

REGULAR MEETING

Monday, September 16, 1940
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, September 16, 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, Ralph F. Moore, F. B. Ransom, Guy O. Ross, President Joseph G. Wood.

Absent: Dr. Walter E. Hemphill, Ernest C. Ropkey.

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

September 3, 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:

APPPROPRIATION ORDINANCE No. 8, 1940

AN ORDINANCE appropriating One Thousand Dollars (\$1,000) from the unappropriated and unexpended 1939 balance of the General Fund of the City of Indianapolis and allocating the same to a certain designated fund of the Department of Finance, for the purpose of providing the office of the City Clerk with sufficient funds to pay for printing and advertising, as required by law; and fixing a time when the same shall take effect.

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.

GENERAL ORDINANCE No. 75, 1940

AN ORDINANCE establishing the annual budget of the City of Indianapolis, Indiana, for the fiscal year beginning January 1, 1941, and ending December 31, 1941, appropriating monies for the purposes of defraying the expenses and all outstanding claims and obligations of the several departments and officials of the city government; and fixing and establishing the annual rate of taxation and tax levy for the year 1940 for each fund for which a special tax levy is authorized, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE No. 78, 1940

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

GENERAL ORDINANCE No. 79, 1940

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-sections (57), (58) and (59), and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 80, 1940

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis; 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.

GENERAL ORDINANCE No. 81, 1940

AN ORDINANCE amending sub-section (e) of Section 45 of General Ordinance No. 96, 1928, as amended, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 82, 1940

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis abolishing certaintaxicab stands created by order of said Board, in conformance with Section 9 of General Ordinance No. 87, 1935, as amended, and approved by General Ordinance No. 51, 1937, as amended by General Ordinance No. 72, 1937, and by General Ordinance No. 36, 1940; and fixing a time when the same shall take effect.

Respectfully,

REGINALD H. SULLIVAN,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

PROOF OF POSTING OF
NOTICE OF PETITION FOR AND
DETERMINATION TO ISSUE BONDS

STATE OF INDIANA }
COUNTY OF MARION } ss.

John M. Layton, being first duly sworn, upon his oath deposes and says:

That he did on the 4th day of September, 1940, post in three public places in the City of Indianapolis, a copy of the attached NOTICE OF PETITION FOR AND DETERMINATION TO ISSUE BONDS; that said notice was posted at the following places:

1. In a corridor of the Police Headquarters Building.
2. Bulletin Board at City Hall.
3. South door of Marion County Courthouse.

JOHN M. LAYTON

Subscribed and sworn to before me this 4th day of September, 1940.

ANNA F. HAMMERBECK
Notary Public

My commission expires:
4-15-42

NOTICE OF PETITION FOR AND
DETERMINATION TO ISSUE BONDS

The taxpayers of the City of Indianapolis, Indiana, are hereby notified that a petition has been filed by over fifty persons, fifty or more of whom are owners of taxable real estate in said city, requesting the common council to authorize the issuance of bonds of said city in an amount not exceeding \$23,000.00 in order to provide the necessary funds to pay for the city's proportionate share, or one-half of the cost of constructing a new bridge over Eagle Creek at West Michigan Street, to be constructed in conjunction with the Board of County Commissioners of Marion County, Indiana, and in general to pay for all other costs incidental thereto and chargeable to the city.

The taxpayers of said city are further notified that the proper officers of said city did, on the 2nd day of September, 1940, enter upon the council records an ordinance determining to issue the bonds of said city in the amount of \$23,000.00 for the purpose of procuring the funds to be used as above stated. Said bonds are to bear interest at a rate not exceeding 5% per annum and are to be payable over a period of ten (10) years.

A remonstrance against the issuance of said bonds may be filed with the common council in the manner and in the time provided by Chapter 119 of the Acts of 1937, as amended.

The net assessed valuation of taxable property in the City of Indianapolis is \$511,220,980.00, and the outstanding indebtedness of said city, exclusive of the above mentioned bonds, is in the amount of \$8,756,096.75.

Objections to the issuance of said bonds may be made by ten or more taxpayers filing a petition in the office of the auditor of Marion County, Indiana within the time and in the manner prescribed by statute, which petition, if any, will be heard and considered by the State Board of Tax Commissioners in the manner provided by law.

Dated this 3rd day of September, 1940.

CITY OF INDIANAPOLIS
JOHN M. LAYTON
City Clerk

PROOF OF POSTING
NOTICE OF PETITION FOR AND
DETERMINATION TO ISSUE BONDS

STATE OF INDIANA }
COUNTY OF MARION } ss.

John M. Layton, being first duly sworn, upon his oath deposes and says:

That he did on the 4th day of September, 1940, post in three public places in the City of Indianapolis, a copy of the attached NOTICE OF PETITION FOR AND DETERMINATION TO ISSUE BONDS; that said notice was posted in the following places:

- 1. In a corridor of the Police Headquarters Building.
- 2. Bulletin Board at City Hall.
- 3. South Door of Marion County Courthouse.

JOHN M. LAYTON

Subscribed and sworn to before me this 4th day of September, 1940.

ANNA F. HAMMERBECK
Notary Public

My commission expires:
4-15-42

NOTICE OF PETITION FOR AND
DETERMINATION TO ISSUE BONDS

The taxpayers of the City of Indianapolis, Indiana, are hereby notified that a petition has been filed by more than fifty persons, fifty or more of whom are owners of taxable real estate in said city, requesting the common council to authorize the issuance of bonds in an amount not exceeding One Hundred Fifty Thousand Dollars (\$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; relocation of and rebuilding 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 the fire department; purchase of motorized road equipment, and erection of an addition to the Police Radio Station in Willard Park.

The taxpayers of said city are further notified that the proper officers of said city did, on the 2nd day of September, 1940, enter upon the council records an ordinance determining to issue the bonds of said city in the amount of One Hundred Twenty-five Thousand Dollars (\$125,000) for the purpose of procuring funds to be used as above stated. Said bonds are to bear interest at a rate not exceeding 5% per annum and are to be payable over a period of twenty (20) years.

A remonstrance against the issuance of said bonds may be filed with the common council in the manner and within the time provided by Chapter 119 of the Acts of 1937, as amended.

The net assessed valuation of taxable property in the City of Indianapolis is \$511,220,980.00, and the outstanding indebtedness of said city, exclusive of the above mentioned bonds, is in the amount of \$8,756,096.75.

Objections to the issuance of said bonds may be made by ten or more taxpayers filing a petition in the office of the auditor of Marion County, Indiana, within the time and in the manner prescribed by statute, which petition, if any, will be heard and considered by the State Board of Tax Commissioners in the manner provided by law.

Dated this 3rd day of September, 1940.

CITY OF INDIANAPOLIS

JOHN M. LAYTON

City Clerk

September 16, 1940

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 9, 1940, appropriating the sum of Twenty-three Thousand Dollars (\$23,000.00) from the proceeds of the sale of certain bonds designated as "City of Indianapolis Bridge Bonds of 1940." These bonds are issued pursuant to the authority granted by and under General Ordinance No. 78, 1940.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,

City Controller

September 16, 1940

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 10, 1940, appropriating the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00) from the proceeds of the sale of certain bonds designated as "City of Indianapolis Building and Equipment Bonds of 1940." These bonds are issued pursuant to the authority granted by and under General Ordinance No. 74, 1940.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY
City Controller

September 13, 1940

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

Gentlemen:

Attached hereto are twenty copies of General Ordinance No. 87, 1940, amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,

GEORGE F. ROOKER
Secretary-Engineer
City Plan Commission

September 16, 1940

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

Gentlemen:

Submitted herewith General Ordinance No. 88, 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 west side of North Talbott Avenue from the south curb line of East 21st Street Annex to the north curb line of East Sixteenth 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. upon a certain part of North Capitol Avenue, as follows to-wit:

- (a) On the east side of North Capitol Avenue from the south curb line of West 28th Street to the north curb line of West 30th Street.

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 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 North Delaware Street, as follows, to-wit:

- (a) On the east side of North Delaware Street from the south curb line of East 16th Street to the north curb line of East 19th Street.

Section 4. 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 7:00 o'clock A. M. and 9:00 o'clock A. M., on any day of the week except Sundays, upon a certain part of North Delaware Street in the City of Indianapolis, as follows, to-wit:

- (a) On the west side of North Delaware Street from the south curb line of East 16th Street to the south curb line of East 19th Street.

Section 5. 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 o'clock A. M. and 6:00 o'clock P. M. on the following to-wit:

- (a) On both sides of North Talbott Avenue from the south curb line of East 21st Street Annex to the north curb line of East 22nd Street.

Section 6. 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.

We respectfully recommend the passing of this Ordinance.

Yours very truly,

BOARD OF PUBLIC SAFETY
LEROY J. KEACH,
President

September 16, 1940

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

Gentlemen:

Attached herewith are 18, copies of Resolution No. 4, 1940, providing for the extension of East 10th Street trackless trolley line which has been approved by the Board of Public Works and Sanitation, who recommends the passage of this ordinance.

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION
M. K. WALPOLE
Executive Secretary

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. Bach, and the Council recessed at 7:50 P. M.

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

COMMITTEE REPORTS

Indianapolis, Ind., September 16, 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; prohibit-
ing 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 consid-
eration, and recommend that the same be stricken from files.

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

Indianapolis, Ind., September 16, 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 Ordi-
nance No. 87, 1935, as amended;

beg leave to report that we have had said ordinance under con-

sideration, and recommend that the same be held for further consideration.

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

September 10, 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 September 9, 1940, approved and recommended the passage of General Ordinance No. 76, 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.

September 10, 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 September 9, 1940, approved and recommended the passage of General Ordinance No. 77, 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.

City of Indianapolis, Ind. September 16, 1940]

Indianapolis, Ind., September 16, 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. 84, 1940, entitled:

AN ORDINANCE authorizing the Board of Public Safety
of the City of Indianapolis, through its duly author-
ized purchasing agent, to purchase coal;

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

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

Indianapolis, Ind., September 16, 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. 85, 1940, entitled:

AN ORDINANCE amending Section 44 of General Ord-
inance No. 96, 1928, as amended, by adding thereto
sub-section (60);

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

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

Indianapolis, Ind., September 16, 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. 86, 1940, entitled:

AN ORDINANCE approving an order of the Board of
Public Safety of the City of Indianapolis abolishing
a taxicab stand on East Michigan Street in said city;

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

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

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 9, 1940

AN ORDINANCE of the City of Indianapolis appropriating the sum
of Twenty-three Thousand Dollars (\$23,000) from the proceeds
of sale of certain bonds designated as "City of Indianapolis
Bridge Bonds of 1940," and fixing a time when the same shall
take effect.

WHEREAS, by General Ordinance No. 78, 1940, duly passed by the
Common Council and approved by the Mayor, the provisions
of which are hereby included herein by this reference thereto,
certain bridge bonds of the City of Indianapolis, Indiana, aggre-
gating a principal amount of Twenty-three Thousand Dollars
(\$23,000), were authorized to be issued and sold to provide
the necessary funds to pay for one-half of the cost of con-
structing a new bridge over Eagle Creek on West Michigan
Street in conjunction with the Board of County Commissioners
of Marion County, Indiana, who have agreed to pay for one-half
of the cost thereof, for which no provision has been made in

the existing budget and tax levies and no funds are available; and, accordingly, the Common Council now finds that an extraordinary emergency exists for such purpose; NOW, THEREFORE,

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

Section 1. That the proceeds derived from the sale of the bridge bonds, pursuant to the authority granted by and under General Ordinance No. 78, 1940, are hereby appropriated to and for the use of the Board of Public Works and Sanitation for the purpose of paying the city's proportionate share of the cost chargeable to the City of Indianapolis in constructing a new bridge over Eagle Creek on West Michigan Street in conjunction with the Board of County Commissioners of Marion County, Indiana, who have agreed to pay one-half of the cost thereof. Any surplus of such proceeds shall be credited to the general sinking fund for use as provided by law.

Section 2. Immediately upon the passage and approval of this ordinance and determination, the city clerk of the City of Indianapolis and the city controller shall deliver two certified copies thereof to the auditor of Marion County, Indiana, with the request that a copy thereof be certified and transmitted immediately by him to the State Board of Tax Commissioners for further action thereon, as provided for by chapter 150 of the Acts of 1935.

Section 3. 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 Finance.

By the City Controller:

APPROPRIATION ORDINANCE No. 10, 1940

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) from the proceeds of the sale of certain bonds designated as "City of Indianapolis Building and Equipment Bonds of 1940," and fixing a time when the same shall take effect.

WHEREAS, by General Ordinance No. 74, 1940, duly passed by the common council and approved by the mayor, the provisions of which are hereby included herein by this reference thereto, certain building and equipment bonds of the City of Indianapolis, aggregating a principal amount of One Hundred Twenty-five Thousand Dollars (\$125,000), were authorized to be issued and sold to provide the necessary funds for the erection of a certain fire station, the relocation and rebuilding of a certain fire drill tower, the purchase of motorized fire and road equipment and the erection of an addition to the Police Radio Station in Willard Park, for which purposes no provision has been made in the existing budget and tax levies and no funds are available; and, accordingly, the common council now finds that an extraordinary emergency exists for such purposes; NOW, THEREFORE,

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

Section 1. That the proceeds derived from the sale of the "City of Indianapolis Building and Equipment Bonds of 1940," pursuant to the authority granted by and under General Ordinance No. 74, 1940, are hereby appropriated for the purposes designated and in the following respective amounts: to the Board of Public Safety, Ninety-nine Thousand Four Hundred Dollars (\$99,400), and to the Board of Public Works and Sanitation, Twenty-five Thousand Six Hundred Dollars (\$25,600), for the purpose of paying the entire cost of the following buildings, improvements and equipment: erection of a fire station at the northeast corner of Prospect Street and Madison Avenue, on property now owned by the City of Indianapolis; relocation of and rebuilding a fire drill tower, from the northwest corner of South and New Jersey Streets to 1445 West Michigan Street; purchase of motorized fire equipment; purchase of motorized road equipment; and erection of an addition to the Police Radio Station in Willard Park.

Any surplus of such proceeds shall be credited to said respective boards for the purchase of necessary equipment.

Section 2. Immediately upon the final passage and approval of this ordinance, the city clerk and the city controller shall deliver two (2) certified copies thereof to the auditor of Marion County, Indiana, with the request that a copy thereof be certified and transmitted immediately to the State Board of Tax Commissioners for further action thereon, as provided by Chapter 150 of the Acts of 1935.

Section 3. 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 Finance.

INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

GENERAL ORDINANCE No. 87, 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 U-1 or Residential District, the AA or 15,000 sq. ft. Area District, the H-1 or 50 ft. Height District, be and the same is hereby amended, supplemented, and extended so as to include the following described territory:

Beginning at a point on the north property line of 40th Street said point being 150 ft. east of the east property line of Washington Blvd. Thence north and parallel to the east property line of Washington Blvd. to a point in the westwardly production of the north property line of 41st Street located east of New Jersey Street; thence east on and along the production of the said north property line to a point 300 feet east of the east property line of Washington Blvd. Thence north 300 feet east of and parallel to the east property line of Washington Blvd. to a point 129 ft. south of the south property line of 45th Street; thence west parallel to and 129 ft. south of the south property line of 45th Street to a point 150 ft. east of the east property line of Washington Blvd.; thence north parallel to and 150 ft. east of the east property line of Washington Blvd. to a point 129 ft. north of the north property line of 45th Street; thence east parallel to and 129 ft. north of the north property line of 45th Street a distance of 150.1 ft. Thence north

parallel to and 300.10 ft. east of the east property line of Washington Blvd. to a point on the north property line of 46th Street; thence west on and along the north property line of 46th Street to a point 160.7 ft. east of the east property line of Washington Blvd.; thence north to a point 150.5 ft. north of the north property line of 49th Street and 160.13 ft. east of the east property line of Washington Blvd. Thence east and parallel to the south property line of 50th Street a distance of 4.87 ft. to a point. Thence north parallel to and 165 ft. east of the east property line of Washington Blvd. to a point on the north property line of Beverly Drive; thence west on and along the north property line of Beverly Drive to the center line of the vacated alley east of Washington Blvd. Thence north on and along the said vacated alley to a point in the south property line of 53rd Street. Thence continuing north on the center line of the first alley east of Washington Blvd. to a point on the north property line of 55th Street. Thence east on and along the north property line of 55th Street to a point 200 ft. east of the east property line of Washington Blvd. Thence north parallel to and 200 ft. east of the east property line of Washington Blvd. 116.27 ft. to a point. Thence east to a point 116.03 ft. north of the north property line of 55th Street and 300 ft. east of the east property line of Washington Blvd. Thence north parallel to and 300 ft. east of the east property line of Washington Blvd. to a point 205.31 ft. south of the south property line of 56th Street. Thence west 25 ft. to a point. Thence north parallel to and 275 ft. east of the east property line of Washington Blvd. to a point on the north property line of 56th Street. Thence east on and along the north property line of 56th Street to a point 300 ft. east of the east property line of Washington Blvd. Thence north parallel to and 300 ft. east of the east property line of Washington Blvd. to a point 142.15 ft. south of the south property line of 57th Street. Thence west parallel to and 142.15 ft. south of the south property line of 57th Street to a point 150 ft. east of the east property line of Washington Blvd. Thence north parallel to and 150 ft. east of the east property line of Washington Blvd. to a point 200 ft. north of the north property line of 57th Street. Thence west parallel to and 200 ft. north of the north property line of 57th

Street to a point 137.5 ft. east of the east property line of Washington Blvd. Thence north parallel to and 137.5 ft. east of the east property line of Washington Blvd. to a point 503.5 ft. north of the north property line of 58th Street. Thence east to a point 150 ft. east of the east property line of Washington Blvd. Thence north parallel to and 150 ft. east of the east property line of Washington Blvd. to a point in the south property line of 60th Street. Thence west on and along the south property line of 60th Street and the production westward of the said property line to a point in the production of the east property line of Westfield Blvd. Thence southwestwardly on the production of and the east property line of Westfield Blvd. to a point 484 ft. north of the north property line of Kessler Blvd. Thence southeastwardly to a point 81.15 ft. west of the west property line of Washington Blvd. Thence southwestwardly to a point on the north property line of Kessler Blvd. said point being 200 ft. west of the west property line of Washington Blvd. Thence east on and along the north property line of Kessler Blvd. to a point 150 ft. west of the west property line of Washington Blvd. Thence south parallel to and 150 ft. west of the west property line of Washington Blvd. to a point 503.50 ft. north of the north property line of 58th Street. Thence east to a point 136.78 ft. west of the west property line of Washington Blvd. Thence south to a point on the north property line of 56th Street said point being 137.5 ft. west of the west property line of Washington Blvd. Thence east on and along the north property line of 56th Street to a point 135 ft. west of the west property line of Washington Blvd. Thence south parallel to and 135 ft. west of the west property line of Washington Blvd. to a point 307.3 ft. south of the south property line of 56th Street. Thence west to a point 140 ft. west of the west property line of Washington Blvd. Thence south parallel to and 140 ft. west of the west property line of Washington Blvd. to a point in the north property line of 55th Street. Thence continuing south on the center line of the first alley west of Washington Blvd. to a point 126.8 ft. north of the north property line of 51st Street. Thence west to a point 165 ft. west of the west property line of Washington Blvd. Thence south parallel to and 165 ft. west of the west property line of Washington Blvd. a distance of 126.8 ft. to a point in the north property line of 51st Street. Thence con-

tinuing south on the center line of the first alley west of Washington Blvd. to a point 150.7 ft. north of the north property line of 49th Street. Thence east to a point 150 ft. west of the west property line of Washington Blvd. Thence south parallel to and 150 ft. west of the west property line of Washington Blvd. to a point in the south property line of 46th Street. Thence west on and along the south property line of 46th Street to the center line of the first vacated alley east of Delaware Street. Thence south on and along the said vacated alley to the south property line of Hampton Drive. Thence west on and along the south property line of Hampton Drive to a point 300.4 ft. west of the west property line of Washington Blvd. Thence south to a point on the north property line of 40th Street 300 ft. west of the west property line of Washington Blvd. Thence east on and along the north property line of 40th Street to a point 150 ft. east of the east property line of Washington Blvd. 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 Board of Public Safety:

GENERAL ORDINANCE No. 88, 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 a certain part of North Talbot Avenue in the City of Indianapolis, described as follows, to-wit:

- (a) On the west side of North Talbot Avenue from the south curb line of East 21st Street Annex to the north curb line of East Sixteenth 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., upon a certain part of North Capitol Avenue in the City of Indianapolis, described as follows, to-wit:

- (a) On the east side of North Capitol Avenue from the south curb line of West 28th Street to the north curb line of West 30th Street.

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 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 North Delaware Street in the City of Indianapolis, as follows, to-wit:

- (a) On the east side of North Delaware Street from the south curb line of East 16th Street to the north curb line of East 19th Street.

Section 4. 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 7:00 o'clock A. M. and 9:00 o'clock A. M., on any day of the week except Sundays, upon a certain part of North Delaware Street in the City of Indianapolis, described as follows, to-wit:

- (a) On the west side of North Delaware Street from the south curb line of East 16th Street to the south curb line of East 19th Street.

Section 5. 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 o'clock A. M. and 6:00 o'clock P. M., on the following part of North Talbot Avenue, to-wit:

- (a) On both sides of North Talbot Avenue from the south curb line of East 21st Street Annex to the north curb line of East 22nd Street.

Section 6. 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 7. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

INTRODUCTION OF RESOLUTIONS

By the Board of Public Works & Sanitation:

RESOLUTION No. 4, 1940

A RESOLUTION approving, confirming and ratifying a certain permit granted by the Board of Public Works and Sanitation of the City of Indianapolis by its written order entered on the 6th day of September, 1940, to Indianapolis Railways, Incorporated, under and pursuant to the provisions of the agreement entered into by the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936.

WHEREAS, in the agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, amended and approved by General Ordinance No. 40, 1936, said city granted to said Indianapolis Railways, Incorporated, subject to the terms and conditions therein set forth, the right to erect and maintain poles, feeder lines, trolley wires and other structures necessary to the operation of trackless trolley car lines on certain streets and parts of streets named and designated in said agreement, together with such other streets and parts of streets as may from time to time by the Board of Public Works and Sanitation by its written orders be permitted to be used by Indianapolis Railways, Incorporated, for the operation of trackless trolleys, subject to approval of such permits by the Common Council of said city, and to use such streets and parts of streets for transportation of passengers by means of trackless trolley cars; and

WHEREAS, pursuant to said provisions contained in said agreement, as amended and approved by said General Ordinance No. 40 for the use of additional streets and parts of streets by Indianapolis Railways, Incorporated, for said trackless trolley purposes, under the terms and conditions of said agreement, said Board of Public Works and Sanitation did on the 6th day of September, 1940, subject to approval by the Common Council, by written order grant to Indianapolis Railways, Incorporated, the following permit contained in the following order, to-wit:

"ORDER BY THE
BOARD OF PUBLIC WORKS AND SANITATION
OF THE CITY OF INDIANAPOLIS, INDIANA

ENTERED SEPTEMBER 6, 1940

BE IT REMEMBERED that at the hour of 10:00 o'clock in the forenoon on the 6th day of September, 1940, a public hearing was held by the Board of Public Works and Sanitation of the City of Indianapolis upon the joint petition of Indianapolis Railways, Incorporated, and Peoples Motor Coach Company heretofore filed with said Board and which said petition is as follows, to-wit:

"The petitioners, Indianapolis Railways, Incorporated, and Peoples Motor Coach Company, respectfully show to the Honorable Board of Public Works and Sanitation of the City of Indianapolis, Indiana, as follows, to-wit:

1. That the petitioner, Indianapolis Railways, Incorporated, owns and operates in the City of Indianapolis a system of transportation by means of street cars, trackless trolley cars and motor buses; that Peoples Motor Coach Company is a wholly owned subsidiary of Indianapolis Railways, Incorporated, and that it owns and operates a transportation system by means of motor buses in coordination with the transportation system of Indianapolis Railways, Incorporated.

2. That among the trackless trolley car lines being operated by Indianapolis Railways, Incorporated, is its East Tenth Street trackless trolley car line, which line occupies as a part of its route East Tenth Street from Massachusetts Avenue to Olney Street and from thence said line extends north on Olney Street to Brookside

Park; Indianapolis Railways, Incorporated, desires to extend said East Tenth Street trackless trolley car line east on East Tenth Street from Olney Street to Arlington Avenue, and for a distance of approximately 150 feet beyond Arlington in order to provide a turnaround loop on private ground adjacent to East Tenth Street, in order to render a trackless trolley car service on said part of East Tenth Street in lieu of the motor bus service which is now rendered thereon by Peoples Motor Coach Company by means of its East Tenth Street motor bus line.

3. Peoples Motor Coach Company now operates a motor bus service on all of said part of East Tenth Street over which Indianapolis Railways, Incorporated, desires to extend its said trackless trolley line, and which part of East Tenth Street forms a part of the route of the East Tenth Street motor bus line of Peoples Motor Coach Company. Said East Tenth Street motor bus line is operated under authority of certificate of convenience and necessity No. 441-A issued by the Public Service Commission to Peoples Motor Coach Company, and wherein the route of east Tenth Street motor bus line is designated as 'Route 2,' and is therein defined as follows:

'East Tenth Street Line. From Monument Circle, east on Market Street to New Jersey Street, north on New Jersey Street to New York Street, east on New York Street to LaSalle Street, north on LaSalle Street to Pratt (9th) Street, east on Pratt (9th) Street to Olney Street, north on Olney Street to Tenth Street, east on Tenth Street to Arlington Avenue.'

If Indianapolis Railways, Incorporated, is permitted and authorized to extend said trackless trolley line on said part of East Tenth Street and to give trackless trolley car service thereon in lieu of said motor bus service, then it is the desire of Peoples Motor Coach Company to abandon operation of its entire East Tenth Street motor bus line for the reason that the territory along East Tenth Street between Olney Street and Arlington Avenue will be adequately served by such extended trackless trolley car line, and the remainder of the territory now served by said East Tenth Street motor bus line will be

adequately served by other lines of Peoples Motor Coach Company and of Indianapolis Railways, Incorporated, particularly by the New York Street motor bus line of Peoples Motor Coach Company, in the route of which last-mentioned line is included all, and more, of New York Street that now is included in the route of said East Tenth Street motor bus line.

4. If said extension of said East Tenth Street trackless trolley car line is permitted and authorized in substitution of said motor bus service on said part of East Tenth Street, a through trackless trolley car service will be furnished over such extended East Tenth Street trackless trolley car line between its outer terminus at Arlington Avenue and its present downtown terminus, which through trackless trolley car service will be more expeditious and convenient and cheaper to the inhabitants along East Tenth Street between Olney Street and Arlington Avenue than is the present motor bus service on said part of East Tenth Street.

5. The right to use the streets and parts of streets now included in the route of said East Tenth Street trackless trolley car line was granted to Indianapolis Railways, Incorporated, in the agreement between it and the City of Indianapolis of May 25, 1936, as approved with amendments in General Ordinance No. 40, 1936, of said City; that said agreement provides that your Honorable Board may by its written order, subject to the approval by the Common Council of said city, permit the use by Indianapolis Railways, Incorporated, under the terms of said agreement and ordinance, of additional streets and parts of streets for the erection and operation thereon of trackless trolley car lines. Indianapolis Railways, Incorporated, hereby makes application to your Honorable Board that by its written order it permit, subject to the approval by the Common Council, Indianapolis Railways, Incorporated, to use East Tenth Street in the City of Indianapolis from Olney Street to Arlington Avenue and for a distance of approximately 150 feet beyond Arlington Avenue for the purpose of extending thereon said East Tenth Street trackless trolley car line and to erect thereon the necessary poles, wires and overhead construction and to operate trackless trolley cars thereon in lieu of said motor bus service, subject to the terms and conditions of said agreement and ordinance.

6. Your petitioners believe, and therefore say, that it is in the interest of public convenience and necessity that said East Tenth Street trackless trolley car line be extended and that trackless trolley service be rendered in lieu of said motor bus service as herein proposed and that said East Tenth Street motor bus line be abandoned as herein proposed.

WHEREFORE, but subject to further permission and authority from the Public Service Commission of Indiana, your petitioners pray as follows: That subject to approval by the Common Council of the City of Indianapolis, your Honorable Board by its written order grant to Indianapolis Railways, Incorporated, a permit to use, under the terms and conditions of said agreement of May 25, 1936, as amended and approved in General Ordinance No. 40, 1936, all of that part of East Tenth Street lying between Olney Street and a point approximately 150 feet east of Arlington Avenue for the purpose of extending thereon its East Tenth Street trackless trolley car line in order to render a trackless trolley car service thereon in lieu of the motor bus service now being rendered thereon by Peoples Motor Coach Company; that your Honorable Board consent to the abandonment by Peoples Motor Coach Company of its said East Tenth Street motor bus line in its entirety upon the commencement of trackless trolley car service on such extension of said East Tenth Street trackless trolley car line, and your petitioners pray for any and all other and further relief to which they may be entitled in the premises.'

And the Board being duly advised in the premises now grants said petition and hereby orders that Indianapolis Railways, Incorporated, be, and hereby is, authorized and permitted to extend its East Tenth Street trackless trolley car line on East Tenth Street from Olney Street east to a point approximately 150 feet east of Arlington Avenue, by erecting thereon poles, wires and overhead construction necessary to such extension and to use said part of said East Tenth Street for the purpose of operating trackless trolley cars thereover as a part of said East Tenth Street trackless trolley car line so extended; and that said extension of said East Tenth Street trackless trolley car line on said part of East Tenth Street and said operation of trackless trolley cars thereover shall all be made and done under and pursuant to the terms and provisions of the agreement between the City of Indianapolis and Indianapolis

Railways, Incorporated, entered into on the 25th day of May, 1936, and approved with amendments by General Ordinance No. 40, 1936, of the City of Indianapolis; and that the City of Indianapolis by and through its Board of Public Works and Sanitation hereby consents to the abandonment by Peoples Motor Coach Company of its East Tenth Street bus line in its entirety upon commencement of the operation of trackless trolley cars on said part of East Tenth Street as a part of said East Tenth Street trackless trolley car line extended as aforesaid.

And it is further ordered by said Board that the permit herein granted shall not be exercised unless and until it is approved by the Common Council of the City of Indianapolis."

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

That it does hereby in all things approve, confirm and ratify the permit granted on September 6, 1940, by the Board of Public Works and Sanitation to Indianapolis Railways, Incorporated, as contained in said order; PROVIDED, that the use by Indianapolis Railways, Incorporated, of the streets and parts of streets covered by said permit for the aforesaid purposes shall in all things, including duration, be subject to, and in accordance with, all of the terms, conditions and provisions of the aforesaid agreement between the City of Indianapolis and said Indianapolis Railways, Incorporated, dated May 25, 1936, as the same is amended and approved in said General Ordinance No. 40, 1936.

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

ORDINANCES ON SECOND READING

Mr. Bach made a motion to strike General Ordinance No. 91, 1939, from the files. The motion was seconded by Mr. Moore and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ross, President Wood.

General Ordinance No. 91, 1939, was stricken from the files.

Mr. Campbell called for General Ordinance No. 76, 1940, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, General Ordinance No. 76, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 76, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ross, President Wood.

Mr. Campbell called for General Ordinance No. 77, 1940, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, General Ordinance No. 77, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 77, 1940, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ross, President Wood.

Mr. Deluse called for second reading of General Ordinance No. 84, 1940. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 84, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 84, 1940, was read a third time by the Clerk and passed by the following roll call vote:

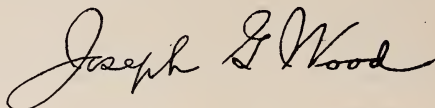
Ayes, 7, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Mr. Moore, Mr. Ransom, Mr. Ross, President Wood.

General Ordinances Nos. 69, 83, 85 and 86 were held for further consideration by the committees to which they were referred.

On motion of Mr. Bach, seconded by Mr. Ross, the Common Council adjourned at 9:25 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 16th day of September, 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