

REGULAR MEETING

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, April 21, 1924, at 7:30 o'clock in regular session, President Walter W. Wise in the chair.

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

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

COMMUNICATIONS FROM THE MAYOR.

April 21, 1924.

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, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 19, 1924, 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 take effect," and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 20, 1924, 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," and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 29, 1924, an ordinance providing for the installation of smoke tower fire escapes in buildings in

Indianapolis providing for the construction thereof, providing for the penalty for the violation of the provisions thereof and declaring a time when the same shall take effect.

GENERAL ORDINANCE NO. 31, 1924, an ordinance approving a certain contract granting The Acme-Evans Company the right to lay and maintain a sidetrack or switch from The C. C. C. & St. L. Ry. old main track, across Blackford street according to blue print attached, in the City of Indianapolis, Indiana.

GENERAL ORDINANCE NO. 34, 1924, an ordinance transferring the sum of Five Thousand (\$5,000.00) Dollars from the "New Equipment Street Cleaning Fund" in the Department of Public Works to a fund to be created and known as the "Team Hire Fund" in the Department of Public Works, reappropriating the same to the latter fund and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 5, 1924, an ordinance appropriating the sum of Nine Thousand Four Hundred Twelve and 72/100 (\$9,412.72) Dollars from any unappropriated funds to the Judgments, Compromises and Costs Fund in the Department of Law, for the purpose of paying the judgment, interests and costs in the case of Alfred Barthel, Administrator, vs. City of Indianapolis, and declaring a time when the same shall take effect.

Very truly yours,

LEW SHANK,

Mayor.

REPORTS FROM CITY OFFICERS.

From the City Controller:

April 21, 1924.

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

Gentlemen—At the request of the Board of Public Safety, I am sending you herewith copies of an ordinance calling for the appropriation of Four Hundred Eighty (\$480.00) Dollars to the Salaries Fund of the Department of Buildings under the Department of Public Safety to be used for the payment of the salaries of the members of the Board of Electrical Examiners and Secretary to said Board for the year 1924.

I respectfully recommend the passage of said ordinance.

Yours truly,

JOS. L. HOGUE,

City Controller.

April 21, 1924.

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

Dear Sir—The Board of Public Safety respectfully requests you to recommend to the Common Council the passage of an ordinance appropriating the sum of Four Hundred Eighty (\$480.00) Dollars to the Salaries Fund of the Department of Buildings to be used for the purpose of paying the salaries of the Board of Electrical Examiners and the Secretary of said Board for the year

1924. Attached hereto you will find copies of an ordinance covering the same.

Yours very truly,
BOARD OF PUBLIC SAFETY,
 By Oscar O. Wise,
 Executive Secretary.

April 21, 1924.

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

Gentlemen—I hand you herewith a communication from the Board of Public Works with attached communications from the Board of Public Safety and Chief John J. O'Brien of the Fire Department asking for the appropriation of Six Hundred Eighty-five (\$685.00) Dollars from any unappropriated funds to the "Public Buildings and Repairs Fund" in the Department of Public Works for the purpose of paying for the raising of the ceiling at Fire Station No. 5 in the City of Indianapolis.

I hand you herewith an ordinance calling for the appropriation of the above named sum and recommend its passage.

Yours truly,
JOS. L. HOGUE,
 City Controller.

April 21, 1924.

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

Dear Sir—I am directed by the Board of Public Works to submit for your approval and transmission to the Common Council an ordinance appropriating the sum of Six Hundred Eighty-five (\$685.00) Dollars from any unappropriated funds to the "Public Buildings and Repairs Fund" in the Department of Public Works for the purpose of paying for the raising of the ceiling at Fire Station No. 5 in the City of Indianapolis.

I am attaching hereto communications from the Board of Public Safety and Chief John J. O'Brien of the fire force.

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

At 8:00 o'clock p. m. a public hearing was held on General Ordinances No. 35, 1924, No. 36, 1924 and No. 37, 1924.

By Mr. Claycombe:

Mr. President—

Whereas, an undue hardship exists in the premises described in General Ordinance No. 37, I move that the Council hereby request that the Board of Zoning Appeals grant a conditional permit to the Gulf Refining Company in this case, rather than the Council change the map.

L. D. CLAYCOMBE.

Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller:

APPROPRIATION ORDINANCE NO. 7, 1924.

AN ORDINANCE, appropriating the sum of Four Hundred Eighty (\$480.00) Dollars to the Salary Fund of the Department of Buildings under the Department of Public Safety, 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 appropriated the sum of Four Hundred Eighty (\$480.00) Dollars out of any unappropriated funds of the City of Indianapolis to the Salary Fund in the Department of Public Buildings under the Department of Public Safety to be used for the purpose of paying the salaries of the members of the Board of Electrical Examiners and Secretary of said Board for the year 1924.

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

Which was read a first time.

Mr. King moved that the rules be suspended and Appropriation Ordinance No. 7, 1924, 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, King, Ray, Thompson and President Walter W. Wise.

Mr. King called for Appropriation Ordinance No. 7, 1924, for second reading. It was read a second time.

Mr. Claycombe moved that Appropriation Ordinance No. 7, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 7, 1924, was read a third time and passed by the following vote:

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 8, 1924.

AN ORDINANCE, appropriating the sum of Six Hundred Eighty-five (\$685.00) Dollars from any unappropriated funds to the "Public Buildings and Repair Fund" in the Department of Public Works for the purpose of paying for the raising of the ceiling at Fire Station No. 5, 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 appropriated the sum of Six Hundred Eighty-five (\$685.00) Dollars from any unappropriated funds to the "Public Buildings and Repairs Fund" in the Department of Public Works for the purpose of paying for the raising of the ceiling at Fire Station No. 5 in the city of Indianapolis.

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 Mr. Thompson:

GENERAL ORDINANCE NO. 41, 1924.

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," and fixing the time when the same shall take effect:

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

Section 1. That the U3 or business district, the H1 or 50 feet height district and the A3 or 2400 square foot area district as established by General Ordinance No. 114, 1922, be and the same is hereby amended supplemented and changed so as to include the following described territory, Beginning at the northeast corner of 27th Street

and Cornell Avenue, thence north with the east line of Cornell Avenue 109.7 feet, thence east a distance of 118 feet, thence south to the north line of 27th street, thence west to the point or place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred the the Committee on Law and Judiciary.

By Mr. King:

SPECIAL ORDINANCE NO. 7, 1924.

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, 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 City of Indianapolis be and the same is hereby extended so as to include the following described territory all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning at a point on the center line of Hanna street, said point being 326 feet east of the center line of Shelby street, thence north and parallel to the center line of Shelby street a distance of 315 feet; thence east and parallel to the center line of Hanna street a distance of 667 feet; thence south and parallel to the center line of Shelby street to the center line of Hanna street; thence west with and along the center line of Hanna street to the point or place of beginning, more particularly described as follows:

Beginning on the south line of the southwest quarter of Section Thirty (30) Township Fifteen (15) North, Range Four (4) at a point three hundred and twenty-six (326) feet east of the southwest corner of said Quarter Section; thence east along said south line six hundred and sixty-seven (667) feet to a point; thence north parallel to the west line of the said Quarter Section three hundred and fifteen (315) feet to a point; thence west parallel to the south line of said Quarter Section six hundred and sixty-seven (667) feet to a point; thence south parallel to the west line of the said Quarter Section three hundred and fifteen (315) feet to the place of beginning, containing four and eighty-two hundredths (4.82) acres, more or less.

Section 3. This ordinance shall go into full force and effect from and after its passage.

By Mr. King:

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

SPECIAL ORDINANCE NO. 8, 1924.

AN ORDINANCE annexing certain territory to the City of Indianapolis and defining a part of the boundary line of said city and fixing a time when the same shall take effect.

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

That the boundary lines of the City of Indianapolis be and the same are hereby extended so as to include the following described contiguous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the city of Indianapolis, Marion County, Indiana:

Commencing at a point in the corporation line of the City of Indianapolis, in the center of Section thirty-two (32), Township Sixteen (16) North, Range Three (3) East, Marion County, Indiana, said point being the center of the Crawfordsville Road, now Sixteenth street, running thence north along and with the center line of said Section Thirty-two (32) to the north line of said section; thence east along and with the north line of said Section Thirty-two (32) to the east line of said section; thence south along and with the east line of said Section Thirty-two (32) to the center of Eighteenth street, as platted in Homestead Riverside Addition to the City of Indianapolis; thence east with the center of said Eighteenth street to the center of the Kessler Boulevard; thence north along and with the center of the Kessler Boulevard to the center of Twentieth street as platted in West Haven, an addition to the City of Indianapolis, Marion County, Indiana; thence east along and with the center of Twentieth street to the center of Rowland avenue as platted in said West Haven addition; thence south along and with the center of said Rowland avenue to a point seven hundred thirty-two (732) feet south of the north line of Section Thirty-two (32), Township Sixteen (16) North, Range Three (3) East, to the north line of a tract of land owned by C. L. McCord; thence east along and with said north line to the present corporation line of the City of Indianapolis.

This ordinance shall be in full force and effect from and after its passage and due publication as required by law.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

President Wise appointed the following committee to consider rerouting of city street cars:

Messrs. Bernd, Bramblett, Buchanan, Claycombe and King.

ORDINANCES ON SECOND READING.

Mr. Bramblett called for General Ordinance No. 33, 1924, for second reading. It was read a second time.

Mr. Bramblett moved that General Ordinance No. 33, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 33, 1924, was read a third time and passed by the following vote:

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

Mr. Bramblett called for Appropriation Ordinance No. 4, 1924, for second reading. It was read a second time.

Mr. Bramblett moved that Appropriation Ordinance No. 4, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 4, 1924, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bernd, Bramblett, Clauer, Clay-Combe, King, Ray, Thompson and President Walter W. Wise.

Noes, 1, viz.: Mr. Buchanan.

Mr. Ray called for General Ordinance No. 32, 1924, for second reading. It was read a second time.

Mr. Ray moved that General Ordinance No. 32, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 32, 1924, was read a third time and passed by the following vote:

Ayes, 6, viz.: Bramblett, Buchanan, Clauer, King, Ray and Thompson.

Noes, 3, viz.: Messrs. Bernd, Claycombe and President Walter W. Wise.

Mr. Clauer called for General Ordinance No. 38, 1924, for second reading. It was read a second time.

Mr. Clauer moved that General Ordinance No. 38, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 38, 1924, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bernd, Bramblett, Clauer, King, Ray, Thompson and President Walter W. Wise.

Noes, 1, viz.: Mr. Claycombe.

Mr. King called for Special Ordinance No. 5, 1924, for second reading. It was read a second time.

Mr. Bernd moved that Special Ordinance No. 5, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 5, 1924, was read a third time and failed to pass by the following vote:

Ayes, 1, viz.: Mr. Thompson.

Noes, 8, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray and President Walter W. Wise.

Mr. Claycombe called for Special Ordinance No. 6, 1924, for second reading. It was read a second time.

Mr. Bernd moved that Special Ordinance No. 6, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 6, 1924, was read a third time and passed by the following vote:

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

Mr. Thompson called for General Ordinance No. 24, 1924, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 24, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 24, 1924, was read a third time and passed by the following vote:

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

Mr. Thompson called for General Ordinance No. 23, 1924, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 23, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 23, 1924, was read a third time and passed by the following vote:

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

Mr. King called for General Ordinance No. 40, 1924, for second reading. It was read a second time.

By Mr. King.

Indianapolis, Ind., April 21, 1924.

Mr. President—

I move that General Ordinance No. 40, 1924, be amended to read as follows:

Section 1. That General Ordinance No. 156, 1923, be and the same is hereby repealed.

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

JOHN E. KING, Councilman.

Carried.

Mr. Claycombe arose to a point of order, stating that the amendment contained matter not included in General Ordinance No. 40, 1924.

President Wise ruled that the point was not well taken. Mr. Claycombe appealed from the ruling of the chair.

The roll was called and the ruling of the chair was sustained by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Clauer, King, Ray, Thompson and President Walter W. Wise.

Noes, 2, viz.: Messrs. Buchanan and Claycombe.

Mr. King moved that General Ordinance No. 40, 1924, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 40, 1924, was read a third time and passed by the following vote:

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

Noes, 1, viz.: Mr. Claycombe.

On motion of Mr. Buchanan the Common Council at 10:20 o'clock p. m., adjourned.

Walter W. Wise

Attest:

President.

John H. Rhodehamel

City Clerk.