

## REGULAR MEETING

Monday, October 25, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, October 25, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The Clerk proceeded with the reading of the journal of the preceding session, October 4, 1926.

On motion of Mr. Bartholomew, seconded by Mr. Todd, the minutes were ordered corrected as follows:

“Your Committee on City Welfare, to which was referred General Ordinance No. 63, 1926, begs leave to report that said ordinance was referred by the City Clerk upon its introduction by Mr. Dorsett, a member of the Council, to the City Plan Commission, of the City of Indianapolis, which caused notices to be published August 26, 1926, as by law provided, notifying all persons that said ordinance, together with maps, pertaining were on file in the office of such City Plan Commission of the City of Indianapolis, for public examination. That upon consideration of the same the City Plan Commission, by its secretary, notified the City Clerk that since the ordinance originated in the City Council, by one of its members, the City Plan Commission would take no action thereon, and did not, in fact, make any report adversely upon such ordinance, and that since no remonstrances against said ordinance have been presented to the Council, in writing, duly signed and acknowledged,

“Your committee does now recommend the passage of said ordinance.”

## COMMUNICATIONS FROM THE MAYOR.

October 13, 1926.

*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 Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 63, 1926.

An Ordinance amending General Ordinance No. 114, 1922, and entitled "An Ordinance dividing the city of Indianapolis into districts for the purpose of regulating the restricting the location of trades, callings, industries and commercial enterprises and the location of buildings, etc. Which so changes that ordinance as to make the territory from 25th St. North to Fall Creek on Delaware Street territory confined to the use of business.

It is now and always has been my view that our Boulevards should be kept free from buildings erected along them for business purposes. However, I am advised by competent attorneys that the roadway along Fall Creek between Meridian Street and Central Ave., is not a Boulevard, but a street under the control and supervision of the Board of Works.

The approach to the Delaware Street Bridge has long been a matter of grief to the city administration and it seems that some action must be immediately taken to correct this unfortunate condition. Accompanying the ordinance are two deeds which convey sufficient ground to the City of Indianapolis free of cost, for the widening of Delaware street at this particular point, which results in a great saving to the city. Otherwise it would be necessary to bring condemnation proceedings and have this property appraised before it could be purchased by the city, which would naturally cost a large amount of money. This is an important matter which I am bearing in mind in signing this ordinance. I also note that the ordinance was passed at the regular meeting with but one dissenting vote of those present and since its passage one of the members of the Council who was not present at the meeting and could not vote upon the ordinance called upon me personally and said that he was for it and would have voted in favor of its passage had he been present.

With kind regards, I am

Very truly yours,

JOHN L. DUVALL,  
Mayor.

October 13, 1926.

*To the Honorable President and Members of the Common Council of Indianapolis:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Resolution No. 12, 1926.

WHEREAS, it has come to the notice of the members of the Common Council that the Chairman of an investigating Committee from the Indiana Republican Editorial Association has made a public charge through the public press that he has information and evi-

dence purporting to show and prove that the city officials of Indianapolis are controlled by unsavory influences which are inimical to the best interests of the City of Indianapolis.

Very truly yours,

JOHN L. DUVALL,

Mayor.

October 13, 1926.

*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 Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 76, 1926.

An Ordinance changing the name of Sixteenth Street which extends from Dearborn Street to the Belt Railroad and renaming the same "Brookside Parkway, South Drive" in the City of Indianapolis, Indiana.

General Ordinance No. 80, 1926. An ordinance to amend Section 377 of General Ordinance No. 121, 1925, providing for a penalty for its violation and designating a time when the same shall take effect.

Very truly yours,

JOHN L. DUVALL,

Mayor.

#### REPORTS FROM CITY OFFICERS.

October 14, 1926.

*To the Honorable President and Members of the Common Council of Indianapolis:*

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Thirty-five (\$35.00) Dollars in the Department of City Clerk from Fund No. 25, Repairs to Equipment, and reappropriating the same to the Department of City Clerk Fund No. 21, Postage, Telegraph and Telephone.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

October 14, 1926.

*To the Honorable President and Members of the Common Council of Indianapolis:*

Gentlemen—I have been requested by the Street Commissioners Department to submit to you the attached General Ordinance for the transfer of funds as listed in said ordinance.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER.

City Controller.

October 25, 1926.

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

Gentlemen—Attached herewith please find a General Ordinance for the transfer of "The World War Memorial Fund" under the control of the Board of Public Works of the City of Indianapolis, Indiana, in the sum of Two Hundred Forty-two Thousand Five Hundred Thirty-two Dollars and Fifty-one Cents (\$242,532.51), with any accumulated interest thereon, to the World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners,

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

#### REPORTS FROM STANDING COMMITTEES.

October 25, 1926.

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

We, your committee to whom was referred General Ordinance No. 81, beg leave to report that we have had said Ordinance under consideration and recommend that the same be passed.

WALTER R. DORSETT  
O. RAY ALBERTSON  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
C. E. NEGLEY.

Committee.

October 25, 1926.

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

We, your committee to whom was referred General Ordinance No. 47, beg leave to report that we have had said Ordinance under consideration and recommend that the same be passed.

A. H. TODD, Chairman.  
OTIS E. BARTHOLOMEW  
C. E. NEGLEY.  
R. E. SPRINGSTEEN.

Committee.

October 25, 1926.

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

We, your committee to whom was referred General Ordinance No. 73, beg leave to report that we have had said ordinance under

consideration and recommend that the same be passed.

AUSTIN H. TODD, Chairman.  
EDWARD B. RAUB  
R. E. SPRINGSTEEN.

Committee.

## INTRODUCTION OF GENERAL ORDINANCES.

By Dr. Todd:

### GENERAL ORDINANCE NO. 82, 1926.

AN ORDINANCE, to amend Section 865 Indianapolis Building Code of 1925, of General Ordinance No. 121, known as Municipal Code of Indianapolis, 1925, and entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation, with stated exceptions repealing all former ordinances.

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

Section A-244. Any person, firm or corporation who shall violate or assist in the violation of or cause to be violated any Section of the City Building Code shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Five Hundred (\$500.00) Dollars for each and every offense or misdemeanor, to which may be added ten (10) days imprisonment in the Marion County Jail. Each and every day a violation shall continue to exist or occur shall constitute a separate and individual offense or misdemeanor.

Section A-245. Any person, firm or corporation who shall violate or disregard or continue to violate or disregard any summons, placard or notice, either by letter or agent of the City Building Department, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed Five Hundred (\$500.00) Dollars for each and every offense or misdemeanor, to which may be added ten (10) days imprisonment in the Marion County Jail. Each and every day a violation shall exist or occur the same shall constitute a separate and individual offense or misdemeanor.

Section A-246. Any ordinance or parts of ordinances in conflict herewith shall hereafter be and the same are now hereby repealed.

Section A-247. This ordinance shall be in full force and effect from and after its passage.

AUSTIN H. TODD.

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

By the City Comptroller:

## GENERAL ORDINANCE NO. 83, 1926.

AN ORDINANCE, transferring the sum of Thirty-five (\$35.00) Dollars in the Department of City Clerk from Fund No. 25, Repairs to Equipment, and reappropriating the same to the Department of City Clerk Fund No. 21, Postage, Telegraph and Telephone, 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 Thirty-five (\$35.00) Dollars be and the same is now hereby transferred and reappropriated from the Department of City Clerk Fund No. 25. Repairs to Equipment to Department of City Clerk, Fund No. 21, Postage, Telegraph and Telephone.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee which consisted of Mr. Ferguson, Chairman; Messrs. Springsteen, Dorsett, Todd and Albertson.

By the City Comptroller:

## GENERAL ORDINANCE NO. 84, 1926.

AN ORDINANCE, transferring the sum of Two Thousand (\$2,000.00) Dollars from Street Commissioners Department, Fund No. 21, Communication and Transportation; One Thousand (\$1,000.00) Dollars from Street Commissioners Department, Fund No. 25, Repairs; Five Hundred (\$500.00) Dollars from Street Commissioners Fund, No. 44, General Materials, and re-appropriating same to Street Commissioners Dept., Fund No. 12, Unimproved Streets, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Eighteen Hundred (\$1,800.00) Dollars from Street Commissioners Department, Fund No. 43, Street and Alley Materials, and reappropriating same to Street Commissioners Department, Fund No. 12, Sewer Department, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Two Hundred Fifty (\$250.00) Dollars from Street Cleaning Department, Fund No. 12, Helpers; One Hundred Fifty (\$150.00) Dollars from Stock-keeper, Fund No. 12, and reappropriating same to Stablenen, Fund No. 12, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Four Hundred (\$400.00) Dollars from Street Commissioners Department, Fund No. 22, Heat, Light, Power and Water; Three Hundred (\$300.00) Dol-

lars from Street Commissioners Department, Fund No. 54, Rental Taxes, and reappropriating same to City Yards Fund No. 12, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Twenty-five Hundred (\$2,500.00) Dollars from Street Cleaning Fund No. 13, Teams; Fifteen Hundred (\$1,500.00) Dollars from Street Cleaning Fund No. 12, Helpers; Five Hundred (\$500.00) Dollars from Street Cleaning Fund No. 12, Light Trucks; Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Carpenters; Nine Hundred Fifty (\$950.00) Dollars from Unimproved Streets, Fund No. 11, Personal Service; Three Hundred Fifty (\$350.00) Dollars from Fund No. 11, Sewers; Two Hundred thirty (\$230.00) Dollars from Fund No. 11, Office; Twelve Hundred (\$1200.00) Dollars from Fund No. 38, Supplies, General; Seven Hundred (\$700.00) Dollars from Fund No. 45, Repair Parts; Five Hundred Twenty (\$520.00) Dollars from Fund No. 71, Buildings and Structures, and reappropriating same to Street Cleaning Fund No. 12, Laborers, all under the Board of Public Works, 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 Two Thousand (\$2,000.00) Dollars from Street Commissioners Department, Fund No. 21, Communication and Transportation; One Thousand (\$1,000.00) Dollars from Street Commissioners Department, Fund No. 25, Repairs; Five Hundred (\$500.00) Dollars from Street Commissioners Fund No. 44, General Materials, be and the same is hereby now transferred and reappropriated to Street Commissioners Department, Fund No. 12, Unimproved Streets, all under the Board of Public Works .

That the sum of Eighteen Hundred (\$1,800.00) Dollars from Street Commissioners Department, Fund No. 43, Street and Alley Materials, be and the same is hereby now transferred and reappropriated to Street Commissioners Department Fund No. 12, Sewer Department, all under the Board of Public Works.

That the sum of Two Hundred Fifty (\$250.00) Dollars from Street Cleaning Department Fund No. 12, Helpers; One Hundred Fifty (\$150.00) Dollars from Stock-keeper, Fund No. 12, be and the same is hereby now transferred and reappropriated to Stablemen, Fund No. 12, all under the Board of Public Works.

That the sum of Four Hundred (\$400.00) Dollars from the Street Commissioners Dept. Fund No. 22, Heat, Light, Power and Water; Three Hundred (\$300.00) Dollars from Street Commissioners Department, Fund No. 54, Rental Taxes, be and the same is hereby now transferred and reappropriated to City Yards Fund No. 12, all under the Board of Public Works.

That the sum of Twenty-five Hundred (\$2,500.00) Dollars from Street Cleaning Fund No. 13, Teams; Fifteen Hundred (\$1,500.00) Dollars from Street Cleaning Fund No. 12, Helpers; Five Hundred (\$500.00) Dollars from Street Cleaning Fund No. 12, Light Trucks; Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Carpent-

ers; Nine Hundred Fifty (\$950.00) Dollars from Unimproved Streets, Fund No. 11, Personal Service; Three Hundred Fifty (\$350.00) Dollars from Fund No. 11, Sewers; Two Hundred Thirty (\$230.00) Dollars from Fund No. 11; Office; Twelve Hundred (1,200.00) Dollars from Fund No. 38, Supplies, General; Seven Hundred (\$700.00) Dollars from Fund No. 45, Repair Parts; Five Hundred Twenty (\$520.00) Dollars from Fund No. 71, Buildings and Structures, be and the same is hereby now transferred and reappropriated to Street Cleaning Fund No. 12, Laborers, all under the Board of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Negley, Springsteen, Bartholomew and Dorsett.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 85, 1926.

AN ORDINANCE, for the transfer of "The World War Memorial Fund" under the control of the Board of Public Works of the City of Indianapolis, Indiana in the sum of Two Hundred Forty-Two Thousand, Five Hundred Thirty-two Dollars and Fifty-one Cents (\$242,532.51) with any accumulated interest thereon, to the World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners 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 World War Memorial Fund" now under control of the Board of Public Works of the City of Indianapolis in the sum of Two Hundred Forty-two Thousand Five Hundred Thirty-two Dollars and Fifty-one Cents (\$242,532.51) with any accumulated interest thereon, be and the same is hereby transferred from the control of the said Board of Public Works to the World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners of said city.

Section 2. That the proper officers of the city shall forthwith do all things necessary to make such transfer effective.

Section 3. 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 Mr. Albertson:



## GENERAL ORDINANCE NO. 86, 1926.

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises, and the location of buildings designed for specified uses; of classifying, regulating, and determining the area of front, rear, and side yards, and other open spaces about buildings; or regulating and determining the use and intensity of use of land and lot areas within such City; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect, and fixing the time when the same shall take effect."

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

Section 1. That the U3 or business district, the A3, or the 2400 square feet area district, and the H1, or 50 feet height district, as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented, and changed so as to include the following described territory.

A. Beginning at the North property line of East 46th street, at its intersection with the west property line of Central Ave., thence north along the west property line of Central Ave., a distance of 83.33 feet; thence west and parallel to the north property of 46th street, a distance of 150 feet; thence south and parallel to the west property line of Central Ave., a distance of 83.66 feet, and thence east to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

O. RAY ALBERTSON.

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

By Mr. Ferguson:

## GENERAL ORDINANCE NO. 87, 1926.

AN ORDINANCE to amend Section Eight Hundred Ninety-Three (893) District Exceptions, of General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses: of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," 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 Section 893, District Exceptions, (Paragraph 23) of General Ordinance 114, 1922. be amended by the addition of the following provision which shall be known as Sub-Section 9, to-wit:

(9) The Board of Zoning Appeals as established by ordinance regularly passed by the Common Council of the City of Indianapolis shall in no instance authorize or permit, or recommend the authorization or permission, to change the U1 or residence zoning of any district in the City of Indianapolis to a U3 or business zoning without first securing the approval of the Common Council by submitting the proposed change of zoning from U1 zoning to U3 zoning in the form of an ordinance with a request that the same be passed by the Common Council, and unless such request in the form of an ordinance shall be regularly passed by the Common Council the proposed change from U1 zoning to U3 zoning shall not take effect.

Section 2. This ordinance shall be in full force and effect from and after its passage.

MILLARD W. FERGUSON.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman; Messrs. Albertson, Ferguson, Negley and Bartholomew.

CALL FOR ORDINANCES ON SECOND READING.

Mr. Bartholomew called for General Ordinance No. 47 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 47 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 47 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Negley, Springsteen, Todd and President Moore.

Noes, 1, viz.: Mr. Raub.

Dr. Todd called for General Ordinance No. 73 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 73 was ordered engrossed, read

a third time and placed upon its passage.

General Ordinance No. 73 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Raub, Springsteen, Todd and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Dorsett called for General Ordinance No. 81 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 81 was ordered engrossed, read a third time and placed upon its passage.

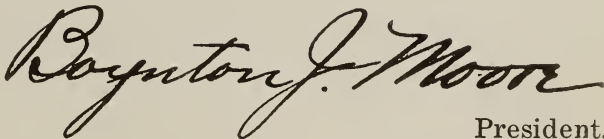
General Ordinance No. 81 was read a third time and passed by unanimous vote.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, Special Ordinance No. 3 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 75 was stricken from the files.

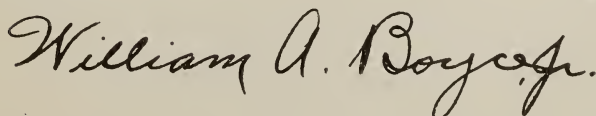
On motion of Mr. Bartholomew, seconded by Dr. Todd, Resolution No. 10 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the Common Council of the City of Indianapolis at 8:35 o'clock p. m. adjourned.

A large, elegant handwritten signature in cursive script, reading "Roynton J. Moore".

President.

Attest:

A handwritten signature in cursive script, reading "William A. Boyce".

City Clerk.

