

REGULAR MEETING

February 4, 1935.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, February 4, 1935, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

Present: Edward B. Raub, President, and eight members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

January 23, 1935.

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

Gentlemen:

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

GENERAL ORDINANCE NO. 1, 1935

AN ORDINANCE amending Section 122 of General Ordinance No. 121, 1925, commonly known as the General Code of 1925, as amended by General Ordinance No. 78, 1931, as amended by General Ordinance No. 85, 1931, as amended by General Ordinance No. 103, 1931, as amended by General Ordinance No. 25, 1932, as amended by General Ordinance No. 51, 1933, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 2, 1935

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.

Respectfully,

JOHN W. KERN,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

February 4, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 3, 1935, appropriating the sum of Three Thousand Eight Hundred (\$3,800.00) Dollars from the unexpended and unappropriated balance of the general fund of the City of Indianapolis for the year 1935, and transferring the same to the following designated funds in the amounts specified:

DEPARTMENT OF FINANCE, Barrett Law Division, Fund No. 11, Salaries and Wages, Regular—1 Assistant Chief Clerk—\$2,000.00,

DEPARTMENT OF PUBLIC WORKS, Assessment Bureau, Fund No. 11, Salaries and Wages, Regular—1 Assessment and Collection Clerk—\$1,800.00.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

February 4, 1935]

City of Indianapolis, Ind.

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February 4, 1935.

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

Gentlemen:

We are submitting herewith General Ordinance No. 6, 1935, establishing an 18 foot "Passenger Zone" and/or "Loading Zone" for the Miller Oldsmobile Company at 3120 East Washington Street. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

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

February 4, 1935.

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

Gentlemen:

Attached please find copies of General Ordinance No. 7, 1935, abolishing the positions of Bond Clerk, Barrett Law Department, under the City Controller, and Draftsman, Assessment Bureau, under the Board of Public Works.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

February 4, 1935.

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

Gentlemen:

Attached please find copies of General Ordinance No. 8, 1935, creating and establishing the positions of Assistant Chief Clerk (Barrett Law Department in the City Controller's Office), and Assessment and Collection Clerk in the Assessment Bureau of the City of Indian-

apolis, fixing salaries thereof and making appropriations to pay the same.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

February 4, 1935.

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

Gentlemen:

We are submitting herewith General Ordinance No. 9, 1935, establishing a three car taxicab stand on the west side of Capitol Avenue at Market Street beginning at the north line of Market Street and extending north for a distance of twenty-five (25) feet. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

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

February 4, 1935.

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

Gentlemen:

Attached please find copies of General Ordinance No. 10, 1935, transferring the sum of Five Thousand One Hundred Twelve (\$5,112.00) Dollars from Department of Public Safety, Police Department Fund No. 11—Salaries and Wages, Regular—Patrolmen, First Grade, to Department of Public Safety, Police Department Fund No. 11—Salaries and Wages, Regular—Patrolmen, Second Grade.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

January 29, 1935.

Walter C. Boetcher,  
City Controller,  
City of Indianapolis.

Dear Sir:

On the recommendation of Michael F. Morrissey, Chief of Police, we are asking that an ordinance be prepared and presented to the Common Council transferring funds in the Police Department budget as follows:

Five Thousand One Hundred Twelve (\$5,112.00) Dollars from Fund No. 11—Salaries and Wages, Regular, Patrolmen First Grade, and reappropriate this amount to Fund No. 11—Salaries and Wages, Regular—Patrolmen Second Grade.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
By: THEO. H. DAMMEYER,  
President.

## COMMITTEE REPORTS

Indianapolis, Ind., February 4, 1935.

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. 5, 1935, entitled authorizing the Board of Health of the City of Indianapolis to purchase, materials, supplies, merchandise and services for the City Hospital, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

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

Indianapolis, Ind., February 4, 1935.

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. 1, 1935, entitled Transferring monies from unexpended balance of January 1, 1935, and re-appropriating same to other funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

Indianapolis, Ind., February 4, 1935.

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. 2, 1935, entitled Appropriating and allocating money received from State of Indiana as revenue under the Gasoline Tax, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

Indianapolis, Ind., February 4, 1935.

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. 4, 1935, entitled Making Emerson Avenue a preferential street at the intersection of the Brookville Road—U. S.



Road No. 52, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.  
NANNETTE DOWD.

Indianapolis, Ind., February 4, 1935.

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. 3, 1935, entitled Establishing passenger and/or loading zone in City of Indianapolis, said premises being occupied by Renard Linoleum and Rug Company, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.  
ROSS H. WALLACE.  
WM. A. OREN.  
JOHN A. SCHUMACHER.  
NANNETTE DOWD.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

### APPROPRIATION ORDINANCE NO. 3, 1935

AN ORDINANCE appropriating the sum of Three Thousand Eight Hundred (\$3,800) Dollars, from the unexpended and unappropriated balance of the general fund of the City of Indianapolis, Indiana, for the year 1935, transferring and apportioning the same to certain designated funds, 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 total sum of Three Thousand Eight Hundred (\$3,800) Dollars, be and the same is hereby appropriated out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1935, and transferred to the following designated funds in the amounts specified, to-wit:

DEPARTMENT OF FINANCE,  
Barrett Law Division,  
Fund No. 11—Salaries and Wages, Regular  
1 Assistant Chief Clerk .....\$2,000.00

DEPARTMENT OF PUBLIC WORKS,  
Assessment Bureau  
Fund No. 11—Salaries and Wages, Regular  
1 Assessment and Collection Clerk.....\$1,800.00

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 Board of Public Safety:

### GENERAL ORDINANCE NO. 6, 1935

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 of 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 a passenger and/or loading zone, at the place hereinafter set out, and said board having caused an investigation to be made thereof and having recommended its 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 3120 East Washington Street, said premises being occupied by Miller Oldsmobile Company.

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 the City Controller:

GENERAL ORDINANCE NO. 7, 1935

AN ORDINANCE abolishing the positions of Bond Clerk, Barrett Law Department, under City Controller, and Draftsman, Assessment Bureau, under Board 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 positions of Bond Clerk, Barrett Law Department, under the City Controller, and Draftsman, Assessment Bureau, under the Board of Public Works be and the same are hereby abolished.

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 Works.

By the City Controller:

GENERAL ORDINANCE NO. 8, 1935

AN ORDINANCE creating and establishing the positions of Assistant

Chief Clerk (Barrett Law Department in the City Controller's office), and Assessment and Collection Clerk in the Assessment Bureau of the City of Indianapolis, Indiana, fixing salaries thereof and making appropriations to pay the same, 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 has, on January—, 1935, created the positions and fixed the salaries to be paid to the persons duly appointed to and discharging the duties thereof as follows:

Assistant Chief Clerk, Barrett Law Department,  
in the City Controller's office, salary \$2,000 per  
annum.

Assessment and Collection Clerk, Assessment  
Bureau in the office of the Board of Public Works,  
salary \$1,800 per annum.

AND WHEREAS, the Mayor has requested this body to approve the establishment of said positions and said salaries and to make appropriations from funds not otherwise appropriated for the payment of said salaries.

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

Section 1. That establishment by the Mayor of the positions of Assistant Chief Clerk, Barrett Law Department, in the City Controller's office, and Assessment and Collection Clerk, Assessment Bureau in the office of the Board of Public Works, and the salaries of \$2,000 and \$1,800 respectively be and the same are hereby approved.

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 Board of Public Safety:

GENERAL ORDINANCE NO. 9, 1935

AN ORDINANCE approving the order of the Board of Public Safety of the City of Indianapolis designating and establishing a cer-

tain taxicab stand location, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety of the City of Indianapolis has adopted an order designating and establishing a certain taxicab stand location, in conformance to Section 2 of General Ordinance No. 96, 1933, and has submitted the same for approval to the Common Council of said city,

NOW, THEREFORE,

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

Section 1. That the order of the Board of Public Safety of the City of Indianapolis, dated January 29, 1935, designating and establishing a three (3) car taxicab stand location on the west side of Capitol Avenue, beginning at the north line of Market Street and extending north for a distance of twenty-five (25) feet, be and the same is hereby in all things ratified and approved.

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 the City Controller:

GENERAL ORDINANCE NO. 10, 1935

AN ORDINANCE transferring money from a certain fund, reappropriating and reallocating the same to another 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 transfer, reallocation and reappropriation of moneys within the budget of the Department of Public Safety, Police Department, be made as follows:

Five Thousand One Hundred Twelve Dollars (\$5,112.00) from the sum appropriated for the payment of Patrolmen, First Grade, under Item 1—Services, Personal, Fund 11—

Salaries and Wages, Regular, into the fund appropriated for the payment of Patrolmen, Second Grade, in said Item 1.

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 Finance.

By Councilman Adolph J. Fritz:

GENERAL ORDINANCE NO. 11, 1935

AN ORDINANCE concerning the time of the delivery of milk, cream or other dairy products, in liquid form, for human consumption; providing a penalty 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. It is hereby declared that milk, cream and other dairy products are necessary and vital articles of human food and that the sale and distribution of milk, cream or other dairy products, in liquid form, for human consumption, free from contamination, is a business effecting the public health and welfare.

Section 2. That no person, firm, corporation or association shall make any delivery of any milk, cream or other dairy products, in liquid form, for human consumption, except to hospitals or other public or charitable institutions, between the hours of Four o'clock P. M. and Seven o'clock A. M., beginning September (16) Sixteenth and ending April (15) Fifteenth of each year; nor between the hours of Four o'clock P. M., and Two o'clock A. M. beginning April (16) Sixteenth and ending September (15) Fifteenth of each year.

Section 3. Any person, firm, corporation or association violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) Dollars and costs.

Section 4. 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 Health and Charities.

ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 5, 1935, for second reading. It was read a second time.

Mr. Wallace presented the following written motion to amend General Ordinance No. 5, 1935.

Indianapolis, Ind., February 4, 1935.

Mr. President:

I move that General Ordinance No. 5, 1935, be amended by striking out Requisition XYZ. Incandescent Lamps—all sizes—according to specifications and approved by U. S. Bureau of Standards—to be delivered as ordered.....\$5,100.00

ROSS H. WALLACE,  
Councilman.

The motion was seconded by Mr. Carr and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Wallace, seconded by Mr. Schumacher, General Ordinance No. 5, 1935, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 5, 1935, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.



Mr. Carr called for General Ordinance No. 3, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Schumacher, General Ordinance No. 3, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 3, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 1, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Fritz, Appropriation Ordinance No. 1, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 1, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 2, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Oren, Appropriation Ordinance No. 2, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 2, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.



On motion of Mr. Schumacher, seconded by Mr. Kealing, the Common Council adjourned at 7:50 p. m.

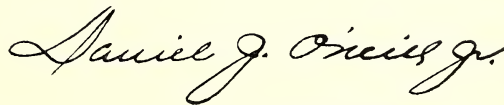
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 4th day of February, 1935, at 7:30 p. m.

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 Raut". The signature is written in dark ink on a light-colored background.

President.

Attest:

A handwritten signature in cursive script, reading "Samuel J. O'Connell". The signature is written in dark ink on a light-colored background.

City Clerk.

(SEAL)