

SPECIAL MEETING

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

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, April 30, 1928, at 8:15 p. m., following a public hearing by the Welfare Committee on General Ordinance 24, 1928, with President Edward B. Raub in the chair, pursuant to the following call:

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

Gentlemen—You are hereby notified that there will be a Special Meeting of the Common Council held in the Council Chamber on Monday, April 30, at 7:30 p. m., the purpose of such Special Meeting being to consider for second reading and passage the following: General Ordinance 16, Street Signs; General Ordinance 18, Repeal Milk License Fee; General Ordinance 19, Rezone East Tenth St.; General Ordinance 22, Driving Over Sidewalks; General Ordinance 23, Widening East Washington St.; General Ordinance 24, Daylight Saving Time; General Ordinance 25, \$10,000 Loan; General Ordinance 26, Flat Parking on Virginia Ave.; General Ordinance 27, \$50,000 Gas Tax Fund; Resolution 4, Retention of Hutsell; Appropriation Ordinance 2, 1927, Unpaid Bills.

To consider in public hearing General Ordinance 24, Daylight Saving Time.

To receive any communications from the Mayor or from city officials, and to receive any ordinances from city departments.

Respectfully,

EDWARD B. RAUB,

President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such Special Meeting, pursuant to the rules.

In witness whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

WM. A. BOYCE, JR.,

City Clerk.

By Margaret Inman, Deputy.

Which was read.

The Clerk called the roll:

Present: Hon. Edward B. Raub, President, and seven members, viz: Earl Buchanan, Edward W. Harris, Herman P. Lieber, Albert F. Meurer, Meredith Nicholson, Robert Springsteen, John F. White.

Absent: Paul E. Rathert.

On motion of Mr. Springsteen, seconded by Mr. White, the reading of the minutes of the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

April 19, 1928

Mr. President and Gentlemen of the Common Council of the City of Indianapolis:

Gentlemen—I have this day approved with my signature and delivered to William A. Boyce Jr., City Clerk, General Ordinance Nos. 11 and 12, 1928, entitled, respectively:

“AN ORDINANCE providing for and authorizing the City Controller for and on behalf of the City of Indianapolis to borrow the sum of fourteen thousand (\$14,000) dollars, payable from the general revenues and funds of said city or from the sinking fund of said city or as may be required by law, for the purpose of procuring money to be used in reconstructing and repairing the Thirtieth Street bridge over Fall Creek in said city, and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for

the same, together with the mode and terms of sale, and fixing the time when this ordinance shall take effect."

"AN ORDINANCE transferring and reappropriating certain funds under the Department of Public Safety and declaring a time when same shall take effect."

Very Truly Yours,
L. ERT. SLACK,
Mayor.

April 23, 1928

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

Dear Mr. Boyce—Acknowledging your communication of the 19th instant complying with the request of the Common Council of the city that you extend their appreciation and state their acceptance of the invitation to attend official cabinet meetings, also inviting me to attend the next regular meeting of the Common Council to be held on Monday, May 7, 7:30 p. m., I wish to state that the expressions of the Common Council are deeply appreciated and it will be a pleasure to appear before the Council on the date of their next regular meeting pursuant to their kind invitation.

Very Truly Yours,
L. ERT. SLACK,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

April 27, 1928.

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

Dear Sir—Attached hereto find eleven (11) copies of a switch contract for the Evans Milling Company to lay and maintain one additional railroad switch across W. St. Clair St., connecting with the track of the Indianapolis Belt Railroad and Stockyards Company, now operated by the Indianapolis Union Railway Company, approved by the Board of Public Works, April 25, 1928.

The Board of Public Works desires that you present this switch contract to the Common Council for their consideration and action.

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

April 25, 1928.

To the Board of Public Works:

Gentlemen—With return of attached petition of Evans Milling Company for permission to lay and maintain an additional railroad switch across W. St. Clair St., as shown on blue print, would recommend that said petition be granted, approved and sent to Council for ratification.

Yours very truly,

A. H. MOORE,

City Civil Engineer.

Approved:

O. S. HACK, Pres.,

JOHN C. McCLOSKEY,

CHAS. L. RIDDLE,

Board of Public Works.

Mr. Ed Raub, c-o Indianapolis Life Insurance Co., Thirtieth and Meridian Streets, Indianapolis, Indiana:

Dear Mr. Raub—It occurred to me that perhaps the City Council would be assisted in its work with a little general resume of some of the laws pertaining to the powers of the Council and what the Board of Public Works, and perhaps the Board of Public Safety, will ask them to do.

You understand this is a very incomplete, and just a general statement, but there may be some members of the Council who will read it, and if they want further additional information, I will be glad to go into the matters in detail with them.

I find the matter of the city government is a very involved affair and I want to be of as much assistance as possible to the new members of the Council.

Respectfully yours,

SUNTEY U. CHAMBERS,

Assistant City Attorney.

OTHER COMMUNICATIONS

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

Gentlemen—We, the undersigned property owners residing in the immediate vicinity of Roosevelt Ave. and Caroline St., hereby remonstrate against the use of one of the business storerooms on Roosevelt Ave., near Caroline St., for a garage.

As property owners, we have had no opportunity to remonstrate against this fire hazard coming into our neighborhood and we understand also that the use of this building for garage purposes is contrary to a verbal agreement between Mr. W. E. Winter, 2202 Roosevelt Ave., and Mr. Cottrell, representing the owners of the business block.

We therefore petition your honorable body to investigate this condition and grant us the remedy of removing this garage from a residence neighborhood.

E. V. DILLINGER, 2220 Roosevelt Ave.

HENRY BOHLSON, 1930 Caroline St.

MARSHALL HAMILTON, 2044 Roosevelt Ave.

ANNA E. CORE, 2207 Fernway St.

EMMA C. CALKINS, 2206 Roosevelt Ave.

MARTHA N. McKAY, 2119-21, 2201 to 2207 Roosevelt Ave.

WILLIAM E. WINTER, 2202 Roosevelt Ave.

REPORTS FROM STANDING COMMITTEES

April 26, 1928.

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

Gentlemen—We, your committee on Public Safety, to whom was referred General Ordinance No. 16, 1928, entitled Street Sign Regulation, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

ROBERT E. SPRINGSTEEN, Chairman

JOHN F. WHITE

EARL BUCHANAN

E. W. HARRIS

April 26, 1928.

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

Gentlemen—We, your committee on Public Health, to whom was referred General Ordinance No. 18, 1928, entitled Repealing 50c License Fee, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOHN F. WHITE, Chairman

E. W. HARRIS

ROBT. E. SPRINGSTEEN

EARL BUCHANAN

April 26, 1928.

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

Gentlemen—We, your committee on Finance, to whom was referred General Ordinance No. 27, 1928, entitled Appropriation \$59,000 From Gas Fund, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman

ROBT. E. SPRINGSTEEN

ALBERT F. MEURER

HERMAN P. LIEBER

JOHN F. WHITE

April 26, 1928.

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

Gentlemen—We, your committee on Finance, to whom was referred Appropriation Ordinance No. 2, 1928, entitled Appropriation \$6,332.22, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. HARRIS, Chairman

ROBT. E. SPRINGSTEEN

ALBERT F. MEURER

JOHN F. WHITE

HERMAN P. LIEBER

April 26, 1928.

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

Gentlemen—We, your committee on Public Safety, to whom was referred General Ordinance No. 22, 1928, entitled Driving Over Sidewalks, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROBT. E. SPRINGSTEEN, Chairman
E. W. HARRIS
JOHN F. WHITE
EARL BUCHANAN

April 26, 1928.

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

Gentlemen—We, your committee on Public Safety, to whom was referred General Ordinance No. 23, 1928, entitled Angle Parking, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended.

ROBT. E. SPRINGSTEEN, Chairman
JOHN F. WHITE
E. W. HARRIS
EARL BUCHANAN

April 26, 1928.

To the Honorable 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. 23, 1928, entitled Widening of E. Washington St., beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ALBERT F. MEURER, Chairman
EARL BUCHANAN
HERMAN P. LIEBER
ROBT. E. SPRINGSTEEN

President Raub announced that he had re-referred the charges filed by Mr. Charles Koehring to the Committee on Law and Judiciary.

President Raub announced the following appointment: Athletic Commission—Mr. Springsteen, Chairman; Mr. Rathert, Mr. Meurer, Mr. Lieber, Mr. Harris, Mr. Nicholson, Mr. White.

SWITCH CONTRACT

GENERAL ORDINANCE NO. 28, 1928

AN ORDINANCE approving a certain contract granting Evans Milling Company, a corporation, the right to lay and maintain a sidetrack or switch from across W. St. Clair St., according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 16th day of April, 1928, Evans Milling Company, a corporation, filed their petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION

To the Board of Public Works:

April 16, 1928.

Gentlemen—We hereby request the privilege of laying one additional railroad switch, across W. St. Clair St., connecting our track with that of the Indianapolis Belt Railroad and Stockyards Company, now operated by the Indianapolis Union Railway Company, as per blue print herewith.

We are making some additions to our plant which will require more switching than at present and, if permitted to make this connection, it will very greatly relieve the switching which otherwise would have to be done across W. Michigan St.

Yours very truly,

EVANS MILLING COMPANY,

EDW. D. EVANS, President.

NOW, THEREFORE, This agreement made and entered into this 23rd day of April, 1928, by and between Evans Milling Company, a corporation, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from its north property line crossing W. St. Clair St. and connecting with the tracks of the Indianapolis Belt Railroad and Stockyards Company, now operated by the Indianapolis Union Railway Company, in the City of Indianapolis, which is more specifically described as follows:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossing where said track intersects, W. St. Clair Street shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for

damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending any such claims.

(7) Any violation of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board as hereinbefore set forth.

Said party of the second part, by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across W. St. Clair Street, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

In witness whereof, we have hereunto set our hands, this 23rd day of April, 1928.

EVANS MILLING COMPANY,

EDW. D. EVANS, President.
E. CLIFFORD BARRETT, Secretary.
Party of the First Part.

CITY OF INDIANAPOLIS

O. S. HACK, President
JOHN C. McCLOSKEY
CHAS. L. RIDDLE
Board of Public Works,
Party of the Second Part.

AND, WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth be, and the same is hereby in all things confirmed and approved.

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

ORDINANCES ON SECOND READING

Mr. Springsteen called for General Ordinance 16, 1928, for second reading. It was read a second time.

Mr. Springsteen moved that General Ordinance 16, 1928, be stricken from the files. The motion was seconded by Mr. Meurer and adopted by unanimous vote.

Mr. White called for General Ordinance 18, 1928, for second reading. It was read a second time.

On motion of Mr. Springsteen, seconded by Mr. White, General Ordinance 18, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 18, 1928, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Springsteen, Mr. White, President Raub.

Mr. Harris called for General Ordinance 27, 1928, for second reading. It was read a second time.

On motion of Mr. Harris, seconded by Mr. White, General Ordinance 27, 1928, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 27, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Springsteen, Mr. White, President Raub.

Mr. Harris called for Appropriation Ordinance 2, 1928, for second reading. It was read a second time.

On motion of Mr. Springsteen, seconded by Mr. White, Appropriation Ordinance 2, 1928, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance 2, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Springsteen, Mr. White, President Raub.

At this point Mayor L. Ert. Slack entered the Council Chamber, and upon invitation of President Raub, addressed the Council.

Mr. White called for General Ordinance 22, 1928, for second reading. It was read a second time.

On motion of Mr. White, seconded by Mr. Harris, General Ordinance 22, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 22, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Springsteen, Mr. White, President Raub.

Mr. Springsteen called for General Ordinance 26, 1928, for second reading. It was read a second time.

Mr. Springsteen presented the following written motion to amend General Ordinance 26, 1928:

MOTION BLANK

April 30, 1928.

Mr. President:

I move that General Ordinance No. 26, 1928, be amended to read as follows:

ROBT. E. SPRINGSTEEN, Councilman.

GENERAL ORDINANCE NO. 26, 1928

AN ORDINANCE, amending General Ordinance No. 17, 1927, "An Ordinance to regulate traffic in streets, alleys and public places in the City of Indianapolis, defining violations thereof and repealing all ordinances in conflict therewith, declaring a penalty and designating a time when same shall take effect," by changing the parking angle on Virginia Avenue, between Washington Street and Maryland Street, and at Indiana Avenue from

Illinois Street to Capitol Avenue and at Kentucky Avenue from Washington Street to Maryland Street, making flat to the curb parking thereon; and changing the angle parking in Washington Street, between Senate Avenue on the west and New Jersey Street on the east, by increasing the same to White River on the west and Southeastern Avenue on the east; and changing the parking angle in Ohio Street, between Pennsylvania Street on the west and New Jersey Street on the east, to between Delaware Street on the west and East Street on the east.

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

Section 1. That Section 4, Sub-section B, of General Ordinance No. 17, 1927, of the City of Indianapolis, be and the same is hereby amended to read as follows:

Section 4, Sub-section B. Parking at an angle. The parking of vehicles shall be at an angle of forty-five (45) degrees to the curb thereof on the following streets and avenues: In Monument Circle, in Washington Street, between White river on the west and Southeastern Avenue on the east; in Ohio Street, between Delaware Street on the south side of Georgia Street, between Illinois Street and McCrea Street, in Market Street between Alabama Street and Delaware Street.

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

Ayes, 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Springsteen, Mr. White, President Raub.

On motion of Mr. Springsteen, seconded by Mr. White, General Ordinance 26, 1928, as amended, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 26, 1928, was read a third time by the Clerk as amended, and passed by the following roll-call vote:

Ayes, 8, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber,

Mr. Meurer, Mr. Nicholson, Mr. Springsteen, Mr. White, President Raub.

On Motion of Mr. Springsteen, seconded by Mr. White, the Common Council recessed at 9:00 o'clock p. m., for ten minutes.

The Council reconvened from its recess at 9:40 p. m., with the same members present as before.

Mr. Meurer made a motion that the Council defer consideration of General Ordinance 23, 1928, until the second regular meeting in May. The motion was seconded by Mr. Springsteen, and passed by unanimous vote.

Mr. White moved that the digest of laws referring to Councilmanic duties be referred to the Committee on Rules, and that an estimate be secured of the cost of printing same in the Council Proceedings. The motion was seconded by Mr. Springsteen and adopted by consent.

Mr. Buchanan called for General Ordinance 24, 1928, for second reading. It was read a second time.

President Raub announced that the Council would refer back in order of business to Reports from Standing Committees.

REPORTS FROM STANDING COMMITTEES

April 30, 1928.

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

Gentlemen—We, your committee on Public Welfare, to whom was referred General Ordinance No. 24, 1928, entitled Daylight

Saving, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

E. W. BUCHANAN, Chairman

E. W. HARRIS

MEREDITH NICHOLSON

ALBERT F. MEURER

April 30, 1928.

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

Gentlemen—We, your committee on Public Welfare, to whom was referred General Ordinance No. 24, 1928, entitled Daylight Saving, beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

HERMAN P. LIEBER

On motion of Mr. Buchanan, seconded by Mr. Springsteen, General Ordinance 24, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 24, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 6, viz: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Springsteen, President Raub.

Noes, 2, viz: Mr. Lieber, Mr. White.

Before the vote was announced, Mr. Lieber announced that he would change his vote from "No" to "aye," and filed the following notice :

MOTION BLANK

April 30, 1928.

Mr. President:

I give notice to ask reconsideration at the next regular meeting of the Council of my vote on General Ordinance 24, 1928.

HERMAN P. LIEBER

On motion of Mr. Springsteen, seconded by Mr. White, the Common Council of the City of Indianapolis adjourned at 9:57 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 30th day of April, 1928, at 7:30 p. m.

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

Edward B. Rauh,

President.

William A. Boyce.

(SEAL)

City Clerk