

JOURNAL OF PROCEEDINGS

OF THE

Common Council

OF THE

CITY OF INDIANAPOLIS

In Marion County, in the State of Indiana

REGULAR MEETING

Monday, February 18, 1929, 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, February 18, 1929, at 7:30 p. m., Vice-President Robert E. Springsteen in the chair.

The Clerk called the roll:

Present: Robert E. Springsteen, Vice-President, and six members, viz.: Earl Buchanan, Edward W. Harris, Albert F. Meurer, Meredith Nicholson, Paul E. Rathert, John F. White.

Absent: Herman P. Lieber, Edward B. Raub.

On motion of Mr. Meurer, seconded by Mr. Harris, the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

February 7, 1929.

Mr. President and Members 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, the following ordinance:

GENERAL ORDINANCE NO. 5, 1929

AN ORDINANCE, to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,

L. ERT SLACK,

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

February 18, 1929.

*Mr. Wm. A. Boyce, Jr.,
City Clerk,
City of Indianapolis.*

Dear Sir:

I am enclosing herewith copies of a proposed Ordinance authorizing the sale of certain personal property, which property has heretofore been appraised by appraisers appointed by the Judge of the Marion Circuit Court, and request that you present the same to the Common

February 8, 1929)

City of Indianapolis, Ind.

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Council at their next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,

Secretary, Board of Public Works.

February 18, 1929.

*Mr. Wm. A. Boyce, Jr.,
City Clerk,
City of Indianapolis.*

Dear Sir:

I am enclosing herewith copies of proposed Ordinance authorizing the Street Commissioner to purchase certain equipment, which I desire you to present to the Common Council at their next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,

Secretary, Board of Public Works.

February 14, 1929.

*Mr. Robert E. Springsteen, Chairman Safety Committee,
City Council,
City of Indianapolis.*

Dear Sir:

Please note attached communication from Lester E. Jones, Captain of Traffic, re number of bus stops which are in violation of the Traffic Ordinance.

We respectfully recommend that the Traffic Ordinance be amended so that such bus stops will comply with same. This is based upon

the Traffic Department's recommendation of bus stops which are operating from the safety standpoint.

Yours very truly,

BOARD OF PUBLIC SAFETY,

By FRED W. CONNELL,

President.

January 28, 1929.

Claude M. Worley,
Chief of Police.

Dear Sir:

In regard to the recommendation of the Peoples Motor Coach Company, regarding bus stops which are in violation of the Traffic Ordinance, I recommend that the following safety zones be left as they are now, as they are better for traffic conditions from the safety standpoint:

Southeast corner of Belmont Ave. and Michigan St.
 Northeast corner of Bellevue and Michigan.
 Bellevue at the southwest corner of Sixteenth St.
 East Riverside Drive at the southeast of Thirtieth St.
 Bus zone at this point for three busses:
 Stop on Thirtieth St., both sides of Midway, between California and Northwestern Ave.
 Central Ave., northeast of Fairfield Ave.
 Sherman Drive, between 30th and 34th streets—two stops.
 School Street, between 30th and 34th—two stops.
 Station Street, between 30th and 28th Streets—one stop.
 Station Street, between 28th and 25th—one stop.
 Twenty-fifth Street at the northwest corner of Gale Street.
 Twenty-fifth Street at the southeast corner of Martindale Avenue.
 Delaware Street at 18th Street alley.
 Delaware Street at the northeast corner 28th Street.
 Delaware Street bridge at Fall Creek—both sides.
 Minnesota Street at the northwest corner of Minnesota Street at Madison Avenue.
 New York Street at the northwest corner of New York and Meridian.
 Sixty-first Street at the southeast corner of Central Avenue.
 Meridian Street at the northwest corner of Ohio Street.
 Market Street at the southeast corner of Alabama Street.
 Monument Circle at English Hotel.
 Monument Circle at Circle Theatre.
 Market Street on northwest corner of Delaware Street.
 On Delaware Street on the northeast corner of Ohio Street.

On Delaware Street on the northeast corner of Massachusetts Ave.
 On Meridian Street on the southwest corner of Maryland Street.
 On Meridian Street on the southwest corner of Georgia Street.
 On Meridian Street on the northeast corner of Washington Street.
 Thirtieth Street on the south side between Delaware Street and
 Washington Boulevard.

Respectfully submitted,

(Signed) LESTER E. JONES,

Captain of Traffic.

January 28, 1929.

Claude M. Worley,
Chief of Police.

Dear Sir:

In regard to the recommendation of the Sherman Emerson Civic League that the safety zone now located at the corner of East Tenth Street and Olney Avenue, at the southeast corner, be moved to the northeast corner, I recommend their wishes be granted.

Respectfully submitted,

(Signed) LESTER E. JONES,

Captain of Traffic.

A contemplated change.

February 18, 1929.

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

Gentlemen:

In accordance with the provisions of General Ordinance 96, 1928, I submit herewith the report of my office relative to the handling of traffic violation payments and receipts therefor.

Stubs received in January1633

Stickers paid:	
For January	414 first offenses.
Paid in January.....	2 second offenses.
	———— offenses—\$834.
	416
For January,	
Paid in February	5
	————
	421
	421
Exempted:	
In Office	5
1 Unloading	
1 Pushed	
1 Sick	
1 State Case	
1 No Evidence	
No Record	6
3 State House	
3 Officer	
Foreign	261
	————
	272
	272
To Court	9
To Prosecutor	931
	————
	1633

Very truly yours,
 WM. A. BOYCE, JR.,
 City Clerk.

REPORTS OF STANDING COMMITTEES

By Board of Safety:

*To the 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. 3, 1929, entitled Athletic Commission, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended.

R. E. SPRINGSTEEN, Chairman.
 PAUL E. RATHERT.
 E. W. HARRIS.
 JOHN F. WHITE.
 EARL BUCHANAN.

INTRODUCTION GENERAL AND SPECIAL ORDINANCES

GENERAL ORDINANCE 8, 1929

AN ORDINANCE approving the order of the Board of Public Safety of the City of Indianapolis designating safety zone and bus stop locations in the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis, Indiana, has adopted an order that in the following bus stops and safety zones a near-side stop would tend to cause danger, inconvenience and discomfort to passengers and would constitute a hindrance to traffic at the particular intersections therein; and

WHEREAS, the said Board of Public Safety in said order has designated the following bus stops and safety zones and, in conformance with Section 58 of the Traffic Code of 1928, being General Ordinance No. 96, 1928, submits the bus stop designations and safety zones for approval to the common Council;

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

Section 1. That the order of the Board of Public Safety of the City of Indianapolis, dated February 13, 1929, designating the following safety zone and bus stop locations in said city be in all things approved and ratified, viz.:

On southeast corner of Belmont St. at Michigan St.
 Northeast corner of Belleview and Michigan Sts.
 Belleview at the southwest corner of 16th St.
 East Riverside Drive at the southeast corner of 30th St. Bus zone at this point for three buses.
 On 30th St., both sides of Midway, between California and Northwestern Avenue.
 Central Ave. at northeast corner of Fairfield Ave.
 Sherman Drive, between 30th and 34th Sts. Two stops.
 School St., between 30th and 34th Sts. Two stops.
 Station St., between 30th and 28th Sts. One stop.
 Station St., between 28th and 25th Sts. One stop.
 Twenty-fifth St. at the northwest corner of Gale St.
 Twenty-fifth St. at the southeast corner of Martindale Ave.
 Delaware St. at 18th St. alley.

Delaware St. at the northeast corner of 28th St.
 Delaware St. bridge at Fall Creek, both sides.
 Minnesota St. at the northwest corner of Minnesota St. at Madison Ave.
 New York St. at the northwest corner of New York and Meridian Streets.
 Sixty-first St. at the southeast corner of Central Ave.
 Meridian St. at the northwest corner of Ohio St.
 Market St. at the southeast corner of Alabama St.
 On Monument Circle at English Hotel.
 On Monument Circle at Circle Theater.
 On Market St. at the northwest corner of Delaware St.
 On Delaware St. on the northeast corner of Ohio St.
 On Delaware St. on the northeast corner of Massachusetts Ave.
 On Meridian St. on the southwest corner of Maryland St.
 On Meridian St. on the southwest corner of Georgia St.
 On Meridian St. on the northeast corner of Washington St.
 Thirtieth St. on the south side between Delaware St. and Washington Boulevard.

Section 2. This Ordinance shall take effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the following Special Committee: Mr. Nicholson, Chairman; Mr. Meurer, Mr. Harris, Mr. White, Mr. Rathert.

By Mr. Springsteen:

GENERAL ORDINANCE 9, 1929

AN ORDINANCE amending Section 1 of Article 1, and sub-section (b) of section 45, and section 67, and section 69 of General Ordinance No. 96, 1928, being the general traffic ordinance of the City of Indianapolis, 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 section 1 of Article 1 of General Ordinance No. 96, 1928, be amended by adding thereto sub-section (v), as follows:

Sub-section (v). The word "person" wherever used in this ordinance and wherever the context requires shall be construed to include individuals, firms, associations, corporations and all legal representatives, heirs, successors and assigns thereof.

Section 2. That sub-section (b) of section 45 of General Ordinance No. 96, 1928, be amended by adding thereto the following: "except

in Louisiana street between McCrae and Meridian Streets traffic shall move in the east direction only."

Section 3. That section 76 of General Ordinance No. 96, 1928, be amended by striking out the last sentence thereof and substituting therefor the following: "And it is also made the duty of the City Clerk to furnish a report to the Board of Public Safety of the City of Indianapolis, showing the total amount of fees collected during the preceding month by him, which report shall also show the number of first, second, and subsequent violations."

Section 4. That section 69 of General Ordinance 96, 1928, be amended by amending the last sentence thereof as follows: "Any person violating any of the above provisions of this and the next preceding 68 sections of this ordinance for which no specific penalty is provided shall be deemed guilty of a misdemeanor and upon conviction in any court of competent jurisdiction shall be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 5. This ordinance shall take effect 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 following Special Committee: Mr. Nicholson, Chairman; Mr. Meurer, Mr. Harris, Mr. White, Mr. Rathert.

By Board of Works:

GENERAL ORDINANCE 10, 1929

AN ORDINANCE authorizing the purchase by the Street Commissioner or his duly authorized agent to purchase certain equipment and fixing a time when the same shall take effect.

WHEREAS, there is now in Equipment Fund No. 72 of the Street Commissioner's Department the sum of \$48,539.00, being all and the balance left of the Forty-Eight Thousand Five Hundred Thirty-Nine Dollars (\$48,539.00) appropriated to said fund by Appropriation Ordinance No. 4, 1928, and

WHEREAS, the Street Commissioner of the City of Indianapolis deems it necessary to purchase four (4) two-ton dump trucks, one (1) ten-ton roller and one (1) Street Flusher, and

WHEREAS, each of said items is estimated by the Street Commissioner to cost more than the sum of Two Thousand Dollars (\$2,000.00), THEREFORE

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

Section 1. That the Street Commissioner be and he is hereby authorized to purchase one (1) Street Flusher of the approximate cost of Six Thousand Dollars (\$6,000.00); one (1) ten ton roller of the approximate cost of Five Thousand Dollars (\$5,000.00) and four (4) two ton dump trucks of the approximate cost of Two Thousand Four Hundred Dollars (\$2,400.00) each. Said equipment to be bought only after competitive bids have been advertised therefor according to law.

Section 2. It is further ordered and directed that payment for said purchases shall be made out of the unexpended balance in Equipment Fund No. 72 in the Street Commission Department of the City of Indianapolis.

Section 3. This ordinance shall take effect from and after its passage.

Which was read a first time and referred to the Committee on Finance:

By Board of Works:

SPECIAL ORDINANCE 3, 1929

AN ORDINANCE, authorizing the sale of certain personal property of the City of Indianapolis by and through its Board of Public Works or its agent and declaring a time when the same shall take effect.

WHEREAS, it was resolved on the — day of —, by the Board of Public Works of the City of Indianapolis that the personal property listed below herein be sold for not less than the appraised value thereof, and

WHEREAS, the said Circuit Court of Marion County on petition appointed Lawrence Price, Frank Schofield and David Coulter appraisers to appraise the said personal property, and

WHEREAS, said appraisers duly qualified and acting as such did appraise the said personal property as of the value of Fifteen Hundred Dollars (\$1500.00), a copy of which appraisement and approval by the judge of Marion Circuit Court is filed herewith and marked "Exhibit A," NOW, THEREFORE,

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

Section 1. That the City of Indianapolis by and through its Board of Public Works or its duly authorized agent is hereby authorized

to sell said personal property hereinbefore set out in "Exhibit A" for cash at public or private sale for not less than its full appraised value. Such sale shall be upon such notice as said Board of Public Works or its duly authorized agent shall determine or may determine and said property shall be sold in one lot as a whole.

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

EXHIBIT A.

State of Indiana, County of Marion, ss.

In the Marion Circuit Court. To February Term, 1929.

In re: the Petition of the City of Indianapolis for the appointment of Appraisers for the purpose of sale of personal property.

No. 3088.

ENTRY.

Comes now the City of Indianapolis and files the report of appraisers, heretofore appointed by this court, in the words and figures as follows, to-wit:

(Same Caption) Come now Lawrence Price, Frank Schofield and David Coulter, appraisers appointed by the court and heretofore having duly qualified as such and make this their report of appraisalment:

DESCRIPTION.

30	Mules.
35	Pieces Wheel Rims.
8	Wagon tongs.
30	Pan double trees.
6	Pan stretchers.
32	Single trees.
8	Neck yokes.
38	Wagon spokes.
40	Wheel felios.
26	Sweeper spokes.
1	Stock for shoeing mules.
16	Curry combs.
3	Hoof knives.
2	Clippers and blades for clipping mules.
13	Bink collar pads.
14	Blinks for bridles.
27	Cup blinks.
75	Pounds horse shoe nails.
3	Set hames.
1	Hayrack.

	Tons scrap iron at city yards.
	Tons scrap iron at city barns.
1	Broom binding rack.
1	Lot of feed.
15½	Set of harnesses in use.
14	Set of harnesses in stock.
1	Set of harnesses in use for buggy.
31	Collars in use.
21	Collars in stock.
9	Collars (bad).
8	Collars (new).
	Some different parts for harnesses.
1	Farm wagon.
17	Wagons not in use.
1	Dray.
15	Wagons in use.
3	Street sweepers Nos. 1, 2, 3.
7	Sweeper brushes and bundle of fibre brushes.
18	Collar pads No. 20.
11	Collar pads No. 18.
1	Fly net.
2	Kegs of horse shoes 200 pds.
1	Forge.
1	Pile of junk.
1	Lot old tires.
1	Lot junk under Market House.
	Appraised value: \$1500.00.

LAWRENCE PRICE,
FRANK SCHOFIELD,
DAVID COULTER,

Appraisers.

And the court having read the report now approves the same and orders the same filed and made a part of the record of this petition.

HARRY O. CHAMBERLIN,

Judge.

February 11, 1929.

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

ORDINANCES ON SECOND READING

Mr. Rathert called for General Ordinance 3, 1929, for second reading. It was read a second time.

Mr. Rathert presented the following written motion to amend General Ordinance 3, 1929:

February 18, 1929.

Mr. President:

I move that General Ordinance No. 3, 1929, be amended to read as follows:

GENERAL ORDINANCE NO. 3, 1929

AN ORDINANCE creating an Athletic Commission, providing authority for the making of regulations in connection with boxing and wrestling contests, exhibitions, shows or entertainments, defining boxing and wrestling contests within the meaning of this ordinance, providing for permits, prescribing license and permit fees, providing a penalty for its violation, repealing all ordinances or parts of ordinances in conflict therewith, and fixing a time when the same shall take effect.

WHEREAS, it is necessary for the maintenance of peace and safety of the citizens of the City of Indianapolis that said City exercise its police powers by regulating and licensing all boxing or wrestling contests, exhibitions, shows or entertainments and in accordance with authority vested in the Common Council of said City by the State of Indiana; NOW, THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. It shall be unlawful to hold public boxing and wrestling contests, exhibitions, shows or entertainments in the City of Indianapolis, Indiana, unless the person, firm, corporation or organization holding such contest, exhibition, show or entertainment shall first comply with the provisions of this ordinance hereinafter set forth.

Section 2. There is hereby established and created an Athletic Commission of the City of Indianapolis, consisting of three (3) persons residing in said City, to be appointed by the Mayor and to serve at his pleasure, and the President of the Board of Public Safety of the City of Indianapolis shall be ex officio Chairman of said Commission; the three (3) members of said Commission appointed by the Mayor shall be persons not holding other offices or positions in the City's service. No member of the Athletic Commission shall receive any salary or recompense for his services as a member of said Commission. The Athletic Commission may employ such secretarial assistance as funds shall be provided for in appropriation ordinances therefor.

Section 3. It shall be the duty of such Commission to administer and enforce the provisions of this ordinance and to make and enforce

such reasonable rules and regulations as may be necessary and proper for the purpose of administering this ordinance and carrying into effect its objects.

Section 4. A boxing or wrestling contest within the meaning of this ordinance shall include only those where there is no competition for any prize or wager. The contests authorized in this ordinance must be for the earnest and good-faith exhibition of skill between professional contestants, must be free from sham or collusion, and must be conducted in a fair and sportsmanlike manner. No one shall participate in such public boxing or wrestling contest who is below the age of eighteen (18) years or who is not in a good state of health. Such contests shall be held only in buildings or structures which are well-heated and ventilated, and which are properly provided with fire exits and escapes.

Section 5. Permits for boxing or wrestling contests, exhibitions, shows or entertainments within the terms of this ordinance shall be granted by this Commission to any citizen of said City of good moral character who complies with the rules and regulations herein provided for. All applications for permits shall be made to said Athletic Commission. When granting a permit the Athletic Commission shall notify the City Controller, in writing, specifying to whom the permit is to be issued and setting forth the nature of the contest that is to be given.

Section 6. Grantees of permits for any boxing or wrestling contest, exhibition, show or entertainment shall pay to the City Controller of the City of Indianapolis, Indiana, a license fee of Fifty Dollars (\$50.00) for each such permit. All fees so collected by the City Controller shall be deposited in the general fund of the City.

Section 7. The Commission shall be empowered at all times to revoke any permit granted by it in any case of violation of the rules or regulations adopted or any violation of the provisions of this ordinance or any ordinance of the City of Indianapolis or of any law of the State of Indiana in connection with said contest.

Section 8. Any person, firm, corporation or organization violating any of the terms of this ordinance, on conviction by a court of competent authority, shall be fined in any sum not to exceed Three Hundred Dollars (\$300.00) for each violation.

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. The provisions of the next preceding nine sections of this ordinance shall not apply to amateur events sanctioned by the Amateur Athletic Union of the United States.

Section 11. This ordinance shall take effect from and after its passage, approval by the Mayor, and publication according to law.

The motion to amend was seconded by Mr. Harris, and passed by the following roll call vote: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, Vice-President Springsteen.

Mr. Meurer made a motion to delay action on General

Ordinance 3, 1929, together with the above amendment, until the next meeting of the Council. The motion was seconded by Mr. Harris, and adopted by unanimous vote.

Mr. White moved to strike Special Ordinance 1, 1929, from the files. The motion was seconded by Mr. Harris, and passed by the following roll-call vote:

Ayes, 7, viz: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, Vice-President Springsteen.

Mr. Harris moved to strike Appropriation Ordinance 1, 1929, from the files. The motion was seconded by Mr. White and passed by the following roll call vote:

Ayes, 7, viz: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, Vice-President Springsteen.

Mr. Meurer asked for suspension of the rules for consideration of Special Ordinance 3, 1929. The motion to suspend the rules was seconded by Mr. Buchanan, and passed by the following roll-call vote:

Ayes, 7, viz: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, Vice-President Springsteen.

Mr. Meurer called for Special Ordinance 3, 1929, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Rathert, Special Ordinance 3, 1929, was ordered engrossed, read a third time, and placed upon its passage.

Special Ordinance 3, 1929, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 7, viz: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, Vice-President Springsteen.

Mr. Nicholson announced that the Law and Judiciary Committee, to whom was referred General Ordinance 4, had had that ordinance under consideration, and felt that since suit was pending in the Hamilton Circuit Court to test the validity of the ordinance regulating cemeteries on boulevards, the Council should take no action towards repealing sections of that Ordinance at this time. The Committee made no formal report on the findings, but Mr. Nicholson moved to strike General Ordinance 4 from the files.

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

Ayes, 7, viz: Mr. Buchanan, Mr. Harris, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White, Vice-President Springsteen.

On motion of Mr. Meurer, seconded by Mr. Nicholson, the Council adjourned at 9:25 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, held Monday, February 18, 1929, 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.

Edward B. Raub,

Attest:

President.

William A. Boyce,

(SEAL)

City Clerk.