

REGULAR MEETING

Monday, January 17, 1927, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, January 17, 1927, at 7:30 p. m., in regular session, President Claude E. Negley in the chair.

The Clerk called the roll.

Present: Hon. Claude E. Negley, President, and six members, viz.: Otis E. Bartholomew, Walter R. Dorsett, Millard W. Ferguson, Boynton J. Moore, Robert E. Springsteen, Austin H. Todd.

Absent: O. Ray Albertson and Edward B. Raub.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

COMMUNICATIONS FROM THE MAYOR.

January 8, 1927.

To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:

Gentlemen—General Ordinance No. 121 appropriating the sum of Fifteen Thousand (\$15,000.00) Dollars from the General Fund and from any fund of the City of Indianapolis, not specially dedicated to the Legal Department of said city, for the purpose of providing funds for the hiring of additional Counsel, etc., for the purpose of contesting a certain proposed Merger of the Merchants Light and Heat Company and the Indianapolis Light and Heat Company passed by the Council on December 30, 1926, and handed to me by the City Clerk on December 31, 1926, was vetoed by me on January 8, 1926, for the following reasons.

First—that said ordinance in my opinion, is contrary to law.

Second—that it creates no legal emergency, because of the fact that the City of Indianapolis now has nine attorneys on its payroll who are well qualified, willing and have ample time to devote to the litigation involved in this matter and represent the city and the people of Indianapolis ably and efficiently.

Third—because there are no funds available, the appropriation for the City of Indianapolis for the year 1927 having been apportioned by the City Ordinance passed by your Honorable Body several months ago.

Very truly yours,

JOHN L. DUVALL, .

Mayor.

January 10, 1927.

To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 1, 1927.

AN ORDINANCE, authorizing the City Controller to make a Temporary Loan or Loans in the sum of Seven Hundred Thousand (\$700,000.00) Dollars in anticipation of current revenues appropriating the sum of Seven Hundred and Ten Thousand (\$710,000.00) Dollars for the payment thereof and fixing a time when the same shall take effect.

Yours very truly,

JOHN L. DUVALL,

Mayor.

REPORT FROM CITY OFFICERS.

January 17, 1927.

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

Gentlemen—I am handing you herewith an ordinance authorizing the Purchasing Agent to purchase one Buick Automobile for the Police Department, which will exceed the statutory amount of \$2,000.00.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER

City Controller.

January 17, 1927.

To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:

Gentlemen—I have been requested by the Board of Public Safety to have presented to your honorable body an ordinance changing the number of Captains, in the Fire Department, from forty-three to forty-four and the number of Chauffeurs from one hundred and three to one hundred and nine.

At the time the budget for 1927 was presented to the Council it was intended to abolish three companies. However, that was not done and in changing the number of men to conform with the present number of houses there was an error made in the number of Captains and Chauffeurs. Therefore, the efficiency in the Fire Department will be seriously reduced, due to an insufficient number of Captains and Chauffeurs, and as there is approximately Ten to Fifteen Thousand Dollars saved a year in the Fire Department Salary Fund due to men taking leave of absence without pay, and vacations from time to time and suspensions that there will no doubt be enough money to pay for these additional men.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER

City Controller.

January 3, 1927.

To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:

Gentlemen—The City Plan Commission, at its meeting on December 30th, received the report of the Zoning Committee, to whom was referred the matter of the change of zoning from residential to business use of both sides of Delaware St., between 25th St. and Fall Creek recommending that no change be made, and on motion, duly seconded, and unanimously carried, the report was accepted.

Therefore, the City Plan Commission respectfully recommends to the Common Council, that no change be made in the zoning of the territory between 25th St. and Fall Creek, on both sides of Delaware St.

Very truly yours,

CITY PLAN COMMISSION,

MARIE VICTOR,

Secretary.

INTRODUCTION OF GENERAL ORDINANCES.

By the City Comptroller:

GENERAL ORDINANCE NO. 3, 1927.

AN ORDINANCE providing for the purchase of one new 1927 Buick Automobile for the Indianapolis Police Department 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 the purchasing agent of the City of Indianapolis, Indiana is hereby authorized to purchase out of the Police and Fire Equipment Bond Fund 1927 one new 1927 Buick automobile, the value of which is in excess of the statutory limit of Two Thousand Dollars (\$2,000) and the trade in therefor of one 1924 Studebaker Touring car, all of which is hereby in all things authorized and approved by the Common Council of the City of Indianapolis as required by law.

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 Safety.

By the City Comptroller:

GENERAL ORDINANCE NO. 4, 1927.

AN ORDINANCE providing for one additional captain and six (6) additional chauffeurs in the Indianapolis Fire Department and appropriating the sum of Fourteen Thousand Two Hundred Seventy-Seven Dollars Fifty Cents. (\$14,277.50) to provide for the salaries of the same, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, at the time the appropriation ordinance for 1927 was introduced to the Common Council a provision was made to abandon three (3) fire stations in the City of Indianapolis, and

WHEREAS said fire stations were not abandoned and are now in use; through inadvertance and error, one (1) captain and six (6) chauffeurs were left out of the 1927 budget, and

WHEREAS, it is necessary and essential for the protection of life and property to retain the said one (1) captain and six (6) chauffeurs, and

WHEREAS, since January 1st, 1927 said one (1) captain and six (6) chauffeurs have been working without any appropriation, said budget for 1927, providing for forty-three (43) captains with a total salary of One Hundred Two Thousand Four Hundred Forty-Seven Dollars Fifty Cents (\$102,447.50) instead of forty-four (44) captains with a total salary of One Hundred Four Thousand Eight Hundred Thirty Dollars (\$104,830.00) and providing for one hundred three (103) chauffeurs at a total salary of Two Hundred Four Thousand One Hundred Ninety-Seven Dollars Fifty Cents (\$204,197.50) instead of one hundred nine (109) chauffeurs at a total salary of Two Hundred Sixteen Thousand Ninety-Two Dollars Fifty Cents (\$216,092.50) and that the total appropriation for the Indianapolis Fire Department for 1927 was One Million Two Hundred Eighty-Eight Thousand Eight Hundred Four Dollars Twenty-Five Cents (\$1,288,804.25), and that the same should have been One Million Three Hundred Three Thousand Eighty-One Dollars Seventy-Five Cents, (\$1,303,081.75). Now therefore,

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

Section 1. That there shall be in the Indianapolis Fire Department, of the City of Indianapolis, Indiana, for the year 1927, forty-four (44) Captains who shall receive a salary of Two Thousand Three Hundred Eighty-Two Dollars Fifty Cents (\$2,382.50) each per year and one hundred nine (109) chauffeurs who shall receive a salary of One Thousand Nine Hundred Eighty-Two Dollars Fifty Cents (\$1,982.50) each per year; the sum of One Hundred Four Thousand Eight Hundred Thirty Dollars (\$104,830.00) to provide for the salaries of the forty-four (44) captains and the sum of Two Hundred Sixteen Thousand Ninety-Two Dollars Fifty Cents (\$216,092.50) to provide for the salary of the one hundred nine (109) chauffeurs, is hereby appropriated to 'Salaries and Wages' Fund No. 11, Indianapolis Fire Department, Department of Public Safety.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Mr. Bartholomew moved that the rules be suspended for the passage of General Ordinance No. 4. Seconded by Mr. Dorsett.

The rules were suspended by the following vote:

Ayes, 7, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Moore, Springsteen, Todd and President Negley.

Mr. Springsteen called for General Ordinance No. 4 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 4 was ordered engrossed, read a third time and placed upon its passage.

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

Ayes, 7, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Moore, Springsteen, Todd and President Negley.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Dorsett:

RESOLUTION NO. 1, 1927.

WHEREAS, there is some considerable discussion as to whether or not the Wright Bone Dry Law should or should not be amended, and

WHEREAS, the Common Council of the City of Indianapolis, Indiana represent a large number of people and groups and societies who are opposed to the amendment of the Wright Bone Dry Law and now feel that this law is good sound law for the protection of the citizens of the City of Indianapolis and suburbs, and that any amendment to the same would be a retreat toward the old corner saloon, and

WHEREAS, the Common Council of the City of Indianapolis is opposed to any amendments to the Wright Bone Dry Law, now therefore

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

That the Common Council of the City of Indianapolis, Indiana hereby now goes on record as being opposed to any amendment to the Wright Bone Dry Law of the State of Indiana and believes this law to be good and sound and sponsored by the tax payers of the City of Indianapolis and vicinity.

Be it further resolved that the clerk of this Council mail a copy of this Resolution to both the speaker of the House of Representatives and the speaker of the Senate of the General Assembly of the State of Indiana now in session.

WALTER R. DORSETT,
Councilman First District.

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

By Mr. Moore:

RESOLUTION NO. 2, 1927.

WHEREAS, the present condition of Pleasant Run Stream in the City of Indianapolis has been called to the attention of the Common Council and

WHEREAS, an investigation has been made and it was found that certain factories along the course of this stream have been

dumping refuse and garbage into the same causing it to become polluted and stagnant and

WHEREAS, this is contrary to the statutes of the State of Indiana and an Ordinance passed by the Common Council of the City of Indianapolis in 1926, and

WHEREAS, the Board of Public Health and Sanitation Departments of the City of Indianapolis have been duly notified of the same, now therefore

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

That the City Council is opposed to the further pollution of the said Pleasant Run Stream in the City of Indianapolis and directs that the City Clerk present to the Chief of Police of the City of Indianapolis a copy of this resolution.

BOYNTON J. MOORE.

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

By Dr. Todd:

RESOLUTION NO. 3, 1927.

WHEREAS, the City of Indianapolis and the citizens thereof have been patient sufferers under the many rulings issued by the Indiana Public Service Commission with respect to increased rates granted to public utilities operating in the City of Indianapolis, and

WHEREAS, the City of Indianapolis has had a recent glaring example of the unfaithfulness of the said Public Service Commission in discharging its duties to the public in the case of the merger of the two Indianapolis Light and Heat Companies which petition was granted over the protests of representatives of the City of Indianapolis, and

WHEREAS, there is now pending in the State Legislature a Senate bill introduced by Senator Howard A. Cann which proposes to abolish the Public Service Commission and re-enact the old section of the statutes which requires public utilities to secure franchises from City Councils in the cities in which they desire to operate,

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

That we urge upon, and respectively memorialize, the Senate and House of Representatives of the State of Indiana to enact into law the bill introduced by Senator Cann in order to grant immediate relief to the City of Indianapolis and the citizens thereof from the further oppressive acts of the Public Service Commission.

The Clerk of the Common Council is hereby directed to transmit a copy of this resolution to the President of the Senate and Speaker of the House of Representatives thereof at the State House in the City of Indianapolis.

DR. AUSTIN H. TODD.

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

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council sustained the Mayor's veto of General Ordinance No. 121, 1926, by the following vote:

Ayes, 7, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Moore, Springsteen, Todd and President Negley.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the Common Council adjourned at 8:15 o'clock p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, Indiana, held on the 17th day of January, 1927, at 7:30 p. m.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Claude E. Negley

President.

Attest:

William A. Boyce, Jr.

City Clerk

(SEAL)