

JOURNAL OF PROCEEDINGS

OF THE

COMMON COUNCIL.

OF THE

CITY OF INDIANAPOLIS

In Marion County, In the State of Indiana.

FIRST REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, January 7, 1918, 7:30 P. M.

The records and files in the office of the City Clerk of the City of Indianapolis, in the State of Indiana, showing that at the election held on the first Tuesday after the first Monday of November, 1917, being the 6th day of said month, the following officers of said city were duly elected, all of whom have qualified according to law, to-wit:

CHARLES W. JEWETT, *Mayor*.
GEORGE O. HUTSELL, *City Clerk*.
WALTER PRITCHARD, *City Judge*.

Councilmen-at-Large.

LEE J. KIRSCH.
WILLIAM B. PEAKE.
RUSSELL WILLSON.
JESSE E. MILLER.
GUSTAV G. SCHMIDT.
SUMNER A. FURNISS.
OTTO B. PETTIJOHN.
LOUIS W. CARNEFIX.
JACOB P. BROWN.

The Common Council held its first meeting on the first Monday in January, 1918, at 7:30 o'clock, P. M., in the Council Chamber, located in the City Hall, and was called to order by George O. Hutsell, City Clerk, who called the roll of the nine Councilmen-at-Large, all of whom answered to their respective names.

The City Clerk announced nine members present and stated the first business in order to be the election of a presiding officer for the year 1918.

Whereupon Councilman Peake placed in nomination Councilman Louis W. Carnefix, which nomination was seconded by Councilman Brown.

Councilman Pettijohn moved that the Clerk cast the unanimous vote of the Council for Louis W. Carnefix for President. Seconded by Councilman Schmidt. Carried.

The Clerk cast the votes of nine Councilmen for Louis W. Carnefix for President of the Common Council for 1918.

City Clerk Hutsell declared Louis W. Carnefix elected President of the Common Council for the year 1918.

The Clerk announced the next order of business to be the selection of a President pro tem.

Councilman Brown placed in nomination William B. Peake, which nomination was seconded by Councilman Schmidt.

Councilman Schmidt moved that the nominations be closed. Carried.

Councilman Schmidt moved that the Clerk cast the entire vote of the Council for Mr. Peake for President pro tem. Carried.

The Clerk cast nine votes for William B. Peake for President pro tem. for 1918.

City Clerk Hutsell declared William B. Peake elected President pro tem of the Common Council for the year 1918, and appointed Messrs. Willson and Kirsch to escort President Carnefix to the chair. President Carnefix called for the regular order of business.

REPORTS FROM CITY OFFICERS.

From the Board of Public Works (1).

DEPARTMENT OF PUBLIC WORKS,

Office of the Board, Indianapolis, Indiana.

December 31, 1917.

To the Honorable Common Council, City of Indianapolis.

Gentlemen—I am directed to submit for your consideration and approval, the following ordinance:

An ordinance approving a certain contract granting Louis Sagalowsky the right to lay and maintain a sidetrack or switch across the First alley west of Douglass Street crossing the center line of said alley at a point 710 feet south of the south line of New York Street.

This ordinance is submitted in triplicate together with blue prints showing in detail location of the proposed switch.

Very truly yours,

JOSEPH P. TURK,

Clerk Board of Public Works.

Referring to the attached petition of Louis Sagalowsky for permission to lay and maintain a sidetrack across the first alley west of Douglass Street, crossing the center line of said alley at a point 710 feet south of the south line of New York Street, I would recommend that same be granted.

Very truly yours,

B. J. T. JEUP,

City Civil Engineer.

Approved December 31, 1917.

J. A. RINK,
GEO. B. GASTON,
Board of Public Works.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the Board of Public Works (2).

SWITCH CONTRACT.

General Ordinance No. 1, 1918.

An ordinance approving a certain contract granting Louis Sagalowsky the right to lay and maintain a sidetrack or switch from the horn track of the old Chicago Division, Main of the C. C. C. & St. L. Ry. across the first alley west of Douglass Street, crossing the center line of said alley a point 710 feet south of the south line of New York Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, to-wit: on the 10th day of December, 1917, Louis Sagalowsky filed his petition before the Board of Public Works of the City of Indianapolis, as follows:

PETITION.

To the Board of Public Works,
City of Indianapolis.

December 10, 1917.

Gentlemen:

The undersigned, Louis Sagalowsky, respectfully petition your honorable Board for permission to construct a siding across the first alley west of Douglass Street at a point 710 feet south of the south line of New York Street.

LOUIS SAGALOWSKY.

NOW, THEREFORE, This agreement, made and entered into this 31st day of December, 1917, by and between Louis Sagalowsky, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing a right of way for a sidetrack or switch from the horn track of the old Chicago Division, Main of the C. C. C. & St. L. Ry. across the first alley west of Douglass Street crossing said alley at

a point 710 feet south of the south line of New York Street, in the City of Indianapolis, which is more specifically described as follows:

Beginning at the horn track of the old Chicago Division, Main of the C. C. C. & St. L. Ry at a point west of the west line of Douglass Street and continuing westerly therefrom. The center line of said track crossing the first alley west of Douglass Street at a point 710 feet south of the south line of New York Street, hereby covenants and fully binds himself, his successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, whenever so ordered, in writing, by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.

(3) The crossing where said track intersects with said alley shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed, or become in any way defective (of which fact the said Board shall

be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause the same to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said city harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by this contract, provided, however, that the same may be terminated by said Board, as hereinbefore set forth.

Said party of the second part by virtue of the provisions of an act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right, privilege and authority to lay and maintain an additional sidetrack or switch across in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, We have hereunto set our hands this 31st day of December, 1917.

LOUIS SAGALOWSKY,
Party of the First Part.

Witness: ALBERT LAUCK.

CITY OF INDIANAPOLIS,

By

J. A. RINK,
President.

GEO B. GASTON,
Board of Public Works.
Party of the Second Part.

AND, WHEREAS, Said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, now, therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth be, and the same is hereby in all things confirmed and approved.

Section 2. 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 Public Works.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

President Carnefix announced the appointment of the following standing committees for the year 1918:

FINANCE—Messrs. Brown, Peake, Miller, Furniss and Willson.

PUBLIC WORKS—Messrs. Peake, Miller, Willson, Brown and Schmidt.

PUBLIC SAFETY—Messrs. Willson, Furniss, Miller, Brown and Kirsch.

PUBLIC HEALTH AND CHARITIES—Messrs. Furniss, Willson, Miller, Kirsch and Pettijohn.

PARKS—Messrs. Miller, Brown, Furniss, Peake and Pettijohn.

LAW AND JUDICIARY—Messrs. Schmidt, Willson, Peake, Miller and Pettijohn.

ELECTIONS—Messrs. Willson, Furniss, Miller, Peake and Brown.

CITY'S WELFARE—Messrs. Kirsch, Schmidt, Furniss, Peake and Brown.

On motion of Mr. Willson the Common Council at 7:55 o'clock P. M. adjourned.

Louis W. Carnefix

President.

Attest:

[Signature]

City Clerk.