

REGULAR MEETING

Monday, June 3, 1935.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, June 3, 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 seven members, viz: Theodore Cable, Silas J. Carr, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

Absent: Nannette Dowd.

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

COMMUNICATIONS FROM THE MAYOR

May 22, 1935.

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

Gentlemen:

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

SPECIAL ORDINANCE NO. 1, 1935

AN ORDINANCE authorizing and approving the acceptance of a proposed supplemental and additional grant to be made by the United States of America to the City of Indianapolis for the purpose of constructing and equipping a public tuberculosis

IND. U. LAW LIB. IND'POLIS.

hospital and a dispensary for the sick poor of said city, approving the terms and conditions of said proposed grant, and fixing a time when this ordinance shall take effect.

APPROPRIATION ORDINANCE NO. 13, 1935

AN ORDINANCE appropriating moneys from the cash balance which the Board of Sanitary Commissioners had on hand in its Sanitary Maintenance and General Expense Fund on January 1st, 1935, and transferring said moneys so appropriated to certain funds and fixing the time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 14, 1935

AN ORDINANCE re-appropriating the sum of seventeen dollars and fifteen cents (\$17.15) from the unappropriated and unexpended balance of 1934 in the Sanitary District Fund, transferring the same to a numbered fund for the purpose of paying an unpaid claim for the year 1934 and fixing the time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 15, 1935

AN ORDINANCE reappropriating moneys from the unappropriated and unexpended balance of the general fund for the year 1934 to certain designated funds for the purpose of paying unpaid claims of 1934, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 16, 1935

AN ORDINANCE reappropriating the sum of One Hundred Ninety-nine Dollars and Forty-three Cents (\$199.43) from the unappropriated and unexpended balance of the Gamewell Gas Tax Fund for the year 1934 to certain designated funds for the purpose of paying unpaid claims of 1934, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 17, 1935

AN ORDINANCE appropriating and transferring to the Utility District Fund No. 51—Insurance and Premiums—the sum of Thirty-seven Dollars and Fifty Cents (\$37.50) from the unappropriated and unexpended balance of the Utility District Fund for the year 1934.

APPROPRIATION ORDINANCE NO. 18, 1935

AN ORDINANCE appropriating to City Plan Fund No. 21—Communication and Transportation, the sum of One Hundred Dollars (\$100.00) from the unappropriated and unexpended balance of the general fund for the year 1934, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 33, 1935

AN ORDINANCE transferring moneys from certain numbered and designated funds of the Board of Sanitary Commissioners of Indianapolis, and re-appropriating the same to other numbered funds and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 34, 1935

AN ORDINANCE transferring moneys from certain funds and re-appropriating the same to other designated funds, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 35, 1935

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis to purchase, through its duly authorized purchasing agent, street and road materials and supplies to be used in the repair, upkeep, maintenance and improvement of public streets, thoroughfares, alleys and roadways in said city, said purchases to be paid out of the Gasoline Tax Fund, appropriation for which has heretofore been made, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 36, 1935

AN ORDINANCE amending Section 2 of General Ordinance No. 84, 1932, and fixing a time when the same shall take effect

GENERAL ORDINANCE NO. 38, 1935

AN ORDINANCE to amend General Ordinance No. 9, 1925, known as the Official Thorofare Plan of the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

IND. U. LAW LIB. IND/P.C.

May 22, 1935.

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:

GENERAL ORDINANCE NO. 40, 1935

AN ORDINANCE ratifying, confirming and approving certain contracts entered into by and between the City of Indianapolis, acting through its Board of Public Health and with the approval of its Mayor, and the following contractors, to-wit: The Warner Elevator Manufacturing Company, of Cincinnati, Ohio, and Roland M. Cotton Company, of Indianapolis, Indiana, said contracts being in connection with the construction of a new addition to the City Hospital, on the Indianapolis City Hospital grounds, to be known as the Indianapolis Flower Mission Memorial Hospital Building, and the John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

May 23, 1935.

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 ordinance:

GENERAL ORDINANCE NO. 41, 1935

AN ORDINANCE authorizing the Mayor of the City of Indianapolis to petition and request the State Highway Commission of the State of Indiana to improve the roadside of certain highways

in said City with Federal Funds, and to enter into an Agreement binding said city to maintain such improvements, providing for the future maintenance of said improvements and for the matters connected therewith, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

June 3, 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. 19, 1935, creating and establishing in the Department of Public Safety City Market budget, under Item 2—Services, Contractual, Fund 26—Other Contractual, and appropriating thereto the sum of Six Thousand (\$6,000.00) Dollars, and appropriating, also, the sum of Two Thousand (\$2,000.00) Dollars to City Market budget Item 7—Properties, Fund 72—Equipment, both of said sums being appropriated out of the unappropriated and unexpended balance of the general fund for the year 1934.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

May 31, 1935.

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

Dear Sir:

For the purpose of making improvements to the restaurant

IND. U. LAW LIB. INDRS.

stands in the City Market and digging well under Tomlinson Hall, we are asking that an ordinance be drawn and presented to the Common Council establishing in the City Market budget Fund No. 26—Services, Other Contractual—and that Six Thousand (\$6,000.00) Dollars be appropriated thereto out of the unexpended and unappropriated balance of the general fund of 1934.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By: THEO. H. DAMMEYER,

President.

May 21, 1935

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

Dear Sir:

In connection with the improvements to be made to the restaurant stands in the City Market and the digging of well under Tomlinson Hall, we are asking that an ordinance be drawn and presented to the Common Council appropriating Two Thousand (\$2,000.00) Dollars from the unexpended and unappropriated balance of the general fund of 1934 to Fund No. 72—Equipment—City Market budget, for the purpose of purchasing machinery and other equipment items.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By: THEO. H. DAMMEYER,

President.

June 3, 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. 20, 1935, appropriating from the unappropriated and unexpended balance

June 3, 1935]

City of Indianapolis, Ind.

255

of the general fund for the year 1934 the sum of Two Thousand (\$2,000.00) Dollars, and allocating the same to Department of Public Safety Office Administration budget, Item 5—Current Charges, Fund No. 53—Refunds, Awards and Indemnities.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

May 31, 1935.

Walter C. Boetcher
City Controller,
City of Indianapolis.

Dear Sir:

In connection with the reinstatement of Claude Reidenbaugh in the Police Department, and in accordance with the agreement that he be paid the sum of Two Thousand (\$2,000.00) Dollars—dating from September 6, 1932, we are asking that an ordinance be prepared and presented to the Common Council appropriating Two Thousand (\$2,000.00) Dollars from the unexpended and unappropriated balance of the general fund of 1934 to Fund No. 53—Refunds, Awards and Indemnities—Board of Safety budget, for this purpose.

Respectfully submitted,

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

June 3, 1935.

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

Gentlemen:

Attached you will find copies of General Ordinance No. 42, 1935,

IND. U. LAW LIB. IND. P. S.

prohibiting the parking of trailers on public thoroughfares without tractors. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

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

COMMITTEE REPORTS

Indianapolis, Ind., June 3, 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. 37, 1935, entitled Restoring salaries, Policemen, Firemen and Gamewell Division, 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.

Indianapolis, Ind., June 3, 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. 39, 1935, entitled Safety Gates on Pennsylvania Railroad in Irvington, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

June 3, 1935]

City of Indianapolis, Ind.

257

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

Indianapolis, Ind., June 3, 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. 21, 1935, entitled Concerning storage of Gasoline, etc., 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.

Indianapolis, Ind., June 3, 1935.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 32, 1935, entitled Repealing Special Ordinance No. 5, 1933, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

WM. A. OREN, Chairman.
EDWARD KEALING.
ROSS H. WALLACE.
THEODORE CABLE.
ADOLPH J. FRITZ.

IND. U. LAW LIB. INDIANAPOLIS

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 19, 1935

AN ORDINANCE creating and establishing in the Department of Public Safety, City Market budget, under Item 2—Services, Contractual, Fund 26—Other Contractual, and appropriating thereto the sum of Six Thousand Dollars (\$6,000), and appropriating also the sum of Two Thousand Dollars (\$2,000) to City Market budget Item 7—Properties, Fund 72—Equipment, both said sums being appropriated out of the unappropriated and unexpended balance of the general fund for the year 1934, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety and the marketmaster of the City of Indianapolis are desirous and anxious to make certain improvements in the nature of a new restaurant section and other alterations to the city market and to dig a new deep well on said market premises; and

WHEREAS, there is not now available in the budget of the city market sufficient funds with which to make such payments;

NOW, THEREFORE,

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

Section 1. That there be and there is hereby established in the Department of Public Safety City Market budget, under Item 2—Services, Contractual, Fund 26—Other Contractual, and that the sum of Six Thousand Dollars (\$6,000) be and the same is hereby appropriated thereto out of the unappropriated and unexpended balance of the general fund for the year 1934.

Section 2. That the sum of Two Thousand Dollars (\$2,000) be and the same is hereby appropriated out of the unappropriated and unexpended balance of the general fund for the year 1934 and transferred to Department of Public Safety City Market budget, Item 7—Properties, Fund 72—Equipment.

Section 3. 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:

APPROPRIATION ORDINANCE NO. 20, 1935

AN ORDINANCE appropriating from the unappropriated and unexpended balance of the general fund for the year 1934 the sum of Two Thousand Dollars (\$2,000.00), allocating the same to Department of Public Safety Office Administration budget, Item 5—Current Charges, Fund 53—Refunds, Awards and Indemnities, and fixing the effective date thereof.

WHEREAS, Claud E. Reidenbach was dismissed from the police department by the Board of Public Safety and thereafter caused mandamus proceedings to be instituted ordering the said board to reinstate him and to order all back salary to be paid to date; and

WHEREAS, the Corporation Counsel, with the approval of the Mayor, in compromise and settlement with the said Claud E. Reidenbach, has reached an agreement whereby the sum of Two Thousand Dollars (\$2,000.00) be paid, together with the reinstatement of the said Claud E. Reidenbach to said police department, and the Board of Public Safety has agreed to the reinstatement upon condition that the Common Council appropriate the requisite sum, the same not now being available in the budget of the Board of Public Safety,

NOW, THEREFORE,

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

Section 1. That the sum of Two Thousand Dollars (\$2,000.00) be and the same is hereby appropriated out of the unappropriated and unexpended balance of the general fund for the year 1934 and allocated to Department of Public Safety Office Administration

IND. U. LAW LIB. IND'PLS.

budget, Item 5—Current Charges, Fund 53—Refunds, Awards and Indemnities.

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.

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Safety:

GENERAL ORDINANCE NO. 42, 1935

AN ORDINANCE amending Section 50 of General Ordinance No. 96, 1928, as amended, and declaring 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 50 of Article VIII of General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

“Section 50. USE OF TRAILERS RESTRICTED. It shall be unlawful for the registered owner, or for any one having the care and custody of any vehicle without motive power, commonly called a trailer, to park, or to suffer, permit or allow the same to stand or be parked on any public street or thoroughfare in the City of Indianapolis, unless the same be attached to another vehicle having motive power.

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.

MISCELLANEOUS BUSINESS

Mr. Carr announced that the Committee on Public Safety was not ready to report on General Ordinances No. 21, No. 37 and No. 39 of 1935, and asked that they be given time for further consideration of such ordinances, which was granted.

Mr. Oren announced that the Committee on Law and Judiciary was not ready to report on General Ordinance No. 32, 1935, and asked for time for further consideration of said ordinance, which was granted.

On motion of Mr. Oren, seconded by Mr. Cable, the Common Council adjourned at 7:55 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 3rd day of June, 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.

Edward R. Raut
President.

Attest:

Samuel J. Orvis, Jr.
City Clerk.

(SEAL)

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