

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, March 6, 1905.

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, March 6, 1905, at 7:45 o'clock, in regular session, Vice-President W. A. Rhodes in the chair.

Present: The Hon. W. A. Rhodes, Vice-President of the Common Council, and 16 members, viz: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Murray, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright.

Absent, 4, viz: Messrs. Cooper, Linus, Moriarity, and President Billingsley.

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

COMMUNICATIONS FROM THE MAYOR.

INDIANAPOLIS, IND., February 25, 1905.

To the Honorable, the President and Members of the Common Council:
I herewith return with my signature and approval General Ordinance No. 85, 1904.

Respectfully,
JOHN W. HOLTZMAN,
Mayor.

Which was read.

REPORTS FROM CITY OFFICERS.

From the City Comptroller:

INDIANAPOLIS, IND., March 6, 1905.

To the President and Members of the Common Council:
Gentlemen: I inclose a request of the Board of Public Safety for

an appropriation of \$1,500 for improvements to aerial truck. I recommend the appropriation and inclose ordinance.

Respectfully,

J. P. DUNN,
City Comptroller.

INDIANAPOLIS, IND., March 6, 1905.

Mr. J. P. Dunn, City Comptroller:

Dear Sir: The Board of Public Safety respectfully requests you to recommend to the Common Council the appropriation of \$1,500.00 to defray the expense of supplying a quick raising device and improvements to aerial truck No. 1, which is now located at the Maryland street fire house.

Respectfully,

E. C. McLAUGHLIN,
Secretary.

Which was read.

From the City Comptroller:

INDIANAPOLIS, IND., February 27, 1905.

To the President and Members of the Common Council:

Gentlemen: In my opinion the condition of the city's finances will now permit the erection of an engine-house south of the Belt Railroad, which was promised two or three years ago, and which is conceded to be needed. It was originally proposed to locate it in the northwest corner of Garfield Park, to save the expense of purchasing land, and the Park Board consented to this, on condition that an ornamental house be erected, in keeping with the park surroundings. Plans were made for the building, which were acceptable, but it was found that such a building would cost from \$15,000 to \$18,000, and the project was dropped.

I have looked into the matter, and am satisfied that for \$15,000 ground can be acquired near this location, and a first-class building erected with capacity for engine and hose company and truck; and also equipped with hose wagon, which is all that is urgently needed at present. I therefore recommend an appropriation of \$15,000, and inclose ordinance for this purpose.

Respectfully,

J. P. DUNN,
City Comptroller.

Which was read.

REPORTS FROM STANDING COMMITTEES.

Mr. Crall of the Committee on Contracts and Franchises, stated that this committee could not agree on a report on General Ordinance No. 51, 1904, and thereupon returned the ordinance.

Mr. Krause moved that General Ordinance No. 51, 1904, be referred to some other committee. Carried.

The Chair referred General Ordinance No. 51, 1904, to Committee on Railroads.

Mr. Cooper entered the Council Chamber and took seat.

From the Finance Committee:

INDIANAPOLIS, IND., February 6, 1905.

To the President and Members of the Common Council:

Gentlemen: Your Finance Committee, to whom was referred Appropriation Ordinance No. 3, 1905, have had same under consideration and would respectfully recommend that the same do pass.

Respectfully submitted,

J. L. GASPER,
W. A. RHODES.
J. H. CRALL,
M. J. SHEA,
FRANK S. FISHBACK,
J. ED. KRAUSE,

Which was read.

Mr. Gasper moved that the report of the committee be concurred in. Carried.

From the Finance Committee:

INDIANAPOLIS, IND., February 6, 1905.

To the Honorable, the President and Members of the Common Council:

Gentlemen: Your Finance Committee, to whom was referred General Ordinance No. 5, 1905, have had same under consideration and would respectfully report as follows:

As the cleaning of the streets of the city, under the present method, is an experiment and having practically just been installed, we do not deem it best to recommend the increase in the salaries, as set forth in this ordinance, at this time. We therefore recommend that the ordinance do not pass.

Respectfully submitted,

J. L. GASPER,
W. A. RHODES,
J. H. CRALL,
FRANK S. FISHBACK,

Mr. Gasper moved that the report of the committee be concurred in. Carried.

From the Judiciary Committee:

INDIANAPOLIS, IND., March 6, 1905.

To the President and Members of the Common Council:

Gentlemen: Your Committee, to whom was referred General Ordinance

nance No. 7, 1905, have had same under consideration and would recommend that same do not pass.

Respectfully submitted,
ALBERT E. COTTEY,
J. ED. KRAUSE,
ANDREW H. WAHL,

Which was read.

Mr. Cottey moved that the report of the committee be adopted.
Carried.

From the Committee on Public Property and Improvements:

INDIANAPOLIS, IND., March 6, 1905.

To the President and Members of the Common Council:

Gentlemen: Your Committee on Public Property and Improvements have had under consideration General Ordinance No. 3, 1905, and recommend that same do pass.

Respectfully submitted,
CHAS. G. DAVIS,
JAS. F. SULLIVAN,
OTTO HOFMANN.

Which was read.

Mr. Davis moved that the report of the committee be accepted.
Carried.

From the Committee on Railroads:

INDIANAPOLIS, IND., March 6, 1905.

To the President and Members of the Common Council:

Your Committee on Railroads, to whom was referred General Ordinance No. 9, 1905, have had same under consideration and recommend that same do pass.

Respectfully,
FRED W. EPPERT,
OTTO HOFMANN,
JAMES B. MURRAY,
ALBERT E. COTTEY,
JOHN WOLSIFFER,

Which was read.

Mr. Eppert moved that the report of the committee be concurred in. Carried.

From Committee on Sewers, Streets and Alleys:

INDIANAPOLIS, IND., February 24, 1905.

To the President and Members of the Common Council:

Your Committee, to whom was referred General Ordinance No. 54,

1904, have had the same under consideration and would recommend that the ordinance do not pass.

Respectfully,

W. A. RHODES,
FRED W. EPPERT,
ALBERT E. UHL,
J. ED. KRAUSE,

Which was read.

Mr. Uhl moved that the report of the committee be adopted.
Carried.

Mr. Crall moved that the Council take a recess of 10 minutes.
Carried.

The Common Council reconvened at 8:12 P. M.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Comptroller:

Appropriation Ordinance No. 4—1905: An ordinance appropriating \$1,500 for improvement of aerial truck.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That there be and hereby is appropriated the sum of \$1,500, for the improvement of aerial truck No. 1, to the Department of Public Safety.

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

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

By the City Comptroller:

Appropriation Ordinance No. 5—1905: An ordinance appropriating \$15,000 for the purchase of land and erection and equipment of an engine house south of the Belt Railroad.

Section 1. Be it ordained that there be and is hereby appropriated to the Department of Public Works the sum of \$12,000 for the purchase of land and erection of an engine house, south of the Belt Railroad; and to the Department of Public Safety the sum of \$3,000 for equipment of same for a hose company.

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

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Fishback:

General Ordinance No. 13—1905: An ordinance requiring street railroad companies to place derailing switches or other derailing devices at the crossing of their tracks with steam railroad tracks.

Be it ordained by the Common Council of the City of Indianapolis:

Section 1. That all street railroad companies owning or operating street railroad tracks in the City of Indianapolis, be and they are hereby required to construct and maintain on each side of every crossing of their tracks over the track or tracks of any steam railroad at the same grade in said city, derailing switches or other derailing devices and the necessary appurtenances thereto, of such character as will compel all street cars to come to a complete stop before going upon or across such crossing of steam railroad track or tracks. Such derailing switches or derailing devices shall be constructed and installed at all such crossings within six months from the date of the taking effect of this ordinance.

Sec. 2. The construction and design of such derailing switches or derailing devices shall be according to a design required by or approved by the Board of Public Works of said city.

Sec. 3. Any such Company that shall fail or neglect to construct and maintain such derailing switches or other derailing devices at such crossings of its track over steam railroad track or tracks, shall be fined in the sum of five dollars for each offense on complaint of any citizen of said city; and each successive days' failure or neglect of such company at each such crossing shall constitute a separate offense and make such company liable for a separate penalty.

Sec. 4. This ordinance shall take effect from and after its passage and publication one day each week for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis.

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

By Mr. Fishback (by request):

General Ordinance No. 14—1905: An ordinance amending Section 137 of an ordinance providing for all matters concerning, affecting or relating to the construction, alteration, repair or removal of buildings, structures and appurtenances thereof erected or to be erected in the City of Indianapolis, Indiana, approved June 6, 1904.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That Section 137 of an ordinance providing for all matters concerning, affecting or relating to the construction, alteration, repair or removal of buildings, structures and appurtenances thereof erected or to be erected in the City of Indianapolis, Indiana, approved June 6, 1904, be amended to read as follows:

It shall be unlawful to erect or maintain any sign, billboard or other structure for advertising purposes upon the cornice of or on the roofs of any building in the City of Indianapolis, if such sign, billboard or structure for advertising purposes is greater than two feet in height; provided, however, that any person, firm or corporation now having any such sign, billboard or structure for advertising purposes upon the

cornice or on the roof of any building in said city shall have until January 1, 1906, to remove the same. No windows or doors shall be obstructed or the openings thereof interfered with by any sign, billboards or other advertising structures.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis.

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

By Mr. Cottey:

General Ordinance No. 15—1905: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company, whose tracks cross Brightwood avenue in the City of Indianapolis, to place a flagman at said crossing as hereinafter specified for the protection of the public.

Be it ordained by the Common Council of the City of Indianapolis:

Section 1. That the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company be, and it is hereby required to place a flagman at Brightwood avenue in the City of Indianapolis at the crossing of its tracks over said street within thirty days from the taking effect of this ordinance; said flagman shall be on duty between the hours of six-thirty (6:30) A. M. and six-thirty (6:30) P. M.

Sec. 2. It shall be the duty of the Board of Public Works to serve personal notice of the passage of this ordinance on some officer or agent of said railroad company named above as soon as possible and make return of said service to the City Clerk; but failure to so serve said notice shall not be construed to release said company from the express provisions hereof when the same has been published as required by law.

Sec. 3. This ordinance shall take effect and be in force from and after its passage and publication one day each week for two (2) consecutive weeks in the Indianapolis Sentinel.

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

By Mr. Cottey:

General Ordinance No. 16—1905: An ordinance requiring the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company, whose tracks cross Olney street, in the City of Indianapolis, Indiana, to erect and maintain safety gates for the protection of the public at said crossing; providing a penalty for the violation thereof and fixing a time when the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company be, and it is hereby required to erect and maintain safety gates on each side of said company's tracks where the same cross Olney street, in the City of Indianapolis, within one hundred and twenty (120) days from the taking effect of this ordinance. Said gates shall be operated between the hours of six-thirty (6:30) A. M. and six-thirty (6:30) P. M. each day except Sunday.

Sec. 2. And it is hereby further ordained that said railway company be required to erect, maintain and operate a watchman's tower,

in conjunction with such safety gates, at said crossing, in which a watchman shall be stationed continuously during the hours said gates are to be operated under this ordinance; and such safety gates and tower shall be so constructed that said gates shall be operated from said tower and so that such watchman may have a free and unobstructed view of trains and locomotives approaching such crossing.

Sec. 3. If above named said railway company shall fail to erect and maintain safety gates or towers, or to place flagmen at and within the time as above provided, said company shall be fined the sum of five (\$5.00) dollars on complaint of any citizen of said city filed before the Mayor, and every day said crossing is allowed to remain unprotected and without said gates properly erected and maintained after the expiration of the time as specified above, it shall be deemed a separate offense as to said company required to erect said gates and towers.

Sec. 4. It shall be the duty of the Board of Public Works to serve personal notice of the passage of this ordinance on some officer or agent of said railroad company named above, as soon as possible and make return of said service to the City Clerk; but failure to serve said notice shall not be construed to release said company from the express provisions hereof, when the same has been published as required by law.

Sec. 5. This ordinance shall take effect and be in force from and after its passage and publication one day each week for two consecutive weeks in the Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in said City of Indianapolis, Marion County, Indiana.

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

ORDINANCES ON SECOND READING.

Mr. Gasper called for Appropriation Ordinance No. 3, 1905, for second reading. It was read a second time.

Mr. Gasper moved that Appropriation Ordinance No. 3, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 3, 1905, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Murray, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and Vice-President Rhodes.

Noes, none.

Mr. Gasper called for General Ordinance No 5, 1905, for second reading. It was read a second time.

Mr. Gasper moved that General Ordinance No. 5, 1905, be stricken from the files.

The Clerk called the roll:

Ayes, 11, viz.: Messrs. Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Murray, Uhl, Wahl and Vice-President Rhodes.

Noes, 7, viz.: Messrs. Cooper, Krause, Shea, Storm, Sullivan, Wolsiffer, Wright.

The Chair declared the ordinance stricken from the files.

Mr. Uhl called for General Ordinance No. 54, 1904, for second reading. It was read a second time.

Mr. Uhl moved that General Ordinance No. 54, 1904, be stricken from the files.

The Clerk called the roll:

Ayes, 14, viz.: Messrs. Cottey, Crall, Davis, Eppert, Gasper, Hofmann, Murray, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and Vice-President Rhodes.

Noes, 4, viz.: Messrs. Cooper, Fishback, Krause, Shea.

The Chair declared the ordinance stricken from the files.

Mr. Eppert called for General Ordinance No. 9, 1905, for second reading. It was read a second time.

Mr. Eppert moved that General Ordinance No. 9, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 9, 1905, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Murray, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and Vice-President Rhodes.

Noes, none.

Mr. Cottey called for General Ordinance No. 7, 1905, for second reading. It was read a second time.

Mr. Cottey moved that General Ordinance No. 7, 1905, be stricken from the files.

The Clerk called the roll:

Ayes, 16, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Murray, Shea, Sullivan, Uhl, Wahl, Wolsiffer and Vice-President Rhodes.

Noes, 2, viz. Messrs. Storm and Wright.

The Chair declared the ordinance stricken from the files.

Mr. Davis called for General Ordinance No. 3, 1905, for second reading. It was read a second time.

Mr. Davis moved that General Ordinance No. 3, 1905, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 3, 1905, was read a third time and passed by the following vote:

Ayes, 18, viz.: Messrs. Cooper, Cottey, Crall, Davis, Eppert, Fishback, Gasper, Hofmann, Krause, Murray, Shea, Storm, Sullivan, Uhl, Wahl, Wolsiffer, Wright and Vice-President Rhodes.

Noes, none.

On motion of Mr. Gasper the Common Council, at 8:45 o'clock, P. M., adjourned

Mr. Murray

President pro tem.

ATTEST:

W. H. Garty

City Clerk.

