

REGULAR MEETING

Monday, June 21, 1937.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, June 21, 1937, at 7:30 p. m., in regular session. Vice-President Carr in the chair.

The Clerk called the roll.

Present: Silas J. Carr, Vice-President and five members, viz: Theodore Cable, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren.

Absent: Edward B. Raub, John A. Schumacher, Ross H. Wallace.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Fritz, seconded by Mrs. Dowd.

COMMUNICATIONS FROM THE MAYOR

June 11, 1937.

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. 22, 1937

AN ORDINANCE accepting and appropriating the proceeds received from President Roosevelt's 55th Anniversary Balls held in Indianapolis, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 23, 1937

AN ORDINANCE appropriating Eighteen Hundred Dollars (\$1800.00) from the unexpended and unappropriated 1936 balance of the general fund to a certain fund of the Department of Public Safety, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 29, 1937

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase, through its duly authorized purchasing agent, certain trucks and truck chassis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 30, 1937

AN ORDINANCE providing for the registration of bicycles and the issuance of certificates of title therefor, the transfer of ownership of bicycles, the selling and painting of bicycles and parts thereof, prohibiting the mutilating or removing of registration numbers thereof, requiring presentation of certificates of title to the City Controller before issuance of bicycle licenses or making a transfer of such license, prescribing a penalty for violations thereof, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 32, 1937

AN ORDINANCE abolishing the position of Assistant Market Master and transferring Seven Hundred Twenty-six Dollars and Sixty-seven cents (\$726.67) from the fund appropriated for such position to certain other designated Funds, changing the position of Market Master to Superintendent of the City Market; amending the budget of the Department of Public Safety—Market and Refrigeration, and repealing all parts of General Ordinance No. 60, 1936 (1937 budget) in conflict herewith; and fixing a time when the same shall take effect.

Respectfully yours,

JOHN W. KERN,
Mayor

June 11, 1937.

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

Gentlemen:

I am returning to you herewith General Ordinance No. 33, without my signature.

I am doing this because I have been advised by the Corporation Counsel of the City of Indianapolis and the Attorney General of the

State of Indiana that this Ordinance is illegal, and that it violates certain laws of the State of Indiana which protect the fiscal integrity

and financial credit of cities in Indiana. These laws are identified as Chapter 233, Acts 1933, and Chapter 150, Acts 1935. The principles set out in these Acts are that the salaries fixed in the annual budget shall not be increased during the ensuing calendar year, and that except in cases of casualty, accident or extraordinary emergency, budgets as adopted by the Common Council for the year shall limit the expenditures for that year.

May I not suggest that you consider the matter involved in General Ordinance No. 33, to-wit: the restoration of salaries to the firemen and policemen of the City of Indianapolis, at the time when something may be accomplished along this line which will be legal and valid; that is, when the budget for the next calendar year is made up by your honorable body.

May I also suggest that you consider the claims of other employees of the City of Indianapolis to at least partial restoration of salary cuts made as to them during the period of the recent depression, with particular reference to the low wage scale groups employed at the City Hospital, Park Department, Sewer Department, and Street Commissioner's Department.

Because of my personal friendship for each individual member of the Council, I feel an obligation to convey to you the following quotation contained in the opinion recently given to me by the Honorable Omer Stokes Jackson, Attorney General of the State of Indiana:

"Your attention is further directed to a provision of the Act above quoted which makes any officer or officers of any municipal corporation, having authority to make appropriations for the expenditure of public money, guilty of malfeasance in office if they appropriate any money for any item set forth in the published budget in excess of the amount estimated to be expended, without having first given notice to the taxpayers and without certifying their determination to make additional appropriations to the state board of tax commissioners. The penalty is the amount of such excess so appropriated, together with costs and attorneys fees plus twenty-five per cent of such amount."

Respectfully yours,

JOHN W. KERN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

June 21, 1937.

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

Gentlemen:

In re: Appropriation Ordinance No. 24 and General Ordinance
No. 34, 1937.

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 Indianap-
olis Times and Indianapolis News on June 10, 1937, 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 the 21st day of June,
1937, and by posting a copy of the notice in the following places:

City Hall,
Court House and
Police Station.

Yours very respectfully

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

June 21, 1937.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 25,
1937, appropriating the sum of One Hundred Sixty-two Dollars and
Fifty Cents (\$162.50) from the anticipated unappropriated and un-
expended balance of the General Fund for the year 1937 to Board of
Public Works and Sanitation—Street Commissioner's budget Fund
No. 2-1, Communication and Transportation.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

June 21, 1937]

City of Indianapolis, Ind.

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June 19, 1937.

Mr. Walter C. Boetcher,
City Controller.
City Hall,
City of Indianapolis, Indiana.

Dear Sir:

I am submitting an appropriation ordinance appropriating the sum of \$162.50 from the unexpended and unappropriated 1937 balance of the General Fund to the Department of unpaved streets, sewers and bridges, Fund No. 21, budget transportation and communication of the Street Commissioners.

In the transfer of certain funds to the Engineer's Department, in making the budget for 1937, through error, certain funds were eliminated which included the office telephone, and in so doing this amount was eliminatd from this department.

I request that you recommend to the Common Council the passage of this ordinance.

Respectfully yours,

/s/ FRED K. EISENHUT,
Street Commissioner.

June 21, 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. 26, 1937, appropriating the sum of Twenty-five Hundred Dollars (\$2500.00) from the unexpended and unappropriated 1936 balance of the Gasoline Tax Fund to Board of Works and Sanitation—Engineer's Department, Gasoline Tax, Fund No. 32—Fuel and Ice.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

June 11, 1937.

Mr. Walter C. Boetcher,
City Controller.

Dear Sir:

Upon recommendation of the City Civil Engineer, the Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance appropriating the sum of \$2500.00 from the anticipated, unexpended and unappropriated balance of gas tax fund 1936 into fund No. 32—Fuel and Ice, gas tax, Department of Engineering, and submit the same to the Common Council at its next meeting with the recommendation from the Board of Public Works and Sanitation that the same be passed.

This additional appropriation is made necessary due to the increased activity at the asphalt plant in repairing the improved streets in the city and is needed to buy additional coal to operate the boilers.

Very truly yours,

BOARD OF PUBLIC WORKS & SANITATION
/s/ ERNEST F. FRICK,
Executive Secretary.

June 21, 1937.

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

Gentlemen:

In re: General Ordinance 37, 1938.

Submitted herewith is an ordinance amending Section 7 of General Ordinance No. 87 of 1935, compelling all taxicab companies and individual owners to place on the door of each cab the name of the owner and the name of the operator.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
BLYTHE Q. HENDRICKS,
Executive Secretary.

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

The Council reconvened at 8:15 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., June 21, 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. 24, 1937, entitled

Appropriating \$4,513.00 to Board of Works and Sanitation beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., June 21, 1937.

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. 31, 1937, entitled

Licensing bicycles

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

SILAS J. CARR, Chairman
NANNETTE DOWD.
WM. A. OREN.

Indianapolis, Ind., June 21, 1937.

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. 34, 1937, entitled

Transferring \$40,711.98—police department

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

SILAS J. CARR, Chairman.
NANNETTE DOWD.

Indianapolis, Ind., June 21, 1937.

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.35, 1937, entitled

Amending taxicab ordinance

beg leave to report that we have had said ordinance under considera-
tion, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
WILLIAM A. OREN.

Indianapolis, Ind., June 21, 1937.

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. 36, 1937, entitled

Transfer of taxicab license

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

SILAS J. CARR, Chairman.
NANNETTE DOWD.
WM. A. OREN.

Indianapolis, Ind., June 21, 1937.

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

Gentlemen:

We, your Committee on Public Parks, to whom was referred
Special Ordinance No. 5, 1937, entitled

Annexing territory to City

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

NANNETTE DOWD, Chairman.
SILAS J. CARR.
ADOLPH J. FRITZ.
WM. A. OREN.
EDWARD R. KEALING.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 25, 1937

AN ORDINANCE appropriating moneys from the anticipated unappropriated and unexpended balance of the General Fund for the year 1937 to a certain designated fund, 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 One Hundred Sixty-two Dollars and Fifty Cents (\$162.50) be and the same is hereby appropriated out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1937 and transferred to the following designated fund:

BOARD OF PUBLIC WORKS AND SANITATION
STREET COMMISSIONER

2-1 Communication and Transportation..... \$162.50

Section 3. 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. 26, 1937

AN ORDINANCE appropriating Twenty-five Hundred Dollars (\$2500.00) from the unexpended and unappropriated 1936 balance of the Gasoline Tax Fund to a certain fund in the Department of Public Works, 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 Twenty-five Hundred Dollars (\$2500.00) is hereby appropriated from the unexpended and unappropriated 1936 balance of the Gasoline Tax Fund to the Department of Public Works and said sum is allocated to the following fund as designated in the budget for the year 1937:

BOARD OF WORKS AND SANITATION
ENGINEER'S DEPARTMENT

Gasoline Tax

Fund No. 32—Fuel and Ice.....\$2500.00

Section 2. This ordinance shall be in effect after its passage and approval of the Mayor.

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

GENERAL ORDINANCE NO. 37, 1937

AN ORDINANCE amending Section 7 of General Ordinance No. 87, 1935, 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 Seven (7) of General Ordinance No. 87, 1935, be amended to read as follows: :

Section 7. Every vehicle licensed under the provisions of this ordinance shall bear the name or names of the owner or owners thereof, in letters at least two (2) inches in height plainly printed on a door on each side of said vehicle, and there shall be printed thereon, following such name, the word "owner" or "owners." Each such vehicle shall also bear thereon on such doors, plainly printed in letters at least two (2) inches in height, the name or names of the licensee or licensees thereof. Each such vehicle shall likewise have the number of the taxicab assigned by the City Controller, in letters at least four (4) inches in height, on each side of said vehicle, and likewise, on the rear of such vehicle, immediately above or below the rear window of said vehicle. No names other than the names provided for in this section and no taxicab number other than the taxicab number assigned by the City Controller shall appear on any taxicab or vehicle operating under the provisions of this ordinance, nor shall any vehicle licensed under this ordinance operate in the city without the current license certificate affixed in a prominent position therein.

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

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

By Mrs. Dowd and Mr. Fritz:

GENERAL ORDINANCE NO. 38, 1937

AN ORDINANCE concerning the salaries, wages and compensation of officers and members of the Indianapolis Police Department, Indianapolis Fire Department and Gamewell Department, Indianapolis, Indiana, supplementing, suspending and repealing any and all general, special and appropriation Ordinances heretofore enacted and in conflict herewith; also of any Ordinances of the City of Indianapolis, Indiana, or any executive order heretofore made by any Board, Commission, Department or governing body

of any department or official of said City; 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. Beginning on January 1, 1938, all salaries, wages and and compensation of the officers, members and employees of the Police Department, Fire Department and Gamewell Department of the City of Indianapolis, Indiana, listed herein, shall be increased to the sums hereinafter set out and specified, and such increased sums as so specified herein shall be paid by the City of Indianapolis, to said officers, members and employees of said Police Department, Fire Department and Gamewell Department of the City of Indianapolis, to-wit:

POLICE DEPARTMENT

Chief of Police at.....	\$4,800	per year
Chief of Detectives at.....	3,600.00	per year
Inspector of Police at.....	3,400.00	per year
Traffic Captain at.....	3,300.00	per year
Radio Captain at.....	3,000.00	per year
Captains of Police at.....	2,692.50	per year each
Lieutenants at	2,492.50	per year each
Sergeants at	2,292.50	per year each
Humane Sergeants at.....	2,292.50	per year each
Detective Sergeants at.....	2,292.50	per year each
Patrolmen First Grade at.....	2,092.50	per year each
Patrolmen Second Grade at.....	2,026.50	per year each
Patrolmen Third Grade at.....	1,549.92	per year each
Court Bailiffs at.....	2,292.50	per year each

FIRE DEPARTMENT

Chief at	\$4,800.00	per year
Assistant Chiefs at.....	3,600.00	per year each
Master Mechanic	3,100.00	per year
Director of Fire Prevention at.....	3,062.50	per year
Battalion Chiefs at.....	2,692.50	per year each
Captains at	2,492.50	per year each
Lieutenants at	2,292.50	per year each
Chauffeurs at	2,092.50	per year each
First Grade Privates at.....	2,026.25	per year each
First Grade Substitutes at.....	2,026.25	per year each
Second Grade Substitutes, 1st year men.....	1,700.00	per year each
Clerk and Steno.	1,700.00	per year

GAMEWELL DEPARTMENT

General Foreman at.....	\$2,892.50 per year each
Assistant Foreman at.....	2,292.50 per year each
Traffic Signal Repairmen.....	2,092.50 per year
Signal Operators (Patrolmen rank).....	2,026.25 per year

Section 2. All Ordinances, general, special or appropriation and any and all resolutions, executive orders of any Board, Commission, Department or governing body of any Department, or official of said City heretofore enacted, promulgated, or issued, which are in conflict herewith, are hereby repealed.

Section 3. 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.

ORDINANCES ON SECOND READING

Mr. Cable called for Appropriation Ordinance No. 24, 1937, for second reading. It was read a second time.

On motion of Mr. Cable,, seconded by Mr. Fritz, Appropriation Ordinance No. 24, 1937, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 24, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Vice-President Carr.

Mrs. Dowd called for General Ordinance No. 31, 1937, for second reading. It was read a second time.

Mrs. Dowd presented the following written motion to amend General Ordinance No. 31, 1937:

MOTION TO AMEND

June 21, 1937.

Mr. President:

I move that Section 2 of General Ordinance No. 31, 1937, be amended to read as follows:

Section 2. Licenses for bicycles shall be issued by the City Controller and shall be issued for the remainder of the calendar year in which they are issued. The license fee for any such license shall be twenty-five cents (25c). In addition to the prescribed licensee fee there shall be paid to such controller by the applicant for a bicycle license, a fee of One Dollar (\$1.00) for issuing such license. For every bicycle licensed the City Controller shall issue a metal plate or tag of a size suitable for attaching to the rear portion of the saddle or to the rear fork of such bicycle. Said plate or tag shall bear the number of the license issued for such bicycle and the year for which the same is issued, and shall indicate thereon that the same is a bicycle license by bearing the word "bicycle" or the letter "B." The licensee shall place and keep such plate or tag on the rear fork of the bicycle licensed in a clearly visible location during the life of the license. In the event that any such tag or plate so issued shall be lost or stolen, the City Controller, upon the filing of an affidavit showing such fact, shall issue a duplicate plate or tag to the person entitled to the same. A fee of twenty-five cents (25c) shall be charged by the City Controller for any such duplicate plate or tag so issued.

Whenever the ownership of any bicycle licensed under this ordinance shall have been assigned or sold, and there shall have been delivered to the purchaser or assignee the original license issued by the controller for such bicycle and there shall have been a compliance with Section 5 of General Ordinance No. 30, 1937, such assignment, delivery and compliance, upon presentation to the Chief of Police of such original license, shall operate as a transfer to the assignee or purchaser of the license issued for such bicycle. At the time of the issuance of a certificate of title by the Chief of Police to such assignee or purchaser, in accordance with such Section 5 of such ordinance, and upon presentation of the original license, as aforesaid, the Chief of Police shall note on such certificate of title and such license that the license theretofore issued for such bicycle is transferred to the person in whose name such certificate is issued. No fee shall be charged for any such transfer of such bicycle license.

NANNETTE DOWD,
Councilman.

The motion was seconded by Mr. Oren and passed by the viva voce vote of the Council.

On motion of Mrs. Dowd, seconded by Mr. Cable, General Ordinance No. 31, 1937, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 31, 1937, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Vice-President Carr.

Mrs. Dowd called for General Ordinance No. 34, 1937, for second reading. It was read a second time.

On motion of Mrs. Dowd, seconded by Mr. Cable, General Ordinance No. 34, 1937, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 34, 1937, was read a third time by the Clerk, but failed of passage as shown by the following roll call vote:

Ayes, 4, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Vice-President Carr.

Noes, 2, viz: Mr. Kealing, Mr. Oren.

Mrs. Dowd called for General Ordinance No. 36, 1937, for second reading. It was read a second time.

On motion of Mrs. Dowd, seconded by Mr. Cable, General Ordinance No. 36, 1937, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 36, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Vice-President Carr.

Mrs. Dowd called for Special Ordinance No. 5, 1937, for second reading. It was read a second time.

On motion of Mrs. Dowd, seconded by Mr. Kealing, Special Ordinance No. 5, 1937, was ordered engrossed, read a third time and placed upon its passage.


Special Ordinance No. 5, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Cable, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Vice-President Carr.

On motion of Mrs. Dowd, seconded by Mr. Cable, the Common Council adjourned at 8:30 p. m.

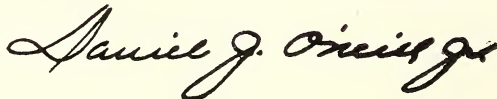
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 21st day of June, 1937, at 7:30 p. m.

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



President.

Attest:



City Clerk.

(SEAL)