

REGULAR MEETING

Monday, January 15, 1951

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, January 15, 1951 at 7:30 P. M., in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

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

COMMUNICATIONS FROM THE MAYOR

January 4, 1951

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mr. Richard G. Stewart, the following ordinances:

IND. U. LAW LIB. IND. P.S.

GENERAL ORDINANCE NO. 98, 1950

An ordinance establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 32, 1950, As Amended

An ordinance appropriating the sum of Eighteen Thousand Dollars (\$18,000.00), from the anticipated, estimated, unexpended, and unappropriated 1951 balance in the General Fund of the City of Indianapolis, to a certain fund and item in the Department of Off-Street Parking, of said city, created by virtue of the 1951 budget (G. O. 63, 1950), as an advancement by the city to said department for preliminary expenses prior to the issuance of bonds, receipt of revenues of said department and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 33, 1950

An ordinance appropriating and allocating the sum of Twenty Thousand Dollars (\$20,000.00) from the anticipated, estimated and unappropriated 1951 balance of the General Fund (Tax Levy) of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Executive Department Office of the Mayor, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 34, 1950

An ordinance appropriating the total sum of Twenty Thousand Seven Hundred Eighty Dollars (\$20,780.00) from the unexpended and unappropriated balance of the Gasoline Tax Fund for the year of 1951, now in the hands of the City Controller, to certain funds and items of the Department of Public Safety, and fixing a time when the same shall take effect.

Respectfully yours,

PHILLIP L. BAYT
Acting Mayor

COMMUNICATIONS FROM CITY OFFICIALS

January 12, 1951

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

Gentlemen:

In Re: General Ordinance No. 1, 1951

I hereby report that pursuant to the laws of the State of Indiana, I caused to be published on January 5, 1951 in The Indianapolis Commercial and The Marion County Messenger "Notice to Interested Citizens" that G. O. No. 1, 1951 (zoning ordinance) was set for hearing before the Common Council on January 15, 1951.

Sincerely yours,

RICHARD G. STEWART
City Clerk

January 15, 1951

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

Gentlemen:

Transmitted herewith are twenty-one (21) Copies of appropriation Ordinance No. 1, 1951 appropriating the sum of Nine Thousand, Four Hundred and sixteen (\$9,416.00) Dollars from the unexpended and unappropriated balance of the Parking Meter Fund now in the hands of the City Controller to a certain item of the Parking Meter Fund, and fixing a time when the same shall take effect.

I recommend the passage of this Ordinance.

PATRICK J. BARTON
Acting City Controller

IND. U. LAW LIB. INDIANAPOLIS

January 11, 1951

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

Gentlemen:

Attached hereto are twenty-two (22) copies of General Ordinance No. 4, 1951, which ratifies, confirms and approves two contracts heretofore entered into by the City of Indianapolis for the purchase and installation of five hundred and thirty-six (536) parking meters on certain streets in said City.

It is respectfully recommended that this Ordinance be passed.

Very truly yours,

BOARD OF PUBLIC WORKS
Henry Mueller, Executive Secretary

January 15, 1951

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

Gentlemen:

We submit herewith General Ordinance No. 5, 1951.

This Ordinance provides for parking space at the Indianapolis Induction Center, 342 Massachusetts Avenue. Attached are request of Captain Guidice and report of the Indianapolis Police Department.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY
L. J. Keach, President

January 15, 1951]

City of Indianapolis, Ind.

29

January 12, 1951

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

Gentlemen:

With further reference to General Ordinance No. 6, which has been submitted to you by the Legal Department.

This Ordinance is necessary in order to protect more fully the rights of employees in retirement matters; to provide an accurate and ready source of information for credit and employment references, police investigations, and such matters; and to provide official evidence in connection with compensation claims; and to serve as a much needed index to individual payroll records. This responsibility shall be delegated to the Department of Personnel Consultant so long as such department exists, and to the Department of Finance, should the Department of Personnel Consultant cease to exist.

Respectfully,

PHILLIP L. BAYT
Acting Mayor

January 15, 1951

To The Members of the
Common Council of the
City of Indianapolis, Indiana

Gentlemen:

In Re: G. O. No. 7, 1951

Attached hereto are twenty-one (21) copies of Switch Permit granted to the New York Central Railroad Company to cross East Market Street with a switch track on an elevated structure to serve Cole, Inc., approved and executed this date by the Board of Public Works.

It is recommended that this permit be approved by the Common Council.

Very truly yours,

BOARD OF PUBLIC WORKS
Henry Mueller, Executive Secretary

January 11, 1951

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

Gentlemen:

Attached hereto are twenty-two (22) copies of Resolution No. 2, 1951, which approves, confirms and ratifies a certain permit granted by the Board of Public Works on January 8, 1951, authorizing Indianapolis Railways, Incorporated, to use for the operation of trackless trolley cars approximately 195 feet of Fall Creek Parkway, South Drive, West of Central Avenue. The permit was granted by the Board to enable the Indianapolis Railways, Incorporated to make use of a Loop Turnaround in that vicinity.

It is respectfully recommended that this Resolution be passed.

Very truly yours,

BOARD OF PUBLIC WORKS
Henry Mueller, Executive Secretary

At this time those present were given an opportunity to be heard on General Ordinances Nos. 1, 2, 3, Resolution No. 1, 1951.

Mr. Ehlers asked for recess. The motion was seconded by Mr. Jameson, and the Council recessed at 8:05 P. M.

The Council reconvened at 8:50 P. M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., January 15, 1951

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 General Ordinance No. 2, 1951, entitled

AN ORDINANCE authorizing the Board of Safety to purchase one 750 gallon fire engine for the Fire Department

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Ind., January 15, 1951

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 General Ordinance No. 3, 1951, entitled

AN ORDINANCE authorizing the Board of Public Safety to purchase one 75 foot metal aerial ladder for Fire Department .

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

IND. U. LAW LIB. IND. PLS.

Indianapolis, Ind., January 15, 1951

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. 1, 1951, entitled

A RESOLUTION approving request for transfer of temporary public housing units at Tyndall Towne, Christian Park, Kentucky Avenue and Belmont Park to the Housing Authority of the City

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

JOSEPH C. WALLACE, Chairman
GUY O. ROSS
GEORGE S. LUPEAR
JOSEPH E. BRIGHT

Indianapolis, Ind., January 15, 1951

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. 1, 1951, entitled

AN ORDINANCE to amend General Ordinance No. 104, 1950 commonly known as the Zoning Ordinance (North side of E. 38th St. between Rural and Meadowbrook Apts.)

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

J. PORTER SEIDENSTICKER,
Chairman
GEORGE S. LUPEAR
CHARLES P. EHLERS
DONALD B. JAMESON

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 1, 1951

AN ORDINANCE appropriating the total sum of Nine Thousand, Four Hundred and Sixteen (\$9,416.00), Dollars, from the unexpended and unappropriated balance of the Parking Meter Fund, now in the hands of the City Controller to a certain item of the Parking Meter Fund, and fixing a time when the same shall take effect.

WHEREAS, there is now in the hands of the city controller in the Parking Meter Fund certain monies which are unappropriated and unexpended and are available for the use of the City of Indianapolis for certain purposes, and

WHEREAS, an emergency exists by reason of the fact that funds heretofore appropriated under the 1951 budget (G. O. No. 63, 1950, as amended) are inadequate for the purpose of removing snow obstructing the use of parking meters in said city.

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

Section 1. That the total sum of Nine Thousand, Four Hundred Sixteen (\$9,416.00) Dollars from the unexpended and unappropriated balance of the Parking Meter Fund now in the hands of the city controller be and the same is hereby appropriated and allocated to the following designated fund of the Parking Meter Fund according to the 1951 budget (G. O. 63, 1950, as amended) classification in the amounts as herein specified, to-wit:

PARKING METER FUND

- 7. Properties
- 72. Automobile & office machines ----- \$9,416.00

Section 2. That all monies hereby appropriated as Parking Meter Funds shall be used only for the purposes authorized by law.

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Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and compliance with all laws pertaining thereto.

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Works:

GENERAL ORDINANCE NO. 4, 1951

AN ORDINANCE ratifying, confirming and approving two certain contracts by and between The City of Indianapolis and M. H. Rhodes, Incorporated, and by and between The City of Indianapolis and Duncan Parking Meter Corporation, each providing for the purchase and installation of certain Parking Meters in said city; supplementing General Ordinance No. 59, 1950; providing for the operation, regulation, maintenance and repair of certain parking meters; establishing, defining and regulating the use of certain parking meter zones, rate, charges, collection and disposition of fees; providing a penalty for violation hereof; and fixing a time when the same shall take effect.

WHEREAS, pursuant to authority duly granted by this Common Council under the terms of General Ordinance No. 59, 1950, the Board of Public Works duly advertised for and received bids for the sale to said City of approximately 750 parking meters more or less, to be installed in and along certain streets in the City of Indianapolis, and

WHEREAS, after due consideration of all the bids so received, the Board of Public Works, with the approval of the Mayor, has entered into two certain contracts for the purchase, on an installment basis, and installation of approximately 536 parking meters in and along certain streets in said city, which streets are hereinafter more particularly described, and

WHEREAS, before said contracts shall become effective and binding upon the City, they must each be first approved by this Common Council;

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

Section 1. The two certain contracts each dated December 21, 1950, by and between the City of Indianapolis and M. H Rhodes, Incorporated and by and between the City of Indianapolis and Duncan Parking Meter Corporation, in the words and figures as follows, to-wit:

AGREEMENT

This agreement made between M. H. Rhodes, Incorporated, a corporation organized and existing under the laws of the State of Delaware, with its principal office located at 30 Bartholomew Avenue, Hartford, Connecticut, (hereinafter called the "Company"), party of the first part, and the City of Indianapolis, party of the second part, witnesseth:

WHEREAS, the Company has duly filed its proposal in writing for the selling, furnishing and maintaining of Mark-Time Parking Meters, which proposal has been duly and by proper legal action accepted by the City,

NOW. THEREFORE, it is hereby mutually agreed by and between the parties hereto as follows:

1. QUANTITY AND PRICE

The City agrees to buy and the Company agrees to sell and pay all transportation costs and to deliver to said City in accordance with the specifications set forth on Page 6 hereof Three Hundred and Fifty (350) Mark-Time Parking Meters as instructed on the order sheet attached hereto at Fifty-Five Dollars and Fifty Cents (\$55.50) per meter installed.

Items Furnished Shall Include:

- a. A supply of spare parts sufficient for one year.
- b. Sealed coin box collection system with one extra coin box per meter and necessary carrying cases.
- c. Guarantee against defects in workmanship and material for a period of one (1) year.

- d. Six timing units with each 100 meters purchased.
- e. Two sets of keys with each 100 meters purchased.
- f. One timer case with each 100 meters purchased.

In the event the Company becomes liable at any time for taxes of any kind levied on the meters at any time covering a period prior to the transfer of title of the meters to the City, the Company shall pay the taxes and the City shall immediately reimburse the Company in full for such payments from the gross receipts prior to the division of net revenue.

2. SPECIFICATIONS

There is attached hereto and made a part hereof mechanical specifications for the Mark-Time Parking Meters intended to be furnished under this contract.

3. MAINTENANCE

The Company agrees to maintain said meters for a period of one year at no cost as hereinafter set forth. Said maintenance shall consist of the following services:

- A. Any meter or any meter part which cannot be readily repaired by the City's service Employee shall be forwarded by the City to the Company at 30 Bartholomew Avenue, Hartford 6, Connecticut. Such returned parts shall promptly be put in good order and repaired by the Company without charge, or if necessary shall be replaced without charge by the Company.
- B. The City agrees to employ a meter maintenance man whose qualifications are satisfactory to the Company. A qualified instructor will be provided to train such city-appointed man to service properly all meters installed under this contract. Should his performance of duty be unsatisfactory to the Company, the City agrees upon receipt of due notice in writing from the Company, to replace the meter maintenance man without delay. A qualified Installation Supervisor will then be provided to train a satisfactory replacement for the local meter maintenance man so removed.

It is expressly understood that the aforesaid free maintenance shall not be intended to include repair or replacement of meters or meter parts damaged through accident, malicious mischief, or Acts of God; and the City expressly agrees to reimburse the Company for repair or replacement of meters so damaged, nor is the Company to be charged for any labor costs incurred by the City in connection with the removal or replacement of meters or meter parts.

4. PAYMENT

Unless purchase is made on a cash basis, payment shall be solely from receipts derived from the operation of the meters, and there shall be no obligation on the part of the City to pay for the meters from any other source. The City agrees to pay monthly to the Company an amount equal to Fifty per centum (50%) of the gross receipts for the preceding month from all parking meters so installed. Such payment shall commence on the 10th day of each succeeding month. Payment shall be continued in the above manner until the total of such remittances or cash payments shall equal the total purchase price of all the meters which shall be delivered under this contract.

5. PARKING METER FUND

The City agrees to maintain adequate records of all receipts collected from the operation of said parking meters and to keep books of account thereof. The City further agrees to permit the Company, at all reasonable times, to have access to the said books and records for the purpose of checking and auditing the receipts from the operation of said meters until the full purchase price shall have been paid.

6. GUARANTEE ALLOWANCE

The Company warrants Mark-Time Meters against any and all defects in workmanship and material for a period of one (1) year from the date of completed installation and will at its own expense replace any and all parts which may prove defective upon the return of the defective parts to the Company within the designated period.

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7. TITLE

The Company shall retain title to the meters and the posts on which they are installed until the meters have been fully paid for. The Company agrees that if the City so desires, it will promptly execute and deliver at its own expense a bill of sale for the meters upon receipt of payment in full for the meters ordered by the City.

8. SHIPMENT

The Company will make shipment of the new Mark-Time Parking Meters within thirty (30) days from the date of the contract or the date of receipt of the attached order form specifying the number of meters to be delivered, whichever is later, provided, however, that if the Company is unable to secure necessary materials or skilled labor essential to the manufacture of meters by reason of prevailing economic conditions or governmental restrictions or any unavoidable cause beyond the control of the Company, then such time shall be extended by the period of such unavoidable delays.

If the purchaser does not notify the Company as to type of meters desired, timing and hours of operation at the time the proposal is accepted by the City, shipment and installation of the meters shall be made within thirty (30) days from date such information is received instead of from date of contract.

9. INSTALLATION

The Company will at its expense, install, in the places designated by the City, the meters covered by this contract, under the supervision of the City.

10. SELLER'S GUARANTEE

The Company warrants Mark-Time Meters against any and all defects in workmanship and material for a period of one (1) year from the date of completed installation and will at its own expense replace any and all parts which may prove defective upon return of the defective parts to the Company within the designated period.

11. ORDINANCE AND RESOLUTION ENFORCEMENT

The City agrees to enact, and unless restricted by order of a court of competent jurisdiction, to enforce in good faith all ordinances and resolutions for the installation and operation of said parking meters and those providing for the collection of fees for parking opposite said meters installed in said City until all parking meters installed under this contract have been fully paid for, or until the contract has been terminated as provided herein.

12. LEGAL COUNSEL

The Company shall have the option to furnish legal counsel and if such option is exercised, the City shall accept such counsel as associate counsel in any suit brought against the City to prevent the installation or the operation of said parking meters. The Company shall pay the legal fees of the legal counsel it names.

13. PRICE LIST OF PARTS

There is attached hereto and made a part hereof a complete price list of motor parts. Such prices shall be subject to change by the Company at any time after one year from the date of this contract.

14. CHANGES AND ALTERATION OF CONTRACT

No agent of the Company except its duly elected officers shall have the power or authorization to alter or change in any manner the terms or conditions of this agreement, and no other representations or agreements, oral or written, implied or expressed have been made by either party.

15. PATENTS

The Company agrees and reserves the right to defend any suit for patent infringement resulting from the use by the City of the aforesaid meters or parts thereof as installed by the Company.

16. CONTRACT

This instrument, together with the documents mentioned in Section 1 and 13, form the contract and are as fully a part of the contract as if herein repeated.

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IN WITNESS WHEREOF, the parties have caused this instrument to be executed in triplicate on the 21 day of December, 1950.

CITY OF INDIANAPOLIS

By

/s/ Edward A. Gardner

/s/ Carl N. Angst

/s/ Martin McDermott

/s/ Stanley S. Feezle

ITS BOARD OF PUBLIC WORKS

ATTEST:

/s/ Henry Mueller

Executive Secretary

APPROVED this 21st day of December, 1950

/s/ Phillip L. Bayt

Acting Mayor

SEAL

M. H. RHODES, INCORPORATED

/s/ E. H. Rhodes

Executive Vice President

ATTEST:

/s/ Corrine A. Lester

ORDER SHEET

No. of Meters of Each Type	Type of Meters: (Such as 5c for 60 minutes, or 1c for 12 min.—5c for 60 min.)
236 (1 hour)	5 pennies or 1 nickel
114 (2 hour)	10 pennies or 2 nickels
_____	_____
_____	_____
None—To be installed by City	350 to be installed by Company

PIPE REQUIREMENTS

For Dirt Installation:

_____ 60" lengths

Information to be furnished later

For Sidewalk Installations:

_____ 50" lengths

For Basement Installations:

_____ 40" lengths

HOURS OF OPERATION: (Such as 9:00 A. M. to 6:00 P. M. Sundays and Holidays Excepted)

Information to be furnished later

Please check preference:

—X— Locks in upper (Serviceman's) and lower (Collector's) compartment operated by separate keys.

_____ Both locks operated by the same key.

December 21, 1950

Date

CITY OF INDIANAPOLIS

By

/s/ Edward A. Gardner

Pres. Board of Public Works

Title

SHIPPING ADDRESS:

Municipal Garage
235 North Alabama Street
Indianapolis, Indiana

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SPARE PARTS

The following spare parts will be furnished with each one hundred Mark-Time Hurricane parking meters ordered:

100	H48A	Magic Links
12	W82A	Retaining rings
6	V6B	Window Glass
2	W71A	Retainer ring
4	Z94B	Coin glass screws
8	V5A	Dial window
2	S73A	Dial window spring
2	L59B	Cam lock lever
4	K13A4	Handle assembly
8	Z95B	Lock cam shoulder screws
4	H41B1A	Coin carrier assembly
6	S87B	Coin carrier spring
12	S83A	Coin carrier spring pawl
2	S85A	Coin carrier spring lever
4	S79B	Release Spring
2	X32B1	Coin guide assembly
6	Z90A	Guide assembly and timer screws
4	Z93A	Screws
2	Z109C	Screws
4	D913M	Front violation dial
2	(Specify)	Time Dial
1	Z98C	Meter mounting nut
1	Z97A	Meter tapered mounting bolt
1	C20A	Bottom lid for coin box
1	S59B	Coin box handle
1	L62A1	Cam lever assembly
4		Winding levers for single-coin meters
2		Ratchet assemblies for multiple-coin meters
2		Counterbalance assemblies for multiple-coin meters
2	S984	Springs for multiple-coin meters
2	S75A	Alternate springs for multiple-coin meters
2	X37B	Trash guard
2	X38B1	Cover assembly

A G R E E M E N T

THIS AGREEMENT, executed in quadruplicate this 21st day of December, 1950, between City of Indianapolis, of the State of Indiana (hereinafter called the "City"), and Duncan Parking Meter Corporation, an Illinois corporation (hereinafter called the "Company"), witnesseth, that:

THE COMPANY AGREES:

QUANTITY AND PRICE	1. To sell to the City one hundred and eighty-six (186), Miller Multiple-Coin parking meters (hereinafter called "meters"), at an agreed value of Fifty-eight Dollars and twenty cents (\$58.20) per meter, delivered and installed in said City.
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DISCOUNT	2. That if the agreed value shall be paid within sixty (60) days from date of installation, the City may have a discount of two per cent (2%).
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TIME REG.	3. To furnish the meters with a mechanism regulated as to time and equipped with slots for coins as may be determined by the City, within the practicable limits of the meters currently produced by the Company.
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EXTRAS	4. To furnish without additional charge one (1) complete meter mechanism for service purposes only for each fifty (50) meters installed under this Agreement.
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INSTALLATION COST	5. At the request of the City, to advance all cost in connection with the delivery, installation and installation supervision of the meters and at time of installation to give instruction to the City appointed maintenance man as to their maintenance.
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REPLACEMENT DEFECTIVE PARTS	6. To replace any defective part, on the return thereof to the factory, within one (1) year from date of installation of that meter.
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TITLE

7. To give the City a bill of sale for the meters when the full agreed value thereof has been paid in cash to the Company.

THE CITY AGREES:

PAYMENTS

8. To buy the meters described in paragraph one (1), at said agreed value, to permit their installation by the Company, and to make the following payments for them: From the first receipts from their operation, the City will reimburse the Company for any advances for freight, installation and installation supervision. The balance of the receipts shall be called "net revenue." Thirty (30) days after the installation of the meters, and not later than the fifteenth (15th) day of each calendar month thereafter, the City shall pay to the Company fifty per cent (50%) of such net revenue until the agreed value is paid or until the meters are removed under the provisions of paragraph fifteen (15). The sole obligation of the City hereunder to pay for the meters shall be from the receipts obtained from the operation thereof.

COLLECTION
STATEMENT

9. To accompany each payment with a collection statement on forms to be supplied by the Company, setting forth collections and allocations thereof.

TAXES

10. That any personal property, real estate, sales, use or other tax (whether or not similar to those enumerated) levied against the Company by reason of this transaction (other than income or excess profits taxes) shall be added to the agreed value.

GOOD REPAIR

11. To maintain the meters in good operating condition until the agreed value is paid. If this is not done, the Company may so maintain them and the City will, upon demand, remit to the Company from the City's share of the net revenue the cost thereof.

ENFORCE
ORDINANCES

12. Until the agreed value is paid or this Agreement is terminated under paragraph thirteen (13), to enact, maintain and enforce appropriate ordinances relating to the installation, maintenance and operation of these meters and relating to vehicles parking next to them.

CONSEQUENCES
OF BREACH

13. That if the City shall materially breach this Agreement, the Company may terminate this Agreement by giving to the City written notice of its intention so to do and may remove said meters. In this event the City will pay to the Company an additional amount so that the payments shall be seventy-five per cent (75%) of the net revenue. These rights shall not be exclusive of any other rights or remedies given the Company by law.

UNAVOIDABLE
DELAY

14. That the Company shall not be liable for delay in furnishing meters resulting from causes beyond its control.

ASSIGNMENT

15. That the Company may assign this Agreement, or its rights hereunder, provided that such assignment shall not release the Company of its obligations hereunder.

AUTHORITY

16. No one shall have the power or authority to alter the terms and conditions of this Agreement in behalf of the Company except its President, Executive Vice-President, a Vice-President, Secretary or Treasurer.

CITY OF INDIANAPOLIS

By

/s/ Edward A. Gardner

/s/ Carl N. Angst

/s/ Martin McDermott

/s/ Stanley S. Feezle

ITS BOARD OF PUBLIC WORKS

IND. U. LAW LIB. INDIANAPOLIS

ATTEST

/s/ Henry Mueller
Executive Secretary

Approved this 21st day of Dec., 1950.

/s/ Phillip L. Bayt
Acting Mayor

DUNCAN PARKING METER
CORPORATION

By

/s/ R. H. Hardman
Its Vice-President

ATTEST

/s/ T. A. Milczynski
Ass't. Secretary
(SEAL)

are each now fully ratified, confirmed and approved, and the Board of Public Works is hereby authorized and directed to carry out all of the provisions therein contained.

Section 2. That, as used in this ordinance, the following words, when the context does not otherwise indicate, shall have the meaning to-wit:

The words "Parking Meter" shall mean and include any mechanical device or meter, operated either manually or automatically, and which is not inconsistent with the provisions of this ordinance, which is placed or erected for the regulation of parking of vehicles upon the public streets and places of the city by authority of this ordinance.

The word "vehicle" shall mean any conveyance upon or by which any person or property is designed to be transported in any manner upon a street or highway, except on rails or fixed tracks.

The words "street," or "highway," shall include all public places.

The word "person" shall include any individual, firm, or corporation; and the masculine gender shall include the feminine and neuter genders; and the singular number shall include the plural number, in all instances when the context does not otherwise expressly indicate.

The words "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

The phrase "parking space," in the various parking meter zones, shall mean the space or the section of the street adjacent to the curb, painted and indicated by lines painted, or otherwise durably marked on the surface of the pavement, adjacent or adjoining the parking meters, in which space vehicles must be parked.

Section 3. Parking Meter Zones are hereby created and established, according to the fixed period of time allowed for parking therein, and parking meters purchased under said contracts dated December 21, 1950, shall be installed and operated, in and along the following streets in the City of Indianapolis, to-wit:

- (a) Both sides of North Street from Alabama Street to Illinois Street.

Both sides of Vermont Street from Pennsylvania Street to Alabama Street.

Both sides of Michigan Street from Delaware Street to Illinois Street.

Both sides of Massachusetts Avenue from Delaware Street to New Jersey Street.

West side of Virginia Avenue from Woodlawn to Prospect Street.

East Side of Virginia Avenue from Woodlawn to Fountain Square.

West side of Shelby Street from Fountain Square to Morris Street.

West side of Shelby Street from Woodlawn to Fountain Square.

Both sides of Prospect Street from Fountain Square to Olive Street.

South side of Prospect Street from Fountain Square to St. Patrick Street.

South side of Woodlawn Avenue from Virginia Avenue to Shelby Street.

West side of St. Patrick Street from Morris Street to Woodlawn Avenue.

- (b) Both sides of Virginia Avenue from Woodlawn Avenue to Grove.

Both sides of Shelby Street from Morris Street to Orange.

Both sides of Prospect Street from Olive to Laurel Street.

- (c) Both sides of Pennsylvania Street from Vermont Street to North Street.

Both sides of Meridian Street from Vermont Street to North Street.

Both sides of Illinois Street from Vermont Street to North Street.

Section 4. The maximum time during which any vehicle may remain continuously parked in any one parking meter zone or parking space therein established under this ordinance shall be as follows:

(a) One hour for all zones located within the streets listed in sub-paragraph (a) of Section 3 above.

(b) One hour and thirty-six minutes for all zones located within the streets listed in sub-paragraph (b) of Section 3 above.

(c) Two hours for all zones located within the streets listed in sub-paragraph (c) of Section 3 above.

Section 5. (a) That the actual location of parking meters within the above described zones shall be determined by the Board of Public Safety and the Traffic Engineer, with due allowance for clearance of alley and street intersections and of fire hydrants, reserved loading zones and other necessary prohibitions and restrictions to parking at various places.

(b) That parallel-to-curb parking shall be had throughout the entire parking meter areas, with a minimum of 22 feet provided for each interior parking space, and 18 feet for each end parking space.

(c) That the time limits for parking in the respective zones and locations and the rates of charges therefor as herein or hereafter fixed and permitted, shall be in effect wherever meters are installed, between the hours of 8:00 o'clock A.M. and 6:00 o'clock P.M., Central Standard Time daily, except on Sundays and officially designated holidays, and further excepting in those zones or locations where parking is now prohibited entirely or where parking is prohibited during certain hours of the day.

(d) That the actual number of meters required for the various parking zones shall be determined by the Board of Public Works after due investigation and recommendation by the City Traffic Engineer and by the Board of Public Safety.

(e) The charge for parking in any zone or space where a parking meter has been installed shall be at the rate of one cent for each twelve minutes of parking in such space.

Section 6. That when parking spaces are indicated by painted, or otherwise durably marked lines upon the surface of the streets, and when parking meters are installed adjacent to and adjoining said respective parking spaces, no vehicle shall remain parked continuously in the same space, after depositing the amount of money as herein required, for a period longer than is designated on said adjacent parking meter; or shall be permitted to remain in such space after such initial time period has expired.

Section 7. That such parking meters shall be placed upon the curb, alongside of, or adjoining or adjacent to and near the front end of the individual parking places to be designated as herein provided; and each said parking meter shall be so placed on the curb as to show or display a signal thereon, or other device, plainly indicating that such parking space is or is not then in use, and also showing when any previous payment for use has expired.

That each said parking meter shall be so adjusted and operated as to display a signal thereon indicating the period of time permitted for legal parking within the adjacent parking space, upon the deposit of either a five-cent, or a one-cent coin of the United States of

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America in said meter, according as such particular period of time appears on the face of said meter, or as it may be hereafter prescribed and so indicated thereon by any ordinance of the City of Indianapolis, Indiana.

That each meter, of whatever type shall clearly indicate, at the time of depositing such coin, the specified limit in minutes of the parking time period thereby allowed and shall register the allotted time on its dial, or otherwise, and the indicator or hand on such dial shall continue operation until the expiration of the time fixed by said schedules and ordinances relating to such particular parking space in the street adjacent to said meter, whereupon it shall clearly indicate by the mechanical operation of its dial, or otherwise, that the lawful parking period as so allotted and paid for has expired.

Section 8. That when any vehicle, during the time provided herein, shall be parked in any parking space so controlled by a parking meter, the driver or other occupant of such vehicle, or someone for him, upon entering the said parking space shall immediately deposit a five-cent coin, or one or more one-cent coins of the United States of America, as may be there specified, in the parking meter alongside of or adjacent to said parking space, and shall do such other things as the directions for the operation of the parking meter may require, and the said parking space may then be used by such vehicle for not exceeding the period of time designated on the face of the meter adjacent to that part of the street in which said parking space is located and so paid for, and the using of such parking space by any other vehicle after the expiration of such time limit so paid for, without depositing the required coin in said parking meter shall be a violation of this ordinance and be punishable as provided in Section 9 of this ordinance.

That, if any vehicle shall remain parked within said parking space for a continuous period beyond the parking time limit fixed by this ordinance for such parking space, and so paid for initially and the parking meter shall display a sign indicating "expired" or "illegal" parking, or if any vehicle continues in the same parking space longer than the limit prescribed therefor, even if another coin be then deposited, then and in either such event, such vehicle shall be considered as parking overtime and beyond the time as fixed now or hereafter by ordinance for such parking space, and the parking of any vehicle beyond such specified period of time, as now or hereafter fixed by ordinance, in any such parking space in the street so controlled by a

parking meter, shall be construed as a violation of this ordinance and be punishable as hereinafter set out in Section 9 of this ordinance.

Section 9. That whenever a member of the Police Department of the City of Indianapolis, or other persons charged with the enforcement of this ordinance, shall find that any provision of this ordinance is being or has been violated by the owner or operator of any vehicle, such officer or person shall notify in writing such owner or operator thereof of such violation. Such notice shall be made by a paper prepared in triplicate and each notice shall be serially numbered and show the specific violation charged, the state license number of such vehicle, and the owner's name, or the name of such person operating the vehicle, if the same can be ascertained by the license certificate displayed on the vehicle or is otherwise ascertained, and shall be signed by such officer or person, stating thereon his badge number; that one copy of such notice shall be presented to the owner or operator of such vehicle, if present, and in case such owner or such operator shall not be found in possession, or in charge of such vehicle, the posting of a copy of such notice, or the attachment thereof in a conspicuous place on such vehicle, shall be deemed sufficient notice of such violation.

That it shall be the duty of such officer or other person serving such notice to file one of the triplicate copies thereof in the office of the City Police Traffic Bureau at the close of the day's work, and he shall retain the third copy.

That the owner or operator of such vehicle who has been so notified of a violation of any provision of this ordinance, as herein provided, may within seventy-two hours after having been so notified, report to or appear at the office of the Police Headquarters Traffic Department of the City of Indianapolis, Indiana, and may plead guilty in writing to the charge of such violation and pay the penalty or fine prescribed in this section; and the acceptance of such plea and fine shall be deemed complete satisfaction for the violation and the violator shall be given a receipt which so states.

That if said owner or operator of such vehicle shall so admit and plead guilty in writing to have violated any provision of this ordinance, he shall thereupon pay to the Traffic Department Clerk at Police-Headquarters, the sum of Two Dollars (\$2.00), or such other sum as may be hereafter prescribed by ordinance.

That whenever any person has been issued a notice, as provided in this section, for the violation of any provisions of this ordinance and shall fail or refuse to report or appear within seventy-two hours after service of such notice, to or at the office of the Traffic Department at Police Headquarters, or having appeared shall fail or refuse to plead guilty to such charge and pay the penalty or fine prescribed therefor, then it shall be the duty of the officer or other authorized person issuing such notice to file or cause to be filed in the municipal court an affidavit charging such person with the violation or violations specified in such notice, whereupon a summons shall be caused to issue to and be served upon such person to appear in said municipal court at a certain day and hour to answer said charge and stand trial for the same, and it shall further be the duty of such officer or other authorized person serving such notice to be present and assist in the prosecution of such charge; and upon conviction in said municipal court, or in any court of competent jurisdiction, such person shall be assessed with a penalty in any sum not exceeding one hundred dollars (\$100.00), to which may be added imprisonment in jail for not to exceed thirty days, for each offense with which he may be so charged.

That all penalties, fines or forfeitures collected upon conviction, or pleas of guilty, or upon forfeiture of bail, from or for any person charged with the violation of any provisions of this ordinance, shall be paid to and accounted for by the City of Indianapolis, as is now or may be hereafter provided by law.

That in case the owner or operator of any such vehicle, upon receiving notice of any violation as herein provided, reports to or appears at the office of the Traffic Department at Police Headquarters within seventy-two hours, after the date and time set out in said notice and pleads guilty and pays said penalty of two dollars (\$2.00), then and in that case, the name of such owner or operator shall not be added to the records of traffic violators, or be so reported, unless otherwise provided by law.

Section 10. (a) The duties of and the responsibility for the operation, maintenance, upkeep and repair of parking meters and equipment, herein authorized, including the collecting of the coin cylinders or boxes, or other such devices, from the parking meters and the delivery of the same to the City Controller, or to his duly authorized agent, shall be and the same are hereby vested in the Board of Public Works, which board shall take all reasonable precau-

tions for the safe handling of said monies so collected and transported under its direction and control, including the adequate bonding of such personnel as shall be engaged in such handling of said monies, if so deemed necessary or desirable by said Board. A report of all monies so collected shall be filed with the city controller at the end of each calendar month, or within ten days thereafter, and all such monies shall be delivered to the controller for verification.

(b) That the duties of and the responsibility for the enforcement of the provisions of this ordinance pertaining to such parking of vehicles shall be vested in the Board of Public Safety.

(c) Upon receipt of such reports and parking meter coin cylinders or boxes, or other such devices, the City Controller, or his duly authorized Agent, shall count the funds, and deposit the monies with the City Treasurer to be credited to a special fund as provided under the terms of General Ordinance No. 59, 1950, and said fund shall be expended only for the purposes and in the manner and method provided in said General Ordinance No. 59, 1950.

(d) The Board of Public Works is hereby authorized, if it deems it to be in the best interests of the public, to contract for the services of any reliable bonded express or messenger agency of established reputation to collect the coin cylinders or boxes, or other such devices, from the parking meters and to open the same and count the coins contained therein, and to deliver all the coins so contained and counted to the City Controller for deposit by him in the Special Fund, or to perform any parts of such services.

Section 11. That it shall be unlawful for any person, not so authorized by the city, to deface, injure, tamper with, open, or wilfully break, destroy, or impair the usefulness of any parking meter installed under the terms of this ordinance.

Section 12. That it shall be unlawful for any person to deposit, or cause to be deposited, in any parking meter any slug, device, or substitute for a genuine five-cent coin, or one-cent coin of the United States.

Section 13. That any person, firm or corporation, who shall violate any of the provisions of this ordinance, for which no specific penalty is herein otherwise provided, upon conviction therefor, and for each such offense, shall be assessed a penalty, or fine, in a sum not ex-

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ceeding Three Hundred (\$300.00) Dollars, or by imprisonment in jail for not more than ninety (90) days, or by both such fine and imprisonment.

Section 14. That whenever a person is arrested for the violation of any section of this ordinance, for which no specific penalty is provided, and such person is not immediately taken before the municipal court, the arresting officer shall prepare in triplicate a written notice for such person to appear in court, containing the name and address of such person, the license number of his vehicle, if any, the offense charged, and the time when such person shall appear in said court, which time so specified in such notice shall not be more than three days after such arrest.

That if the arrested person gives his written promise to appear in said court by signing in triplicate the written notice prepared by such arresting officer, he shall be temporarily released from custody and the original of said notice shall be retained by said officer and a copy thereof delivered to the person arrested, and the third copy shall be delivered to the clerk of the municipal court for such further proceedings as may be provided by law.

Section 15. That is any section, or provision, or parts thereof, of this ordinance shall be adjudged invalid or unconstitutional, and if the portions remaining shall be capable of enforcement, such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole, or of any other section, or provision, or part thereof.

Section 16. This ordinance shall be deemed to be supplemental to the terms and provisions of General Ordinance No. 59, 1950.

Section 17. All ordinances or parts of ordinances in conflict herewith, are hereby repealed, EXCEPTING, however, all ordinances which regulate traffic on streets where parking is prohibited entirely, or on streets where parking in all or portions thereof is prohibited between certain hours of the day, or upon certain occasions indicated by posted notices thereof.

Section 18. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, excepting those parts hereof providing for a penalty for any violations of this ordinance, which parts shall be in full force and effect only after the due publication of this ordinance, as required by law.

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

By the Board of Public Safety:

GENERAL ORDINANCE No. 5, 1951

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

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

Section 1. It shall be unlawful for the owner or operator of a vehicle, except U.S.A. Official Cars, to park the same or suffer, permit or allow the same to be parked at any time upon certain parts of a certain street in the City of Indianapolis, described as follows:

The north side of Massachusetts Avenue from the ECL of the alley between Delaware and Alabama Streets for a distance of one hundred and thirty-two (132) feet eastward. Space to be marked with three (3) signs stating, "NO PARKING AT ANY TIME, EXCEPT U. S. A. OFFICIAL CARS."

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 for the first time and referred to the Committee on Public Safety.

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By Acting Mayor Bayt:

GENERAL ORDINANCE NO. 6, 1951

AN ORDINANCE providing for the establishment and permanent maintenance of a centralized personnel record in the executive department of the City of Indianapolis.

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

Section 1. Because there exists in the City of Indianapolis at the present time only such brief information of its employees as is reflected by the controller's payroll records and some of the various records of the various city departments, there is need for a unified and complete centralized personnel record in the City of Indianapolis, particularly in view of the requirements of the Public Employees' Retirement Act, referral needs, and the possibility of future social security requirements, so this common council deems it necessary to provide for the establishment and permanent maintenance of a centralized personnel record in the executive department of the City of Indianapolis.

Section 2. In order that permanent personnel information be quickly available at all times there is hereby created and permanently established, the record to be known as the Central Personnel Record of the City of Indianapolis, to be kept and maintained under the supervision of the executive department of the City of Indianapolis.

Section 3. It is hereby made the duty of every head of any city department or division to list upon forms provided by the executive department, the name and address of every employee therein together with the signature of and fingerprints of such employee if the executive department shall so require. There shall also be included the date of employment, the name of the city department or division, the amount of compensation, the date of termination of employment and the reason for the cessation thereof, together with such additional pertinent information as the executive department may from time to time require.

Section 4. The personnel consultant in the executive department of the City of Indianapolis, is hereby made the first custodian of such

record and is directed to proceed to the compilation and completion thereof, but full power is hereby given to the executive at any time to name or rename the custodian and caretaker of the Central Personnel Record of the City of Indianapolis.

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

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

By the Board of Public Works:

SWITCH PERMIT

GENERAL ORDINANCE NO 7, 1951

AN ORDINANCE approving a certain agreement and permit granting

THE NEW YORK CENTRAL RAILROAD COMPANY AS LESSEE OF THE RAILWAY AND PROPERTY OF THE CLEVELAND, CINCINNATI, CHICAGO AND ST. LOUIS RAILWAY COMPANY

the right to lay and maintain a sidetrack or switch from East Market Street Elevated Structure onto property of Cole, Inc., according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 15th day of January, 1951,

The New York Central Railroad Company, as Lessee of the railway and property of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company

filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

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PETITION

To Board of Public Works,
City of Indianapolis.

Gentlemen:

Permission is requested to install a switch track leading from the East Market Street Elevated Structure of the New York Central Railroad Company between Davidson and Pine Streets in the City of Indianapolis, Indiana, to serve the property of Cole, Inc., as shown on print attached.

NOW, THEREFORE, This agreement made and entered into this 15th day of January, 1951, by and between

THE NEW YORK CENTRAL RAILROAD COMPANY AS
LESSEE OF THE RAILWAY AND PROPERTY OF THE
CLEVELAND, CINCINNATI, CHICAGO AND ST. LOUIS
RAILWAY COMPANY

of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a permit for a right of way for a sidetrack or switch leading from the East Market Street Elevated Structure of the New York Central Railroad Company onto property of Cole, Inc.

in the City of Indianapolis, which is more specifically described as follows:

Beginning at a point in the south property line of East Market Street where the same intersects the east line of the East Market Street Elevated Structure of the New York Central Railroad Company as now located and constructed, thence east along the south property line of East Market Street, a distance of Seven (7) feet and three (3) inches more or less to the east edge of the proposed extension to the East Market Street Elevated Structure, which point is five (5) feet east of the center line of the proposed switch track, thence in a northerly direction along the north

edge of the proposed extension parallel to the center line of the proposed switch track a distance of fifteen (15) feet six and one half (6½) inches to the center line produced, of the south curb columns of said East Market Street Elevated Structure, thence west along the center line of the south curb columns of East Market Street Elevated Structure a distance of two (2) feet more or less to the east edge of the present East Market Street Elevated Structure as located and constructed, thence in a south-westerly direction along the east edge of the present East Market Street Elevated Structure, a distance of Seventeen (17) feet and one (1) inch more or less to the place of beginning.

hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct, maintain and pay all costs and expenses either now or hereafter connected with said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, maintained, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis, and to all laws and ordinances, adopted and enacted pursuant to the police powers of said city.

(5) The party of the first part agrees in case said tracks be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair, reconstruct, or remove same, failing in which, after notification in writing of ten (10) days, said Board may do or cause the same to be done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

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(7) Any violation of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this permit, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and of all acts amendatory thereof or supplemental thereto, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby grants and duly permits said party of the first part to exercise the right, privilege and authority to lay and maintain an additional sidetrack or switch across

that portion of the public right-of-way known as East Market Street and hereinbefore more specifically described.

in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this eleventh (11th) day of January, 1951.

Witness:

THE NEW YORK CENTRAL RAILROAD

By E. J. Gibbons, General Manager

Party of the First Part

CITY OF INDIANAPOLIS

By EDWARD A. GARDNER, President

CARL N. ANGST

MARTIN McDERMOTT

As BOARD OF PUBLIC WORKS

Party of the Second Part.

Approved by me

PHILLIP L. BAYT, acting Mayor

AND, WHEREAS, Said agreement and permit has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

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

Section 1. That such agreement and permit above set forth be, and the same is hereby in all things confirmed and approved.

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

Attest:

Clerk of the Common Council

President of the Common Council

Approved by me, this day of , 19

Mayor.

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

INTRODUCTION OF RESOLUTIONS

By the Board of Public Works:

RESOLUTION NO. 2, 1951

A RESOLUTION, approving, confirming, and ratifying a certain permit granted by the Board of Public Works of the City of Indianapolis by its written order on January 8, 1951, 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 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

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trackless trolley cars 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 by its written orders be permitted to be used by Indianapolis Railways, Incorporated, for the operation of trackless trolley cars, subject to approval of such permits by the Common Council, 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, 1936, for the use of additional streets and parts of streets by Indianapolis Railways, Incorporated, for said trackless trolley operation, under the terms and conditions of said agreement, the Board of Public Works did on January 8, 1951, 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
OF THE CITY OF INDIANAPOLIS

ENTERED January 8, 1951

RE: PETITION OF INDIANAPOLIS RAILWAYS, INCORPORATED FOR USE OF PART OF FALL CREEK PARKWAY, SOUTH DRIVE, FOR TRACKLESS TROLLEY OPERATION.

BE IT REMEMBERED That on January 8, 1951, the Board of Public Works of the City of Indianapolis, Indiana, considered the Petition of Indianapolis Railways, Incorporated, heretofore filed with the Board in the above-entitled matter, requesting the Board to authorize and approve the use of approximately 195 feet of Fall Creek Parkway, South Drive, west of Central Avenue for the operation of trackless trolley cars in connection with the establishment of a turning loop for said cars on petitioner's Central Avenue line, under and pursuant to the terms of an agreement dated May 25, 1936, between the City of Indianapolis by and through this Board and Indianapolis Railways, Incorporated, and approved, with amendments, by General Ordinance No. 40, 1936.

The Board, having investigated the facts alleged in the Petition and being duly advised in the premises, now finds that said portion of

said street is under the jurisdiction of the Board of Park Commissioners of the City of Indianapolis and that said Board duly approved the use thereof for the proposed operation on January 4, 1951, and that said proposed operation is in the public interest.

IT IS THEREFORE HEREBY ORDERED That Indianapolis Railways, Incorporated be, and hereby is, authorized and permitted to use for the operation of trackless trolley cars approximately 195 feet of Fall Creek Parkway, South Drive, west of Central Avenue, and for the purpose of such trackless trolley operation, to erect such poles, overhead wires and switches and other structures on said street as is necessary or desirable for said operation, said construction and said operation of trackless trolley cars to be made and done under and pursuant to the terms and provisions of said agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, and approved with amendments by General Ordinance No. 40, 1936, of the City of Indianapolis; Provided, however, that no portion of said street shall be used for said construction or for said trackless trolley operation unless and until said use is approved by the Common Council of the City of Indianapolis, as required under the terms of said contract.

Dated January 8, 1951.

BOARD OF PUBLIC WORKS OF
THE CITY OF INDIANAPOLIS

By /s/ EDWARD A. GARDNER
/s/ CARL N. ANGST
/s/ STANLEY S. FEEZLE

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

That the Common Council does hereby in all things approve, confirm and ratify the permit granted on January 8, 1951, by the Board of Public Works to Indianapolis Railways, Incorporated, as contained in said order; Provided, that the use by Indianapolis Railways, Incorporated, of the portion of the street covered by said permit for the aforesaid purpose shall in all things be subject to, and in accordance with, all of the terms, conditions and provisions of the aforesaid agreement between the City of Indianapolis and Indianapolis Rail-

ways, Incorporated, dated May 25, 1936, as the same is amended and approved in said General Ordinance No. 40, 1936.

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

ORDINANCES ON SECOND READING

Mr. Wicker called for General Ordinance No. 2, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 2, 1951, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 3, 1951 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 3, 1951 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 3, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wallace called for Resolution No. 1, 1951 for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Seidensticker, Resolution No. 1, 1951 was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 1, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 6, viz: Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 3, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson.

Mr. Seidensticker called for General Ordinance No. 1, 1951 for second reading. It was read a second time.

On motion of Mr. Seidensticker, seconded by Mr. Lupear, General Ordinance No. 1, 1951 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 1, 1951 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

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Mr. Seidensticker made a motion that Resolution No. 15, 1950 be ordered engrossed, read a third time and placed upon its passage. Mr. Lupear seconded the motion.

Mr. Jameson made a motion that Mr. Seidensticker's motion be laid upon the table. The motion was seconded by Mr. Bright.

Mr. Jameson's motion passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 2, viz: Mr. Lupear, Mr. Seidensticker.

President Emhardt announced that Mr. Seidensticker's motion was laid upon the table.

MISCELLANEOUS BUSINESS

Mr. Wicker moved that the Council go on record with the members of the Indiana General Assembly as recommending that the State of Indiana be placed on Eastern Standard Time and that a copy of the motion be sent to the Legislature by the Clerk. Which was seconded by Mr. Bright and carried by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Ehlers, seconded by Mr. Jameson, the Common Council adjourned at 9:05 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 15th day of January, 1951, 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.



President.

ATTEST:



City Clerk.

(SEAL)

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