

JOURNAL OF PROCEEDINGS

OF THE

Common Council

OF THE

CITY OF INDIANAPOLIS

In Marion County, in the State of Indiana

REGULAR MEETING

Monday, January 4, 1937.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, January 4, 1937, at 7:30 p. m.

The meeting was called to order by Mr. Daniel J. O'Neill, Jr., Clerk of the Council.

The Clerk called the roll.

Present: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, John A. Schumacher, Ross H. Wallace.

Absent: Edward B. Raub, William A. Oren.

Mr. O'Neill announced the first order of business to be the election of officers for the year 1937, and asked for nominations for the office of President of the Council.

Mr. Wallace made a motion to nominate Mr. Edward B. Raub. The motion was seconded by Mr. Kealing. Mr. Carr made a motion that the nominations be closed and the Clerk be instructed to cast the unanimous vote of the Council. The motion was seconded by Mr. Cable. The vote was cast by the Clerk and Mr. O'Neill declared Mr. Edward B. Raub to be duly elected President of the Council for the year 1937.

Mr. O'Neill asked for nominations for the office of Vice-President of the Council.

Mr. Schumacher made a motion to nominate Mr. Silas J. Carr. The motion was seconded by Mrs. Dowd. Mr. Cable made a motion that the nominations be closed and the Clerk be instructed to cast the unanimous vote of the Council. The motion was seconded by Mr. Wallace. The vote was cast by the Clerk and Mr. O'Neill declared Mr. Silas J. Carr to be duly elected Vice-President of the Council for the year 1937.

On invitation of the Clerk, Mr. Carr took the chair.

Mr. Carr asked for nominations for a member of the Council to serve on the City Plan Commission for the year 1937. Mrs. Dowd nominated Mr. William A. Oren. The nomination was seconded by Mr. Schumacher and passed by the unanimous vote of those present.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Wallace, seconded by Mr. Cable.

COMMUNICATIONS FROM THE MAYOR

December 21, 1936.

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

Gentlemen:

I have today approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

APPROPRIATION ORDINANCE NO. 32, 1936

AN ORDINANCE appropriating and allocating the sum of One Hundred Thirty Thousand Eight Hundred Seventy-five Dollars and Forty-five Cents (\$130,875.45), received on October 5, 1936, from the State of Indiana as revenue under the Gasoline Tax, to the following departments of the City of Indianapolis, in the amounts specified, in accordance with the provisions of Section 3A of General Ordinance No. 70-1935, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 33, 1936

AN ORDINANCE appropriating the sum of Twelve Hundred Dollars (\$1200.00) out of the unappropriated and unexpended 1936 balance of the General Fund of the City of Indianapolis to the City Clerk for the payment of the 1937 salary of one additional deputy, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 51, AS AMENDED.

AN ORDINANCE amending General Ordinance No. 61-1935, as amended, fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 63, 1936

AN ORDINANCE abolishing the taxicab stand heretofore established at 1033 Prospect Street, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 80, 1936

AN ORDINANCE amending sub-sections (b) and (c) of Section 10 of General Ordinance No. 96-1928, commonly known as the Traffic Ordinance, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 81, 1936

AN ORDINANCE approving certain contracts heretofore entered into by the Board of Public Safety, acting for the City of Indianapolis, with certain townships of Marion County, Indiana, and fixing a time when said ordinance shall take effect.

GENERAL ORDINANCE NO. 82, 1936

AN ORDINANCE transferring the sum of Five Hundred Dollars (\$500.00) from a certain fund in the Controller's office and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 84, 1936

AN ORDINANCE of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds of said city designated, "City of Indianapolis, City Hospital Bonds of 1937, First Issue," and matters connected therewith, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

January 4, 1937.

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

Gentlemen:

My attention has been called to the great need existing in the Department of Law for an additional assistant attorney to assist in the prosecution of violators of city ordinances in Municipal Courts Rooms 3 and 4, and having satisfied myself that the need does in fact so exist, I have created an additional position of assistant attorney in that department to be effective as of January 1, 1937, and have fixed the salary for said assistant attorney, subject to your approval, at Twelve Hundred Dollars (\$1200.00) per annum.

I am therefore requesting the Common Council of this city to approve the creation of this position and to provide for the appropriation of sufficient funds to pay the salary for this assistant attorney for the year 1937.

Trusting that these matters may have your approval, I am

Very truly yours,

JOHN W. KERN,
Mayor.

ORDER OF THE MAYOR ESTABLISHING ADDITIONAL ASSISTANT ATTORNEY IN THE DEPARTMENT OF LAW

WHEREAS, I, John W. Kern, as Mayor of the City of Indianapolis, now find that an emergency exists for an additional assistant attorney in the Department of Law of the City of Indianapolis on and after January 1, 1937, on account of increased duties devolving upon the assistant city attorney assigned to the municipal courts to prosecute violations of city ordinances, NOW, THEREFORE,

I, John W. Kern, Mayor of the City of Indianapolis, acting under and by virtue of the power and authority by law conferred upon me, do hereby create, establish and provide an additional assistant attorney in the Department of Law of the City of Indianapolis, said creation aforesaid to be effective as of January 1, 1937, and fix the salary for said assistant attorney, subject to approval by the Common Council of said city, at Twelve Hundred Dollars (\$1200.00) per annum.

IN WITNESS WHEREOF, I have hereunto affixed my signature and caused to be placed hereon the corporate seal of the City of Indianapolis this 31st day of December, 1936.

JOHN W. KERN,
Mayor of the City of Indianapolis.

ATTEST:

DANIEL J. O'NEILL, JR.,
City Clerk.

The above order by the Mayor was filed in the office of the City Controller this 31st day of December, 1936.

WALTER C. BOETCHER,
City Controller.

COMMUNICATIONS FROM CITY OFFICIALS

December 30, 1936.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

In re: Appropriation Ordinances
Nos. 34 and 35, 1936.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the Indian-

apolis Star and Indianapolis Commercial on Saturday, December 26, 1936, that taxpayers would have a right to be heard on the above ordinances at the regular meeting of the Common Council, to be held on Monday, January 4, 1937, and by posting a copy of said notice in the following places:

City Hall,
Police Station and
Court House.

Respectfully yours,

DANIEL J. O'NEILL, JR.
City Clerk.

January 4, 1937.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached please find copies of General Ordinance No. 1, 1937, authorizing the City Controller to make a temporary loan in the sum of Six Hundred Fifty Thousand Dollars (\$650,000.00).

I respectfully recommend the passage of this ordinance under suspension of rules.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

January 4, 1937.

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

Gentlemen:

In re: General Ordinance No. 2, 1937.

Submitted herewith is an ordinance establishing an 18 foot "loading zone" at 239 East Maryland Street for Bruno Brothers, commission merchants. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

BLYTHE Q. HENDRICKS,
Executive Secretary.

January 4, 1937]

City of Indianapolis, Ind.

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December 31, 1936.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

Your attention is directed to General Ordinance No. 3, 1937, requesting the appropriation of the sum of Five Thousand One Hundred and no/100 Dollars (\$5100.00) for the estimated purchase of Five (5) Dump Trucks.

Competitive sealed bids have been advertised according to law and the purchase to be made from the lowest and best bidder or bidders for these trucks.

It is respectfully requested that this ordinance be passed so that this equipment may be placed in operation immediately.

Very truly yours,

DEPARTMENT OF PUBLIC PURCHASE

ALBERT H. LOSCHE,
Purchasing Agent.

January 4, 1937.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 1, 1937, appropriating the sum of Fifteen Hundred Dollars (\$1500.00) from the unexpended and unappropriated 1936 balance of the General Fund to the Department of Law for the payment of special counsel to represent the City of Indianapolis in connection with the Indianapolis Power and Light Company Evaluation case pending before the Public Service Commission.

I respectfully request the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

January 4, 1937.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 2, 1937, appropriating the sum of Twelve Hundred Dollars (\$1200.00) out of the unappropriated and unexpended 1936 balance of the General Fund of the City of Indianapolis to the Department of Law for the payment of the 1937 salary of one additional assistant attorney.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

Mr. Oren entered and was counted present.

Mr. Cable asked for recess. The motion was seconded by Mr. Kealing and the Council recessed at 7:45 p. m

The Council reconvened at 8:00 p. m., with the same members present as before.

Mr. Carr stated that taxpayers would have a right to be heard in the matter of Appropriation Ordinances Nos. 34 and 35, 1936, and asked if anyone wished to speak at this time. There was no response.

COMMITTEE REPORTS

Indianapolis, Ind., January 4, 1937.

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 Appropriation Ordinance No. 34, 1936, entitled \$3,000.00—Legal Department,

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

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., January 4, 1937.

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 Appropriation Ordinance No. 35, 1936, entitled Appropriating Proceeds from sale of City Hospital Bonds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 1, 1937

AN ORDINANCE appropriating Fifteen Hundred Dollars (\$1500.00) from the unexpended and unappropriated 1936 balance of the General Fund to the Department of Law for payment of special counsel, 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 Fifteen Hundred Dollars (\$1500.00) is hereby appropriated from the unexpended and unappropriated 1936 balance of the General Fund to the Department of Law for use in payment of fees of special counsel to represent the City of Indianapolis in connection with the Indianapolis Power and Light Company Evaluation case, pending before the Public Service Commission, and said sum is hereby appropriated and allocated to the

following designated fund of the Department of Law: Fund No. 13—Other Compensations.

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

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 2, 1937

AN ORDINANCE appropriating the sum of Twelve Hundred Dollars (\$1200.00) out of the unappropriated and unexpended 1936 balance of the General Fund of the City of Indianapolis to the Department of Law for the payment of the 1937 salary of one additional assistant attorney, and fixing a time when the same shall take effect.

WHEREAS, the Mayor of the City of Indianapolis has advised the Common Council of said city that he did, on December 31, 1936, create and provide the position of one additional assistant attorney in the Department of Law, effective January 1, 1937, and fixed the salary to be paid to the person duly appointed thereto and the duties thereof at Twelve Hundred Dollars (\$1200.00) per year; and

WHEREAS, the Mayor has requested this body to approve the establishment of said position and salary by making an appropriation for the payment of said salary for the year 1937;

NOW, THEREFORE,

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

Section 1. That there is hereby appropriated out of the unappropriated and unexpended 1936 balance of the General Fund of the City of Indianapolis the sum of Eleven Hundred Twenty-five Dollars (\$1125.00), and the same is allocated to the following fund, as designated in the budget for the year 1937—Legal Department—Fund No. 11, Salaries and Wages, Regular—to be used in the payment of the 1937 salary of one additional assistant attorney in the Department of Law, as has been heretofore provided by the Mayor and appears in the preamble of this ordinance.

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

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

INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 1, 1937

AN ORDINANCE authorizing the City Controller of the City of Indianapolis to make a temporary loan in the sum of Six Hundred Fifty Thousand Dollars (\$650,000.00) in anticipation of current revenues of said city actually levied and in the course of collection for the fiscal year in which such loan is made payable out of the current revenues of said city for such year, authorizing the rate of interest to be charged therefor, providing for legal notice, and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis is now and will continue to be until the 17th day of May, 1937, without sufficient funds to meet current expenses for municipal purposes; and,

WHEREAS, the first semi-annual installment of taxes for the year 1937, collectible on or before the 17th day of May, 1937, will amount to more than Six Hundred Fifty Thousand Dollars (\$650,000.00); NOW, THEREFORE,

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

Section 1. The City Controller is hereby authorized and empowered to negotiate a temporary loan in anticipation of the current revenues of said city actually levied and in the course of collection for the fiscal year 1937, not to exceed the sum of Six Hundred Fifty Thousand Dollars (\$650,000.00), for a period not to exceed the time fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum. The City Controller is further authorized to negotiate such loan as follows:

Six Hundred Fifty Thousand Dollars (\$650,000.00) on January 25, 1937, to run for a period not to exceed One Hundred Twelve (112) days, at a rate of interest not to exceed six per cent (6%) per annum. The sale date of said bonds or other evidence of indebtedness shall be not later than January 25, 1937, and after the publication of notice

of determination thereof to issue bonds, warrants or other evidence of indebtedness for such temporary loan as provided by law and this ordinance, said loan shall be let to the lowest and best bidder after the determination to issue the same has been published by at least one (1) publication in two (2) newspapers in the City of Indianapolis. The Mayor and the City Controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the above mentioned amount, and to the payment of such obligations the faith of said city is hereby irrevocably pledged.

Section 2. The aforesaid sum of Six Hundred Fifty Thousand Dollars (\$650,000.00), when received from the temporary loan herein provided for, is hereby appropriated to the City Controller's Fund No. 63—Payment of Temporary Loans, for the repayment of this loan, and the payment of the interest thereon shall be made from the City Controller's Fund 612—Interest on Temporary Loans.

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

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

By the Board of Safety:

GENERAL ORDINANCE NO. 2, 1937

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96-1928, as amended by General Ordinance No. 31-1931, as amended by General Ordinance No. 58-1931, 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 for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96-1928, as amended by General Ordinance No. 31-1931, as amended by General Ordinance No. 58-1931, relative to the establishment of passenger and/or loading zones, at the place hereinafter set out, and the Board of Public Safety having

caused investigation to be made thereof and having recommended the establishment, pursuant to the terms of the aforesaid ordinances, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

18 feet in front of No. 239 East Maryland Street,
said premises being occupied by Bruno Brothers.

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

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

By the Purchasing Department:

GENERAL ORDINANCE NO. 3, 1937

AN ORDINANCE authorizing the Board of Public Works and Sanitation, through its duly authorized purchasing agent, to receive bids for, and purchase five (5) auto trucks, 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 Board of Public Works and Sanitation, by and through the Department of Public Purchase, its lawful agent, be and it is hereby authorized to purchase, after advertising for competitive bids thereon, five (5) auto trucks, with dump bodies attached thereto, for the purpose of hauling sand, gravel, asphalt, leaves and dirt.

Section 2. That said purchase shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids therefor, and the total cost of said five (5) trucks shall not exceed the sum of Five Thousand One Hundred Dollars (\$5100.00) in cash and the allowance made for trade-in of the following five (5) old auto trucks: 1927 Chevrolets Nos. 67, 102 and 103, and 1923 Macks Nos. 129 and 130.

Section 3. That the purchase price of said equipment shall be paid out of funds heretofore appropriated to the Board of Public Works and Sanitation.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

ORDINANCES ON SECOND READING

Mr. Wallace called for Appropriation Ordinance No. 34, 1936, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, Appropriation Ordinance No. 34, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 34, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

Mr. Wallace called for Appropriation Ordinance No. 35, 1936, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mrs. Dowd, Appropriation Ordinance No. 35, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 35, 1936, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

Mr. Wallace asked for suspension of the rules for further consideration and passage of General Ordinance No. 1, 1937. The motion was seconded by Mrs. Dowd and passed by the following roll call vote:

Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

The rules were suspended.

The Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., January 4, 1937.

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 General Ordinance No. 1, 1937, entitled Temporary loan in the sum of \$650,000.00, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed under suspension of the rules.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 1, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, General Ordinance No. 1, 1937, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 1, 1937, was read a third time by the Clerk and passed by the following roll call vote:

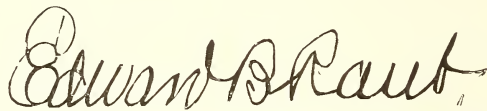
Ayes, 8, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, Vice-President Carr.

On motion of Mr. Schumacher, seconded by Mr. Wallace, the Common Council adjourned at 8:10 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the

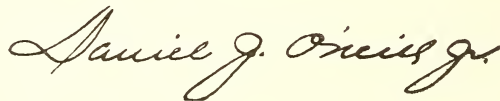
Common Council of the City of Indianapolis, held on the 4th day of January, 1937, at 7:30 p. m.

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

A handwritten signature in cursive script, reading "Edward R. Raut". The signature is written in dark ink on a light-colored background.

President.

Attest:

A handwritten signature in cursive script, reading "Sammie J. Orsi". The signature is written in dark ink on a light-colored background.

City Clerk.

(SEAL)