

REGULAR MEETING

Monday, April 2, 1928. 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, April 2, 1928, at 7:30 P. M., in regular session, President Otis E. Bartholomew in the chair.

The Clerk called the roll.

Present: Hon. Otis E. Bartholomew, President, and four members, viz: Millard W. Ferguson, Claude E. Negley, Edward B. Raub, Austin H. Todd .

Absent: O. Ray Albertson, Walter R. Dorsett, Boynton J. Moore, Robert E. Springsteen.

On motion of Mr. Negley, seconded by Dr. Todd, the reading of the minutes of the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

March 21, 1928

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

Gentlemen:

I have this day approved with my signature and delivered to William A. Boyce, Jr., City Clerk, the following ordinance:

APPROPRIATION ORDINANCE NO. 1, 1928

entitled:

“AN ORDINANCE, appropriating the sum of Fifteen Thousand Four Hundred Seventeen Dollars and Fifty-five Cents (\$15,417.55) from the General Fund to the several executive departments of

the city government of the City of Indianapolis for the purpose of paying some past due and unpaid bills of the said executive departments for the calendar year beginning January 1, 1927 and ending December 21, 1927; fixing a time when the same shall take effect; repealing all general and special appropriations in any manner in conflict therewith."

Very truly yours,

L. ERT. SLACK,

Mayor.

March 28, 1928.

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

Gentlemen:

I have this day approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 13, 1928, entitled:

"AN ORDINANCE transferring and reappropriating the sum of of Fifty (\$50.00) Dollars form Municipal Garage Fund No. 24, 'Printing and Advertising' to Municipal Garage Fund No. 36, 'Office Supplies' in the Department of Public Works and declaring a time when same shall take effect."

Very truly yours,

L. ERT. SLACK,

Mayor.

March 30, 1928.

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

Gentlemen:

I have this day approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 5, 1928, entitled:

"AN ORDINANCE, approving a certain contract granting A. Otto Abel and Frank W. Abel the right to lay and maintain a side-track or switch from the Illinois Central Railroad across South

Senate avenue according to blue print attached, in the City of Indianapolis, Indiana."

Very truly yours,

L. ERT. SLACK,

Mayor.

March 27, 1928.

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

OTHER COMMUNICATIONS

Gentlemen:

I believe that I can best serve the City of Indianapolis by here-with tendering my resignation as Councilman from the Sixth District of the City of Indianapolis to take effect immediately. I do this not as an admission of guilt but from a desire to prevent further embarrassment to the city. My conscience is clear, and I believe that in the long run I will be cleared of the charges that have been made against me. I don't believe that I was framed by the prosecuting attorney's office, but I do feel that I was made the victim of a conspiracy between John L. Duvall and O. Ray Albertson.

I have never been in any trouble before of any kind, not even so much as a misdemeanor and I was born and raised in Indianapolis, but as long as this conviction is standing against me I think it is my duty to resign. I wish to take this opportunity of expressing to the members of the City Council and to the City Clerk my appreciation of their friendship and cooperation during the past two years.

Yours respectfully,

BOYNTON J. MOORE.

Attested:

William A. Boyce, Jr.

City Clerk.

[SEAL]

March 28, 1928

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Indiana:

I hereby tender my resignation as a member of the Common Council of the City of Indianapolis, the same to take effect at once.

WALTER R. DORSETT,

March 28, 1928.

COMMUNICATIONS FROM CITY OFFICIALS

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Indiana:

Dear Sir:

I am enclosing herewith thirteen copies of an ordinance for annexing certain territory to the city of Indianapolis.

Will you kindly submit same to the Council for approval and passage?

Yours very truly,

A. H. MOORE,
City Civil Engineer.

April 2, 1928.

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

Gentlemen:

Attached please find copies of an Appropriation Ordinance appropriating the sum of Six Thousand Three Hundred Thirty-two Dollars and Twenty-two Cents (\$6,332.22) from the General Fund of 1927 to the several executive departments of the City Government of the City of Indianapolis for the purpose of paying some past due and unpaid bills for the year 1927.

I respectfully recommend the passage of this ordinance.

Very truly yours,

STERLING R. HOLT,
City Controller.

March 17, 1928

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

Gentlemen:

Find enclosed fourteen (14) copies of an ordinance to amend Section two (2) of General Ordinance No. 93, 1927, which repeals the provision in said section that every producer, dairyman or shipper of milk or milk products should pay a license fee of fifty

cents, with the recommendation of the Board of Health and Charities, that said ordinance be passed at your earliest convenience.

Respectfully submitted,
BOARD OF HEALTH AND CHARITIES,
Indianapolis, Ind.,
By Chas. Mendenhall,
Their Attorney.

April 2, 1928.

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

Gentlemen:

Attached hereto are thirteen copies of an Ordinance, amending General Ordinance No. 114, 1922, by including in the business district, both sides of E. 10th Street, between Drexel and Bosart Avenues.

The City Plan Commission respectfully recommends that you give favorable consideration to said ordinance.

Very truly yours,
CITY PLAN COMMISSION,
Marie Victor, Secretary.

March 31, 1928.

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

Gentlemen:

I have been requested by the City Civil Engineer's Office to submit to you the attached General Ordinance appropriating and transferring to the City Civil Engineer Gasoline Tax Fund the sum of Fifty Thousand (\$50,000) Dollars out of the Gasoline Tax Fund now unappropriated in the City Controller's Office. Said money to be used for the maintenance and repair of streets and bridges within the corporate limits of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Very truly yours,
STERLING R. HOLT,
City Controller.

March 29, 1928.

S. R. Holt, City Controller, City of Indianapolis, Indiana:

Dear Sir:

The City Civil Engineer's Office respectfully submits and requests you to present and recommend for passage the enclosed Ordinance.

Thanking you in advance, I am,

Very respectfully yours,

BADGER WILLIAMSON,

Chief Clerk.

February 1, 1928.

A. H. Hoore, City Engineer, Indianapolis, Indiana:

Dear Sir:

We have your letter of the 25th ult., relative to purchase of certain equipment from the gas fund receipts of the street repair fund. We note that the council transferred moneys from the gas fund into the street repair fund for the purchase of "material only."

As we understand from our examiners, there was about \$25,000 so transferred. Under the provisions of Section 10183 Burns' R. S. 1926 the gas fund money is to be used for repair and maintenance of streets and bridges and to be "used as directed by the council." That being the case you could not purchase anything out of the \$25,000 so transferred other than material, unless the council would direct and provide otherwise.

The examiners further state that there is about \$11,000 in the street repair fund which is a balance remaining from a former transfer of funds by the city council from the gas funds and that this balance or rather the appropriation from which this balance remains was not designated by the council as for any particular purposes. Such being the case you could therefore purchase the equipment you desire from the \$11,000 balance mentioned. Such equipment may be purchased as an item of repair when same is used for repair purposes.

Very truly yours,

LAWRENCE F. ORR,

State Examiner.

April 2, 1928.

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Indiana:

Dear Sir:

We herewith present to you an ordinance amending Section 762 of General Ordinance No. 121, 1925, governing angle parking, which we respectfully request you to transmit to the Common Council recommending its passage.

Yours very truly,
BOARD OF PUBLIC SAFETY,
By Fred W. Connell,
President.

April 2, 1928.

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Indiana:

Dear Sir:

We herewith present to you an ordinance prohibiting the driving of vehicles over and upon sidewalks, which we respectfully request you to transmit to the Common Council recommending its passage.

Yours very truly,
BOARD OF PUBLIC SAFETY,
By Fred W. Connell,
President.

April 2, 1928.

To the Members of the Common Council, Indianapolis, Indiana:

Honorable Sirs:

I am enclosing herewith an ordinance providing for the improvement of East Washington Street by widening the roadway from Wallace Street to Audubon Road; and I am, also, enclosing the copy of the Minutes of the Board of Public Works relative thereto.

The Board of Public Works recommends the passage of said Ordinance and respectfully ask that you give your immediate attention thereto.

Yours very truly,
ERNEST F. FRICK,
Secretary, Board of Public Works.

COPY OF MINUTES

March 30, 1928.

IN RE: I. R. 13729

The Board having heretofore on the 21st day of February, 1928, adopted a preliminary resolution upon the above entitled improvement and having confirmed the same on the 12th day of March, 1928, and plans and specifications having been prepared thereon, and a remonstrance containing a majority of the resident property owners abutting on said contemplated improvement having been filed there against, within the time provided by law, and the Board having also received a report of the City Civil Engineer recommending that said Resolution be referred to the Common Council of the City of Indianapolis for an Ordinance ordering said improvement, and now being duly advised in the premises does now approve the recommendation of the City Civil Engineer.

The Board of Public Works hereby resolves that the proposed improvement covered by I. R. 13729 for the widening of West Washington Street is of public utility, general benefit and convenience and hereby directs that an Ordinance be prepared pursuant to law, ordering said improvement and the same be presented to the Common Council of the City of Indianapolis at its next meeting, with the recommendation of the Board of Public Works that the same be passed.

On motion of Mr. Raub, seconded by Dr. Todd, the Common Council recessed for ten minutes at 7:40 P. M.

The Common Council reconvened from its recess at 8:23, with six members present, Mr. Springsteen having entered during the recess.

REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., April 2, 1928.

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 G. O. Ordinance No. 17, 1928 beg leave to report that we have had said

ordinance under consideration, and recommend that the same be passed when amended to show bonds dated June 1, 1928.

E. B. RAUB, Chairman.

C. E. NEGLEY.

M. W. FERGUSON.

Indianapolis, Ind., April 2, 1928.

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 G. O. Ordinance No. 14, 1928, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended to read \$50,000.

E. B. RAUB, Chairman.

C. E. NEGLEY.

M. W. FERGUSON.

By City Comptroller:

APPROPRIATION ORDINANCE NO. 2, 1928.
INTRODUCTION APPROPRIATION ORDINANCES

AN ORDINANCE, appropriating the sum of Six Thousand Three Hundred Thirty-two Dollars and Twenty-two Cents (\$6,332.22) from the General Fund of 1927 to the several executive departments of the city government of the City of Indianapolis for the purpose of paying some past due and unpaid bills of the said executive departments for the calendar year beginning January 1, 1927 and ending December 31, 1927, fixing the time when the same shall take effect;

That whereas, as of December 31, 1927, there was a balance in the general fund of the City of Indianapolis of Twenty-five Thousand, Two Hundred Seven Dollars and Nine Cents (\$25,207.09);

And whereas, as of December 31, 1927, unpaid bills, claims, and lawful obligations of the several executive departments of the government of the City of Indianapolis were filed too late to be paid before the close of the calendar year January 1, 1927, to December 31, 1927;

And whereas, the aforesaid unpaid bills, claims and obligations

are lawful and valid and should be paid without delay, so as to save any further expense in connection therewith;

And whereas, the several executive departments have no funds with which to pay said bills, claims and obligations unless the money is appropriated from the general fund of the City of Indianapolis, now, therefore,

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

Section 1. That there be and is hereby appropriated out of the General Funds of the City of Indianapolis, Indiana, and to the various funds of the different executive departments of the said City as hereinafter set forth:

DEPARTMENT: City Clerk

To Fund No. 24 ----- \$68.23

DEPARTMENT: City Controller

To Fund No. 21 ----- 3.70

To Fund No. 72 ----- 20.00

DEPARTMENT: Legal

To Fund No. 21 ----- .60

DEPARTMENT: Mayor

To Fund No. 36 ----- 16.50

DEPARTMENT: Board of Works—Administrative

To Fund No. 25 ----- .35

To Fund No. 24 ----- 141.00

To Fund No. 26 ----- 2400.00

DEPARTMENT: Board of Works—Public Buildings

To Fund No. 72 ----- 199.60

DEPARTMENT: City Civil Engineers Office

To Fund No. 21 ----- 2.40

To Fund No. 25 ----- 1.40

To Fund No. 36 ----- 2.50

DEPARTMENT: Street Commissioner

To Fund No. 25 ----- 309.50

To Fund No. 38 -----	17.45
To Fund No. 45 -----	1.65

DEPARTMENT: Municipal Garage

To Fund No. 25 -----	3.25
To Fund No. 32 -----	3.09
To Fund No. 45 -----	47.18

DEPARTMENT: Market

To Fund No. 38 -----	8.85
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DEPARTMENT: Dog Pound

To Fund No. 45 -----	1.65
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DEPARTMENT: Gamewell

To Fund No. 44 -----	1489.11
To Fund No. 45 -----	21.75
To Fund No. 38 -----	8.64

DEPARTMENT: Fire

To Fund No. 21 -----	2.45
To Fund No. 25 -----	5.50
To Fund No. 32 -----	1076.66
To Fund No. 33 -----	36.95
To Fund No. 34 -----	20.00
To Fund No. 41 -----	.94
To Fund No. 45 -----	35.05
To Fund No. 72 -----	57.07

DEPARTMENT: Police

To Fund No. 21 -----	4.96
To Fund No. 25 -----	98.15
To Fund No. 26 -----	28.50
To Fund No. 32 -----	45.50
To Fund No. 33 -----	2.64
To Fund No. 34 -----	14.79
To Fund No. 38 -----	23.50

DEPARTMENT: City Plan

To Fund No. 21 -----	4.40
To Fund No. 24 -----	68.00

To Fund No. 26 -----	7.00
To Fund No. 33 -----	22.66
To Fund No. 36 -----	1.50
To Fund No. 72 -----	1.75

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 GENERAL AND SPECIAL ORDINANCES

By City Engineer :

SPECIAL ORDINANCE 1, 1928

AN ORDINANCE, annexing certain territory to the City of Indianapolis, 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, Marion County, Indiana.

Section 2. Beginning at a point in the present corporation line at the intersection of the center lines of Arlington Avenue and East 10th Street; thence east along and with the center line of E. 10th Street to the center line of Edmonson Avenue; thence south along the center line of Edmonson Avenue to the north right-of-way line of the Pennsylvania R. R.; thence west along and with the north right-of-way line of the Pennsylvania R. R. to its intersection with the present corporation line; thence north, east, north, west and north along and with the present corporation line to the place or point of beginning.

Section 3. 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 Welfare.

By Board of Health:

GENERAL ORDINANCE 18, 1928

AN ORDINANCE, to amend Section 2, of General Ordinance No. 93, 1927; an ordinance to regulate the production, labeling, capping, handling, serving in restaurants and food dispensaries, distribution, time of delivery, and sale of milk, cream and certain milk products; prohibiting traffic in milk bottles and the handling and dipping of milk and sale of adulterated, unwholesome, and misbranded milk or cream and such milk products; requiring the pasteurization of all milk sold, excepting certified milk; providing for issuance, granting and revocation of licences of any person, persons, firm, corporation, producer or association, engaged in the dealing or distribution of milk, within the City of Indianapolis, Indiana, and providing for a penalty for violation thereof; repealing all ordinances or parts of ordinances in conflict herewith 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 Section 2, of the above entitled ordinance is hereby amended to read as follows:

Section 2. Every person, firm, corporation or association who shall bring into the City of Indianapolis, for sale who shall within said City expose for sale, dispose of, exchange or deliver or with the intent to do as aforesaid, have in his or their possession, care, custody or control within said City, milk, skimmed milk, cream, buttermilk or milk processed by fermentation or other process, shall first make application to do so in the office of the Board of Health and Charities; after any such application is made as herein provided and such application has been approved by said Board, said Board of Health and Charities shall deliver a receipt showing the date of filing said application and the date of approval stated thereon; said applicant shall then apply to the Controller of said City for license, and upon the production of the receipt issued by the Board of Health as aforesaid; for which the following fees shall be charged, to-wit:

All distributors of milk or milk products, operating within the City of Indianapolis, the sum of five (\$5) dollars per year for each wagon, up to and including the first five wagons and for each additional wagon, over and above the first five wagons, the sum of two (\$2) dollars for each wagon per year.

All funds derived from the issuance of licenses under and by virtue of this ordinance shall be deposited and credited to the general fund of the Board of Health and Charities of the City of Indianapolis. Said Board of Health shall keep a record of all applications filed and the date of filing, approval or disapproval by said Board.

All licenses shall be dated on date of issuance and all annual licenses shall be dated on the first day of January, and all licenses expire on December 31, following date of issuance. All licenses issued after July first of any year, the fee to be charged shall be one-half of the annual fees as herein provided, and no license shall be issued for any greater period than one year.

Any person making such application shall file a sworn statement on a printed form provided by the Board of Health for the purpose, stating:

(1) The name, residence and location of place or places of business or applicant.

(2) If the applicant be a firm, the name of each member of the firm and location of the place or places of the business.

(3) If the applicant be a corporation or association, the name of the president, secretary, manager or superintendent thereof.

(4) The name of the person in charge of each business place of applicant.

(5) The precise nature of the business to be carried on by the applicant.

Licenses, to sell milk or milk products granted on the approval of the Board of Health are issued subject to the following conditions:

(1) The Board of Health and Charities may in its discretion refuse to issue or approve an application of any one who or which shall have been repeatedly convicted of violating the ordinances of the City of Indianapolis or the laws of the State of Indiana, as they relate to the inspection and regulation of dairies and milk plants and the inspection and sale of milk and milk products or for any other reason in the interest of the health of the inhabitants of the City, it would be inadvisable to approve the application of such applicant.

(2) Licenses may be revoked on order of the Board of Health and Charities for the same reason it may refuse to approve an application.

(3) Licenses are not transferable. A license is issued to a particular person, firm, corporation or association and no other person, firm, corporation or association is authorized and empowered to sell milk or milk products under and by virtue of its terms.

(4) Willful or continuous violation of the provisions of this ordinance may result in the permanent revocation of the license.

(5) Such license shall show the date when issued and shall be posted in a conspicuous place in the office or other appropriate place on the premises of the person, firm, corporation or association to whom it is issued.

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

By City Plan Commission:

GENERAL ORDINANCE 19, 1928

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 A3 or 2400 square foot area district, and the H1 or 50 foot height district as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented and changed so as to include the following described territory:

Beginning on the north property line of E. 10th Street at its

intersection with the west property line of Bosart Avenue; thence north with the west property line of Bosart Avenue; to the south property line of the first alley, north of 10th Street; thence west with the south property line of said alley to the east property line of Drexel Avenue; thence south with the east property line of Drexel Avenue to the north property line of the first alley south of 10th Street; thence east with the said north property line of said alley to the west property line of Bosart Avenue; thence north with the west property line of Bosart Avenue to the point or place of beginning.

Section 2. This ordinance shall go into immediate effect upon its passage and publication according to law.

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

By City Comptroller:

GENERAL ORDINANCE 20, 1928

AN ORDINANCE APPROPRIATING MONEY OUT OF THE
GASOLINE TAX FUND FOR THE MAINTENANCE
AND REPAIR OF STREETS AND BRIDGES

AN ORDINANCE, appropriating and transferring to the City Civil Engineer Gasoline Tax Fund, the sum of Fifty Thousand Dollars (\$50,000.00) out of the Gasoline Tax Fund now unappropriated in the City Controller's Office, for the maintenance and repair of streets and bridges within the corporate limits of 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 sum of Fifty Thousand Dollars (\$50,000.00) of the Gasoline Tax Fund, which sum is now unappropriated, be and the same is hereby appropriated and transferred to the City Civil Engineer Gasoline Tax Fund, for the maintenance and repair of streets and bridges within the corporate limits of the City of Indianapolis, Indiana.

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 Board of Safety:

GENERAL ORDINANCE 21, 1928

AN ORDINANCE, amending Section 762 of General Ordinance 121, 1925, "An ordinance concerning the government of the City of Indianapolis, providing penalties for its violation, and with stated exceptions repealing all former ordinances," 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 section 762 of General Ordinance No. 121, 1925, of the City of Indianapolis be and the same is hereby amended to read as follows:

Section 752. Parking Angle. Parking shall be at an angle of forty-five (45) degrees to the curb in Monument Circle, in Washington Street from Southeastern Avenue to White River, in Ohio Street from Pennsylvania Street to East Street, in Kentucky Avenue between Washington and Georgia Streets, in Indiana Avenue from Illinois Street to Capitol Avenue, on the south side of Georgia Street between Illinois and McCray Streets, in Market Street between Delaware and Alabama Streets.

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 Safety.

GENERAL ORDINANCE 22, 1928

AN ORDINANCE, prohibiting the driving of vehicles over, upon and across sidewalks in the City of Indianapolis, providing a penalty for violation thereof and establishing the time for taking effect thereof and publication.

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

Section 1. It shall be unlawful for the owner or operator of

any vehicle, either passenger or commercial, to drive or permit the same to be driven over, upon and across any sidewalk or curb in the City of Indianapolis, provided, however, that at places where the curb is now cut and the driveway is now established and at places where curbs and driveways may be cut and established in the future according to law, this ordinance shall not apply; and provided further that this ordinance shall not apply to temporary driveways constructed for use in connection with the removal or construction of buildings and excavating for the same as may be permitted according to law.

Section 2. Any person found guilty of violating this ordinance shall be fined in any sum not to exceed Twenty Five Dollars (\$25.00), to which may be added one day in the Marion county jail.

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

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

By Board of Works:

GENERAL ORDINANCE 23, 1928

AN ORDINANCE, authorizing the improvement of Washington Street in the City of Indianapolis from the east curb line of Wallace Street to the east curb line of Audubon Road, pursuant of Street and Alley Resolution No. 13729 of the Board of Works of the City of Indianapolis.

WHEREAS, the Board of Works of the City of Indianapolis on February 20, 1928, adopted Resolution No. 13729, providing for the improvement of a portion of Washington Street from the east curb line of Wallace Street to the east curb line of Audubon Road by removing the present combined curb and gutter and widening the roadway in the manner provided, all being done pursuant to plans and specifications of the City Engineer of the City of Indianapolis, said plans and specifications being part of a resolution adopted by the Board of Works; and

WHEREAS, the said Board of Public Works in said Resolution No. 13729 provided further that the property liable for assessment for the said improvement shall be the abutting property and all that property lying within one hundred fifty (150) feet of the street improved, noting intersections therein, said resolution and improvement being passed and authorized pursuant to Section 10440 of Burns R. S. 1926, State of Indiana; and

WHEREAS, public notice of the hearing to be conducted on said resolution by the said Board of Public Works was duly published according to law and said resolution was confirmed by the said Board of Public Works; and

WHEREAS, on March 12, 1928, and ten (10) days after the date named in said published notice for hearing upon said Preliminary Resolution No. 13729, a majority in number of the resident freeholders on said street proposed to be improved in said Resolution No. 13729 remonstrated in writing against said improvement; and

WHEREAS, according to law, before said improvement can be made by said Board of Public Works after remonstrances have been made on said resolution above referred to, it is necessary and required by Section 104440, Burns R. S., 1926, that the Common Council of the City of Indianapolis pass an ordinance within sixty (60) days after the filing of said remonstrances, by a two-thirds (2-3) vote of the Common Council authorizing the improvement pursuant to the resolution be proceeded with and made, said ordinance to be approved by the Mayor of the City of Indianapolis; now therefore

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

Section 1. That the improvement of the portion of Washington Street from the east curb line of Wallace Street to the east curb line of Auburn Road in the City of Indianapolis be made and completed pursuant to Resolution No. 13729 of the Board of Public Works of the City of Indianapolis and that said improvement is of public utility, general benefit and convenience, and that said improvement, pursuant to said resolution be made and completed in all its details under and pursuant to the law of the State of Indiana governing street improvements of the nature contained in said Resolution No. 13729.

Section 2. This ordinance shall take effect immediately from and after its passage and approval by the Mayor and publication according to law.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Raub made a motion that the resignations of

Boynton J. Moore and Walter R. Dorsett as members of the Common Council be received and accepted. The motion was seconded by Mr. Springsteen, and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Ferguson, Mr. Negley, Mr. Raub, Mr. Springsteen, Dr. Todd, Pres. Bartholomew.

President Bartholomew announced that there would be a Special Meeting of the Council at 12 o'clock noon on Thursday, April 5, for the purpose of filling the vacancies created by the resignations of Messrs. Moore and Dorsett. He instructed the Clerk to issue the proper notices and summons.

ORDINANCES ON SECOND READING

Mr. Raub called for General Ordinance 17, 1928, for second reading. It was read a second time.

Mr. Raub presented the following written motion to amend General Ordinance 17, 1928:

Indianapolis, Ind., April 2, 1928.

Mr. President:

I move that general Ordinance No. 17, 1928, be amended so that the date, May 15, 1928, be changed in every place, to June 1, 1928, as affecting the date of the said bonds.

E. B. RAUB,
Councilman.

The motion was seconded by Dr. Todd, and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Ferguson, Mr. Negley, Mr. Raub, Mr. Springsteen, Dr. Todd, President Bartholomew.

On motion of Mr. Raub, seconded by Mr. Negley, General Ordinance 17, 1928, as amended was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 17, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Ferguson, Mr. Negley, Mr. Raub, Mr. Springsteen, Dr. Todd, President Bartholomew.

Mr. Springsteen called for General Ordinance 14, 1928, for second reading. It was read a second time.

Mr. Raub presented the following written motion to amend General Ordinance 14, 1928:

Indianapolis, Ind., April 2, 1928.

Mr. President:

I move that General Ordinance No. 14, 1928, be amended to read as follows:

GENERAL ORDINANCE NO. 14, 1928

AN ORDINANCE APPROPRIATING MONEY OUT OF THE GASOLINE TAX FUND FOR THE MAINTENANCE AND REPAIR OF STREETS AND BRIDGES

AN ORDINANCE, appropriating and transferring to the City Civil Engineer Gasoline Tax Fund, the sum of Fifty Thousand Dollars (\$50,000.00) out of the Gasoline Tax Fund now unappropriated in the City Controller's Office, for maintenance and repair of streets and bridges within the corporate limits of 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 sum of Fifty Thousand Dollars (\$50,000.-00) of the Gasoline Tax Fund, which sum is now unappropriated, be and the same is hereby appropriated and transferred to the City Civil Engineer Gasoline Tax Fund, for the maintenance and repair of streets and bridges within the corporate limits of the City of Indianapolis, Indiana.

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

E. B. RAUB.

Councilman.

The motion was seconded by Dr. Todd, and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Ferguson, Mr. Negley, Mr. Raub, Mr. Springsteen, Dr. Todd, President Bartholomew.

On motion of Mr. Raub, seconded by Dr. Todd, General Ordinance 14, 1928, as amended, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 14, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Ferguson, Mr. Negley, Mr. Raub, Mr. Springsteen, Dr. Todd, President Bartholomew.

Mr. Raub made the following motion: "Inasmuch as we have amended General Ordinance 14 to conform to the exact wording of General Ordinance 20, I move that General Ordinance 20 be stricken from the files." The motion was seconded by Dr. Todd, and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Ferguson, Mr. Negley, Mr. Raub, Mr. Springsteen, Dr. Todd, President Bartholomew.

On motion of Mr. Raub, seconded by Dr. Todd, the Common Council adjourned at 8:32 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 2nd day of April, 1928, at 7:30 P. M.

April 2, 1928]

CITY OF INDIANAPOLIS, IND.

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

Otis E. Bartholomew.

Attest:

President

William A. Boyce, Jr.

City Clerk

(SEAL)