

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, July 15, 1918.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, July 15, 1918, at 7:30 o'clock in regular session, President Louis W. Carnifex in the chair.

Present: The Hon. Louis W. Carnifex, President of the Common Council, and eight members, viz.: Messrs. Kirsch, Peake, Willson, Miller, Schmidt, Furniss, Pettijohn and Brown.

Mr. Brown moved that the reading of the Journal be dispensed with.

Mr. Willson moved to correct Journal of Regular Meeting held July 1, 1918, on page 267, line 19, by striking the words "sixteen hundred" and inserting therein the words "sixteen hundred and twenty." Carried.

Mr. Brown's motion to dispense with reading of Journal then carried.

COMMUNICATIONS FROM THE MAYOR.

July 2, 1918.

*To the President and Members of the
Common Council.*

Gentlemen:

I have this day signed and delivered to George O. Hutsell, City Clerk, Appropriation Ordinance No. 18.

Yours truly,

CHARLES W. JEWETT.

REPORTS OF CITY OFFICERS.

From the City Controller:

July 15, 1918.

*To the Honorable President and Members
of the Common Council.*

Gentlemen:

I hand you herewith a communication from the Legal Department asking for an appropriation of \$135.00 to the Department of Finance for the repayment of certain licenses and issue fees collected under section No. 748 of General Ordinance No. 12, 1917.

I submit herewith an ordinance for same and recommend its passage.

Very truly yours,

R. H. BRYSON,
City Controller.

July 15, 1918.

*Mr. Robert H. Bryson,
City Controller, City.*

Dear Sir:

I hand you herewith an ordinance appropriating the sum of \$135.00 for repayment of certain licenses and issue fees collected under Section 48 of General Ordinance No. 12, 1917, and ask you to recommend the passage of the same.

Very truly yours,

T. D. STEVENSON,
City Attorney.

July 15, 1918.

*To the Honorable President and Members
of the Common Council.*

Gentlemen:

I hand you herewith communication from the Legal Department asking for an appropriation of money for the payment of judgment and costs in favor of George S. Shauer et al.

I hand you herewith an ordinance calling for the amount of same and recommend its passage.

Very truly yours,

R. H. BRYSON,
City Controller.

July 15, 1918.

*Mr. Robert H. Bryson,
City Controller, City.*

Dear Sir:

I hand you herewith an ordinance appropriating money for the payment of judgment and costs in favor of George S. Shauer et al., and

ask you to recommend the passage of the same.

Very truly yours,

T. D. STEVENSON,
City Attorney.

REPORTS FROM STANDING COMMITTEES.

From Committee on Finance :

Indianapolis, Ind., July 15, 1918.

*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. 40, 1918, entitled an ordinance authorizing the City Controller to make a temporary loan for the use of the Board of Health in anticipation of taxes and payable out of the current fund of said Board and fixing a time when the same shall take effect, beg leave to report that we have had said ordinance under consideration, and recommend that the same do pass.

J. P. BROWN.
S. A. FURNISS,
RUSSELL WILLSON,
J. E. MILLER,
W. B. PEAKE.

Mr. Brown moved that the report of the committee be concurred in. Carried.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller :

Appropriation Ordinance No. 19, 1918.

An ordinance appropriating the sum of One Hundred Thirty-five Dollars (\$135.00) to the Department of Finance for the repayment of certain license and issue fees collected under Section 748 of General Ordinance No. 12, 1917.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

SECTION 1. That there be and is hereby appropriated to the Department of Finance of the City of Indianapolis, from the general funds of the city, the sum of One Hundred Thirty-five Dollars (\$135.00), for the refunding of certain licenses and issue fees paid involuntarily and under protest to said city during the year 1917, for the issue of motion picture

machine operators' licenses, under Section 748 of General Ordinance No. 12, 1917, said refunding being pursuant to the decision of the Marion Circuit Court in Cause No. 28635, holding that the provisions of said ordinance requiring said license fee were invalid.

SEC. 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 City Controller:

Appropriation Ordinance No. 20, 1918.

An ordinance appropriating money for the payment of judgment and costs in favor of George S. Shauer et al.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

SECTION 1. That there be and is hereby appropriated to the Department of Public Works, out of the general funds of the City of Indianapolis, the sum of Three Thousand Seven Hundred and Seventeen Dollars and Five Cents (\$3,717.05), to be used for the payment of a judgment in the sum of Three Thousand Seven Hundred and Eleven Dollars (\$3,711.00) and costs in the sum of Six Dollars and Five Cents (\$6.05), in Cause No. A-2868, Room 5 in the Superior Court of Marion County, wherein George S. Schauer et al. were plaintiffs and City of Indianapolis was defendant, involving a contract executed and work performed prior to the year 1918.

SEC. 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.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Brown:

General Ordinance No. 41, 1918.

An ordinance to amend Paragraph (f) of Section 348 of General Ordinance No. 12, 1917, concerning construction, alteration, repairing of buildings and structures, providing for fire prevention and ordaining fire prevention regulations.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

SECTION 1. That Paragraph f of Section 348 of an ordinance entitled: An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violations and with stated exceptions, repealing all former ordinances being parts of General Ordinance No. 12, 1917, be and the same is hereby amended to read as follows:

Section 348, Paragraph f. Buildings and Structures to Condemn.

(a) Whenever the Director of Fire Prevention shall find a building or structure or part thereof in the city in such condition as to be considered a fire hazard, endangering other surroundings, property or loss of life, he shall have the authority to condemn and remove such building, structure or part thereof, and it shall be his duty to notify in writing the owner, agent or person in possession, charge or control of such building, structure or part thereof, that he has condemned and ordered removed such building, structure or part thereof, within a certain specified time.

(b) If, at the expiration of the time specified in such notice for the removal of such building, structure of part thereof, said notice shall not have been complied with, the Director of Fire Prevention shall refer the matter to the Board of Public Safety, together with such recommendations as he shall desire to make to the said Board of Public Safety. Whereupon it shall be the duty of the Board of Public Safety to cause notice to be served upon the owner, agent or person in possession, charge or control of such building or structure to appear before it upon a day named in such notice, to show cause why such building or other structure or parts thereof should not be condemned and the same removed. And the said Board of Public Safety shall thereupon hear and consider the recommendation of said Director of Fire Prevention; and the objections thereto, if any, of such owner, agent or person in possession, charge or control, and having satisfied themselves on the matters presented, shall make final orders therein, and if the report and recommendations of the Director of Fire Prevention shall be found correct and shall be approved, it shall be the duty of the Director of Fire Prevention to proceed forthwith to tear down or destroy that part of said building or structure that is a fire hazard, and the expense of tearing down any part of such building or structure shall be charged to the person owning or in possession, charge or control of such building, structure or part thereof, and the said Director of Fire Prevention shall recover or cause to be recovered from such owner or person in possession, charge or control thereof, the cost of doing such work, by legal proceedings, prosecuted by the Law Department.

SEC. 2. This ordinance shall be in force and effect from and after its passage and approval by the Mayor, and publication once each week for

two consecutive weeks in the Indianapolis Commercial a newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

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

By Mr. Peake:

General Ordinance No. 42, 1918.

An ordinance, amending General Ordinance No. 83, 1917, of the Common Council of the City of Indianapolis, entitled, "An Ordinance regulating and requiring licenses for the operation of motor-driven commercial vehicles used in the City of Indianapolis, Indiana, for public hire, and providing for revocation of the licenses therefor, and penalties for the violation thereof.

Be it ordained by the Common Council of the City of Indianapolis, Indiana: That General Ordinance No. 83, 1917, entitled, "An Ordinance regulating and requiring licenses for the operation of motor-driven commercial vehicles used in the City of Indianapolis, Indiana, for public hire, and providing for revocation of the licenses therefor, and penalties for the violation thereof," be amended and the same hereby is amended to read as follows:

SECTION 1. Every person, firm or corporation, operating any motor vehicle along and upon any public street or highway within the City of Indianapolis, Indiana, for the purpose of public hire, and affording a means of local street or highway transportation, by indiscriminately accepting and discharging such persons as may offer themselves for transportation, either at temporary stands or parking places at or along the course or within the territory such motor vehicle is or may be running and operated, is hereby declared to be a motor-driven commercial vehicle and hereinafter referred to as "motor vehicles," provided, however, this section does not include motor-driven vehicles known as "taxi-cabs" operated from an advertised or designated stand, as from an office or garage upon call, nor busses or motor-driven vehicles operating between hotels and depots for the exclusive use or benefit of such hotels.

SEC. 2. No person, firm or corporation shall operate any such motor vehicle unless applicant shall file with the City Controller of said city an application, upon blanks to be furnished by the Controller, which said application shall state the name, age, business and residence of the applicant, the length of time he has operated the motor-driven vehicles, the state license number and a description of the said motor vehicle by maker's name and factory number, seating capacity and the number of persons capable of being carried therein at one time.

SEC. 3. If the application, with the provisions hereinbefore set forth, and the applicant has paid the hereinafter required license fee, the City Controller of said city, shall thereupon issue to said applicant, a license permitting the operation of said motor vehicles therein described, under the provisions of this ordinance, which license shall be numbered serially, and to contain the number of such motor vehicle, and state license number.

SEC. 4. Any person, firm or corporation desiring to obtain a license hereunder, shall pay to the City Controller for the benefit of said city, for each motor vehicle, to be so driven or operated an annual license fee as follows:

- (a) Eight Dollars (\$8.00) for one having a rated seating capacity of four (4) passengers or less;
- (b) Fifteen Dollars (\$15.00) for each motor bus.

SEC. 5. No license shall be issued to any person under the age of eighteen (18) years, and it shall be unlawful for any person under the age of eighteen (18) years to drive or operate any such motor vehicle or for any such licensee, to cause or permit any person under said age, to drive or operate such motor vehicle so licensed for the purpose herein provided. And no license shall be issued to any person not a resident of said city and who has not had at least ninety (90) days' actual experience in operating motor-driven vehicles.

SEC. 6. Every person, firm or corporation operating motor vehicles hereunder, shall receive and discharge passengers as close to the near side of street intersections and to the right hand curb thereof and shall at all times keep said motor vehicle in a clean and sanitary condition, and permit no person to sit or stand on the running board or fenders, nor sit on the door or doors, unless they are securely fastened, while the same is in motion. The left rear door while such motor vehicle is being operated hereunder, shall be locked or otherwise fastened, so that it cannot be opened.

SEC. 7. It shall be the duty of every person, firm or corporation operating under the provisions hereof to promptly notify the Police Department of said city of all articles found in any such motor vehicles operated by them, and of a description thereof, where they are kept and may be found, so as to be returned to the owner.

SEC. 8. Any person, firm or corporation upon conviction for the violation of any provisions of this ordinance shall be fined in a sum of not less than Five Dollars (\$5.00) and not more than Twenty-five Dollars (\$25.00) for each and every offense hereunder.

SEC. 9. Be it further ordained, that all ordinances in conflict herewith shall be repealed.

SEC. 10. This ordinance shall be in force from and after its passage and publication according to law.

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

By City Controller :

General Ordinance No. 43, 1918.

An ordinance empowering the city controller to dispose of volumes of the Municipal Code of 1917 of the City of Indianapolis, Indiana.

Be it ordained by the Common Council of the City of Indianapolis, Indiana:

SECTION 1. The City Controller, for and in behalf of the City of Indianapolis, Indiana, is hereby given authority to give, without cost, volumes of the Municipal Code of 1917 of the City of Indianapolis, to the following persons, firms or corporations: Cities, towns, schools, libraries and to such other persons as in his discretion he may determine,—provided that not more than one copy shall be given to any such person, firm or corporation, and that no such copy shall be given to any such person, firm or corporation already possessing a copy of the same.

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

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

By Mr. Willson:

General Ordinance No. 44, 1918.

Ordinance relative to the sale of merchandise at public auction.

Be it ordained by the Common Council of the City of Indianapolis as follows:

SECTION 1. That after the passage of this ordinance it shall be unlawful for any person, firm or corporation or any employee or agent thereof, to offer or display for sale or to sell at public auction, any watch or time piece, with either plated or filled case, or any article of plated jewelry or ware, or any article of merchandise ornamented with or having affixed thereto plated metal or containing plated metal parts, unless there shall be securely attached thereto and in plain view of any prospective purchaser, a tag, card or label upon which shall be plainly written or printed in English, a true and correct statement

of the kind and percentage of purity of metal plating or overlay, and the kind of material or metal so covered, and unless such statement shall be clearly and distinctly read aloud at the time of offering each such article for sale or for bids. Such tag, card or label shall remain securely attached to such article offered for sale or sold, and be delivered therewith to the buyer thereof.

SEC. 2. After the passage of this ordinance, it shall be unlawful for any person, firm or corporation, or any employee or agent thereof to advertise in any way, or to make verbally any false or misleading statements concerning any merchandise offered to the public for sale at public auction, or relative to the former ownership of such merchandise, or the reason why such merchandise is offered for sale at public auction, or at a price less than the customary selling price of like merchandise, or relative to any other feature of such sale or merchandise.

SEC. 3. Each violation of any of the above sections shall be deemed a separate offense, and any person, firm or corporation or agent or employee thereof violating any of the provisions of this ordinance, shall, on conviction, be fined in a sum not exceeding Fifty Dollars, and not less than Five Dollars.

SEC. 4. This ordinance shall be in effect from and after its passage and two weeks publication in the "Indianapolis Commercial."

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

By Mr. Carnefix:

Special Ordinance No. 15, 1918.

An ordinance disannexing certain territory from the City of Indianapolis, defining a part of the boundary line 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. That the boundary lines of the City of Indianapolis be, and the same are hereby changed and contracted so as to exclude the following described contiguous territory, all of which is hereby disannexed from and thrown out of the territory now constituting and forming the City of Indianapolis, in Marion County, Indiana, and shall no longer constitute a part thereof, towit:

"Beginning at the intersection of the center line of Raymond Street and the center line of Mars Hill Road, thence west along the center line of Raymond Street, a distance of 141.5 feet, more or less, to a

point which is 35 feet distant, measured southeastwardly perpendicularly to the center line of the main track of the I. & V. Ry. thence in a northeastwardly direction along a line parallel to and 35 feet southeastwardly from the center line of the main track of the I. & V. Ry., which line is the south right of way line and the south right of way line produced of said I. & V. Ry., to a point in the west line of Reisner Street, thence south along the west line of Reisner Street, parallel to and 25 feet west of the east line of Reisner Street to a point in the center line of Kentucky Ave., thence northeastwardly along the center line of Kentucky Ave. to the east line of Harding Street, thence south along the east line of Harding Street to the south line of Kentucky Ave., thence southwestwardly along the south line of Kentucky Ave. to a point in the west line of Reisner Street which is 25 feet west of the east line of Reisner St., thence south along a line of 25 feet west of and parallel to the east line of Reisner Street, produced south to a point which is 140 feet distant measured southeastwardly and perpendicularly to the south line of Kentucky Avenue, thence in a southwestwardly direction along a line parallel to and 140 feet southeastwardly from the south line of Kentucky Avenue, to a point in the south line of Raymond Street, thence west along the south line of Raymond Street to the Center line of Mars Hill Road, thence northeastwardly along the center line of Mars Hill Road to the center line of Raymond St. and the place of beginning, containing an area of 27.82 acres."

SEC. 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 Parks.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Indianapolis, Indiana, July 6, 1918.

Petition to disannex certain territory now forming a part of the corporate limits of the City of Indianapolis.

To the Common Council of the City of Indianapolis:

The undersigned, constituting a majority of the owners of the real estate lying within the territory hereinafter described, respectfully petition the Common Council of the City of Indianapolis, to disannex and throw out the following territory forming a part of the corporate limits of the City of Indianapolis, Indiana, to-wit:

"Beginning at the intersection of the center line of Raymond Street and the center line of Mars Hill Road, thence west along the center line of Raymond Street, a distance of 141.5 feet, more or less, to a

point which is 35 feet distant, measured southeastwardly perpendicularly to the center line of the main track of the I. & V. Ry., thence in a northeastwardly direction along a line parallel to and 35 feet southeastwardly from the center line of the main track of the I. & V. Ry., which line is the south right of way line and the south right of way line produced of said I. & V. Ry., to a point in the west line of Reisner Street, thence south along the west line of Reisner Street, parallel to and 25 feet west of the east line of Reisner Street to a point in the center line of Kentucky Ave., thence northeastwardly along the center line of Kentucky Ave. to the east line of Harding Street, thence south along the east line of Harding Street, to the south line of Kentucky Ave., thence southwestwardly along the south line of Kentucky Ave. to a point in the west line of Reisner St. which is 25 feet west of the east line of Reisner St., thence south along a line 25 feet west of and parallel to the east line of Reisner St., produced south, to a point which is 140 feet distant measured southeastwardly and perpendicularly to the south line of Kentucky Ave., thence in a southwestwardly direction along a line parallel to and 140 feet southeastwardly from the south line of Kentucky Ave. to a point in the south line of Raymond St., thence west along the south line of Raymond St. to the center line of Mars Hill Road, thence northeastwardly along the center line of Mars Hill Road to the center line of Raymond St. and the place of beginning, containing an area of 27.82 acres.

ELIZA MILLER,

(Formerly in name of her mother, E. Harmon).

GRANITE SAND & GRAVEL Co.,

Per. Geo. V. Miller, Gen. Mgr.

THE STAR REALTY Co.,

By O. E. Racet, Pt.

SMITH AGRICULTURAL CHEMICAL Co.,

By G. Mibeavez.

THE KINGHAM PACKING ASSOCIATION,

By Jno. W. May, Pt.

ORDINANCES ON SECOND READING.

Mr. Brown called for General Ordinance No. 40, 1918, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 40, 1918, be ordered engrossed, read a third time and placed upon its passage.

By unanimous consent of the Common Council, Dr. Herman G. Morgan, Secretary of the Board of Public Health and Charities, and Acting Superintendent of the City Hospital, addressed the Council and discussed General Ordinance No. 40, 1918, and referred to conditions at the City Hospital.

After the discussion Mr. Brown's motion then carried, and General Ordinance No. 40, 1918, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs, Kirsch, Peake, Willson, Miller, Schmidt, Furniss, Pettijohn, Brown, and President Louis W. Carnefix.

By consent the Council referred back to Reports of Standing Committees.

From Committee on Finance:

Indianapolis, Indiana,
July 15, 1918.

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. 39, 1918, entitled an ordinance fixing compensation for certain employees under the Board of Public Works, City Civil Engineer Department, amending clause (b) of Section 983 of General Ordinance No. 12, 1917, as amended by General Ordinance No. 51, 1917, beg leave to report that we have had said ordinance under consideration, and recommend that the same do pass.

J. P. BROWN,
RUSSELL WILLSON,
S. A. FURNISS,
J. E. MILLER.

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

By Mr. Peake: :

Mr. President: I move that General Ordinance No. 39 be made a Special Order of Business at next meeting.—W. B. Peake.

The President ordered a roll call on Mr. Peake's motion, which carried by the following vote::

Ayes 5, viz.: Messrs. Kirsch, Peake, Schmidt, Pettijohn and President Carnefix.

Noes 4, viz.: Messrs. Willson, Miller, Furniss and Brown.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Mr. Schmidt addressed the Council and discussed conditions relative to the Citizens Gas Co.

President Carnefix appointed the following committee to investigate the matter: Messrs. Schmidt, Willson, Peake and President Carnefix.

On motion of Mr. Pettijohn, the Common Council, at 9:37 o'clock p. m., adjourned.

Louis W. Carnefix _____ President.

ATTEST:

[Handwritten Signature]

City Clerk.