

SPECIAL MEETING

**Tuesday, May 27, 1947
7:30 P. M.**

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Tuesday, May 27, 1947, at 7:30 P. M., with President Schumacher 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 Tuesday, May 27, 1947, at 7:30 P. M. The purpose of such Special Meeting being in the matter of investigation of charges made against officials of the Citizens Gas & Coke Utility as set out in Resolution No. 1, 1947, as amended.

Respectfully,

JOHN A. SCHUMACHER,

President, Common Council

I, Frank J. Noll, 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.

FRANK J. NOLL, Jr.,
City Clerk.

(Seal)

Which was read.

President Schumacher called the meeting to order.

The Clerk called the roll.

Present: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Mr. Worley, President Schumacher.

Absent: Dr. Meriwether, Mr. White.

COMMUNICATIONS

CITIZENS GAS AND COKE UTILITY

Indianapolis 9, Indiana

May 27, 1947.

Exhibit "A"

Honorable John A. Schumacher
President Common Council
City of Indianapolis
Indianapolis, Indiana.

Dear Mr. Schumacher:

This is to advise you and to advise the Common Council of the City of Indianapolis that the undersigned individual members of the Board of Directors for Utilities, the General Manager, Assistant General Manager and the Controller of Citizens Gas and Coke Utility, respectfully decline summons issued on May 21, 1947, until such time as it is duly and finally determined that the undersigned or any of them are under a legal duty to respond.

(S) BRODEHURST ELSEY
(S) LEROY J. KEACH
(S) JOHN E. OHLEYER
(S) ROY SAHM
(S) I. E. WOODARD
(S) J. R. FENSTERMAKER

Very truly yours,

(S) THOS. L. KEMP
General Manager
(S) D. T. BURNS
Assistant General Manager
(S) V. C. SEITER
Controller

Members of the Board of
Director for Utilities

Citizens Gas and Coke Utility

May 27, 1947]

City of Indianapolis, Ind.

411

THOMPSON O'NEAL & SMITH

May 27, 1947.

Hon. John A. Schumacher
President, Common Council
City of Indianapolis
City Hall
Indianapolis, Indiana.

Dear Mr. Schumacher:

This is to advise you that Donald J. Angus is absent from the State until the early part of June. He wishes you to be advised that he joins in the letter from the other members of the Board of Directors for Utilities in respect to the subpoenas for Tuesday, May 27, 1947.

Very truly yours,

PATRICK J. SMITH

Mr. Bowers made the following motion:

"The officials of the Citizens Gas and Coke Utility having been subpoenaed to appear before the City Council and having sent a communication to the Council that refused to appear, I therefore, move

That the City Clerk be instructed to inform the Marion Circuit Court of the refusal of the following officers and persons, towit: Thomas L. Kemp, Dean T. Burns, Victor Seiter, John E. Ohleyer, Brodehurst Elsey, J. Ralph Fenstermaker, Leroy J. Keach, Roy Sahm, Isaac E. Woodard, Donald J. Angus, of the Citizens Gas and Cake Utility, to obey the Council subpoena according to the Statute giving the Council power to subpoena persons in investigating a

city department and the Circuit Court be asked to punish such persons for contempt for refusal to appear."

Which was seconded by Mr. Dauss and carried by the following roll call vote:

Ayes 7, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Mr. Worley, President Schumacher.

Lynnville G. Miles, Attorney for the following persons: Russell Botts, Frank Uberto, Richard Dunn, Ed Corman, Tom Addy, and Meredith Caldwell, stated that these persons were present and ready to testify in support of affidavits which had been previously filed with the City Clerk.

There being no further business a motion was made by Mr. Bowers, seconded by Mr. Worley, and the Common Council adjourned at 8:30 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 on the 27th day of May, 1947, 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.

May 27, 1947]

City of Indianapolis, Ind.

417

John A. Schumaker,

President

ATTEST:

Frank J. Holly,

City Clerk

(SEAL)

May 27, 1947]

City of Indianapolis, Ind.

415

