

REGULAR MEETING

Monday, October 5, 1936,
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 5, 1936, 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 six members, viz: Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher.

Absent: Theodore Cable, Ross H. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

Indianapolis, Ind., September 22, 1936.

City of Indianapolis.

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. 40, 1936

As Amended

AN ORDINANCE approving, confirming and ratifying a certain contract and agreement made and entered into on the 26th day of

May, 1936, between the City of Indianapolis, by and through its Board of Public Works and Sanitation, and with the approval of its Mayor, and Indianapolis Railways, Incorporated, whereby said company is authorized to operate its trackless trolley cars on certain streets and public places in said city under the terms and conditions provided in said contract, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,

Mayor.

Indianapolis, Ind., September 2, 1936.

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. 62, 1936

AN ORDINANCE approving the acts of the Board of Public Safety in accepting a bid for the general construction of a new fire station, authorizing said board to enter into a general construction contract therefor with E. W. Hauser, doing business under the name of E. W. Hauser Construction Co., and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

In re: General Ordinances Nos. 64 and 65 and Appropriation Ordinances Nos. 27, 28 and 29.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the Indianapolis Commercial and the Indianapolis Star on September 25, 1936, that taxpayers would have a right to be heard on the above ordinances at the regular meeting of the Common Council, to be held Monday, October 5th, 1936, and by posting a copy of said notice in the following places:

- City Hall,
- Police Station and
- Court House.

Respectfully yours,
DANIEL J. O'NEILL, JR.,
City Clerk.

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 30, 1936, appropriating moneys from the unappropriated and unexpended 1935 balance of the General Fund to certain designated funds in various departments of the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,
WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., September 29, 1936.

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

Dear Sir:

We find it necessary to ask for appropriations to several funds in the Dog Pound budget, and one fund in the City Market budget, to carry on for the remaining months of the year.

We, therefore, ask that you cause to be prepared an ordinance ap-

propriating from the unexpended and unappropriated 1935 balance of the City general fund the sum of One Thousand Twenty-five (\$1,025.00) Dollars; Five Hundred Twenty-five (\$525.00) Dollars to Dog Pound funds as follows:

Dog Pound:

| | |
|---|-----------------|
| Fund No. 25—Repairs | \$ 25.00 |
| Fund No. 33—Garage and Motor | 200.00 |
| Fund No. 34—Institutional and Medical | 225.00 |
| Fund No. 38—General Supplies | 50.00 |
| Fund No. 45—Repair Parts | 25.00 |
| Total | <u>\$525.00</u> |

and Five Hundred (\$500.00) Dollars to City Market budget funds as follows:

City Market:

| | |
|---------------------------|----------|
| Fund No. 25—Repairs | \$500.00 |
|---------------------------|----------|

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By THEO. H. DAMMEYER, President.

Indianapolis, Ind., October 3, 1936.

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

Dear Sir:

It will be necessary for us to have an additional appropriation of \$2,600 to our Fund 53—Refunds, Awards and Indemnities. On October 1st the balance in this fund was \$537.97. Out of this fund is paid the weekly compensation to injured employees of the city. At the present time our compensation roll is \$122.35 weekly, so that the sum of \$1,590.55 will be required for this item from October 1st to December 31st.

This fund is also used for the payment of the settlement of claims for damages against the City of Indianapolis. Based upon the amount expended from the 1st of October to the 31st of December for the past

four years in the settlement of claims, it is my opinion that we will need at least \$1,000 for this purpose.

Very truly yours,
JAMES E. DEERY,
Corporation Counsel.

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 67, 1936, transferring the sum of Forty-five Hundred (\$4,500.00) Dollars from Department of Public Safety—Police Department budget Fund No. 11—Salaries and Wages, Regular, Patrolmen, First Grade and reappropriating the same to Department of Public Safety, Administration Fund No. 73—Land. Said Fund No. 73 is established by this ordinance.

I respectfully recommend the passage of this ordinance.

Yours very truly,
WALTER C. BOETCHER,
City Controller.

Indianapolis, Ind., October 5, 1936.

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

Dear Sir:

The Board of Safety has approved the recommendation of Michael Morrissey, Chief of Police, that there be set up in the Board of Safety budget a fund known as No. 73—Land—and that there be transferred and reappropriated thereto from the Police Department budget, Fund No. 11—Salaries and Wages, Regular, Patrolmen First Grade, the sum of Forty-five Hundred (\$4,500.00) Dollars—for the purpose of purchasing ground adjoining the ground on which the present Police Department garage is located in order to build an addition to the garage.

We ask that you cause such an ordinance to be prepared and pre-

sented to the Common Council for passage at their meeting to be held tonight, October 5, 1936.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By THEO. H. DAMMEYER, President.

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 66, 1936, transferring moneys from certain funds to other designated funds.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,

City Controller.

Indianapolis, Ind., September 29, 1936.

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

Dear Sir:

We are advised by Thomas Tarpey, Weights and Measures Department, that his budget Fund No. 33—Garage and Motor Supplies—is practically depleted, and the Board of Safety has approved his request for the following transfer and reappropriation of funds in the Weights and Measures budget:

One Hundred (\$100.00) Dollars from Fund No. 11—Salaries and Wages, Regular—to Fund No. 33—Garage and Motor Supplies.

We ask that you prepare the necessary ordinance for the transfer of this money and present same to the Common Council at their next meeting.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By THEO. H. DAMMEYER, President.

Indianapolis, Ind., October 5, 1936.

Hon. Walter C. Boetcher,
City Controller.

Dear Sir:

We are handing you herewith copies of an ordinance, requesting the transfer of the sum of \$2,500.00 from Park General Fund No. 43—Street and Alley Materials, into Fund No. 224—Water.

This transfer is made necessary due to two facts. When the 1936 budget was prepared no provision was made for water for the fourteen wading pools as these pools were not then contemplated. The total cost of water for these pools in 1936 has been \$1,551.23. Added to this, the drought of this summer has increased our general water bills to such a degree that our budget provision is proving much too low.

We are requesting that this ordinance be presented to the Common Council at its next meeting, with the recommendation of the Board of Park Commissioners that the same be passed.

Respectfully yours,

L. RICH,
Auditor.

At this point Mr. Wallace and Mr. Cable entered and were counted present.

Mr. Cable asked for a recess. The motion was seconded by Mr. Kealing and the Council recessed at 7:35 p. m.

The Council reconvened at 8:40 p. m., with all members present.

COMMITTEE REPORTS

Indianapolis, Ind., October 5, 1936.

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. 56, 1936, entitled Fireworks—sale and display, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

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

Indianapolis, Ind., October 5, 1936.

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. 64, 1936, entitled Transfers—Police Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

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

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

We, your Committee on Public Health and Charities, to whom was referred General Ordinance No. 65, 1936, entitled Transfers—City

Hospital, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ADOLPH J. FRITZ, Chairman.
THEODORE CABLE.
NANNETTE DOWD.
WM. A. OREN.
EDWARD KEALING.

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

We, your Committee on Elections, to whom was referred Appropriation Ordinance No. 27, 1936, entitled Appropriation of \$5,000.00—Board of Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

EDWARD KEALING, Chairman.
JOHN A. SCHUMACHER.
S. J. CARR.
ROSS H. WALLACE.
NANNETTE DOWD.

Indianapolis, Ind., October 5, 1936.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred Appropriation Ordinance No. 28, 1936, entitled Appropriating \$6,475.00 to Street Commissioner's Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

THEODORE CABLE, Chairman.
ROSS H. WALLACE.
S. J. CARR.
WM. A. OREN.
JOHN A. SCHUMACHER.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 30, 1936

AN ORDINANCE appropriating moneys from the unappropriated and unexpended 1935 balance of the General Fund, to certain designated funds in various departments, 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 sum of One Thousand Twenty-five Dollars (\$1,025) be and the same is hereby appropriated to the Department of Public Safety out of the unappropriated and unexpended 1935 balance of the General Fund, and allocated to the following numbered funds in said department in the amounts designated, to-wit:

Dog Pound:

| | |
|---|----------|
| Fund No. 25—Repairs | \$ 25.00 |
| Fund No. 33—Garage and Motor | 200.00 |
| Fund No. 34—Institutional and Medical | 225.00 |
| Fund No. 38—General Supplies | 50.00 |
| Fund No. 45—Repair Parts | 25.00 |

City Market:

| | |
|---------------------------|--------|
| Fund No. 25—Repairs | 500.00 |
|---------------------------|--------|

Section 2. That the sum of Two Thousand Six Hundred Dollars (\$2,600) be and the same is hereby appropriated to the Department of Law out of the unappropriated and unexpended 1935 balance of the General Fund, and allocated to the following numbered fund in said department, to-wit:

Fund No. 53—Refunds, Awards and Indemnities.

Section 3. 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 Safety.

INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 66, 1936

AN ORDINANCE transferring moneys from certain funds to other 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 following transfer of funds be made in the Weights and Measures budget of the Department of Public Safety, to-wit:

One Hundred Dollars (\$100.00) from Fund No. 11—Salaries and Wages, Regular, to Fund No. 33—Garage and Motor Supplies.

Section 2. That the following transfer of funds be made in the budget of the Department of Public Parks, to-wit:

Two Thousand Five Hundred Dollars (\$2,500) from Fund No. 43—Street and Alley Materials, to Fund No. 224—Water.

Section 3. 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 Safety.

By the City Controller:

GENERAL ORDINANCE NO. 67, 1936

AN ORDINANCE transferring moneys from a certain fund in the Department of Public Safety, reappropriating and reallocating the same to another fund, hereby established, in said department, 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 sum of Forty-five Hundred Dollars (\$4,500) now in Fund No. 11—Salaries and Wages, Regular, Patrolmen, First Grade, in the Police Department budget of the Department of Public

Safety, be and the same is hereby transferred therefrom, reappropriated and reallocated to Fund No. 73—Land, hereby established, in said department.

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 Safety.

ORDINANCES ON SECOND READING

Mr. Carr called for General Ordinance No. 64, 1936, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 64, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64, 1936, 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. Fritz called for General Ordinance No. 65, 1936, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mrs. Dowd, General Ordinance No. 65, 1936, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 65, 1936, 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. Kealing called for Appropriation Ordinance No. 27, 1936, for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Carr, Appropriation Ordinance No. 27, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 27, 1936, 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. Cable called for Appropriation Ordinance No. 28, 1936, for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Oren, Appropriation Ordinance No. 28, 1936, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 28, 1936, 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. Oren called for General Ordinance No. 56, 1936, for second reading. It was read a second time.

Mr. Oren made a motion to strike General Ordinance No. 56, 1936, from the files. The motion was seconded by Mr. Kealing 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.

MISCELLANEOUS BUSINESS

ACCEPTANCE BY INDIANAPOLIS RAILWAYS, INCORPORATED, OF GENERAL ORDINANCE NO. 40, 1936, AND OF THE CONTRACT AS MODIFIED AND SET FORTH IN SAID ORDINANCE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to

the provisions contained in Section 2 of General Ordinance No. 40, 1936, adopted by the Common Council of the City of Indianapolis on the 21st day of September, 1936, and approved by the Mayor of said City on the 23rd day of September, 1936, for the acceptance by Indianapolis Railways, Incorporated, of the said Ordinance and for the acceptance of the contract between the City of Indianapolis, by and through its Board of Public Works and Sanitation, and said Indianapolis Railways, Incorporated, set forth and modified in said Ordinance, the said Indianapolis Railways, Incorporated, hereby accepts the said Ordinance and hereby accepts the said contract as the same is set forth and modified in the said Ordinance; and that this acceptance of said Ordinance and of said contract as modified in said Ordinance is made with the intention and effect that the same shall constitute and be a valid and binding contract between the City of Indianapolis and the said Indianapolis Railways, Incorporated, and that said Indianapolis Railways, Incorporated, shall be entitled to, and have all of the rights, privileges and franchises in said contract and Ordinance provided upon the terms and conditions therein provided.

IN WITNESS WHEREOF, said Indianapolis Railways, Incorporated, has caused this instrument of acceptance to be executed in its corporate name by its President, and its corporate seal to be hereto affixed and attested by its Secretary, all on the 24th day of September, 1936.

INDIANAPOLIS RAILWAYS, INCORPORATED,
(SEAL) By CHAS. W. CHASE,
Its President.

Attest:

L. T. HIXSON,
Its Secretary.

I hereby acknowledge receipt of the foregoing instrument of acceptance this 25th day of September, 1936.

(SEAL) DANIEL J. O'NEILL, JR.,
City Clerk.

BOARD OF PUBLIC WORKS AND SANITATION
MINUTE RECORD A—PAGES 327 AND 328

IN RE: INDIANAPOLIS RAILWAYS, INC.
FRANCHISE FOR TRACKLESS TROLLEYS

ACCEPTANCE BY INDIANAPOLIS RAILWAYS, INC., OF GENERAL ORDINANCE NO. 40, 1936, AND OF THE CONTRACT AS MODIFIED AND SET FORTH IN SAID ORDINANCE

KNOW ALL MEN BY THESE PRESENTS, that pursuant to

the provisions contained in Section 2 of General Ordinance No. 40, 1936, adopted by the Common Council of the City of Indianapolis on the 21st day of September, 1936, and approved by the Mayor of said City on the 23rd day of September, 1936, for the acceptance by Indianapolis Railways, Incorporated, of the said Ordinance and for the acceptance of the contract between the City of Indianapolis, by and through its Board of Public Works and Sanitation, and said Indianapolis Railways, Incorporated, set forth and modified in said Ordinance, the said Indianapolis Railways, Incorporated, hereby accepts the said Ordinance and hereby accepts the said contract as the same is set forth and modified in the said Ordinance; and that this acceptance of said Ordinance and of said contract as modified in said Ordinance is made with the intention and effect that the same shall constitute and be a valid and binding contract between the City of Indianapolis and the said Indianapolis Railways, Incorporated, and that said Indianapolis Railways, Incorporated, shall be entitled to, and have, all of the rights, privileges and franchises in said contract and Ordinance provided upon the terms and conditions therein provided.

IN WITNESS WHEREOF, said Indianapolis Railways, Incorporated, has caused this instrument of acceptance to be executed in its corporate name by its President, and its corporate seal to be hereto affixed and attested by its Secretary, all on the 24th day of September, 1936.

INDIANAPOLIS RAILWAYS, INCORPORATED,
(SEAL) By CHAS. W. CHASE,
Its President.

L. T. HIXSON,
Its Secretary.

Which acceptance is now filed and made a part of the proceedings relative to said trackless trolley contract.

The Board now adopts the following resolution, to-wit:

RESOLUTION

IT IS HEREBY RESOLVED, by the Board of Public Works and Sanitation of the City of Indianapolis, pursuant to the provisions of Section 2 of General Ordinance No. 40, 1936, adopted by the Common Council on the 21st day of September, 1936, that the contract between the City of Indianapolis, by and through its Board of Public Works and Sanitation, and Indianapolis Railways, Incorporated, as the same is set forth and modified in said Ordinance be, and hereby is, in all

things approved by the Board of Public Works and Sanitation of the City of Indianapolis.

ROBERT K. EBY.
MAURICE E. TENNANT.
LOUIS C. BRANDT.

Board of Public Works and Sanitation.

I, Ernest F. Frick, Secretary of the Board of Public Works and Sanitation, hereby certify that the foregoing is a true and correct copy of the proceedings of the Board of Public Works and Sanitation of the City of Indianapolis, as contained in Minute Record "A", at pages 327 and 328, September 25, 1936.

ERNEST F. FRICK, Secretary,
Board of Public Works and Sanitation.

On motion of Mr. Cable, seconded by Mrs. Dowd, the Common Council adjourned at 8:50 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 5th day of October, 1936, 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.



President.

Attest:



City Clerk.

(SEAL)