

REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, December 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. Ray moved that the reading of the Journal be dispensed with. Carried.

COMMUNICATIONS FROM THE MAYOR

November 26, 1923

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

Gentlemen—I have today approved, signed and delivered to John W. Rhodehamel the following ordinances:

GENERAL ORDINANCE NO. 158, 1923, an ordinance amending Clause E of Section Five of General Ordinance No. 76, 1919, as amended by Section One of General Ordinance No. 47, 1920, as amended by Section Two of General Ordinance No. 39, 1921, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 134, 1923, an ordinance authorizing and providing for the assessment of certain fees for the violation of the provisions of General Ordinance No. 37, 1923, known as the Traffic Ordinance of the City of Indianapolis, fixing the amount of such fees to be assessed, providing the manner and conditions under which such fees shall be assessed and paid, and to whom the same shall be paid and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 137, 1923, an ordinance creating the office of Public Utility Consultant and Budget Expert in the Department of Law, fixing the salary therefor in the sum of Three Thousand (\$3000) dollars per annum, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 138, 1923, an ordinance transferring the sum of Five Hundred (\$500.00) Dollars from the "Miscellaneous Expense Fund", Three Hundred (\$300.00) dollars from the "Change of Venue Fund" and Six Hundred (\$600.00) dollars from the "Compensation to injured City Employees Fund", in the Department of Law to the "Judgment, Compromises and Costs Fund", in the Department of Law and re-appropriating the same to the last named fund and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 146, 1923, an ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to

improve 39th. Street from the West property line of Illinois Street to the East property line of Boulevard Place by grading the roadway and constructing curb as provided for under Improvement Resolution No. 11,317 adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 19th day of September, 1923, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 147, 1923, an ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve 39th. Street from the west property line of Illinois Street to the east property line of Boulevard Place, by paving the roadway with asphalt, asphaltic concrete, concrete or brick, as provided for under Improvement Resolution No. 11,334 adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 21st day of September 1923, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 152, 1923, an ordinance ratifying, confirming and approving a certain contract made and entered into on the 2nd day of November, 1923, between the City of Indianapolis, by and through its Board of Public Safety, with the approval of its Mayor, and the Local Branch Nordyke and Marmon Company for the purchase of one Marmon Motor Car, Series B, 1924 Model, Seven Passenger Touring Car with certain extras for the sum of Three Thousand Two Hundred Forty-two and 35/100 (\$3,242.35) dollars, and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 156, 1923, an ordinance to amend General Ordinance No. 37 of 1923, an ordinance regulating vehicle traffic in the City of Indianapolis, Indiana.

APPROPRIATION ORDINANCE NO. 46, 1923, an ordinance appropriating the sum of Nine Hundred Eighty-eight and 38/100 (\$988.38) dollars from any unappropriated funds to a fund to be created and known as "The Indiana Bell Telephone Repair Fund" in the Department of Public Works for the purpose of paying the Indiana Bell Telephone Company the said amount on account of overcharge, and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 47, 1923, an ordinance appropriating the sum of Seven Hundred and Fifty (\$750.00) dollars from any unappropriated funds to be created known as "White River Flood Prevention East of White River Appraisalment Fund" for the purpose of paying James S. Cruse, Herbert E. Fieber and Michael F. Gill each the sum of Two Hundred Fifty (\$250.00) dollars for services in viewing and appraising real estate and buildings on White River Flood Prevention East of White River, and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 48, 1923, an ordinance appropriating the sum of Ten Thousand Seven Hundred Fifteen and 90/100 (\$10,715.90) dollars from any unappropriated funds to a fund to be created and known as "Special Street and Alley Improvement Fund" in the Department of Public Works for the purpose of paying certain assessments for street and alley improvements assessed against the city and certain of the departments of the city, and declaring a time when the same shall take effect.

Very truly yours,
LEW SHANK,
Mayor.

November 26, 1923

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

Gentlemen—I return herewith without my approval GENERAL ORDINANCE NO. 157, 1923, Regulating Traffic, etc. I am not in favor of making these parking spaces any larger than they are at the present time. It seems to me that the streets are public property and we have no right to charge the people for space in front their own place of business as the law gives them the right to load and unload goods without any charge.

I return herewith without my approval Appropriation Ordinance No. 45, 1923, appropriating the sum of Five Hundred (\$500.00) dollars out of any unappropriated funds of the City of Indianapolis to the Salaries Fund in the Building Department under the Department of Public Safety, and declaring a time when the same shall take effect.

The man provided for in this ordinance would not be appointed before the first of December and his work will not show results before the first of January. I believe that the Commission should make arrangements with the man appointed to work without pay until the first of the year. The man has as yet not been appointed.

Very truly yours,
LEW SHANK,
Mayor.

REPORTS FROM CITY OFFICERS

From the City Controller:

December 3, 1923

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

Gentlemen—I hand you herewith an Ordinance transferring and reappropriating the sum of Four Hundred dollars from "Maps and Plats Fund" to the "City Civil Engineers Office Material and Supply Fund".

I recommend the passage of the above mentioned ordinance.

Respectfully yours,
JOS. L. HOGUE,
City Controller.

December 3, 1923

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

Dear Sir—There is attached twelve copies of an ordinance transferring and reappropriating the sum of Four Hundred dollars from "Maps and Plats Fund" to the "City Civil Engineer's Office Material and Supply Fund".

This transfer is necessary in order that the work of this Department may be continued over the remainder of the present year.

Would respectfully request that you transmit the attached or-

dinance to the Council together with a letter approving and requesting passage of the same.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

December 3, 1923.

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

Gentlemen—I hand you herewith an ordinance transferring and reappropriating the sum of One Thousand Dollars from the “Asphalt Street Repairs Salaries and Wages Fund” to the “Brick and Block Material and Supply Fund”.

I recommend the passage of the above mentioned ordinance.

Respectfully yours,
JOS. L. HOGUE,
City Controller.

December 3, 1923.

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

Dear Sir—There is attached twelve copies of an ordinance transferring and reappropriating the sum of One Thousand Dollars from the “Asphalt Street Repairs Salaries and Wages Fund” to the “Brick and Block Material and Supply Fund”.

This transfer is necessary in order that the work of this Department may be continued over the remainder of the present year.

Would respectfully request that you transmit the attached ordinance to the Council together with a letter approving and requesting passage of the same.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

December 3, 1923.

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

Gentlemen—I hand you herewith an ordinance transferring and reappropriating the sum of Four Hundred Dollars from the “Street Sign Maintenance Fund” to the “Brick and Block Material and Supply Fund”.

I recommend the passage of the above mentioned ordinance.

Respectfully yours,
JOS. L. HOGUE,
City Controller.

December 3, 1923.

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

Dear Sir—There is attached twelve copies of an ordinance transferring and reappropriating the sum of Four Hundred Dollars from the “Street Sign Maintenance Fund” to the “Brick and Block Material and Supply Fund”.

This transfer is necessary in order that the work of this Department may be continued over the remainder of the present year.

Would respectfully request that you transmit the attached ordinance to the Council together with a letter approving and requesting passage of the same.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

December 3, 1923.

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

Gentlemen—I hand you herewith an ordinance transferring and reappropriating the sum of Five Hundred Dollars from the “Electric, Gas and Vapor Lighting Fund” to the “Brick and Block Material and Supply Fund”.

I recommend the passage of the above mentioned ordinance.

Respectfully yours,
JOS. I. HOGUE,
City Controller.

December 3, 1923.

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

Dear Sir—There is attached twelve copies of an ordinance transferring and reappropriating the sum of Five Hundred Dollars from the “Electric, Gas and Vapor Lighting Fund” to the “Brick and Block Material and Supply Fund”.

This transfer is necessary in order that the work of this Department may be continued over the remainder of the present year.

Would respectfully request that you transmit the attached ordinance to the Council together with a letter approving and requesting passage of the same.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

December 3, 1923.

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

Gentlemen—I hand you herewith an ordinance transferring and reappropriating the sum of Five Thousand Dollars from the “Electric, Gas and Vapor Lights Fund” to the “Asphalt Plant Material and Supply Fund”.

I recommend the passage of the above mentioned ordinance.

Respectfully yours,
JOS. L. HOGUE,
City Controller.

December 3, 1923.

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

Dear Sir—There is attached twelve copies of an ordinance transferring and reappropriating the sum of Five Thousand Dollars from

the "Electric, Gas and Vapor Lighting Fund" to the "Asphalt Plant Material and Supply Fund".

This transfer is necessary in order that the work of this Department may be continued over the remainder of the present year.

Would respectfully request that you transmit the attached ordinance to the Council together with a Letter approving and requesting passage of the same.

Yours truly,
J. L. ELIOTT,
City Civil Engineer.

From the Board of Public Works:

December 3, 1923.

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

Gentlemen—At the request of the Board of Public Works, I hand you for passage an ordinance ordering the Board of Public Works to improve 15th Street from the west property line of Boulevard Place to the east property line of Northwestern Avenue, by grading and paving the curbing under Improvement Resolution No. 11,365.

There are four (4) resident property owners on this street, and three (3) have signed the remonstrance. There are a number of business concerns on this street which have complained regarding the condition of the street, and the Board, therefore, requests the passage of this ordinance.

Yours truly,
ELMER WILLIAMS,
Clerk, Board of Public Works.

From the Committee on Public Works:

REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., December 3, 1923

*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. 151, 1923, entitled an ordinance authorizing the alienation and conveyance of the following described real estate situated in Marion County, State of Indiana, to-wit: Lots 14, 15 and 16 in Yandes Subdivision of Out-lot No. 130 in the City of Indianapolis, said real estate belonging to the City of Indianapolis for public and governmental purposes and not longer needed for said purpose, requesting the Judge of the Circuit Court to appoint appraisers for such property, and fixing the 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.

THEO. J. BERND,
H. W. BUCHANAN,
I. L. BRAMBLETT,
BEN. H. THOMPSON,
WALTER W. WISE.

Indianapolis, Ind., December 3, 1923

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. 160, 1923, entitled an ordinance approving a certain contract granting Vonnegut Hardware Company the right to lay and maintain a sidetrack or switch from the South Side of Washington Street thence South in Missouri Street and across Pearl Street to West Maryland Street in the City of Indianapolis, Indiana, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THEO. J. BERND,
H. W. BUCHANAN,
I. L. BRAMBLETT,
BEN. H. THOMPSON,
WALTER W. WISE.

Mr. Wise, chairman of the Public Safety Committee reported that he had attended the meeting of the Board of Park Commissioners and that the said board had ordered "Stop" signs removed from street and boulevard intersections, where such signs had been placed contrary to City ordinance.

On motion of Mr. Claycombe, the report was accepted.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller.

GENERAL ORDINANCE NO. 164, 1923.

AN ORDINANCE transferring and re-appropriating certain funds under the Department of Public Works, 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 there be and is hereby transferred from the "Maps and Plats Fund" under the Department of Public Works, the sum of Four Hundred (\$400.00) Dollars and that the same be and is hereby re-appropriated to the "City Civil Engineer's Office Material and Supply Fund" of the Board of Public Works.

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.

By the City Controller.

GENERAL ORDINANCE NO. 165, 1923.

AN ORDINANCE transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from the "Asphalt Street Repair Salaries and Wages Fund" under the Department of Public Works, the sum of One Thousand (\$1000.00) Dollars and that the same be and is hereby re-appropriated to the "Brick and Block Material and Supply Fund" of the Board of Public Works.

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.

By the City Controller.

GENERAL ORDINANCE NO. 166, 1923.

AN ORDINANCE transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from the "Street Sign Maintenance Fund" under the Department of Public Works, the sum of Four Hundred (\$400.00) Dollars and that the same be and is hereby re-appropriated to the "Brick and Block Material and Supply Fund" of the Board of Public Works.

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.

By the City Controller.

GENERAL ORDINANCE NO. 167, 1923.

AN ORDINANCE transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from the "Electric, Gas and Vapor Lighting Fund" under the Department of Public Works, the sum of Five Hundred (\$500) Dollars and that the same be and is hereby re-appropriated to the "Brick and Block Material and Supply Fund" of the Board of Public Works.

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.

By the City Controller.

GENERAL ORDINANCE NO. 168, 1923.

AN ORDINANCE transferring and re-appropriating certain funds under the Department of Public Works, and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from the "Electric, Gas and Vapor Lighting Fund" under the Department of Public Works, the sum of Five Thousand (\$5000.00) Dollars and that the same be and is hereby re-appropriated to the "Asphalt Plant Material and Supply Fund" of the Board of Public Works.

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.

By the Board of Public Works:

GENERAL ORDINANCE NO. 169, 1923.

AN ORDINANCE, ording the Board of Public Works of the City of Indianapolis, Indiana, to improve 15th Street from the west property line of Boulevard Place to the east property line of Northwestern Avenue by grading and paving the roadway with asphalt, asphaltic concrete, concrete or brick, and curbing, as provided for under Improvement Resolution No. 11,365 adopted by the Board of Public Works of the City of Indianapolis, Indiana, on the 17th day of October, 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 17th day of October, 1923, adopt Improvement Resolution No. 11,365, for the improvement of 15th Street from the west property line of Boulevard Place to the east property line of Northwestern Avenue by grading and paving the roadway with asphalt, asphaltic concrete, concrete or brick, and curbing.

WHEREAS, the said Board of Public Works did, at the same time, fix November 7th, 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 October 19th, 1923, and on October 26th, 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 7th day of November, 1923, and, after said hearing in regular session on November 7th, 1923, took action on said Resolution, the same being confirmed without modification, and

WHEREAS, on the 6th day of November, 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 Ordained 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 hereby ordered to, improve 15th Street from the west property line of Boulevard Place to the east property line of Northwestern Avenue by grading and paving the roadway with asphalt, asphaltic concrete, concrete or brick, and curbing, under said Improvement Resolution No. 11,365, 1923.

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 Public Works.

INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Ray.

RESOLUTION NO. 1, 1923

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

That Ira L. Bramblett, Ben H. Thompson, Lloyd D. Claycombe, William E. Clauer, Walter W. Wise, Theodore J. Bernd, Hoydon W. Buchanan, John E. King, and Otto Ray be and they are hereby authorized and directed to proceed to Chicago, Illinois, as a committee representing this Council, and the City of Indianapolis, to investigate the conditions in such point, effecting Street Car and Motor Bus conditions; and be it further *resolved*, that the expenses of the above named Committee be paid out of the fund known as "For Expense Council Investigation".

Which was adopted on motion of Mr. Ray.

On motion of Mr. Bernd the Public Works Committee was granted more time for consideration of Special Ordinance No. 22, 1923.

On motion of Mr. Wise, General Ordinance No. 99, 1923, was stricken from the files.

Mr. Wise moved the General Ordinance No. 89, 1923, be stricken from the files.

The roll was called and the motion failed by the following vote:

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

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

On motion of Mr. Claycombe, the Public Safety Committee was instructed to wait on the Board of Safety and ascertain all the facts in the matter of the appointment of Smoke Inspector, and to report to the Council at the next regular meeting.

ORDINANCES ON SECOND READING

Mr. Thompson called for General Ordinance No. 162, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 162, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 162, 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. Bernd called for General Ordinance No. 151, 1923, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 151, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 151, 1923, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe, Thompson, Wise and President John E. King.

Noes, 2, viz.: Messrs. Clauer and Ray.

Mr. Bernd called for General Ordinance No. 160, 1923, for second reading. It was read a second time.

Mr. Bernd moved that General Ordinance No. 160, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 160, 1923, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe, Thompson, Wise and President John E. King.

Noes, 2, viz.: Messrs. Clauer and Ray.

Mr. Buchanan called for General Ordinance No. 150, 1923, for second reading. It was read a second time.

Mr. Buchanan moved that General Ordinance No. 150, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 150, 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. Buchanan called for General Ordinance No. 153, 1923, for second reading. It was read a second time.

Mr. Buchanan moved that General Ordinance No. 153, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 153, 1923, was read a third time and passed 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.

By Mr. Buchanan.

Mr. President:

I move that General Ordinance No. 157, 1923, be passed over the Mayor's veto.

HEYDON W. BUCHANAN

The roll was called and General Ordinance No. 157, 1923, was passed over the veto of the Mayor by the following vote:

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

By Mr. Clauer.

Mr. President:

I move that Appropriation No. 45, 1923, be passed over the veto of the Mayor.

WM. E. CLAUER

The roll was called and Appropriation Ordinance No. 45, 1923, failed to pass over the veto of the Mayor 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.

At 8:45 o'clock p. m. a public hearing was held on General Ordinance No. 155, 1923.

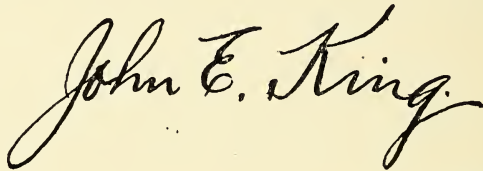
Mr. Ray moved that General Ordinance No. 155, 1923, be stricken from the files.

The roll was called and General Ordinance No. 155, 1923, was stricken from the files by the following vote:

Ayes, 8, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Ray, Thompson, Wise and President John E. King.

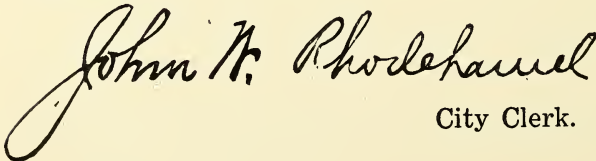
Noes, 1, viz.: Mr. Claycombe.

On motion of Mr. Ray, the Common Council, at 9:30 o'clock p. m., adjourned.



Attest:

President.



City Clerk.