

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, August 15, 1921.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, August 15, 1921, at 7:30 o'clock in regular session, President Russell Willson in the chair.

Present: The Hon. Russell Willson, President of the Common Council, and seven (7) members, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake and Pettijohn. Absent: Mr. Schmidt.

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

COMMUNICATIONS FROM THE MAYOR.

August 4, 1921.

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

Gentlemen:

I have this day signed and delivered to George O. Hutsell, City Clerk, General Ordinance No. 60, An Ordinance authorizing the City Controller to make a temporary loan in the name of the City of Indianapolis for the use of the Department of Public Parks to the City of Indianapolis in anticipation of revenues to be received from taxes as provided by law to enable said department to meet a deficit for the present fiscal year, authorizing the rate of interest to be paid therefor, and fixing the time when the same shall take effect.

Also, Appropriation Ordinance No. 19, An Ordinance appropriating the sum of Two Hundred Ninety-one Dollars and Sixty-seven Cents (\$291.67) to and for the use of the Department of Finance to the fund known as "Salaries, City Court," and appropriating the sum of Seventy-five Dollars (\$75.00) to and for the use of the Department of Finance

to the fund known as "Salaries, Mayor's Office," and declaring a time when the same shall take effect.

Also, Resolution No. 8.

Yours very truly,

CHARLES W. JEWETT,

Mayor.

August 15, 1921.

Common Council, City of Indianapolis.

Gentlemen:

I am returning herewith General Ordinance No. 56, 1921, entitled "An Ordinance regulating the dumping of materials, fixing penalties, and prescribing a time when same shall take effect."

I am heartily in favor of the purpose which this ordinance is designed to accomplish in the protection and purification of our waterways, and in eliminating foul odors and obnoxious conditions from vacant lots and other dumping grounds. I have conferred personally with several members of the Council and they understand my attitude. I have not approved the ordinance in its present form for the reason that it would work great detriment to a large number of industries and, therefore, a great injury to the city generally.

In my opinion the ordinance should be so amended that the industries affected thereby will have an opportunity to conform to the requirements of the ordinance without being compelled to suspend their business. I, therefore, recommend that the ordinance be amended to meet this condition.

Respectfully submitted,

CHARLES W. JEWETT,

Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller:

August 15, 1921.

Hon. President and Members of Common Council, Indianapolis.

Gentlemen:

I hand you herewith ordinance appropriating the sum of \$1,084.97 to the Fourth of July Celebration Fund, the American Legion having paid into the general fund this amount from their receipts on that date. In order that the statement of expenses shall include everything paid out for this celebration and be on file in this office and in as much

as this amount was paid into the General Fund, I am asking that this appropriation be made.

Yours very truly,

ROBT. H. BRYSON,
City Controller.

From the Board of Public Works:

August 10, 1921.

Mr. Geo. O. Hutsell, City Clerk, City.

Dear Sir:

I am submitting herewith for transmission to the Common Council, an ordinance changing the names of certain streets and parts of streets in the City of Indianapolis.

Yours truly,

W. F. CLEARY,
Clerk, Board of Public Works.

From the Board of Public Safety:

August 15, 1921.

Russell Willson, President and Members of the Common Council.

Gentlemen:

Please find attached ordinance regulating signalling devices on vehicles.

The Board of Public Safety requests that you give this ordinance careful consideration and pass the same.

Yours very truly,

BOARD OF PUBLIC SAFETY,

GEO. W. WILLIAMS,
Executive Secretary.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., Aug. 15, 1921.

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 20, 1921, entitled An ordinance appropriating

the sum of \$35,00.00 to the Water Rental Fund of the Dept. of Public Works, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. E. MILLER,
O. B. PETTIJOHN,
J. P. BROWN,
LEE J. KIRSCH,
S. A. FURNISS.

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., Aug. 15, 1921.

*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. 39, 1921, entitled An ordinance amending clauses D and E of Section 5 of General Ordinance No. 76, 1919, as amended by Section 1 of General Ordinance No. 47, 1920, beg leave to report that we have said ordinance under consideration, and recommend that the same be amended by striking out the words "thirty-seven and one-half" in line 33 of page 2 thereof and inserting in lieu thereof the word "forty," and by striking out the words "thirty-seven and one-half" in line 21 of section two thereof and inserting in lieu thereof the word "forty," and that as amended the same to pass.

J. E. MILLER,
J. P. BROWN,
O. B. PETTIJOHN,
S. A. FURNISS.

Mr. Miller moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Works:

Indianapolis, Ind., Aug. 15, 1921.

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

Gentlemen:

We, your Committee on Public Works to whom was referred General Ordinance No. 57, 1921, entitled An ordinance approving a certain

contract granting to Allen A. Wilkinson Lumber Co. the right to lay and maintain a sidetrack or switch, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

S. A. FURNISS.
J. P. BROWN,
O. B. PETTIJOHN,
J. E. MILLER,

Mr. Furniss moved that the report of the Committee be concurred in. Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller :

APPROPRIATION ORDINANCE NO. 21, 1921

AN ORDINANCE appropriating to the Department of Finance of the City of Indianapolis the sum of One Thousand Eighty-four and 97/100 Dollars (\$1,084.97) for the purpose of paying expenses of the Public Patriotic Celebration held at the State Fair Grounds on July 4th, 1921, under the direction of the Marion County Council of the American Legion and providing a time when the same shall take effect.

Section 1. *Be it ordained by the Common Council of the City of Indianapolis, Indiana*, that there be, and is hereby appropriated to the Department of Finance to the fund known as "Fourth of July Celebration," out of the General Fund of the said city, the sum of One Thousand Eighty-four and 97/100 Dollars (\$1084.97) for the purpose of defraying expense of the public celebration held at the State Fair grounds July 4th, 1921.

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 Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Furniss :

GENERAL ORDINANCE NO. 61, 1921

AN ORDINANCE, regulating the dumping of materials, fixing penalties and prescribing a time when the same shall take effect.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That no person, firm or corporation shall cause or permit any waste or refuse matter whatever to be deposited in or to enter, directly or indirectly, into any stream or water course within the City of Indianapolis.

Sec. 2. That no person, firm or corporation shall cause or permit the contents of any privy-vault, cesspool, septic tank or other device for the reception of fecal or other refuse matter to enter directly or indirectly into any stream or water course within the limits of the City of Indianapolis.

Sec. 3. That the provisions of the foregoing sections hereof shall not apply to any instance in which any of the substances therein named is indirectly deposited in or permitted to enter any stream having first been caused to enter any public sewer.

Sec. 4. That any person, firm or corporation now engaged in business and who now regularly as a part of his manufacturing or other commercial processes, causes or permits any waste or refuse matter to be deposited in or to enter, directly or indirectly, any stream or water course within the City of Indianapolis by means of fixed pipes, conduits, private sewers or other devices shall be allowed a period of six months from the date of taking effect of this ordinance within which to adopt other means for the disposition of such waste or refuse matter so as to comply with the foregoing provisions and such person, firm or corporation shall not be liable for the penalties herein provided until the expiration of said six (6) months' period.

Sec. 5. That no person, firm or corporation shall dump or deposit any waste or refuse matter at any place in the City of Indianapolis within Five Hundred (500) feet of any stream, water course, park, parkway or park boulevard without first obtaining from the Board of Public Health and Charities of said city and, when the proposed place of dumping is within Five Hundred (500) feet of any park, parkway or park boulevard, from the Board of Park Commissioners a permit so to do.

Sec. 6. That when any application for a permit to dump is made as provided in Section Five (5) hereof, if the matter to be dumped is offensive to the sense of smell or injurious to the public health or is reasonably calculated to become so, the Board of Public Health and Charities shall refuse such permit; and if, any matter sought to be dumped within Five Hundred (500) feet of any park, parkway, or boulevard shall be or be reasonably calculated to become unsightly or obnoxious, the Board of Park Commissioners shall refuse a permit to

dump the same; provided, that no fee shall be required for the issue of any permit hereunder.

Sec. 7. That the provisions of Section 5 shall not be construed to prohibit the dumping or depositing of waste or refuse matter upon the property of the City of Indianapolis, commonly known and described as Sellers Farm.

Sec. 8. Any person violating any provision hereof shall be fined in any sum not more than One Hundred (\$100) Dollars.

Sec. 9. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Which was read a first time.

• Mr. Furniss moved that the rules be suspended and General Ordinance No. 61, 1921, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn and President Russell Willson.

Mr. Furniss called for General Ordinance No. 61, 1921, for second reading. It was read a second time.

Mr. Furniss moved that General Ordinance No. 61, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 61, 1921, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn and President Russell Willson.

By the Board of Public Safety:

AN ORDINANCE concerning the operation of motor vehicles within the City of Indianapolis providing penalties for the violation thereof and declaring a time when the same shall take effect.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. No motorcycle, automobile, or motor vehicle of any kind whatsoever shall be operated in or upon any street, alley or other public place within the City of Indianapolis when the same emits any smoke or vapors offensive to the smell.

Sec. 2. No motorcycle, automobile, nor other motor vehicle of any kind whatsoever shall be operated upon any street, alley or other public place within the City of Indianapolis with any attachment of any kind whatsoever connected with or attached to the "Exhaust" or any other part of such vehicle which causes or creates any musical or whistling sound or any loud or unusual noise.

Sec. 3. Every such motorcycle, automobile or other motor vehicle shall be equipped with a horn or other lawful signaling device; that no such horn or signaling device shall be used for any other purpose than as a warning and signal to persons, animals, vehicles and other objects about to enter or cross its path, or to such persons, animals, objects or vehicles which, at the time of so using such horn or other lawful signaling device might reasonably be expected to enter or cross such vehicle's path and at highway crossings and such other places as required by law.

Sec. 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding One Hundred (\$100) Dollars, to which may be added imprisonment not exceeding sixty (60) days.

Sec. 5. 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 Safety.

By the Board of Public Works:

SPECIAL ORDINANCE NO. 9, 1921

AN ORDINANCE changing the names of certain streets and parts of streets in the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the names of streets and parts of streets herein mentioned be, and the same are hereby altered, changed and shall hereafter be known by the names given them in this ordinance.

Sec. 2. Forty-seventh (47th) street, from a point one hundred and seventy (170) feet west of the west line of Illinois street to Boulevard Place, shall be changed to and hereafter be known and designated as Forty-eighth (48th) street.

Sec. 3. Old Fiftieth (50th) street, (now known as 52nd St.) from Meridian street to Boulevard Place, shall be changed to and hereafter be known and designated as Fifty-second (52nd) street.

Sec. 4. 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 City's Welfare.

ORDINANCES ON SECOND READING.

Mr. Miller called for Appropriation Ordinance No. 20, 1921, for second reading. It was read a second time.

Mr. Miller moved that Appropriation Ordinance No. 20, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 20, 1921, was read a third time and passed by the following vote: ✓

Ayes, 8, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Miller, Peake, Pettijohn and President Russell Willson.

Mr. Miller called for General Ordinance No. 39, 1921, for second reading. It was read a second time. ✓

Mr. Miller moved that General Ordinance No. 39, 1921, be amended as recommended by the Committee. Carried.

Mr. Miller moved that General Ordinance No. 39, 1921, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 39, 1921, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Brown, Carnefix, Furniss, Miller, Pettijohn and President Russell Willson.

Noes, 2, viz.: Messrs. Kirsch and Peake.

Mr. Furniss called for General Ordinance No. 57, 1921, for second reading. It was read a second time.

Mr. Furniss moved that General Ordinance No. 57, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 57, 1921, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Brown, Carnefix, Furniss, Kirsch, Peake, Pettijohn and President Russell Willson.

On motion of Mr. Furniss the Common Council at 9:20 o'clock P. M. adjourned.

Russell Willson

President.

Attest:

J. M. Bell

City Clerk.