

## REGULAR MEETING

Monday, October 3, 1938

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 3, 1938, at 7:30 p. m., in regular session.

The Clerk called the roll.

Present: Edward B. Raub, President, and seven members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, Ross H. Wallace.

Absent: John A. Schumacher.

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

## COMMUNICATIONS FROM THE MAYOR

September 22, 1938.

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 the Honorable Daniel J. O'Neill, Jr., City Clerk, the following ordinance:

### SPECIAL ORDINANCE No. 9, 1938

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,

WALTER C. BOETCHER,  
Acting Mayor.

September 26, 1938.

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

Gentlemen:

I respectfully submit to your honorable body two communications, one from the Board of Public Works and Sanitation, the other from the Works Progress Administration, the contents of which are self explanatory.

In view of the opinions expressed, I am returning General Ordinance No. 72 unsigned, with the suggestion that further consideration be given to the subject matter contained in this ordinance.

Respectfully,

WALTER C. BOETCHER,  
Acting Mayor.

September 23, 1938.

Hon. Walter C. Boetcher,  
Mayor,  
City of Indianapolis.

Dear Mayor:

I am enclosing herewith a communication of the Works Progress Administration which the Board of Public Works and Sanitation received at its meeting today, which has to do with General Ordinance No. 72, which was passed by the Common Council at its meeting on September 19, and is presently awaiting your signature.

The Board has studied the contents of this communication and has also made investigation and is now of the definite opinion that to insure the proper strength of the 38th Street Sewer as well as to obviate the necessity of closing the street and the inconvenience caused thereby that pre-mixed concrete should be used on this job.

General Ordinance No. 72 as amended provides for the purchase of 3800 yards, more or less, of concrete for the sum of \$18,000. Due to the ambiguous language of said ordinance the Board respectfully requests that you re-submit said ordinance to the Common Council

for its reconsideration, at which time the Board will gladly inform the Council that it concurs in the recommendation of the W.P.A. Coordinator.

Very truly yours,

BOARD OF PUBLIC WORKS & SANITATION,

Ernest F. Frick,  
Executive Secretary.

September 22, 1938.

Board of Public Works and Sanitation,  
City Hall,  
Indianapolis, Indiana.

Gentlemen:

This communication is intended to point out the advantages, benefits, and advisability in using pre-mixed and pre-heated concrete in the construction of the 38th Street Sewer; and to solicit your approval and aid in securing this type of material for the project.

As is known to yourselves, sewers built by the tunnel method such as this one, must be lined with concrete, said concrete being forced into long narrow stretches of forms by the use of a pump in order to secure uniform and satisfactory construction.

In order to successfully pump concrete, as required, it is absolutely essential that the material must be of uniform consistency at all times. Slight variations in water content cause disastrous results. This type of concrete, delivered pre-mixed, is certified to be of such even consistency as to render it satisfactory at all times, and is tested at the mixing-plant.

In attempting to mix this concrete at the site of the job, it would be necessary first, to close the street, which action has been definitely avoided by the tunnel method in constructing this sewer in order that the street might remain open. This street closing would be caused by the stock piling of aggregate, the storage of cement, operation of a mixer, and the operation of a large amount of equipment necessary to properly heat the aggregate to remove frost and bring same to proper temperature for use. Large boilers would be required to be placed at the site of the job in order to accomplish this heating, and a constant stream of either men or trucks or both would occupy the entire street area, in operating the mixing-plant.

By mixing concrete at the site of the work it would be impractical if not impossible to obtain concrete of uniform consistency. Obtaining such, requires the accurate weighing and measurement of all aggregates and water entering the mixer. Constant slump tests as well as other tests would have to be consistently made at the site of the work; which would involve the construction and operation of a laboratory and procurement of technicians to conduct these tests.

Based on past experience, no assurance can be given by ourselves that satisfactory results will be obtained, or good and safe construction be accomplished, if the Board insists on using the cumbersome method of mixing concrete at the site of the work. In addition to this, it is estimated that the actual cost, not including labor or truck rental for job heated and mixed concrete will exceed that for which pre-heated and pre-mixed concrete can be procured.

The use of concrete, pre-mixed and delivered at the site of the work in such quantities and at such times as required, would eliminate an enormous amount of work and expense, and would, in the long run, entail the expenditure of less money per cubic yard than would be required by the necessarily bulky and clumsy attempt to establish an adequate mixing plant at the job. There is little doubt that a saving such as this should receive the earnest consideration of the Board. Also the question should be considered as to whether or not 38th Street is to be kept open as a thoroughfare and thus justify the original plans, which motivated the adoption of the tunnel type of sewer for this job.

Very truly yours,

CARL F. KORTEPETER,  
Co-ordinator,  
District Six.

## COMMUNICATIONS FROM CITY OFFICIALS

October 3, 1938.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 13, 1938, appropriating the sum of Thirteen Hundred Dollars (\$1300.00)

October 3, 1938]

City of Indianapolis, Ind.

649

from the anticipated unappropriated and unexpended 1938 balance of the City General Fund to Gamewell Division Fund No. 22—Heat, Light, Power and Water.

I respectfully recommend the passage of this ordinance.

Yours very truly,

H. NATHAN SWAIM,  
City Controller.

October 3, 1938.

H. Nathan Swaim,  
City Controller,  
City of Indianapolis.

Dear Sir:

In checking the funds of the Gamewell Division budget we find that the balance remaining in Fund No. 22—Heat, Light, Power and Water, out of which the electric bills for traffic signals are paid, is insufficient to meet the bills for the remaining months of the year. Unless the fund is reimbursed the service will have to be cut off before the end of the year.

We, therefore, ask that you cause to be prepared an ordinance appropriating from the anticipated unexpended 1938 balance of the city general fund the sum of Thirteen Hundred (\$1300.00) Dollars to Fund No. 22—Heat, Light, Power and Water—Gamewell Division budget.

This being an emergency, we ask that such an ordinance be prepared and presented to the Common Council at their meeting to-night—October 3rd.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By Theo. H. Dammeyer,  
President.

At this point Mrs. Dowd offered the following written suggestion relative to the committee to investigate the possible purchase of the Indianapolis Water Company by the city.

“At our last meeting Dr. Cable suggested that this council select a special committee to investigate the possible purchase of the Indianapolis Water Company. By unanimous vote the selection by the council of such a committee was deferred until some later date. I think we should act at this time and select a committee to make a full and complete record on this question, and I consequently make a motion that a special committee consisting of the same members of this council which comprise the City Welfare Committee, be designated and directed to investigate the possible purchase of the Water Company; that Dr. Cable act as chairman of such special committee; that such committee be authorized and directed to confer and consult not only with the other members of the council, but also to invite a number of local citizens of outstanding reputation for business ability and experience, to act as citizen members on said committee in considering and analyzing the question, and preparing the report of the committee; and that such report be presented to this council at its first meeting after the November election, thereby preventing any possibility of this business problem being considered from a political viewpoint.”

The motion was seconded by Mr. Carr.

Mr. Raub asked Mrs. Dowd if she was offering a resolution and she said that it was, whereupon Mr. Raub stated that if so it would have to be referred to a committee and handled in the regular manner. No further action was taken.

Mr. Raub stated that he was not present at the last meeting of the Council and therefore was not familiar with their action regarding the appointment of a committee to investigate the possibility of the purchase of the

Indianapolis Water Company by the city, but that it was his understanding from all reports that had reached him and from newspaper clippings that had been mailed to him during his absence from the city that he was to make the appointment of such committee at this meeting and that in accordance with such reports he had carefully selected a committee of seven members, comprised of outstanding citizens of Indianapolis and had asked them to serve in such capacity. He also said that those selected were not anxious to serve, but with persuasion they had consented. They are as follows:

Dr. Silas J. Carr, Taylor E. Groninger, Fred W. Jungclaus, Edward H. Knight, A. Kiefer Mayer, William J. Mooney, Sr., Roy Sahn.

The committee to select their own chairman.

Mr. Kealing objected to the committee as appointed.

Mr. Wallace voiced approval of the appointments as made by the chair.

At this point Mr. Schumacher entered and was counted present.

Mr. Fritz objected to the committee being appointed outside the Council since he felt the Council was capable of making any investigation necessary for the purchase of the Water Company.

Mr. Raub explained that he had selected the committee because of their qualifications and their familiarity with the problems connected with such investigation. He further explained that if the Council desired to appoint a committee that would inspire confidence then such committee should be appointed outside the Council, but if they desired to defeat the original purpose of a motion to appoint a committee, namely, to investigate the purchase of the Water Company, then the best way to accomplish this defeat would be to load the committee with too many Council members.

Mr. Oren stated that he thought the idea two weeks ago was to allow the Council to select the committee.

Mr. Schumacher objected to the committee on the grounds that in his opinion the Democratic party had more representation than did the Republican party.

Mr. Raub expressed his disappointment and embarrassment at the Council's unwillingness to accept the committee as appointed, and that unless it was accepted the Council could consider the names withdrawn and he would write letters of apology to each of them as he had insisted that they serve.

Mr. Wallace again voiced his approval of the committee as appointed by Mr. Raub. Mr. Carr also gave consent.

Mr. Kealing made a motion to withdraw the names of the committee as selected. There was no second.

Mrs. Dowd asked why the Council could not get together and accept the names of the Welfare Committee to serve with the committee of citizens.

Mr. Raub said that would be mixing matters and as he had told the committee, he had appointed, who the other members would be, he was going ahead with what he thought was his duty.

Mr. Schumacher said that first of all the Council was elected by the citizens of Indianapolis and that it seemed to him that the Council should have more representation on the committee.

Mr. Raub offered to withdraw the names of the committee, but Mr. Carr asked that he be allowed to withdraw his name from the committee first.

Mr. Fritz asked if it would be in order to lay over the appointment of the committee until the next meeting of the Council.

Mr. Kealing made a motion to select two more councilmen to serve on the committee. There was no second.



Mrs. Dowd asked about her previous motion. There was no response.

Mr. Kealing suggested that three members of Mrs. Dowd's committee be named by her to serve on the committee.

Mr. Oren made a motion for recess. The motion was seconded by Mr. Wallace and the Council recessed at 8:10 p. m.

The Council reconvened at 9:30 p. m. with all members present.

Mr. Raub offered to add the names of Dr. Cable and Mr. Oren to the committee already named and asked that he be given a vote of confidence in this matter.

Mr. Oren said there would be a lot of time involved in making this investigation and he did not feel that he could give the time from his business to serve on such a committee if it were selected from the membership of the Council. He said the names as selected should not be withdrawn.

Mr. Wallace made a motion that the committee as selected by the chair, including the two additional members of the Council, be approved. The motion was seconded by Mr. Carr, but failed of passage as shown by the following roll call vote:

Ayes, 4, viz: Mr. Carr, Mr. Fritz, Mr. Wallace, President Raub.

Noes, 5, viz: Mr. Cable, Mrs. Dowd, Mr. Kealing, Mr. Oren, Mr. Schumacher.

Mr. Raub then withdrew the names of the entire committee.

Mr. Oren said he felt that if the matter could be held in abeyance until the next meeting the Council would be able to decide on it.

The subject was closed without a committee being named.

## COMMITTEE REPORTS

Indianapolis, Ind., October 3, 1938.

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. 73, 1938, entitled:

Loading zone—Victor Furniture Co.

beg leave to report that we have had said ordinance under con-  
sideration, and recommend that the same be passed.

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

Indianapolis, Ind., October 3, 1938.

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. 74, 1938, entitled:

Prohibiting parking on Shelby St., south of Prospect

beg leave to report that we have had said ordinance under con-  
sideration, and recommend that the same be passed.

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

October 3, 1938]

City of Indianapolis, Ind.

655

Indianapolis, Ind., October 3, 1938.

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. 76, 1938, entitled:

W. Michigan St., preferential over White R. Blvd.

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed.

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

Indianapolis, Ind., October 3, 1938.

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 Gen-  
eral Ordinance No. 77, 1938, entitled:

Bond Sale—\$600,000 in refunding bonds

beg leave to report that we have had said ordinance under con-  
sideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman  
THEODORE CABLE  
SILAS J. CARR  
ADOLPH J. FRITZ  
NANNETTE DOWD

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

### APPROPRIATION ORDINANCE No. 13, 1938

AN ORDINANCE appropriating Thirteen Hundred Dollars (\$1300.00) from the anticipated unappropriated and unexpended 1938 balance of the general fund to the Board of Public Safety--Gamewell Division, 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 Thirteen Hundred Dollars (\$1300.00) is hereby appropriated from the anticipated unappropriated and unexpended 1938 balance of the general fund to the following fund as per 1938 budget classification:

#### BOARD OF PUBLIC SAFETY GAMEWELL DIVISION

#### Fund No. 22—Heat, Light, Power, and Water

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 Finance.

## INTRODUCTION OF GENERAL ORDINANCES

By Mrs. Dowd:

### GENERAL ORDINANCE No. 78, 1938

AN ORDINANCE prohibiting the parking of vehicles on a certain street of the City of Indianapolis, providing a penalty for the violation thereof, 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. It shall be unlawful for the operator of any vehicle to park the same, or suffer, permit or allow the same to be parked on either side of North Spring Street from Michigan Street to Walnut Street.

Section 2. Any person violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

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.

ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 77, 1938, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, General Ordinance No. 77, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 77, 1938, 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. Carr called for General Ordinance No. 73, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 73, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 73, 1938, 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. Carr called for General Ordinance No. 74, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 74, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 74, 1938, 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. Carr called for General Ordinance No. 76, 1938, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Wallace, General Ordinance No. 76, 1938, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 76, 1938, 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 asked that the rules be suspended to permit the introduction of General Ordinance No. 79, 1938. The motion was seconded by Mr. Carr 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.

The rules were suspended.

The Council reverted to a previous order of business.

### INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Works and Sanitation:

#### GENERAL ORDINANCE No. 79, 1938

AN ORDINANCE authorizing the Board of Public Works and Sanitation to contract for items required for a part of the College Avenue Main Storm Relief Sewer, 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 Board of Public Works and Sanitation is hereby authorized to enter into the following contract, or contracts, for the construction of a part of the College Avenue Main Storm Relief Sewer improvement at the following estimated cost:

Division 1. The furnishing of 3800 cubic yards, more or less, of premixed concrete at site of work .....	\$24,700.00
--	-------------

Division 2. The furnishing of 200 tons, more or less, reinforcing steel at site of work.....	\$14,000.00
--	-------------

Said contract, or contracts, shall be entered into with the lowest and best bidder, or bidders, as determined by said board from the proposals received after advertising for bids according to law.

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 Works.

Mr. Cable made a motion to suspend the rules for the further consideration and passage of General Ordinance No. 79, 1938. The motion was seconded by Mr. Carr 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.

The rules were suspended.

The Council reverted to a previous order of business.

## COMMITTEE REPORT

Indianapolis, Ind., October 3, 1938.

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  
General Ordinance No. 79, 1938, entitled:

Purchase of materials for construction of the  
College Avenue Relief Sewer

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be passed under suspension of  
the rules.

THEODORE CABLE, Chairman  
ROSS H. WALLACE  
SILAS J. CARR

## ORDINANCES ON SECOND READING

Mr. Cable called for General Ordinance No. 79, 1938,  
for second reading. It was read a second time.

On motion of Mr. Cable, seconded by Mr. Wallace,  
General Ordinance No. 79, 1938, was ordered engrossed,  
read a third time and placed upon its passage.

General Ordinance No. 79, 1938, was read a third time  
by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr.  
Fritz, Mr. Kealing, Mr. Wallace, President Raub.

Noes, 2, viz: Mr. Oren, Mr. Schumacher.

## MISCELLANEOUS BUSINESS

Petitions bearing the signature of more than fifty (50)  
persons purporting to own taxable real estate in the City  
of Indianapolis were filed, which petitions requested the  
Common Council to cause to be issued bonds of the City of




Indianapolis in a total sum not exceeding sixty-two thousand (\$62,000.00) dollars, for the purpose of providing funds to bring about the repair and improvement of the bridge on West New York Street over White River in the City of Indianapolis. Said petitions were verified by more than one of the signers thereof and the verified petitions have been referred to the Auditor of Marion County for certification of such petitioners as owners of taxable real estate in the City of Indianapolis.

Mrs. Dowd made a motion that the Welfare Committee of the Council be designated as the one to make the investigation relative to the purchase of the Water Company by the city. The motion was seconded by Mr. Kealing, but failed of passage by a viva voce vote of the Council.

On motion of Mr. Schumacher, seconded by Mr. Wallace, the Common Council adjourned at 9:50 p. m.

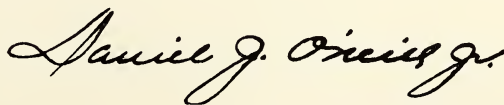
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council, of the City of Indianapolis, held on the 3rd day of October, 1938, at 7:30 p. m.

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.)