REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

Monday, December 20, 1915.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 20, 1915, at 7:30 o'clock, in regular session, President Thomas C. Lee in the chair.

Present: The Hon. Thomas C. Lee, President of the Common Council, and 7 members, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham and Shea.

Absent: Mr. Connor.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT, CITY OF INDIANAPOLIS. INDIANAPOLIS, IND., December 11, 1915.

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

GENTLEMEN—I have approved and signed General Ordinance No. 58, 1915, the same being an ordinance entitled "An ordinance to restrain vagrants, mendicants, beggars, common prostitutes, criminals and persons known or reputed to be such and their associates, providing a penalty for violation, and fixing a time when the same shall become effective.

I return the said ordinance herewith.

Very truly yours, J. E. Bell, Mayor.

Executive Department, City of Indianapolis.

Indianapolis, Ind., December 9, 1915.

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

Gentlemen—I have approved and signed Appropriation Ordinance No. 29, 1915, the same being an ordinance entitled "An ordinance appropriating \$894.21 additional to the Department of Public Safety for Building Inspection Salaries, and fixing the time when the same shall take effect."

I return the said ordinance herewith.

Very truly yours,
J. E. Bell,
Mayor.

EXECUTIVE DEPARTMENT, CITY OF INDIANAPOLIS.

Indianapolis, Ind., December 18, 1915.

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

GENTLEMEN—I have signed General Ordinance No. 62, 1915, the same being an ordinance entitled "An ordinance prescribing the penal sum for the City Treasurer."

I have doubt as to the validity of this ordinance, however, owing to the fact that the statute requiring a bond provides that the amount of the bond shall be "in a penalty to be prescribed by such Council not less than one-half the estimated amount of all taxes."

I understand that the estimated amount of the taxes for the year will amount to more than \$1,750,000:

I fully appreciate that this statute applied to the amount of the bond required from the Treasurer prior to the enactment of the Depository Law. Under the former law taxes remained in the hands of the Treasurer until paid out by the City. Under the Depository Law the taxes do not remain in the Treasurer's hands but a short-time, and are required to be deposited in the designated depositories.

Therefore, the reason for the bond under the old method would make an excessive bond under the Depository Law. However, the statute is specific in its terms, and I have doubt as to the power of the Council to fix a penalty less than that which the expressed terms of the statute would require.

It has been the custom to permit other Treasurers since the enactment of the Depository Law to file a City bond in the amount stipulated in the bond covered by the present ordinance, and no doubt if the matter had been called to the attention of the Legislature the law would have been modified so as to provide for a bond not exceeding in amount that named in the bond tendered by the incoming Treasurer.

While the strict letter of the statute would require the Common Council to fix the Treasurer's bond in an amount equal to that required prior to the new Depository Law, yet for the reason that the amount of the penalty set

out in the bond tendered by the incoming Treasurer is no doubt ample to protect the City by reason of the smaller amount remaining in his hands under the Depository Law, I have decided to sign this ordinance.

I return the said ordinance herewith.

Very truly yours,

J. E. Bell.

Mayor.

REPORTS FROM CITY OFFICERS.

From City Controller:

FINANCE DEFARTMENT, CITY OF INDIANAPOLIS.

Indianapolis, Ind., December 20, 1915.

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

GENTLEMEN—I inclose herewith letter of the Board of Safety requesting transfers in Fire Department funds as follows:

I recommend these transfers and inclose ordinance providing for them.

Respectfully submitted,

J. P. Dunn,

City Controller.

DEPARTMENT OF PUBLIC SAFETY,
OFFICE OF THE BOARD.

Indianapolis, Ind., December 20, 1915.

Jacob P. Dunn, City Controller, City:

Dear Sir—We respectfully ask you to recommend to the Council as early as possible the following transfers to the Fire Department funds:

\$500.00 from Repairs to Cisterns to Miscellaneous Fund. \$500.00 from Gas and Electric Light to Horseshoeing Fund. \$1,000.00 from Repairs to Apparatus to Horse Feed Fund. \$650.00 from Repairs to Apparatus to the Hose Fund. Very respectfully,

THE BOARD OF SAFETY,

Per Albert Gall, Andrew H. Wahl.

or outs -

From City Controller:

FINANCE DEFARTMENT, CITY OF INDIANAPOLIS.

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—I submit herewith letter from the Board of Public Works requesting an appropriation of \$5,450 for a new boiler at the City Hospital. I recommend the appropriation and inclose ordinance providing for same.

Respectfully submitted,

J. P. Dunn, City Controller.

DEPARTMENT OF PUBLIC WORKS,
OFFICE OF THE BOARD.

Mr. Jacob P. Dunn, City Controller, Indianapolis, Ind.:

Dear Sir—I am directed by the Board of Public Works to request that you recommend to the Common Council the passage of an ordinance appropriating the sum of \$5,450 to provide for the installation of one new 250 horse power boiler for City Hospital heating plant, the removal of a 150 horse power boiler now in use, and the making of such other alterations and repairs to the plant as the needs of the institution demand.

The Board is advised that it is imperative that these alerations and changes be made without delay, and it therefore instructs me to request that Council be asked to pass this ordinance at its meeting on Monday

evening, the 20th inst.

Very truly yours,

Joseph P. Turk,

Clerk, Board of Public Works.

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—We, Your Committee on Finance, to whom was referred General Ordinance No. 60, 1915, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ED McGuff, W. T. Young, M. J. Shea, Frank Graham. Mr. Shea moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 61, 1915, entitled "An ordinance transferring \$400.00 from Assessments, Erroneous, to Assessments Against the City of Indianapolis, in the funds of the Department of Public Works," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

ED McGuff, W. T. Young, Frank Graham, M. J. Shea.

Mr. Shea moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—We, Your Committee on Finance, to whom was referred Appropriation Ordinance No. 32, 1915, entitled "An ordinance appropriating \$10,000.00 to the Department of Public Works for the payment of consulting engineers, appraisers and expert witnesses in the case before the Public Service Commission of Indiana for the valuation of the property of the Indianapolis Water Company and the fixing of rates," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ED McGuff, Frank Graham, W. T. Young, M. J. Shea.

Mr. Shea moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance:

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—We, Your Committee on Finance, to whom was referred Appropriation Ordinance No. 33, 1915, entitled "An ordinance making additional appropriations to the Department of Public Works," beg.leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Frank Graham, W. T. Young, M. J. Shea.

Mr. Shea moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Safety:

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 63, 1915, entitled "An ordinance to regulate automobile traffic, providing a penalty for violations, and fixing the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be amended by striking out Section 2 of the original ordinance and substituting the following:

Section 2. The owner, operator or person in charge of any motor vehicle or motor bicycle, who shall operate, drive or stand such motor vehicle or motor bicycle upon any street, alley or other public place in this city, with a headlight lighted during the period when lamps are required by law to be lighted on such vehicles, with such headlight not constructed, equipped and operated as provided in the next preceding section, shall, upon conviction, be fined not less than five dollars nor more than two hundred dollars for the first offense. Upon conviction of a second offense such person shall be fined in any sum not less than fifteen dollars nor more than two hundred dollars. Upon conviction of a third or subsequent offense such person shall be fined in any sum not less than twenty-five dollars nor more than two hundred dollars, to which may be added imprisonment in the county jail, work house, or on the Indiana State Farm for a term not exceeding thirty days.

And when so amended that said ordinance be passed.

Respectfully submitted,

FRANK GRAHAM, EDWARD P. BARRY, A. D. PORTER. Indianapolis, Ind., December 16, 1915.

Mr. Frank Graham, Chairman Public Safety Committee, 1302 Linden Street, Indianapolis, Ind.:

DEAR SIR—A meeting of the board of directors of the Hoosier Motor Club was held December 16, the purpose of which was the discussion of the new "dimmer" ordinance, to be introduced in the City Council at their next meeting, Monday evening, December 20.

After thoroughly discussing the subject from all angles, motion was made and carried that the secretary be instructed to write you, as Chairman of the Board of Safety, that, while the club was in favor of the result to be obtained by the provisions of the ordinance, it was of the opinion that the penalty provided for in the ordinance as drawn was excessive, and that the minimum fine should be reduced from \$25.00 to \$5.00, still leaving it to the discretion of the court to punish any flagrant cases up to the maximum amount of the fine, as provided in the ordinance as drawn.

The Hoosier Motor Club is pleased to co-operate with the city officials in every way possible in their efforts to insure greater safety in the matter of motor traffic, not only in connection with the lighting ordinance, but in all other matters pertaining to the use of a motor vehicle.

Trusting that the reduction in the minimum fine, as recommended above, will receive your favorable consideration, we beg to remain,

Very truly yours,

Hoosier Motor Club,

H. W. Patton, Secretary.

Mr. Graham moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Safety:

Indianapolis, Ind., December 20, 1915.

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

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 56, 1915, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

Frank Graham, Edward P. Barry, A. D. Porter.

Mr. Graham moved that the report of the Committee be concurred in. Carried.

From the Committee on City's Welfare:

Indianapolis, Ind., December 13, 1915.

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

Gentlemen—We, your Committee on City's Welfare, to whom was referred Special Ordinance No. 14, 1915, entitled "An ordinance changing the name of the street known as Isabella Street to Franklin Place, from Udell Street to Roache Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed. Respectfully submitted,

> FRANK GRAHAM, W. T. Young, E. R. MILLER. A. D. PORTER.

Mr. Graham moved that the report of the Committee be concurred in. Carried.

From the Committee on City's Welfare:

Indianapolis, Ind., December 13, 1915.

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

Gentlemen—We, your Committee on City's Welfare, to whom was referred Special Ordinance No. 11, 1915, entitled "An ordinance annexing certain territory to the City of Indianapolis, in the County of Marion, State of Indiana, and fixing the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted.

FRANK GRAHAM, W. T. Young, E. R. MILLER, A. D. PORTER.

Mr. Graham moved that the report of the Committee be concurred in. Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller:

Appropriation Ordinance No. 34, 1915. An ordinance appropriating \$5,450 to the Department of Public Works for a new boiler at the City Hospital, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there is hereby appropriated the sum of \$5,450 to the Department of Public Works for a new boiler at the City Hospital.

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

Which was read a first time.

Mr. Shea moved that the rules be suspended and Appropriation Ordinance No. 34, 1915, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Shea called for Appropriation Ordinance No. 34, 1915, for second reading. It was read a second time.

Mr. Shea moved that Appropriation Ordinance No. 34, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 34, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By City Controller:

General Ordinance No. 64, 1915. An ordinance making transfers in the funds of the Department of Public Safety for Fire Department, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and are hereby made the following transfers in the Fire Department funds of the Department of Public Safety, to wit:

> From Repairs to Cisterns to Miscellaneous____ \$500.00 From Gas and Electric Lights to Horseshoeing__ From Repairs to Apparatus to Horse Feed _____ 1,000.00 From Repairs to Apparatus to Hose _____

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

Which was read a first time. .

Mr. Barry moved that the rules be suspended and General Ordinance No. 64, 1915, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Barry called for General Ordinance No. 64, 1915, for second reading. It was read a second time.

Mr. Barry moved that General Ordinance No. 64, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 64, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

By Mr. Barry:

General Ordinance No. 65, 1915. An ordinance delegating to the Mayor the power to sign all Barrett Law waivers for the City.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that in all cases where the City shall desire to exercise the option of paying for public improvements, affecting property owned by the City, by installments, as provided by law, the Mayor shall sign all such waivers as shall be required.

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

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

By Mr. Shea, by request:

Special Ordinance No. 15, 1915. An ordinance changing and defining a part of the boundary line of the corporate limits of the City of Indianapolis, Indiana, extending the same and annexing to the City of Indianapolis certain territory, providing for the publication and fixing the time the same shall take effect.

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that a part of the south boundary line of the corporate limits of the City of Indianapolis, Indiana, be extended and altered as follows:

Beginning at the intersection of Southern Avenue and the first alley east of Shelby Street; thence south to Cruft Street; thence west to Shelby

Street; thence south to Cameron Street; thence east to the east line of McCord and Wheatley's Southeast Addition; thence north along the east line of said McCord and Wheatley's Addition to McCord Street; thence east and along the south line of Holliday's Garfield Park Addition to the east line of said last named Addition; thence north along the east line of said Holliday's Garfield Park Addition to Southern Avenue.

It being the intent to annex to the City the remaining lots (not heretofore annexed) in said Holliday's Garfield Park Addition to the City of Indianapolis, and all the lots in McCord and Wheatley's Southeast Addition to the City of Indianapolis.

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

PETITION.

To the Common Council of the City of Indianapolis:

Gentlemen—The undersigned owners of real estate abutting on various streets in Holliday's Garfield Park Addition to the City of Indianapolis and McCord and Wheatley's Southeast Addition to the City of Indianapolis respectfully petition for the passage of a resolution providing for the passage of "An ordinance changing and defining a part of the boundary line of the corporate limits of the City of Indianapolis, Indiana, extending the same and annexing to the City of Indianapolis certain territory, providing for the publication thereof, and fixing the time the same shall take effect," namely:

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that a part of the south boundary line of the corporate limits of the City of Indianapolis, Indiana, be extended and altered as follows:

Beginning at the intersection of Southern Avenue and the first alley east of Shelby Street; thence south to Cruft Street; thence west to Shelby Street; thence south to Cameron Street; thence east to the east line of McCord and Wheatley's Southeast Addition to the City of Indianapolis; thence north along the east line of said McCord and Wheatley's Southeast Addition to McCord Street; thence east and along the south line of Holliday's Garfield Park Addition to the City of Indianapolis to the east line thereof; thence north along the east line of said last named Addition to Southern Avenue.

It being the intent to annex to the City of Indianapolis the following territory, the remaining lots in said "Holliday's Garfield Park addition" lying south of Southern Avenue not heretofore annexed, and all the lots in McCord and Wheatley's Southeast Addition to the City of Indianapolis.

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

PHILLIPENA ROECKEL, JAKOB ROECKEL,

Owners of lots Nos. 9, 10, 11, 12, 13, 14 and 90 in McCord and Wheat-

ley's Southeast Addition; also owners of lot No. 9 in Holliday's Garfield Park Addition.

FRANK RINTEL,

Owner of lots 102 to 108, inclusive, in McCord and Wheatley's Southeast Addition.

SOPHIA B. BURGMANN, LOUIS F. BURGMANN, LORENZ SCHMIDT,

Owner of lots 15 to 28, inclusive, in McCord and Wheatley's Southeast Addition; also lots 86, 87 and 88 in said Addition.

Which was read a first time and referred to the Committee on City's Welfare.

ORDINANCES ON SECOND READING.

Mr. Graham called for General Ordinance No. 56, 1915, for second reading. It was read a second time.

Mr. Graham moved that General Ordinance No. 56, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 56, 1915, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Barry, Young, Porter, Graham, Shea and President Thomas C. Lee.

Noes, 2, viz.: Messrs. McGuff and Miller.

Mr. Graham called for General Ordinance No. 63, 1915, for second reading. It was read a second time.

Mr. Graham moved that General Ordinance No. 63, 1915, be amended as recommended by the Committee. Carried.

Mr. Graham moved that General Ordinance No. 63, 1915, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 63, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Graham called for Special Ordinance No. 11, 1915, for second reading. It was read a second time.

Mr. Graham moved that Special Ordinance No. 11, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 11, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Graham called for Special Ordinance No. 14, 1915, for second reading. It was read a second time.

Mr. Graham moved that Special Ordinance No. 14, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 14, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Shea called for General Ordinance No. 61, 1915, for second reading. It was read a second time.

Mr. McGuff moved that the Council take a recess of five minutes. Carried.

At 8:50 o'clock P. M. President Lee called the Council to order.

By Mr. Barry:

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

Mr. Barry moved that General Ordinance No. 61, 1915, be amended as read by the Clerk. Carried.

Mr. Shea moved that General Ordinance No. 61, 1915, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 61, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Shea called for General Ordinance No. 60, 1915, for second reading. It was read a second time.

Mr. Shea moved that General Ordinance No. 60, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 60, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

Mr. Shea called for Appropriation Ordinance No. 33, 1915, for second reading. It was read a second time.

Mr. McGuff moved that the Council take a recess for five minutes. Carried.

At 9:00 o'clock P. M. President Lee called the Council to order.

By Mr. Barry:

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

Mr. Barry moved that Appropriation Ordinance No. 33, 1915, be amended as read by the Clerk. Carried.

Mr. Shea moved that Appropriation Ordinance No. 33, 1915, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 33, 1915, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, 1, viz.: Mr. McGuff.

Mr. Shea called for Appropriation Ordinance No. 32, 1915, for second reading. It was read a second time.

Mr. Shea moved that Appropriation Ordinance No. 32, 1915, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 32, 1915, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Graham, Shea and President Thomas C. Lee.

Noes, none.

On motion of Mr. Porter, the Common Council, at 9:10 o'clock P. M., adjourned.

President.

ATTEST:

Thomas a. Otiley
City Clork.