidavits of the owners of taxable real estate located within the corporate limits of the City of Indianapolis, and that said petition is signed by 223 owners of taxable real estate located within the corporate limits of the City of Indianapolis, as shown more particularly by the following computation:

Counterpart No.	Verified by Affidavit of	Number of Signers	
1	Paul W. Lindemann .....	33	28
2	Robert L. Simmes .....	32	23
3	A. Frank Craig .....	32	27
4	Michael Hyland .....	33	23
5	Bernard A. Lynch .....	31	18
6	Charles Gregory .....	31	25
7	John J. McNellis .....	31	25
Total number of signers.....		223	
Total number of signers who are owners of real estate....		174	
Total number of signers who are not owners of real estate .....			49

IN WITNESS WHEREOF, I have set my hand and seal this 31st day of July, 1940.

GLENN B. RALSTON,  
Auditor of Marion County, Indiana.

By PAUL B. SCOTT,  
Chief Deputy, Transfer Clerk.

The above was filed in the office of the City Clerk of Indianapolis, Ind., on August 5, 1940.

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 Mr. Ross and the Council recessed at 7:45 P. M.

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

## COMMITTEE REPORTS

Indianapolis, Ind, August 5, 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, 1940, 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  
ALBERT O. DELUSE  
GUY O. ROSS  
WALTER E. HEMPHILL  
HARMON A. CAMPBELL

Indianapolis, Ind, August 5, 1940.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 7, 1940, entitled:

AN ORDINANCE appropriating the sum of Thirty-one Thousand Dollars (\$31,000) from the unappropriated and unexpended 1939 balance of the Gasoline Tax Fund to certain funds of the Board of Public Works and Sanitation of the City of Indianapolis;

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, August 5, 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. 61, 1940, entitled:

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis to establish a taxicab stand on Marcy Lane in said city, pursuant to Section 9 of General Ordinance No. 87, 1935, as amended;

August 5, 1940]

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

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

Indianapolis, Ind, August 5, 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. 63, 1940, entitled:

AN ORDINANCE authorizing the Board of Health of the City of Indianapolis to purchase, through its duly authorized purchasing agent, materials, supplies, merchandise and services to be used in and in connection with the Indianapolis City Hospital;

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

Indianapolis, Ind, August 5, 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 General Ordinance No. 64, 1940, entitled:

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase, through its duly authorized purchasing agent, four tractor type trucks;

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

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

July 24, 1940.

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

Gentlemen:

Re: G. O. No. 65, 1940.

The City Plan Commission met in regular session July 22, 1940, and did not approve General Ordinance No. 65, 1940, and did not recommend its passage. This ordinance embraces all the lands and lots between Orchard Avenue and Kinnear Avenue; and between Millersville Drive and the Union Traction Co. right of way.

The City Plan Commission functioning in separate capacity have entertained appeals in the nature of the zoning variances for all the structures and uses of this land and, therefore, prefer to consider each business individually. By this arrangement the land and buildings may be controlled.

Very truly yours,

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

Indianapolis, Ind, August 5, 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. 66, 1940, entitled:

AN ORDINANCE amending Section Two (2) of General Ordinance No. 60 by adding sub-sections (I), (J) and (K) thereto;

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, August 5, 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. 67, 1940, entitled:

AN ORDINANCE concerning the closing of retail establishments selling intoxicating liquors and/or beer or wine.

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

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

Indianapolis, Ind, August 5, 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. 68, 1940, entitled:

AN ORDINANCE amending General Ordinance No. 121, 1925, as amended, by adding thereto a Section 695½ and changing Section 702 thereof;

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

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



Indianapolis, Ind, August 5, 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. 69, 1940, entitled:

AN ORDINANCE amending Section 9 of General Ordinance No. 87, 1935, as amended;

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

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

July 24, 1940.

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

Gentlemen:

Re: G. O. No. 70, 1940.

The City Plan Commission met in regular session July 22, 1940, approved and recommended the passage of General Ordinance No. 70, 1940. An ordinance to zone the newly annexed area of the city located at the southeast corner of Tenth and Sheridan formerly Anderson Street. This zoning is identical with the zoning on the west side of Sheridan Avenue.

Very truly yours,

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

## INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

## GENERAL ORDINANCE No. 71, 1940

AN ORDINANCE requiring the Pennsylvania Railroad Company to install flashing light signals at certain street crossings of the tracks of said company in the City of Indianapolis, Indiana, and repealing Section 655 of General Ordinance No. 121, 1925, as amended by General Ordinance No. 34, 1932, and Section 656 of said General Ordinance No. 121, 1925, and General Ordinance No. 125, 1927, as amended by General Ordinance No. 18, 1929; and General Ordinance No. 34, 1932, all relating to crossing protection at the intersections of certain streets in said city and the tracks of said company, and repealing all other ordinances in conflict herewith, 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 Pennsylvania Railroad Company shall be required to install and maintain flashing light signals of standard type located in the center of the street, at the grade crossings of its railroad tracks and the following streets in said city, namely, Southern Avenue, Leota Street, State Avenue, Emerson Avenue and Audubon Road.

That said railroad company shall install and maintain such flashing light signals of standard type located at the side of the vehicular traveled portion of the street, at the grade crossings of its railroad tracks and the following streets in said city, namely, Madison Avenue, Palmer Street, Minnesota Street, Raymond Street, Caven Street, Southeastern Avenue, Arlington Avenue, Oriental Street, Butler Avenue, Downey Avenue, Ritter Avenue, Hanna Avenue, Belmont Avenue and the main line of said railroad, and Harding Street and the main line of said railroad. All of said lights shall be in operation 24 hours each day.

Section 2. Where said flashing light signals are not now installed in the location or at the crossings specified in Section 1 hereof, said railroad company shall install the same within six months after this ordinance becomes effective.

Section 3. The Board of Public Safety of said city shall have the right at any time hereafter to order said railroad company to change the location of any of said flashing lights at any of said crossings, from center location to side location or from side location to center location.

Section 4. Section 655 of General Ordinance No. 121, 1925, as amended by General Ordinance 34, 1932, and Section 656 of General Ordinance No. 125, 1925, and General Ordinance No. 125, 1927, as amended by General Ordinance No. 18, 1929, and General Ordinance No. 34, 1932, all providing for crossing protection at the intersections of certain streets in said city and the tracks of said company, and all other ordinances in conflict herewith are hereby repealed.

Section 5. 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. 72, 1940

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-sections (54), (55) and (56) 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 44 of General Ordinance No. 96, 1928, as amended, be amended by adding thereto subsections (54), (55) and (56), as follows, to-wit:

- (54) West 29th Street at its intersection with Kenwood Avenue.
- (55) South Street, from the east curb line of South West Street to the west curb line of South East Street, except at its intersections with South Illinois, South Meridian, and South Delaware Streets, at which intersections said streets shall be "THRU" streets.
- (56) Fletcher Avenue, from the east curb line of South East Street to its eastern extremity, except at its intersections with Shelby and South State Streets, at which intersections said streets shall be "THRU" streets.

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.

By the Board of Public Safety:

GENERAL ORDINANCE No. 73, 1940

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis and at certain times; regulating the parking of vehicles upon certain other streets of said city; 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. 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 certain parts of certain streets in the City of Indianapolis described as follows, to-wit:

- (a) On the south side of West 26th Street between North Meridian Street and Capitol Avenue.
- (b) On the north side of Georgia Street, from the east curb line of South West Street east to a point 342 feet east of the east curb line of South West Street.
- (c) On both sides of East Michigan Street, from a point 15 feet east of the east curb line of Tuxedo Street east to a point 196 feet east of the east curb line of Tuxedo Street.

Section 2. 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 between the hours of 4:30 o'clock P. M. and 6:00 o'clock P. M., on any day of the week except Sundays, upon a certain part of East New York Street in the City of Indianapolis, described as follows, to-wit:

- (a) On the south side of East New York Street between Highland and Arsenal Avenues.

Section 3. 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 any day except Sunday, for a longer period of time than one and one-half (1½) hours, between the hours of 7:00 A. M. and 6:00 P. M., on the following parts of East Michigan Street, to-wit:

- (a) Both sides of East Michigan Street between Oakland Avenue and Gray Street and between Tuxedo Street and Sherman Drive.

Section 4. 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 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 Safety.

By the City Controller:

GENERAL ORDINANCE No. 74, 1940

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said city, designated "City of Indianapolis Building and Equipment Bonds of 1940," including all matters pertaining thereto, and fixing a time when the same shall take effect.

WHEREAS, on the 30th day of July, 1940, the Board of Public Safety of the City of Indianapolis duly adopted Miscellaneous Resolution No. 1, 1940, wherein it was determined necessary at this time to construct the improvements and purchase the equipment, hereinafter described, at a cost severally estimated as follows:

1. Erection of a fire station at the northeast corner of Prospect Street and Madison Avenue, on property now owned by the City of Indianapolis. Estimated cost .....\$43,000.00
2. Relocate and rebuild a fire drill tower, from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street. Estimated cost.....\$10,000.00
3. Purchase motorized fire equipment. Estimated cost .....\$38,000.00

4. Erection of an addition to the Police Radio Station  
in Willard Park. Estimated cost.....\$ 6,000.00

all calling for an estimated total expenditure therefore, not exceeding \$97,000.00; and

WHEREAS, on the 2d day of August, 1940, the Board of Public Works and Sanitation of the City of Indianapolis duly adopted Miscellaneous Resolution 409-1940, wherein it was determined necessary at this time to purchase certain motorized road equipment, including two (2) street sweepers and a road patrol, at an estimated expenditure therefor, not exceeding \$25,000.00; and

WHEREAS, each of said boards thereafter separately requested the city controller and the common council of said city to take the necessary steps to provide the aforesaid amount of such funds so requested by such respective boards; and

WHEREAS, on the 5th day of August, 1940, there were filed with the common council petitions bearing the signatures of more than fifty (50) persons owning taxable real estate in the City of Indianapolis, certified as such by the auditor of Marion County, Indiana, and verified as such in each counterpart of such petition so filed, requesting the common council to authorize the issuance of bonds in an amount not to exceed One Hundred Twenty-five Thousand Dollars (\$125,000), to provide funds for the construction of all the aforesaid improvements and for the purchase of all the aforesaid equipment; and

WHEREAS, there exists at the present time an actual, great and extreme emergency for the proper and adequate protection of the property in the vicinity of Prospect Street and Madison Avenue in the City of Indianapolis, requiring that a fire station be erected and maintained on and upon property now owned by the City of Indianapolis at the northeast corner of Prospect Street and Madison Avenue; and

WHEREAS, there exists at the present time a similar emergency relating to adequate and proper fire protection to property in the City of Indianapolis, including adequate training of its firemen, whereby said city should relocate and rebuild its fire drill tower now located at the northwest corner of South and New Jersey Streets, in a new location at 1445 West Michigan Street; and said city should purchase additional motorized fire equipment for the fire department of the City of Indianapolis; and

WHEREAS, there exists at the present time a similar emergency in that the police radio station, located in Willard Park in the City of Indianapolis, has become too small and inadequate for its purposes, with no room therein for the expansion of its equipment or of the required personnel, and an addition to such police radio station is now necessary to remedy such conditions; and

WHEREAS, there exists at the present time a similar emergency in that the aforesaid additional motorized road equipment is needed and required by the Board of Public Works and Sanitation, to maintain the city streets in a clean, healthful and sanitary conditions; and

WHEREAS, the common council now deems it necessary and proper that all such conditions should be remedied forthwith, as provided in the aforesaid resolutions of said Board of Public Safety and said Board of Public Works and Sanitation; and

WHEREAS, there are not now in the budget for the year 1940 of the City of Indianapolis available funds for the improvements and equipment called for in the aforesaid resolutions, and there is required therefor the sums aforesaid, together with the further sum of Three Thousand Dollars (\$3,000) to provide for any unforeseen contingencies which may arise, all aggregating the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) for the purposes in said resolutions set out; and

WHEREAS, it will be necessary for the City of Indianapolis to borrow such sum of One Hundred Twenty-five Thousand Dollars (\$125,000) in order to secure funds for the purposes herein set out, and to issue its bonds for such amount as evidence of its obligation, to be repaid from its general fund or from such other funds as may now or hereafter be provided by law; NOW, THEREFORE,

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

Section 1. That there be issued and sold, in order to obtain funds for the several purposes described in the preamble hereof, which is hereby incorporated in this section, by this reference thereto, to avoid needless repetition of such purposes, one hundred twenty-five (125) direct negotiable general obligation bonds of the City of Indianapolis, Indiana, in the denomination of One Thousand Dollars (\$1,000) each, numbered from one (1) to one hundred twenty-five (125), both inclusive, and designated as "City of Indianapolis Building and Equipment Bonds of 1940." All of such bonds shall be

dated as of October 1, 1940, and shall mature and be paid as follows: Six (6) bonds on July 1, 1942, and six (6) bonds on each first day of July thereafter to and including July 1, 1960, and eleven (11) bonds on July 1, 1961.

Said bonds shall bear interest at a rate not exceeding five per cent (5%) per annum, the exact rate to be determined by bidding as hereinafter more particularly provided. The first interest shall be payable on July 1, 1942. 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 bonds and the interest coupons attached thereto shall be payable at the office of the treasurer of the City of Indianapolis in said city, 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 the bona fide holders, have all the qualities of negotiable instruments under the law merchant.

Section 3. The form and tenor of said 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 BUILDING AND EQUIPMENT 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 July 1, 1942, 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 annexed 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 issue aggregating One Hundred Twenty-five Thousand Dollars (\$125,000), numbered from one to one hundred twenty-five, inclusive, of like denomination, like date, tenor and effect of 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 of said city, designated 'City of Indianapolis Building and Equipment Bonds of 1940,' including all matters pertaining thereto, and fixing a time when the same shall take effect," duly adopted by the common council on the 19th day of August, 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 laws amendatory thereof and supplemental thereto, for the purpose of providing funds to construct a fire station, to relocate and rebuild a fire drill tower, to construct an addition to the police radio station, to purchase certain motorized fire equipment, and to purchase certain motorized road equipment.

It is hereby certified 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.....day of....., 1940.

CITY OF INDIANAPOLIS

By..... Mayor.

(SEAL)

Counttersigned:

..... City Controller.

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 "Building and Equipment Bonds of 1940."

CITY OF INDIANAPOLIS

By..... (Facsimile) Mayor

..... (Facsimile) City Controller

Section 4. As soon as may be done after the passage of this ordinance, the city clerk shall give notice of the filing of the petition for and determination to issue bonds. Said notice shall be published once each week for two (2) consecutive weeks in two (2) newspapers of opposite political parties, published in the City of Indianapolis, and said notice shall also be posted in three (3) public places in the city, as provided by Chapter 119 of the Acts of 1937 and Section 64-1332 Burns Statutes 1933.

Section 5. Said bonds shall be offered for sale by the city controller as soon as may be done after the passage of this ordinance, and after the expiration of the time in which objections, if any, to the issuance of said bonds may be filed by ten (10) or more taxpayers within the time and manner provided by law. Prior to the sale of any of said bonds the city controller shall cause to be published a

notice of the sale of said bonds, once each week for two (2) consecutive weeks in two (2) local newspapers. The date fixed for the sale of said bonds shall be not 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 amount thereof, the maximum rate of interest thereon, the time of payment, and the terms and conditions upon which bids will be received and the sale made, and such other information as the city controller shall deem necessary.

Among other things, such 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 City of Indianapolis Building and Equipment 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 the bidders for said bonds shall be required to name the rate of interest which said bonds are to bear, not exceeding the maximum rate herein provided, and that such interest rate 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 shall be the one who offers the lowest net interest cost to the city, determined by computing the total interest on all 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 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 has been received, and in the event of the continuance of 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, city con-

troller and 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. The treasurer is hereby authorized and directed to deliver said bonds to the purchaser thereof, upon receipt from the purchaser of the amount bid for said bonds, as certified to the treasurer by the city controller.

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

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

By the Department of Public Health and Charities:

SPECIAL ORDINANCE No. 6, 1940

AN ORDINANCE authorizing the expenditure of certain funds received by the Indianapolis City Hospital from donations and legacies for the purpose of re-equipping a ward in B Wing of said hospital.

WHEREAS, the common council of the City of Indianapolis, by and under the terms and provisions of Special Ordinance No. 7, 1938, did determine to accept certain bequests and donations to be made in the future to the Indianapolis City Hospital for the purpose of being used and expended specifically in the maintenance, operation and equipment of said Indianapolis City Hospital; and

WHEREAS, under and in accordance with Section 3 of Special Ordinance No. 7-1938, there was set up and established in the office of the city controller a fund denominated "Donations to City Hospital Fund"; and

WHEREAS, since the creation of said fund from time to time various donations and bequests have been received by said Indianapolis City Hospital, and credited and deposited with the city controller and the city treasurer to the credit of said fund; and

WHEREAS, no expenditure of the moneys in said fund was or is to be made except upon appropriation by the common council for certain specific purposes; and

WHEREAS, the Board of Public Health and Charities of the City of Indianapolis is now desirous to expend the moneys in said fund for a certain specific purpose hereinafter set out, NOW, THEREFORE,

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

Section 1. That the sum of Eighteen Hundred Fifty Dollars (\$1850.00), now in the "Donations to City Hospital Fund" in the office of the city controller and in the custody of the city treasurer, be and the same hereby is appropriated to the use of the Indianapolis City Hospital for the purpose of re-equipping a ward in the B Wing with a new floor covering, beds, bedside tables, overbed tables, cubicles, and such other equipment as may be necessary to re-equip said ward within the limits of the amount hereinabove set forth.

Section 2. That the city controller is hereby authorized and directed upon the passage of this ordinance to make available to the Indianapolis City Hospital the sum of Eighteen Hundred Fifty Dollars (\$1850.00) for the purpose set out in Section 1 of this ordinance.

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 Health.

#### ORDINANCES ON SECOND READING

Mr. Deluse called for second reading of Appropriation Ordinance No. 7, 1940. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, Appropriation Ordinance No. 7, 1940, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 7, 1940, 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. Bach called for second reading of General Ordinance No. 63, 1940. It was read a second time.

On motion of Mr. Bach, seconded by Mr. Campbell, General Ordinance No. 63, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 63, 1940, 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. 64, 1940, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Deluse, General Ordinance No. 64, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1940, 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. Campbell made a motion to strike General Ordinance No. 65, 1940, from the files. The motion was seconded by Mr. Ross, 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. 66, 1940, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 66, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 66, 1940, 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 made a motion to strike General Ordinance No. 68, 1940, from the files. The motion was seconded by Mr. Moore, 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. Campbell called for General Ordinance No. 70, 1940, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Dr. Hemphill, General Ordinance No. 70, 1940, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance No. 70, 1940, 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. Campbell called for Resolution No. 1, 1940, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, Resolution No. 1, 1940, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 1, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 5, viz: Mr. Bach, Mr. Campbell, Dr. Hemphill, Mr. Moore, Mr. Ross.

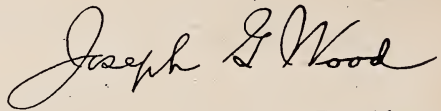
Noes, 3, viz: Mr. Deluse, Mr. Ransom, President Wood.

General Ordinance No. 91, 1939, and General Ordinances Nos. 61, 67 and 69, 1940, were held for further consideration by the committees to which they were referred.

On motion of Mr. Deluse, seconded by Mr. Ransom, 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 5th day of August, 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.



(SEAL)

City Clerk