

## SPECIAL MEETING

Monday, December 27, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, December 27, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

December 24, 1926.

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

Gentlemen—You are hereby notified that there will be a SPECIAL MEETING of the COMMON COUNCIL held in the Council Chamber on Monday, December 27, 1926 at 7:30 p. m., pursuant to motion adopted by 7 to 2 vote at regular meeting held December 20, 1926, the purpose of such SPECIAL MEETING being to consider on second reading and passage General Ordinances Nos. 120 and 121, and in addition thereto on order of the President to consider introduction and consideration of two transfer ordinances - one proposing to transfer certain funds within the City Plan Department and the other proposing to transfer certain funds within the Municipal Garage Department under the Department of Public Works.

Respectfully,

BOYNTON J. MOORE

President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such SPECIAL MEETING, pursuant to the rules.

WILLIAM A. BOYCE, Jr.

(SEAL)

City Clerk.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

Which was read.

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 reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Bartholomew.

On motion of Dr. Todd, seconded by Mr. Dorsett, the Common Council recessed at 8:25 o'clock.

The Council reconvened at 8:45 o'clock with the same members present as before.

#### REPORTS FROM CITY OFFICERS

December 27, 1926

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

Gentlemen—One of your body has asked the legal advice of this department as to general Ordinance No. 120, 1926, and the other Ordinance proposed to supply the Legal Department with additional help, by reason of the merger suggested for the two electric Light Companies.

Although there are not a sufficient number of decided cases to enable one to point blank advise as to the legality of these ordinances, yet it is my opinion that both of them are proper and legal.

It is unbelievable that when an emergency arises, the City and public may be left helpless. Otherwise government could not function. I would suggest that you follow Burns 1926, Sections 10306 and 10311 (14th). These sections seem to require the written approval of the City Controller obtained and filed in the Controller's office and a two-thirds vote of the council. These factors to my mind should be easily supplied, as I believe all of your body desire the public to be fully represented and the same, of course may be said in behalf of the Controller.

The City, as a rule has a deficiency at the end of the year anyhow, and a deficiency at the end of the year 1927 caused by these appropriations would not be novel or strange but would be sustained at great value to the public. In emergency public officers are expected to take some change and they are never punished for so doing. I recommend the passage of both of these ordinances. I am

Very respectfully yours,  
ALVAH V. RUCKER,  
Corporation Counsel.

December 27, 1926

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

Gentlemen—Attached herewith please find copies of a general ordinance transferring the sum of Six Hundred Seventy-five (\$675.00) Dollars from Municipal Garage Funds, No. 21, 25, 33, 45, 52 and 72, under the Board of Public Works and reappropriating the same to Municipal Garage Fund No. 22, under the Board of Public Works.

I respectfully recommend the passage of this ordinance.

Yours,  
W. C. BUSER,  
City Controller.

December 27, 1926

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

Gentlemen—Attached herewith please find copies of a general ordinance transferring the sum of Two Hundred Fifty (\$250.00) Dollars from Fund No. 13, "Other Compensations" and reappropriating the same to Fund No. 36, Office Supplies, both under the City Plan Commission.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

#### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., December 27, 1926.

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

Gentlemen—We, your Committee on Board of Works to whom was referred General Ordinance No. 120, 1926, entitled Transferring \$25,000 from Fund No. 22, Administration unit Board of Works Department to Fund No. 26, Department of Finance beg leave to report that we have had said ordinance under consideration, and recommend that we ask for more time.

WALTER R. DORSETT, Chairman.  
O. E. BARTHOLOMEW.  
A. H. TODD.

Indianapolis, Ind., December 27, 1926.

*To Mr. William C. Buser, City Controller, City of Indianapolis:  
of Indianapolis:—*

DEAR SIR—In answer to your letter of December 20th, which was attached to General Ordinance No. 121, pertaining to \$15,000.00 appropriation for employing engineers, attorneys and etc., for fighting the merger of certain utilities, we find that in Section 10306, of Burns Indiana Statutes of 1926, pages 365 and 366, that after the Budget is passed and your tax levy and appropriations set out for the ensuing year that should an emergency arise additional appropriations can be made upon the recommendation of the City Controller and by a two-thirds vote of the Council.

As we feel as though this is a very important matter in which the City is very much interested we wish to advise you that we also are in accord with you in finding some way or means in which we can obtain money to meet this additional appropriation.

If you as City Controller will recommend the passing of a bond issue necessary to meet an appropriation necessary to fight this merger, we, your finance committee, will give same our favorable consideration.

Yours respectfully,

O. RAY ALBERTSON.  
WALTER R. DORSETT.  
O. E. BARTHOLOMEW.  
A. H. TODD.

## INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

## GENERAL ORDINANCE NO. 123, 1926

AN ORDINANCE, transferring the sum of Six Hundred Seventy-five (\$675.00) Dollars, which amount is now appropriated to the Municipal Garage Fund in the following amounts:

Municipal Garage Fund No. 21	\$ 25.00
Municipal Garage Fund No. 25	75.00
Municipal Garage Fund No. 33	325.00
Municipal Garage Fund No. 45	150.00
Municipal Garage Fund No. 52	25.00
Municipal Garage Fund No. 72	75.00

in the department of Public Works and reappropriating the same to Municipal Garage Fund Item No. 22, in the Department of Public Works of the City of Indianapolis, Indiana, 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 the sum of Six Hundred Seventy-five (\$675.00) Dollars, which amount is now appropriated to the Municipal Garage Fund in the following amounts:

Municipal Garage Fund No. 21	\$ 25.00
Municipal Garage Fund No. 25	75.00
Municipal Garage Fund No. 33	325.00
Municipal Garage Fund No. 45	150.00
Municipal Garage Fund No. 52	25.00
Municipal Garage Fund No. 72	75.00

be and the same is hereby transferred from the Municipal Garage Fund Items 21, 25, 33, 45, 52 and 72 in the Department of Public Works and the same be and is hereby transferred and reappropriated to the Municipal Garage Fund Item 22, in the Department 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 the Committee on Finance.

By the City Comptroller:

## GENERAL ORDINANCE NO. 124, 1926

AN ORDINANCE, Transferring and reappropriating certain funds under the Department of City Plan Commission, and declaring a time when same shall take effect.

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

Section 1. That there be and is hereby transferred from Fund No. 13, OTHER COMPENSATION, the sum of Two Hundred and Fifty (\$250.00) Dollars and that the same be and is hereby re-

appropriated to Fund No. 36 OFFICE SUPPLIES, both under the Department of City Plan Commission.

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 the Committee on Finance.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Raub presented the following written motion:

Indianapolis, Ind., December 27, 1926.

*Mr. President:*

I move that the Public Works Committee to which General Ordinance No. 120, 1926 was referred be discharged and that this Council proceed to consider said Ordinance without the advice or report of said Committee.

The above motion was seconded by Mr. Springsteen, which failed to pass by the following vote:

Ayes, 3, viz.: Messrs. Negley, Raub and Springsteen.

Noes, 6, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Mr. Albertson presented the following written motion, which was seconded by Dr. Todd:

Indianapolis, Ind., December 27, 1926.

*Mr. President:*

I move that the Common Council request the City Comptroller to recommend the introduction and passage of an Ordinance authorizing a bond issue to be used in fighting the proposed utility merger.

The above motion passed by the following vote:

Ayes, 5, viz.: Messrs. Albertson, Bartholomew, Dorsett, Todd and President Moore.

Noes, 4, viz.: Messrs. Ferguson, Negley, Raub and Springsteen.

Mr. Raub presented the following written motion, which was seconded by Mr. Albertson:

Indianapolis, Ind., December 27, 1926.

*Mr. President:*

I move that the Finance Committee to which General Ordin-

ance No. 121, 1926, was referred be discharged and that this Council proceed to consider said Ordinance without the advice or report of said Committee.

The above motion failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Albertson, Negley, Raub and Springsteen.

Noes, 5, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Moore.

On motion of Mr. Albertson, seconded by Mr. Raub, the Common Council of the City of Indianapolis, Indiana, adjourned at 9:07 o'clock p. m.

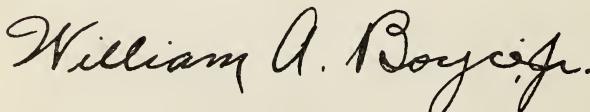
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, Indiana, held on the 27th day of December, 1926.

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)

