

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, February 17, 1908.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, February 17, 1908, at 7:30 o'clock, in regular session, President pro tem. Charles L. Hartmann in the chair.

Present: The Hon. Charles L. Hartmann, President pro tem. of the Common Council, and 13 members, viz: Messrs. Cottey, Hamlet, Wood, Davis, Eppert, Bangs, Uhl, Stickelman, Portteus, Royse, Donavon, Hofmann and Wright.

Absent, 7, viz.: Messrs. Brown, Smither, Rhodes, Sullivan, Hilkene, Henry and President William J. Neukom.

Mr. Royse moved that the reading of the Journal be dispensed with. Carried.

At 7:45 o'clock P. M. Mr. Brown entered the Council Chamber and took his seat.

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., February 8, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith without my approval Appropriation Ordinance No. 1, 1908, the same being "An ordinance appropriating the sum of \$750 to and for the use of the Department of Public Works."

This ordinance, as explained in its title, was intended to make available sufficient money to reimburse certain contractors for deposits made on contracts where figures named in the several bids were manifest errors, and

for the further purpose of paying a judgment against the City of Indianapolis heretofore secured by John E. Sullivan, one of the contractors in question. I regret very much the necessity of withholding my approval from this ordinance, because the same was prepared by the Corporation Counsel upon my request, but owing to the irregularity attaching to its introduction, I am compelled to take this action. After the preparation of this ordinance, instead of the same being referred to the Board of Public Works and by them sent to the City Controller, and by him transmitted to the Council with his recommendation, all of such steps being necessary in order to comply with the plain letter of the Cities and Towns Act, such ordinance was sent direct to the Council. I am of opinion that under the circumstances an attempt to pay out any money because of such ordinance would be clearly illegal. Therefore, I return the same to you, and shall urge upon the Board of Public Works and the Controller that an ordinance similar in its provisions be submitted to your honorable body for future action.

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., February 5, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith with my approval the following ordinances:

General Ordinance No. 106, 1907, being "An ordinance amending Clause B and Clause C, in Section 7 of an ordinance entitled "An ordinance concerning the compensation of all officers, heads of departments, clerks, assistants, and employes of the City of Indianapolis, Indiana, and repealing all ordinances in conflict herewith," approved May 16, 1907.

General Ordinance No. 2, 1908, being "An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Bates street from the west property line of Shelby street to the west property line of State avenue, with cement walks, approach walks and curbing."

General Ordinance No. 5, 1908, being "An ordinance regulating the use of the streets of the City of Indianapolis for funeral processions and funeral parades, fixing the district in which funeral processions and funeral parades are prohibited, providing penalties for the violations of the same, repealing all conflicting ordinances, providing for the publication thereof, and fixing a time when the same shall take effect."

General Ordinance No. 8, 1908, being "An ordinance authorizing the sale and conveyance of certain real estate and personal property belonging to the City of Indianapolis."

Appropriation Ordinance No. 2, 1908, being "An ordinance appropriating the sum of \$133.57 to and for the use of the Department of Finance, and fixing a time when the same shall take effect."

Special Ordinance No. 1, 1908, being "An ordinance changing the names of certain streets in the City of Indianapolis, Indiana."

Special Ordinance No. 2, 1908, being "An ordinance changing the name

of Harvey street in the City of Indianapolis, and fixing a time when the same shall take effect."

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., February 8, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I return herewith with my approval General Ordinance No. 9, 1908, the same being "An ordinance amending Clause D in Section 2, and Clause F in Section 6 of an ordinance entitled "An ordinance concerning the compensation of all officers, heads of departments, etc."

I am still of the opinion that these increases of salaries should not be made, but in view of the fact that a previous ordinance which I returned to your honorable body with my disapproval was unanimously passed over my objections, I do not feel warranted, just in order that I may be consistent, to withhold my approval to this ordinance because of my belief that similar action would follow should this ordinance be vetoed, and for the further reason that I believe in the square deal, and if all other men connected with this department have received increases, then the employes mentioned in the present ordinance are entitled to the same.

I have the honor to remain,

Yours very truly,

C. A. BOOKWALTER,
Mayor.

REPORTS FROM CITY OFFICERS.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit a communication from the superintendent of the City Hospital, which was referred to me by the president of the Board of Health, and calling attention to the failure of your honorable body to fix a salary or compensation for the laundry man at the City Hospital.

The old salary ordinance provided for a salary of \$35.00 per month for a laundry man, which the superintendent of the City Hospital asked to be increased to \$50.00 per month. By an oversight, I presume, your honorable body in passing the recent ordinance fixing salaries for the officers and employes of the City Hospital, failed to include a salary for a laundry man. I am advised that it will be impossible to run the laundry under the salaries fixed by the recent ordinance.

I respectfully refer this matter to your honorable body for your consideration and action.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

INDIANAPOLIS, IND., February 17, 1908.

Dr. Edmund D. Clark, President, and Members of the Board of Health:

GENTLEMEN: The Common Council in amending the ordinance concerning the compensation of Hospital employes, have omitted to provide for a laundry man. I asked that this salary might be made \$50.00 per month in order to get a competent man; the salary \$35.00 per month now paid, is not enough to command an experienced man, but regardless of salary, it will be impossible for a woman to do the manual labor necessary to run the washers and extractors, and certainly some provision will have to be made for a man for this work.

Will you kindly call the attention of the City Controller to the matter, that he may bring it before the Common Council tonight.

Respectfully,

J. L. FREELAND,
Superintendent.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit request from the Department of Public Health and Charities requesting that I recommend an appropriation of \$3,000.00, to be added to the regular appropriation heretofore made for use at the City Hospital for paints and painting. It is my understanding that no provision has been made in the specific appropriations heretofore made for improvements at the City Hospital for painting the older buildings of the Hospital.

Believing that this work is necessary, I herewith submit an ordinance providing for such appropriation and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

INDIANAPOLIS, IND., February 15, 1908.

Mr. George T. Bruenig, City Controller:

DEAR SIR: The Board of Public Health would like to have you recommend to the Common Council that an additional appropriation of \$3,000 be made for paints and painting at the City Hospital.

Kindly take this matter up at your earliest convenience.

Respectfully yours,

EUGENE BUEHLER,
Secretary Board of Health.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I submit herewith a communication from the Department of Public Works, requesting me to recommend the appropriation of \$3,000.00 for the construction of a new stable or barn at the City Hospital; also, appropriation of \$600.00 for cementing the floors of the basement in the new service building at the City Hospital.

I herewith submit an ordinance providing for the appropriations above asked for, and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., February 17, 1908.

George T. Breunig, City Controller, City:

DEAR SIR: In accordance with the attached communication from the Board of Public Health and Charities, you are hereby requested to recommend to the Common Council the appropriation of \$3,000 for the construction of a stable at the City Hospital, and \$600 for cementing the basement of the service building at the City Hospital.

Respectfully submitted,

JOSEPH T. ELLIOTT,
P. C. TRUSLER,
F. J. MACK,
Board of Public Works.

INDIANAPOLIS, IND., February 15, 1908.

Hon. Board of Public Works, City:

GENTLEMEN: Kindly recommend to the Controller that an appropriation of \$3,000 be made for the construction of a stable at the City Hospital, and \$600.00 for cementing the basement of the service building.

Kindly take this matter up at your earliest convenience.

Respectfully yours,

EUGENE BUEHLER,
Secretary Board of Health.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit a communication from the Department of Public Works, requesting me to recommend the appropriation of

the sum of \$65,000.00 for the construction and maintenance of an asphalt plant.

I herewith submit an ordinance providing for the appropriation asked for, and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., February 17, 1908.

George T. Breunig, City Controller, City:

DEAR SIR: You are hereby requested to recommend to the Common Council the appropriation of \$65,000 for the construction and maintenance of an asphalt plant for the repair of asphalt streets.

It is intended to use this fund for the construction of a plant, leasing of ground, purchase of rollers, wagons, tools, asphalt, etc., and payment of salaries of men connected with the plant and repair of streets.

Yours respectfully,

JOSEPH T. ELLIOTT,
P. C. TRUSLER,
F. J. MACK,
Board of Public Works.

From City Controller:

DEPARTMENT OF FINANCE,
OFFICE OF CITY CONTROLLER.
INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I herewith submit a communication from the Department of Public Works, requesting an appropriation of \$9,000.00 to continue the work of collecting and disposing of waste paper, sweepings, tin cans, bottles, etc.

I herewith submit an ordinance providing for the appropriation as requested and recommend its passage.

Respectfully submitted,

GEO. T. BREUNIG,
City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., February 12, 1908.

George T. Breunig, City Controller, City:

DEAR SIR: As the sweepings, paper, tin cans, bottles, etc., have been collected and disposed of for a number of years, it seems to be the opinion

of all that this work should be continued. Since the Board of Public Works and the Common Council have failed to make a contract for the collection and disposal of ashes, sweepings, etc., we request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$9,000 to continue the work of the collection and disposal of paper, sweepings, tin cans, bottles, etc., until a new contract for a term of years shall have been made and ratified by the Common Council.

Respectfully yours,

JOSEPH T. ELLIOTT,
P. C. TRUSLER,
F. J. MACK,
Board of Public Works.

From Board of Public Works:

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.
INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: I am directed by the Board of Public Works to forward to your Honorable Body, for consideration and action thereon, the attached ordinance authorizing the Board of Public Works to proceed with the improvement of Senate avenue from Tenth to Sixteenth streets, with bitulithic resurface, under Improvement Resolution No. 5425.

Respectfully yours,

F. J. NOLL, JR.,
Clerk.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Judiciary:

INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: Your Judiciary Committee to which was referred Resolution No. 2, 1908, have had the same under consideration and would recommend the adoption of the resolution.

Respectfully submitted,

ALBERT E. COTTEY.
FRED W. EPPERT.

Mr. Cottey moved that the report of the committee be concurred in. Carried.

From the Committee on Public Safety and Comfort:

INDIANAPOLIS, IND., February 17, 1908.

To the President and Members of the Common Council:

GENTLEMEN: Your committee on Public Safety and Comfort to whom was referred General Ordinance No. 13, 1908, entitled "An ordinance regulating the covering of hot air, steam and hot water pipes in buildings in the City of Indianapolis, beg leave to report that we have had same under consideration and recommend that the same do not pass.

Respectfully submitted,

J. H. HAMLET.
ALBERT E. COTTEY.
OTTO HOFMANN.
BENJ. A. BROWN.

Mr. Hamlet moved that the report of the committee be concurred in. Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 5—1908: An ordinance appropriating the sum of \$9,000.00, to and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of nine thousand (\$9,000.00) dollars be, and the same is hereby, appropriated out of any moneys in the city treasury, not otherwise appropriated, to and for the use of the Department of Public Works to be used, or so much thereof as may be necessary, for the payment of the work of collecting and disposing of waste paper, sweepings, tin cans, bottles and refuse, other than ashes.

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

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

By City Controller:

Appropriation Ordinance No. 6—1908: An ordinance appropriating the sum of \$65,000.00, to and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of sixty-five thousand (\$65,000.00) dol-

lars be, and the same is hereby, appropriated out of any moneys in the city treasury, not otherwise appropriated, to and for the use of the Department of Public Works; such sum herein appropriated, or so much thereof as may be necessary, shall be used by said department in the construction of a plant, purchase or leasing of ground, purchase of rollers, wagons, tools, asphalt, etc., and payment of salaries of men connected with the plant and work of repairing of asphalt streets.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

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

By City Controller:

Appropriation Ordinance No. 7—1908: An ordinance appropriating the sum of \$3,600.00, to and for the use of the Department of Public Works, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of three thousand six hundred (\$3,600.00) dollars be, and the same is hereby, appropriated out of any moneys in the city treasury, not otherwise appropriated, to and for the use of the Department of Public Works, the sum herein appropriated to be used for the following specific purposes:

Three thousand (\$3,000.00) dollars to be used for the construction of a stable or barn at the City Hospital; six hundred (\$600.00) dollars to be used for the cementing of floors in the basement of the new service building at the City Hospital.

Both of these appropriations to be known as "Improvements to the City Hospital," but shall be used separately for the specific purposes herein set out.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

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

By City Controller:

Appropriation Ordinance No. 8—1908: An ordinance appropriating the sum of \$3,000.00, to and for the use of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the sum of three thousand (\$3,000.00) dollars be, and the same is hereby, appropriated out of any moneys in the city treasury, not otherwise appropriated, to and for the use of the Department of Public Health and Charities, to be used by said department in

the payment of claims for paints and painting at the City Hospital, such appropriation to be added to and to be a part of the regular account known as "paints and painting" for said institution.

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Board of Public Works:

General Ordinance No. 18—1908: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Senate avenue from Tenth street to Sixteenth street, with bitulithic resurface.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 10th day of January, 1908, adopt Improvement Resolution No. 5425, 1908, for the improvement of Senate avenue from south property line of Tenth street to south property line of Sixteenth street, with resurfacing with bitulithic, and

WHEREAS, The said Board of Public Works did at the same time fix the 27th day of January, 1908, at 10 o'clock a. m. as a date to hear all persons interested or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 11th day of January, 1908, and the 18th day of January, 1908, in the Indianapolis Sun, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, On the 27th day of January, 1908, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 5th day of February, 1908, a written remonstrance was filed with the Board against the said improvement of Senate avenue, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 12th day of February, 1908, the City Civil Engineer filed his written report, stating that a majority of the resident property owners had signed said remonstrance, and

WHEREAS, On the 14th day of February, 1908, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to make said improvement in accordance with said resolution; now, therefore

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the Board of Public Works of said city be, and the same is, hereby authorized and empowered to improve Senate avenue from Tenth street to Sixteenth street, with bitulithic resurface, in accordance with Improvement Resolution No. 5425, 1908, adopted by the Board of Public Works on the 10th day of January, 1908.

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

Which was read a first time and referred to the Committee on Public Property and Improvement.

By Mr. Wood:

General Ordinance No. 19—1908: An ordinance to amend Section one (1) of an ordinance entitled, "An ordinance establishing and declaring certain parts of Capitol avenue in the City of Indianapolis to be a boulevard under the control and management of the Board of Park Commissioners," adopted December 11, 1906.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section one (1) of the above entitled ordinance be and the same is hereby amended to read as follows:

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That that portion of the street known as Capitol avenue between its intersections with the north line of Indiana avenue, and the north end of the bridge over Fall Creek at its intersection with said avenue, be and the same is hereby declared a public thoroughfare, and shall be under the government, management and control of the Board of Public Works; and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEC 2. This ordinance shall be in effect from and after its passage.

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

ORDINANCES ON SECOND READING.

Mr. Cottey called for Resolution No. 2, 1908, for second reading. It was read a second time.

Mr. Cottey moved that Resolution No. 2, 1908, be adopted.

The roll was called and Resolution No. 2, 1908, was adopted by the following vote:

Ayes, 15, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Eppert, Bangs, Uhl, Stickelman, Portteus, Royse, Donavon, Hofmann, Wright and President Pro Tem. Charles L. Hartmann.

Noes, none.

Mr. Hamlet called for General Ordinance No. 13, 1908, for second reading. It was read a second time.

Mr. Hamlet moved that General Ordinance No. 13, 1908, be stricken from the files. Carried.

On motion of Mr. Royse, the Common Council at 8:05 o'clock P. M., adjourned.

Charles L. Hinckley

President pro tem.

ATTEST:

James M. Mully

City Clerk.

