

REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, September 3, 1923, at 7:30 o'clock in regular session, President John E. King in the chair.

Present: The Hon. John E. King, President of the Common Council, and eight members, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson and Wise.

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

COMMUNICATIONS FROM THE MAYOR.

August 27, 1923.

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

Gentlemen:

I have approved, signed and delivered to John W. Rhodehamel, City Clerk, the following ordinances:

GENERAL ORDINANCE No. 83, 1923, an ordinance transferring the sum of Six Hundred (\$600.00) Dollars from the fund in the Department of Buildings under the Department of Public Safety of the City of Indianapolis, known as the Gasoline, Oil, Auto Supplies and Repair Fund, transferring and re-appropriating the same to a fund to be hereby created and known as the Transportation Fund in the same Department, under the Department of Public Safety—and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 85, 1923, an ordinance transferring the sum of Twenty-five Hundred (\$2500.00) Dollars from the Sewer Department Fund in the Street Commissioners Department, in the Department of Public Works, to the Sewer Department Maintenance and Supplies Fund, in the Street Commissioners Department, in the Department of Public Works, and re-appropriating the same to said fund, and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 86, 1923, an Ordinance transferring and reappropriating certain funds under the Department of Public Works, and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 87, 1923, an ordinance transferring the sum of Twenty-five Hundred (\$2500.00) Dollars from the Carpenter Department Fund in the Street Commissioners Department in the Department of Public Works to the Carpenter's Department Salaries Fund in the Street Commissioner's Department in the Department of Public Works, and re-appropriating the same to said fund and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 90, 1923, an ordinance transferring the sum of Four Thousand Eight Hundred (\$4800.00) dollars from the Printing, Stationery, Postage, Supplies and Miscellaneous Fund, to the Purchasing Department Salaries Fund.

GENERAL ORDINANCE No. 61, 1923, an ordinance to amend General Ordinance No. 114, 1922, entitled "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings, of regulating and determining the use and intensity of use of land and lot areas within such city, creating a board of zoning appeals, defining certain terms used in said ordinance, providing a penalty for its violation and designating the time when the same shall take effect.

APPROPRIATION ORDINANCE No. 37, 1923, an ordinance appropriating the sum of Thirty Thousand (\$30,000.00) Dollars from any unexpected funds to a fund to be created and known as the new equipment fund in the Street Commissioner's Department under the Department of Public Works, for the purpose of purchasing new trucks, graders, tractors and other equipment for the Street Commissioner's Department and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 40, 1923, an ordinance appropriating the sum of One Thousand (\$1,000.00) Dollars out of any unappropriated funds of the City of Indianapolis to the fund in the Department of Law, known and designated as "Attorney's Fee and Expenses incidental to Public Utility Cases, Special Fund," and declaring a time when the same shall take effect.

Very truly yours,
S. L. SHANK,
Mayor.

August 27, 1923.

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

Gentlemen:

I have approved, signed and delivered to John W. Rhodehamel, City Clerk, General Ordinance No. 67, 1923, an ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve the first alley south of Elm Street from the east property line of Cedar Street to a point 12.5 feet east of the west property line of Grove Street, by grading and paving with wooden blocks, asphalt, asphaltic concrete, concrete or brick as provided for under improvement Resolution No. 10959 adopted by the Board of Works of the City of Indianapolis, Indiana, on the 11th day of May, 1923, and declaring a time when the same shall take effect.

Very truly yours,
LEW SHANK,
Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller:

August 29th, 1923.

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

Gentlemen:

I hand you herewith a communication from the Department of Law asking for the passage of an ordinance appropriating the sum of Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars to the fund known as the "Compensation to Injured City Employees Fund" in the Department of Law, whereby the yearly compensation in the sum of Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars may be paid one Oscar Sims, an injured employee of the City of Indianapolis, pursuant to award of Industrial Board.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,
City Controller.

August 29th, 1923.

Mr. Joseph L. Hogue,
City Controller,
City of Indianapolis, Indiana.

Dear Sir:

I am submitting to you for your approval and transmission to the Common Council, an ordinance appropriating the sum of Nine Hundred Eighty-one 66/100 (\$981.66) Dollars to the fund known as the "Compensation to Injured City Employees Fund" in the Department of Law, whereby the yearly compensation in the sum of Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars may be paid one Oscar Sims, an injured employee of the City of Indianapolis, pursuant to award of Industrial Board.

Yours truly,

TAYLOR E. GRONINGER,
Corporation Counsel.

From the Board of Public Works:

September 3rd, 1923.

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

Gentlemen:

At the request of the Board of Public Works I am handing you herewith for passage an ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve North Street from the east property line of Noble Street to the west property line of Pine Street by grading and paving the roadway with wooden block, asphalt, asphaltic concrete or brick, as provided for under Improvement Resolution No. 11186, adopted by the Board of Public works of the City of Indianapolis, Indiana, on the 18th day of July, 1923.

Yours truly,

GEO. O. HUTSELL,
Clerk, Board of Public Works.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller:

APPROPRIATION ORDINANCE NO. 41, 1923.

AN ORDINANCE appropriating a certain sum of money to a fund in the Department of Law known as "Compensation to Injured City Employees Fund" for the payment of judgments against the City of Indianapolis, Indiana.

WHEREAS, Oscar Sims, an injured employee of the City of Indianapolis, entered into an agreement with the City of Indianapolis of the date of August 15th, 1921, whereby said City of Indianapolis is to pay the said Oscar Sims, as compensation, in yearly lump sum settlements, to be approved by the Industrial Board of Indiana, and

WHEREAS, the Industrial Board of the State of Indiana approved said agreement on the 15th day of August, 1921, and

WHEREAS, the several amounts fixed by said agreement were as follows:

Fourteen Hundred Fifty-six and 66/100 (\$1456.66) Dollars, August 15th, 1921;

Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars, August 15th, 1922;

Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars, August 15th, 1923;

with a like sum to be paid by the City of Indianapolis, Indiana, on the 15th day of August each year thereafter until the full Five Hundred Weeks (500) compensation has been paid, and

WHEREAS, payments have been made to the said Sims by the City of Indianapolis, pursuant to the terms of said agreement up to and including August 15th, 1922, and

WHEREAS, on the 15th day of August, 1923, a third and subsequent payment became due and payable by the City of Indianapolis, Indiana, to the said Sims in the sum of Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars and

WHEREAS, on the 15th day of August, 1923, there was no funds in the fund known as "Compensation to Injured City Employees Fund" of the Department of Law to pay said sum of Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars.

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

Section 1. That there be and is hereby appropriated to the fund in the Department of Law known as "Compensation to Injured City Employees Fund", for the payment of the third annual payment on the judgment in claim number 205556, before the Industrial Board of Indiana, entitled Oscar Sims vs. City of Indianapolis, the sum of Nine Hundred Eighty-one and 66/100 (\$981.66) Dollars.

Section 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 the Board of Public Works:

GENERAL ORDINANCE NO. 108, 1923.

AN ORDINANCE, ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve North Street from the east property line of Noble Street to the west property line of Pine Street by grading and paving the roadway with wooden block, asphalt, asphaltic concrete or brick, as provided for under Improvement Resolution No. 11186, adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 18th day of July, 1923, 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. That, WHEREAS, the Board of Public Works of the City of Indianapolis, Indiana, in the manner prescribed by law, did on the 18th day of July, 1923, adopt Improvement Resolution No. 11186, for the improvement of North Street from the east property line of Noble Street to the west property line of Pine Street by grading and paving the roadway with wooden block, asphalt, asphaltic concrete or brick, and

WHEREAS, the said Board of Public Works did at the same time fix August 8th, 1923, at 2 o'clock P. M. as the time to hear all persons interested or whose property is effected by said improvement, and notice of the passage of said Resolution, and the said time of hearing was published on July 20th, 1923, and on July 27, 1923, in the Indianapolis Commercial, a daily newspaper of general circulation printed and published in the City of Indianapolis, and notices by mail were duly forwarded as provided by law, and

WHEREAS, the Board of Public Works, pursuant to said notice, met on the 18th day of August, 1923, and after said hearing in regular session on August 8th, 1923, took action on said Resolution, the same being confirmed without modification, and

WHEREAS, on the 8th day of August, 1923, a written remonstrance signed by more than a majority of the resident freeholders on said street was filed with the Board of Public Works against said improvement, and

WHEREAS, the Board of Public Works has submitted to the Common Council for its consideration this ordinance, ordering the Board of Public Works to proceed with the improvement of said street under said Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA, that the Board of Public Works of the City of Indianapolis, Indiana, do and is here ordered to improve North Street from the east property line of Noble Street to the west property line of Pine Street by grading and paving the roadway with wooden block, asphaltic concrete or brick under said Improvement Resolution No. 11186, 1923.

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

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

By Mr. Bramblett:

SPECIAL ORDINANCE NO. 18, 1923.

AN ORDINANCE, dis-annexing certain territory from the City of Indianapolis, Indiana, and defining the territory so dis-annexed and fixing a time when same shall take effect.

Be it Ordained by the Common Council of the City of Indianapolis, Indiana.

Section 1. That the boundary line of the City of Indianapolis, be and the same is hereby changed so as to dis-annex the following described territory, all of which is hereby dis-annexed from the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning at a point on the present corporation line, said point being on the center line of Southern Avenue at its intersection with the center line of Meridian Street; thence south, with the center line of Meridian Street also known as (Three Notch Free Bravel Road) to the center line of Gimber Street; thence west, with the center line of Gimber Street to the center line of Bluff Road; thence north, with the center line of Bluff Road to a point two hundred (200) feet south of the center line of Southern Avenue; thence west and two hundred (200) feet distant from the center line of Southern Avenue, to the present corporation line; thence northeast and east with the present corporation line to the point or place of beginning.

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

Which was read a first time.

Mr. Bramblett moved that the rules be suspended and Special Ordinance No. 18, 1923, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Bramblett called for Special Ordinance No. 18, 1923, for second reading. It was read a second time.

Mr. Bramblett moved that Special Ordinance No. 18, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 18, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

ORDINANCES ON SECOND READING.

Mr. Thompson called for General Ordinance No. 55, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 55, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 55, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Thompson called for General Ordinance No. 102, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 102, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 102, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Thompson called for General Ordinance No. 107, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 107, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 107, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Ray called for General Ordinance No. 105, 1923, for second reading. It was read a second time.

By Mr. Ray:

Indianapolis, Ind., September 3, 1923.

Mr. President:

I move that General Ordinance No. 105, 1923, be amended by striking out all of Section 3, and inserting in lieu thereof the following: "Section 3. This ordinance shall be in full force and effect from and after its passage.

OTTO RAY.

Carried:

Mr. Ray moved that General Ordinance No. 105, 1923, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 105, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Wise called for General Ordinance No. 104, 1923, for second reading. It was read a second time.

Mr. Wise moved that General Ordinance No. 104, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 104, 1923, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Brend, Bramblett, Buchanan, Claycombe and President John E. King.

Noes, 3, viz.: Clauer, Ray and Thompson.

Mr. Bernd called for General Ordinance No. 103, 1923, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 103, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 103, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Claycombe moved that the action taken on Special Ordinance No. 17, 1923, at the meeting held on August 20, 1923, be reconsidered.

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

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Claycombe moved that Special Ordinance No. 17, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 17, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Claycombe called for General Ordinance No. 94, 1923, for second reading. It was read a second time.

Mr. Claycombe moved that General Ordinance No. 94, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 94, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

On motion of Mr. Claycombe, General Ordinance No. 100, 1923, was stricken from the files.

On motion of Mr. Wise, General Ordinance No. 95, 1923, was stricken from the files.

The Finance and Public Safety Committees were granted more time for the consideration of Appropriation Ordinance No. 5, 1923, and General Ordinances No. 97, 98, 99, and 106, 1923.

A Public hearing was held on General Ordinance No. 101, 1923 and Appropriation Ordinance No. 39, 1923.

On motion of Mr. Claycombe, the Council at 9:30 o'clock P. M. took a recess of thirty minutes to enable the Finance Committee to consider further General Ordinance No. 101, 1923, and Appropriation Ordinance No. 39, 1923.

At 11:00 o'clock P. M. President called the Common Council to order.

Present: The Hon. John E. King, President of the Common Council, and eight members, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson and Wise.

REPORTS FROM STANDING COMMITTEES

From the Committee on Finance:

Indianapolis, Ind., September 3, 1923.

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. 39, 1923, entitled, "An ordinance appropriating moneys for the purpose of defraying current expenses of the City Government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year beginning January 1, 1924, and ending December 31, 1924, including all outstanding claims and obligations, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

BEN H. THOMPSON
I. L. BRAMBLETT
L. D. CLAYCOMBE

Indianapolis, Ind., September 3, 1923.

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 101, 1923, entitled, "An ordinance fixing and establishing the annual rates of taxation and tax levies for the year 1923 for the City of Indianapolis, for each fund for which a separate tax levy is authorized by law, to be collected and expended in the year 1924, and fixing the time when this ordinance shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

BEN H. THOMPSON
I. L. BRAMBLETT
L. D. CLAYCOMBE

ORDINANCES ON SECOND READING

Mr. Thompson called for General Ordinance No. 101, 1923, for second reading. It was read a second time.

By Mr. Claycombe:

Indianapolis, Ind., September 3, 1923.

Mr. President:

I move that General Ordinance No. 101, 1923, be amended by striking out of Section 1 the words "also a tax levy of Four (\$.04) cents for Department of Public Sanitation Maintenance Fund," and inserting in lieu thereof the following: "Also a tax levy of Five and One-half (\$.05½) Cents for Department of Public Sanitation Maintenance Fund."

L. D. CLAYCOMBE

The roll was called and the motion to amend General Ordinance No. 101, 1923, carried by the following vote:

Ayes, 6, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe, Wise and President John E. King.

Noes, 3, viz.: Messrs. Clauer, Ray and Thompson.

Mr. Claycombe moved that General Ordinance No. 101, 1923, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 101, 1923, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Bramblett, Buchanan, Claycombe, Ray, Wise and President John E. King.

Noes, 3, viz.: Messrs. Bernd, Clauer and Thompson.

Mr. Claycombe called for Appropriation Ordinance No. 39, 1923, for second reading. It was read a second time.

By Mr. Thompson:

Indianapolis, Ind., September 3, 1923.

Mr. President:

I move that Appropriation Ordinance No. 39, 1923, be amended by striking out in Section I under Plan Commission the following: "For salaries of employees and other administrative expenses as set forth in budget, \$25,650.00," and inserting in lieu thereof the following:

For Salaries	\$12,900.00
For Office Supplies	300.00
For Maps and Plats	600.00
For Automobile Expenses	300.00
For Printing and Miscellaneous Expenses	250.00

BEN H. THOMPSON

The roll was called and the motion to amend Appropriation Ordinance No. 39, 1923, carried by the following vote:

Ayes, 5, viz.: Messrs. Buchanan, Clauer Ray Thompson and President John E. King.

Noes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

Mr. Claycombe moved that Appropriation Ordinance No. 39, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 39, 1923, was read a third time and failed to pass by the following vote:

Ayes, 5, viz.: Messrs. Buchanan, Clauer, Ray, Thompson, and President John E. King.

Noes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

Mr. Claycombe moved that the action taken, amending Appropriation Ordinance No. 39, 1923, be reconsidered.

Carried by the following vote:

Ayes, 5, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe and Wise.

Noes, 4, viz.: Messrs. Clauer, Ray, Thompson and President John E. King.

Mr. Claycombe moved that Appropriation Ordinance No. 39, 1923, be ordered engrossed as originally introduced, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 39, 1923, was read a third time and failed to pass by the following vote:

Ayes, 5, viz.: Messrs. Bramblett, Buchanan, Claycombe, Wise and President John E. King.

Noes, 4, viz.: Messrs. Bernd, Clauer, Ray and Thompson.

On motion of Mr. Claycombe, the Common Council, at 11:40 o'clock p. m., adjourned.

John E. King

Attest:

President.

John N. Rhodehamel

City Clerk.