

REGULAR MEETING

Monday, October 7, 1940

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 7, 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, Ernest C. Ropkey, Guy O. Ross, President Joseph G. Wood.

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

COMMUNICATIONS FROM THE MAYOR

September 17, 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. 76, 1940

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

## GENERAL ORDINANCE No. 77, 1940

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

## GENERAL ORDINANCE No. 84, 1940

AN ORDINANCE authorizing the Board of Public Safety of the City of Indianapolis, through its duly authorized purchasing agent to purchase coal; and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

## PROOF OF POSTING OF HEARING ON ADDITIONAL

## APPROPRIATION

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 19th day of September, 1940, post in three public places in the City of Indianapolis a copy of the attached notice of hearing on additional appropriation; 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 18th day of September, 1940.

ANNA F. HAMMERBECK,  
Notary Public.

My commission expires  
4-15-42

(SEAL)

NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATION

Notice is hereby given to taxpayers of Indianapolis, Marion County, Indiana, that the proper legal officers of the City of Indianapolis, Indiana, at their regular meeting place in the Council Chamber in the City Hall on October 7, 1940, will consider the following additional appropriation, which said officers consider necessary to meet the extraordinary emergency existing at this time:

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.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Said additional appropriation as finally made will automatically be referred to the State Board of Tax Commissioners, which board will hold a further hearing within fifteen days at the county auditor's office of Marion County, Indiana, or at such other place as may be designated. At such hearing, taxpayers objecting to any such additional appropriation may be heard and interested citizens may inquire of the county auditor when and where such hearing will be held.

Executed at Indianapolis, Indiana, this 18th day of October, 1940.

JOHN M. LAYTON,  
City Clerk.

(SEAL)

PROOF OF POSTING OF NOTICE OF HEARING ON  
ADDITIONAL APPROPRIATION

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 19th day of September, 1940, post in three public places in the City of Indianapolis a copy of the attached notice of hearing on additional appropriation; 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 18th day of September, 1940.

ANNA F. HAMMERBECK,  
Notary Public.

My commission expires  
4-15-42

(SEAL)

#### NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATION

Notice is hereby given to the taxpayers of Indianapolis, Marion County, Indiana, that the proper legal officers of the City of Indianapolis, Indiana, at their regular meeting place in the Council Chamber in the City Hall on October 7, 1940, will consider the following additional appropriation, which said officers consider necessary to meet the extraordinary emergency existing at this time:

#### APPROPRIATION ORDINANCE No. 10, 1940

AN ORDINANCE of the City of Indianapolis 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.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Said additional appropriation as finally made will automatically be referred to the State Board of Tax Commissioners,

which board will hold a further hearing within fifteen days at the office of the Auditor of Marion County, Indiana, or at such other place as may be designated. At such hearing, taxpayers objecting to any such additional appropriation may be heard and interested citizens may inquire of the county auditor when and where such hearing will be held.

Executed at Indianapolis, Indiana, this 18th day of October, 1940.

JOHN M. LAYTON,  
City Clerk.

(SEAL)

September 20, 1940.

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

Gentlemen:

Re: G. O. Nos. 83 and 87, 1940

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice of Public Hearing" to be inserted in the Indianapolis Star and the West Side Messenger, that taxpayers would have the right to be heard on the above ordinances at the regular meeting of the Common Council to be held on October 7, 1940, and by posting copies of said notices in the City Hall, Court House and the Police Station.

Very truly yours,

JOHN M. LAYTON,  
City Clerk.



October 7, 1940]

October 7, 1940.

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

Gentlemen:

Re: G. O. No. 89, 1940.

Submitted herewith an Ordinance amending Section 44 of  
General Ordinance No. 96, 1928, as amended, be amended, by adding  
thereto sub-section (61), as follows, to-wit:

(61) Nordyke Avenue at its intersection with York Street.  
We respectfully recommend the passage of this ordinance.

Yours very truly,

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

October 7, 1940.

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

Gentlemen:

Submitted herewith is General Ordinance No. 90, 1940, an  
ordinance prohibiting parking on certain parts of certain streets in  
the City of Indianapolis, providing a penalty for the violation thereof;  
and fixing a time when the same shall take effect, described as fol-  
lows, to-wit:

- (a) On the south side of St. Clair Street from the west  
curb line of Ft. Wayne Avenue to a point 122 feet  
west of the west curb line of Ft. Wayne Avenue.
- (b) On the west side of Ft. Wayne Avenue from the  
south curb line of St. Clair Street, to a point 119  
feet west of the south curb line of St. Clair Street.
- (c) On the north side of East Michigan Street from the  
west curb line of State Street to the east curb line  
of Oriental Street.

We respectfully recommend the passage of this ordinance.

Yours very truly,

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

October 7, 1940.

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

Gentlemen:

Attached please find copies of General Ordinance No. 91, 1940, transferring moneys from a certain fund in the Fire Department 1940 Budget and reappropriating the same to other funds of said Fire Department.

I respectfully recommend the passage of this general ordinance.

Yours very truly,

JAMES E. DEERY,  
City Controller.

October 7, 1940.

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

Gentlemen:

Attached please find copies of General Ordinance No. 92, 1940, transferring moneys from certain funds in the 1940 budget of the Department of Public Parks and reappropriating the same to other funds of said department.

I respectfully recommend the passage of this ordinance under suspension of rules.

Yours very truly,

JAMES E. DEERY,  
City Controller.

October 7, 1940.

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

Gentlemen:

Attached hereto are eighteen copies of General Ordinance No. 93, 1940, for introduction on October 7, 1940.

The City of Indianapolis has maturing on January 1, 1941, payment of which is to be provided for, the following:

- (1) "Fire Department Equipment Bonds, 1920" issued under date of December 15, 1920, of which twenty (20) bonds, aggregating \$20,000.00, will mature.
- (2) "City Hospital Bonds, 1925," issued under date of July 1, 1925, of which twenty (20) bonds, aggregating \$20,000.00 will mature.

making a total of \$40,000.00. Sufficient provision has not been made in the budget and tax levy adopted for the year 1940 to pay the principal of said bonds, and it will be necessary, in order to preserve the credit of the city, to refund said bonds.

I recommend that the council authorize the issuance of refunding bonds in the amount of \$40,000.00 for the purpose of procuring funds to pay and redeem the above designated bonds, and that the proceeds of said refunding bonds be appropriated to the Department of Finance for that purpose. The attached form of bond ordinance has been prepared by the Department of Law, and the terms of which I approve. I recommend that this bond ordinance be passed at your next meeting to be held on October 21, 1940, so that the publication of the required notice of determination may be started at the earliest possible date.

Respectfully submitted,

JAMES E. DEERY,  
City Controller.



October 7, 1940.

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

Gentlemen:

Attached hereto please find 20 copies of General Ordinance No. 94 authorizing the Board of Works and Sanitation to Purchase One Gutter Pick-Up Sweeper, used and to be used for the Street Commissioner on the streets of the City of Indianapolis.

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

The Purchasing Agent respectfully recommends the passage of this ordinance.

Respectfully submitted,

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

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

Mr. Ross made a motion that the Council recess. The motion was seconded by Mr. Campbell, and the Council recessed at 9:00 P. M.

The Council reconvened at 10:00 P. M. with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., October 7, 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. 9, 1940, entitled:

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";

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

ERNEST C. ROPKEY, Chairman  
F. B. RANSOM  
ALBERT O. DELUSE  
OLLIE A. BACH  
GUY O. ROSS

Indianapolis, Ind., October 7, 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. 10, 1940, entitled:

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";

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

ERNEST C. ROPKEY, Chairman  
F. B. RANSOM  
ALBERT O. DELUSE  
OLLIE A. BACH  
GUY O. ROSS

Indianapolis, Ind., October 7, 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  
ERNEST C. ROPKEY  
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. 83, 1940, an ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,

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

Indianapolis, Ind., October 7, 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 Ordinance No. 96, 1928, as amended, by adding thereto sub-section (60);

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

Indianapolis, Ind., October 7, 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 consideration, and recommend that the same be passed.

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

Indianapolis, Ind., October 7, 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. 88, 1940, entitled:

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;

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

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

Indianapolis, Ind., October 7, 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  
Resolution No. 4, 1940, entitled:

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 Sep-  
tember, 1940, to Indianapolis Railways, Incorporated,  
under and pursuant to the provisions of the agree-  
ment entered into by the City of Indianapolis and  
Indianapolis Railways, Incorporated, dated May 25,  
1936, as amended and approved by General Ordi-  
nance No. 40, 1936;

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

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



## INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

## GENERAL ORDINANCE NO. 89, 1940

AN ORDINANCE amending Section 44 of General Ordinance No. 96-1928, as amended, by adding thereto sub-section (61), 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 sub-section (61), as follows to-wit:

(61) Nordyke Avenue at its intersection with York Street.

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. 90, 1940

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis; providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

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

Section 1. 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 St. Clair Street from the west curb line of Ft. Wayne Avenue to a point 122 feet west of the west curb line of Ft. Wayne Avenue.

(b) On the west side of Ft. Wayne Avenue from the south curb line of St. Clair Street to a point 119 feet west of the south curb line of St. Clair Street.

(c) On the north side of East Michigan Street from the west curb line of State Street to the east curb line of Oriental Street.

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

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

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

By the City Controller:

#### GENERAL ORDINANCE NO. 91, 1940

AN ORDINANCE transferring moneys from a certain fund in the Fire Department 1940 budget of the Board of Public Safety and reappropriating the same to other funds of said Fire Department, and fixing a time when the same shall take effect.

WHEREAS, several funds in the Fire Department of the 1940 budget of the Board of Public Safety are insufficient to meet the needs of the remaining months of this year; and

WHEREAS, an extraordinary emergency has arisen in that unless such transfers are made the Fire Department will not be able to operate at the fullest efficiency required for the adequate protection of the city from fire, NOW THEREFORE,

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

Section 1. That the sum of Four Thousand Five Hundred Dollars (\$4,500) now in the following fund as per 1940 budget classification, to-wit:

DEPARTMENT OF PUBLIC SAFETY  
FIRE DEPARTMENT

Fund No. 11, Salaries and Wages, Regular . . . . . \$4,500.00

be and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated funds in the amounts specified:

DEPARTMENT OF PUBLIC SAFETY  
FIRE DEPARTMENT

Fund No. 21. Communication and Transportation	\$ 300.00
Fund No. 22. Heat, Light and Power . . . . .	500.00
Fund No. 25. Repairs . . . . .	1,500.00
Fund No. 38. General Supplies . . . . .	700.00
Fund No. 45. Repair Parts . . . . .	1,500.00
Total . . . . .	\$4,500.00

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

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

By the City Controller:

GENERAL ORDINANCE NO. 92, 1940

AN ORDINANCE transferring moneys from certain funds in the 1940 budget of the Department of Public Parks and reappropriating the same to other funds of said department, and fixing a time when the same shall take effect.

WHEREAS, certain funds in the 1940 budget of the Department of Public Parks are inadequate to supply fuel for the heating of the greenhouse, community centers and other buildings under the control of said department, and to provide sufficient labor for the maintenance of boulevards and other physical properties of said department for the remainder of the year 1940; and

WHEREAS, an extraordinary emergency is deemed to have arisen in that heating of said structures and the employment of sufficient labor required for the maintenance of said boulevards and properties are imperative to the prevention of wasteful deterioration of the physical plant of said department and their continued operation and maintenance essential to the general welfare of the City of Indianapolis, NOW, THEREFORE,

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

Section 1. That the sum of Nine Hundred Dollars (\$900.00) now in the following fund as per 1940 budget classification, to-wit:

DEPARTMENT OF PUBLIC PARKS  
HOLLIDAY PARK

Fund No. 11. Salaries and Wages,  
Regular (Hostess) .....\$900.00

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

Fund No. 32. Fuel .....\$900.00

Section 2. That the sum of Ten Thousand Dollars (\$10,000) now in the following fund as per 1940 budget classification, to-wit:

DEPARTMENT OF PUBLIC PARKS  
Gas Tax

Fund No. 43. Boulevard Materials.....\$10,000.00

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

Fund No. 12—Salaries and Wages, Temporary..\$10,000.00

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

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

By the City Controller:

GENERAL ORDINANCE No. 93, 1940

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

WHEREAS, the City of Indianapolis, Indiana, now has outstanding certain bonds which will mature and be payable on the 1st day of January, 1941, for the payment of the principal of which no provision has been made in the existing budgets and tax levies; and

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

WHEREAS, said bonds maturing on January 1, 1941, payment of which is so to be provided for as follows, to-wit:

(1) "Fire Department Equipment Bonds, 1920," issued under date of December 15, 1920, of which issue twenty (20) bonds, aggregating the sum of Twenty Thousand Dollars (\$20,000) will mature and are payable on January 1, 1941, and bear interest at the rate of five and one-quarter per cent ( $5\frac{1}{4}\%$ ) per annum; and

(2) "City Hospital Bonds, 1925," issued under date of July 1, 1925, of which issue twenty (20) bonds, aggregating the sum of Twenty Thousand Dollars (\$20,000) will mature and are payable on January 1, 1941, and bear interest at the rate of four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum; and



WHEREAS, the common council now finds that payment of the total amount of said two outstanding bond issues of the City of Indianapolis, in the aggregate sum of Forty Thousand Dollars (\$40,000), and which will mature and be payable on January 1, 1941, cannot be then made for the reason previously set out, and that no funds will be available therefor, except as herein provided, and that the credit of the city will be seriously impaired in the event of failure to provide for the payment, at maturity, of said outstanding obligations; NOW, THEREFORE,

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

Section 1. That for the purpose of obtaining funds with which to pay and cancel the outstanding bonds of the city, heretofore described, which will mature and be payable on the first day of January, in the year 1941, and for the purpose of extending the time of payment of the indebtedness evidenced by said bonds, reducing the rate of interest thereon, and equalizing the burden of taxation, there shall be issued and sold forty (40) negotiable, direct, general obligation bonds of the City of Indianapolis, in the sum of One Thousand Dollars (\$1,000) each, numbered from one (1) to forty (40), both inclusive, and designated as "City of Indianapolis Refunding Bonds of 1941."

All of said refunding bonds shall be dated as of January 1, 1941. Said bonds shall mature and be paid as follows: Four (4) bonds on July 1, 1942, and four (4) bonds on each day of July thereafter to and including July 1, 1951.

Said bonds shall bear interest at a rate not exceeding four percent (4%) per annum, the exact rate to be determined by bidding as hereinafter more particularly provided. The first interest shall be payable 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 refunding bonds and the interest coupons attached thereto shall be payable at the office of the treasurer of the City of Indianapolis, Indiana, in said city and state, in lawful money of the United States of America. Said bonds shall be signed in the name of the City of Indianapolis by the mayor of said city, countersigned by the city controller of said city, and attested by the city clerk, who shall affix the seal of said city to each of said bonds. The

interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the said mayor and the said city controller, who, by signing of said bonds, shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. Said bonds shall, in the hands of bona fide holders, have all the qualities of negotiable instruments under the law merchant.

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

UNITED STATES OF AMERICA

State of Indiana

County of Marion

No.....

\$1,000.00

CITY OF INDIANAPOLIS REFUNDING BOND OF 1941

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..... percent per annum, payable on the first day of July, 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 attached interest coupons as they severally become due.

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

This bond is one of an authorized issue aggregating Forty Thousand Dollars (\$40,000), numbered consecutively from 1 to 40, inclusive, of like denomination, tenor and effect as this bond, except as to dates of maturity, issued by the City of Indianapolis, Indiana, pursuant to an ordinance entitled, "AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds for the purpose of refunding certain outstanding obliga-

tions of said city, and matters connected therewith; and fixing a time when the same shall take effect," duly adopted by the common council of said city on the.....day of....., 1940; and in compliance with an act of the General Assembly of the State of Indiana, entitled, AN ACT concerning municipal corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, for the purpose of providing funds for the payment of a like amount of valid and enforceable bonds of the City of Indianapolis, maturing on January 1, 1941.

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

IN WITNESS WHEREOF, the City of Indianapolis, in Marion County, State of Indiana, has caused this bond to be signed in its corporate name by its mayor, countersigned by its city controller, its corporate seal to be hereunto affixed, and attested by its city clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said mayor and said city controller, as of the first day of January, 1941.

CITY OF INDIANAPOLIS

By.....  
Mayor

Countersigned:

.....  
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,.....Dollars, being the interest due on said date on its Refunding Bond of 1941, No.....

CITY OF INDIANAPOLIS

By..... (Facsimile) Mayor

..... (Facsimile) City Controller

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

Section 5. Said refunding bonds shall be offered for sale by the city controller as soon as may be done after the final adoption of this ordinance, in order that there may be no default in the payment of the outstanding bonds hereinabove described, which mature on January 1, 1941. Prior to the sale of said refunding bonds the city controller shall cause to be published a notice of the sale of said bonds, once each week for two weeks in two local newspapers. The date fixed for the sale of said bonds shall 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 total amount to be sold, the maximum rate of interest thereon, the time and place of payment, and the terms and conditions upon which bids will be received and the sale made, and all such other information as the city controller shall deem necessary.

Among other things, said notice shall advise the bidders that all bids for said bonds shall be filed with the city controller in his office in said city, in sealed envelopes marked "Bid for Refunding Bonds of 1941"; 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 percent ( $2\frac{1}{2}\%$ ) 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 to comply with the provisions of its bid, then said check and the proceeds thereof shall be and become the property of the City of Indianapolis and shall be taken and considered as the liquidated damages of the city on account of such failure or refusal. Said notice shall also provide that bidders for said bonds shall be required to name the rate of interest which said refunding bonds are to bear, not exceeding the maximum rate herein provided, and that such interest must be in multiples of one-fourth ( $\frac{1}{4}$ ) of one percent ( $1\%$ ), and not more than one interest rate shall be named by each bidder; that the city controller will award said bonds to the highest qualified bidder who has submitted his bid in accordance with the notice of sale, and that the highest bidder will be the one who offers the lowest net interest cost to the city, determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any.

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

Section 7. The city controller is hereby authorized and directed to have said bonds and coupons prepared, and the mayor and the city controller and the city clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided, and the city controller shall, after the execution of said bonds, deliver the same to the city treasurer and shall take his receipt therefor. Upon the consummation of the sale of said bonds, the city controller shall certify to the treasurer the amount which the purchaser is to pay for the same, and thereupon said treasurer shall be authorized to receive from the purchaser the amount so certified by the controller, and to deliver the bonds to such purchaser.

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



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

By the Department of Public Purchase:

GENERAL ORDINANCE NO. 94, 1940

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis, through its duly authorized purchasing agent, to purchase one (1) gutter "pick-up" sweeper; and fixing a time when the same shall take effect.

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

Section 1. That the Board of Public Works and Sanitation, through its duly authorized purchasing agent, be and it is hereby authorized to receive bids, after duly advertising therefor according to law, and make purchase of one (1) gutter "pick-up" sweeper.

Section 2. That said purchase shall be made from the lowest and best bidder, after advertising for competitive bids therefor, and the total cost of said gutter sweeper shall not exceed the sum of Five Thousand Four Hundred Dollars (\$5,400). The purchase of said equipment shall be paid out of funds heretofore appropriated by the 1940 budget for use by the Board of Public Works and Sanitation for such purpose.

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

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

ORDINANCES ON SECOND READING

Mr. Ropkey called for Appropriation Ordinance No. 9, 1940, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Deluse, Appropriation Ordinance No. 9, 1940, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 9, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Ropkey called for Appropriation Ordinance No. 10, 1940, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Deluse, Appropriation Ordinance No. 10, 1940, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 10, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Campbell called for General Ordinance No. 83, 1940, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Moore, General Ordinance No. 83, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 83, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Deluse called for General Ordinance No. 86, 1940, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 86, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 86, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Deluse called for General Ordinance No. 88, 1940, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 88, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 88, 1940, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Ross asked that the rules be suspended for the further consideration and passage of General Ordinance No. 92, 1940. The motion was seconded by Mr. Campbell and passed by the following roll call vote:

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

The rules were suspended.

The Council reverted to a previous order of business.

## COMMITTEE REPORT

Indianapolis, Ind., October 7, 1940

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

Gentlemen:

We, your Committee on Parks to whom was referred General Ordinance No. 92, 1940, entitled:

AN ORDINANCE transferring moneys from certain funds in the 1940 budget of the Department of Public Parks and reappropriating the same to other funds of said department,

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

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

## ORDINANCES ON SECOND READING

Mr. Ross called for General Ordinance No. 92, 1940, for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Moore, General Ordinance No. 92, 1940, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 92, 1940, was read a third time by the Clerk and passed by the following roll call vote:

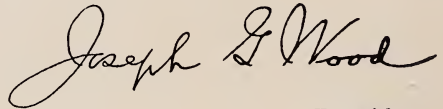
Ayes, 9, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross. President Wood.

General Ordinances Nos. 69, 85, 87 and Resolution No. 4, 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 10:20 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 7th day of October, 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