

## REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

Monday, October 4, 1920.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, October 4, 1920, at 7:30 o'clock in regular session, President G. G. Schmidt in the chair.

Present: The Hon. G. G. Schmidt, President of the Common Council, and seven (7) members, viz.: Messrs. Brown, Carnefix, Kirsch, Miller, Peake, Pettijohn and Willson.

Absent: Mr. Furniss.

Mr. Kirsch moved that the reading of the Journal be dispensed with. Carried.

## COMMUNICATIONS FROM THE MAYOR.

September, 25, 1920.

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

Gentlemen—I have this day signed and delivered to Geo. O. Hutsell, City Clerk, the following: General Ordinances Nos. 78 and 80, Appropriation Ordinances Nos. 16 and 17, and Resolution No. 4, 1920.

Very truly yours,

CHAS. W. JEWETT,

*Mayor.*

By Mr. Brown:

Indianapolis, Ind., October 4, 1920.

Mr. President: I respectfully move that General Ordinance No. 81, 1920, be passed over the disapproval of the Mayor.

JACOB P. BROWN.

Seconded by Mr. Carnefix.

The roll was called and General Ordinance No. 81, 1920, was passed over the Mayor's disapproval by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

REPORTS FROM CITY OFFICERS.

From the City Controller:

October 2, 1920.

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

Gentlemen—I hand you herewith, a communication from the Board of Public Works, asking for the appropriation of Twenty-five Hundred Seven (\$2507.80) Dollars and Eighty Cents to a fund to be known as "Nellie G. Cole Judgment fund."

I hand you also herewith, an ordinance appropriating the above amount and recommend its passage.

Yours very truly,

R. H. BRYSON,  
*City Controller.*

October 2, 1920.

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

Dear Sir—I am submitting herewith for your approval and transmission to the Common Council an Ordinance appropriating the sum of \$2500.00 judgment due Nellie G. Cole, in Cause No. 29488, Marion Circuit Court, together with \$7.80 costs, the suit being an appeal from the award of damages made by the Board of Public Works on account of the opening of 49th Street from Pennsylvania Street to Illinois Street.

Yours truly,

W. F. CLEARY,  
*Clerk, Board of Public Works.*

From the Board of Public Works:

October 2, 1920.

*Mr. Geo. O. Hutsell, City Clerk, City of Indianapolis.*

Dear Sir—I am submitting herewith for transmission to the Common Council an Ordinance directing the Board of Public Works to improve Merrill Street from Meridian Street to Senate Avenue, under Improvement Resolution No. 9699.

Only one property owner, Margaret A. Irwin, resides on this section of Merrill Street and has signed a remonstrance which is on file in the office of the Board of Works.

The Board will appreciate early consideration of this Ordinance.

Yours truly,

W. F. CLEARY.

*Clerk, Board of Public Works.*

REPORTS FROM STANDING COMMITTEES.

From the Committee on Finance:

Indianapolis, Ind., October 4, 1920.

*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. 18, 1920, entitled An Ordinance appropriating \$1000.00 to the Dept. of Law for the payment of compensation to injured City Employees, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

W. B. PEAKE, *Chairman.*  
PETTIJOHN,

LEE J. KIRSCH,  
RUSSELL WILLSON.

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

From the Committee on Finance:

Indianapolis, Ind., October 4, 1920.

*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. 19, 1920, entitled, An Ordinance

appropriating \$150.00 to the Erroneous Assessment Fund of the Department of Public Works, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

W. B. PEAKE, *Chairman*,  
PETTILJOHN,

LEE J. KIRSCH,  
RUSSELL WILLSON.

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

From the Committee on Public Safety:

Indianapolis, Ind., October 4, 1920.

*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. 83, 1920, entitled, An Ordinance amending Section 1079 of General Ordinance No. 12, 1917, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

RUSSELL WILLSON, *Chairman*. W. B. PEAKE,  
J. E. MILLER, LEE J. KIRSCH.

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

From the Committee on Public Safety:

Indianapolis, Ind., October 4, 1920.

*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 Gen. Ordinance No. 79, 1920, entitled, "Switch Contract," beg leave to report that we have had said ordinance under consideration, and recommend that the same be referred back to the Board of Public Works, with instructions to amend same by providing therein that said right to maintain such side-track shall cease and same shall be removed on or before November 1st, 1921, and then re-submitted to the Common Council for action.

RUSSELL WILLSON, *Chairman*. J. E. MILLER,  
LOUIS W. CARNEFIX, W. B. PEAKE.

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

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller :

APPROPRIATION ORDINANCE NO. 20, 1920.

AN ORDINANCE, appropriating money to the Department of Public Works for the purpose of paying the amount of the increase in the awards of damages to Nellie G. Cole, made by the Marion Circuit Court of Marion County, Indiana, in the appeal taken by said Nellie G. Cole for the award of damages made to her real estate by the Board of Public Works on account of the opening of Forty-ninth Street from Pennsylvania Street to Illinois Street.

WHEREAS, Nellie G. Cole on the 8th day of July, 1918, filed her appeal to the Marion Circuit Court of Marion County, Indiana, for the award of damages made to her real estate by said Board of Public Works for the opening of Forty-ninth Street from Pennsylvania Street to Illinois Street, and

WHEREAS, said Marion Circuit Court by its judgment and decree duly rendered on the 20th day of September, 1920, increased the award of damages to the real estate of said plaintiff Nellie G. Cole, in the sum of Twenty-five Hundred Dollars (\$2500.00), over and above the amount of damages awarded by the Board of Public Works, and together with costs, NOW THEREFORE, .

Section 1. *Be it ordained by the Common Council of the City of Indianapolis, Indiana,* That there be and is hereby appropriated out of the funds of the City of Indianapolis, for the use of the Department of Public Works, the sum of Twenty-five Hundred Dollars (\$2500.00), for the purpose of paying the amount due Nellie G. Cole on her judgment recovered against the City of Indianapolis, in her appeal from the award of damages to her real estate by the Board of Public Works of the City of Indianapolis, on account of the opening of Forty-ninth Street from Pennsylvania Street to Illinois Street, said judgment being rendered on the 20th day of September, 1920, in the case of Nellie G. Cole versus City of Indianapolis, in Cause No. 29488 in the Marion Circuit Court, and there is also hereby appropriated to said Department of Public Works the sum of Seven Dollars and Eighty Cents, for the payment of the costs of said action.

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 the Board of Public Works:

##### GENERAL ORDINANCE NO. 85, 1920.

AN ORDINANCE ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve Merrill Street from the west property line of Meridian Street (north) to the west property line of Senate Avenue (north), under and by virtue of Improvement Resolution No. 9699 of the Board of Public Works, 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 Whereas, the Board of Public Works of the City of Indianapolis, Indiana, in the manner prescribed by law, adopted on the 3rd day of September, 1920, advertised the same and notified abutting property owners by mail and by advertisement as required by law, and confirmed without modification on September 22, 1920, Improvement Resolution No. 9699 of the Board of Public Works for the improvement of Merrill Street from the west property line of Meridian Street (north) to the west property line of Senate Avenue (north), and

WHEREAS, Within ten days after confirmation of said resolution, a majority of the resident freeholders on said street filed their remonstrance before said Board of Public Works, remonstrating against said improvement.

NOW THEREFORE, *Be it ordained by the Common Council of the City of Indianapolis, Indiana,* That the Board of Public Works of the City of Indianapolis, Indiana, be and the same is hereby ordered to improve said Merrill Street from the west property line of Meridian Street (north) to the west property line of Senate Avenue (north), all in accordance with Improvement Resolution No. 9699 of the Board of Public Works.

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 City's Welfare.

By Mr. Schmidt:

## GENERAL ORDINANCE NO. 86, 1920.

AN ORDINANCE amending Section 1, Sub-division D of General Ordinance No. 47 of the City of Indianapolis for 1920 and declaring a time when the same shall take effect.

Section 1. *Be it ordained by the Common Council of the City of Indianapolis:* That Section 1, Sub-division D, line 45 of General Ordinance No. 47 of the City of Indianapolis for 1920 be amended by striking out the words "Team hire for all purposes—one dollar per hour."

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 Law and Judiciary.

By Mr. Carnefix:

## RESOLUTION NO. 5, 1920.

WHEREAS, the Street Railway plant in Indianapolis is wholly inadequate to serve the present needs of the people of said city in tracks, equipment and operating force; and

WHEREAS winter is approaching and the demands on the city street car system will be greatly increased; and

WHEREAS the matter of street car service in said city has been before the Public Service Commission of the State of Indiana for many months without any intelligent progress having been made toward a solution of the situation; and

WHEREAS no plan has been suggested which, in the judgment of the Common Council, will properly solve the difficulties;

NOW THEREFORE, Be it Resolved, That in the judgment of the Common Council of the City of Indianapolis, the Public Service Commission of the State of Indiana be and they are hereby requested to proceed without further delay to devolve some immediate plan of relief that will as far as possible enable the Indianapolis Street Railway Company to prepare for the performance of its duties during the coming winter; and

BE IT FURTHER RESOLVED, That if any increase of fare is found to be necessary, definite provisions should be made for the deposit of a specific portion of each fare in a special depository, such portion to be used for the sole and only purpose of extending the lines and improving tracks and equipment of the Company.

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

#### ORDINANCES ON SECOND READING.

Mr. Peake called for Appropriation Ordinance No. 18, 1920, for second reading. It was read a second time.

Mr. Peake moved that Appropriation Ordinance No. 18, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 18, 1920, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Peake called for Appropriation Ordinance No. 19, 1920, for second reading. It was read a second time.

Mr. Peake moved that Appropriation Ordinance No. 19, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 19, 1920, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Willson called for General Ordinance No. 83, 1920, for second reading. It was read a second time.

Mr. Willson moved that General Ordinance No. 83, 1920, be ordered engrossed, read a third time and placed upon its passage. Carried.



General Ordinance No. 83, 1920, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Brown, Carnefix, Kirsch, Miller, Peake, Pettijohn, Willson and President G. G. Schmidt.

Mr. Samuel Ashby, corporation counsel, addressed the council and discussed the gas situation.

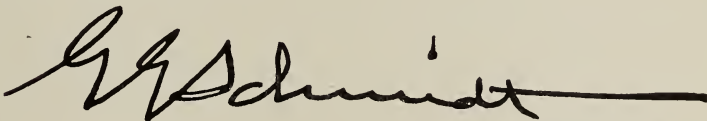
My Mr. Willson:

Mr. President: I move that a committee of three be appointed with Mr. Schmidt as chairman, to appear, with Samuel Ashby, corporaton counsel, before the Public Service Commission of Indiana, to obtain relief in the gas situation in this city. Which motion was carried.

President Schmidt appointed the following committee: Schmidt, Willson and Miller.

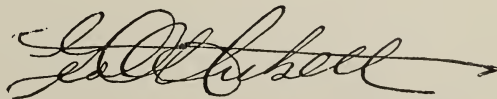
Mr. Willson announced that a public hearing would be held by the committee of the whole on Monday, October 11, at 7:30 p. m., in the council chamber, for the purpose of considering General Ordinance No. 84, 1920.

On motion of Mr. Pettijohn the Common Council at 9:55 o'clock P. M. adjourned.



*President.*

Attest:



*City Clerk.*