

REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, May 18, 1925, at 7:30 o'clock in regular session, President Ben H. Thompson in the chair.

Present: The Hon. Ben H. Thompson, President of the Common Council, and seven members, viz., Messrs. Bernd, Bramblett, Buchanan, Claycombe, King, Ray and Wise.

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

COMMUNICATIONS FROM THE MAYOR.

May 16, 1925.

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

Gentlemen:

I herewith return, without my approval, General ordinance No. 36, 1925.

General Ordinance No. 36, 1925, an ordinance regulating the driving of automobiles, trucks and other motor vehicles in the City of Indianapolis, Indiana, providing a penalty for the violation thereof and declaring a time when the same shall take effect.

Very truly yours,
LEW SHANK,
Mayor.

By Mr. Bramblett:

May 18, 1925.

Mr. President:

I move that General Ordinance No. 36, 1925, be passed over the Mayor's veto.
I. L. BRAMBLETT.

The roll was called and General Ordinance No. 36, 1925, was passed over the Mayor's veto by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe, King, Ray and Wise.

Noes, 1, viz.: President Ben H. Thompson.

REPORTS FROM CITY CITY OFFICERS.

From the City Controller:

May 18, 1925.

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

Gentlemen:

I hand you herewith a communication from the Board of Public Works asking for the passage of an ordinance appropriating the sum of \$48,406.12 from any unappropriated funds to the Street and Alley Opening and Vacation Fund to pay a judgment rendered in favor of Edward W. Fitzpatrick and others in Cause No. 38422 in the Marion Circuit Court vs. City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,

City Controller.

May 18, 1925.

Mr. Joseph L. Hogue,
City Controller,
City.

Dear Sir:

I am directed by the Board of Public Works to submit for your approval and transmission to the Common Council an ordinance appropriating the sum of \$48,406.12 from any unappropriated funds to the Street and Alley Opening and Vacation Fund to pay a judgment rendered in favor of Edward W. Fitzpatrick and others in Cause No. 38422, in the Marion Circuit Court vs. the City of Indianapolis.

Yours truly,

ELMER WILLIAMS,

Clerk of the Board of Public Works.

May 18, 1925.

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

Gentlemen:

I herewith hand you a communication from the Board of Public Works asking for the passage of an ordinance appropriating the sum of \$6600.00 with which to pay an allowance made by Harry O. Chamberlin, judge of the Marion Circuit Court in re the Construction of the Pleasant Run and Bean Creek Interceptor Sewer Improvement, such allowance having been made on the 4th day of May, 1925, for the payment of \$2200.00 each to Frank Noll, Jr., Walter Crull and Byron Young, appraisers appointed by said court in said cause.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOS. L. HOGUE,

City Controller.

May 18, 1925,

Mr. Joseph L. Hogue,
City Controller,
City.

Dear Sir:

I am directed by the Board of Public Works to submit for your approval and transmission to the Common Council an ordinance appropriating the sum of \$6600.00 with which to pay an allowance made by Harry O. Chamberlin, judge of the Marion County Circuit Court in re. the Construction of the Pleasant Run and Bean Creek Interceptor Sewer Improvement, such allowance having been made on the 4th day of May, 1925, for the payment of \$2200.00 each to Frank Noll, Jr., Walter Crull and Byron Young, appraisers appointed by said court in said cause.

Yours truly,
ELMER WILLIAMS,
Clerk of the Board of Public Works.

May 18, 1925.

Mr. Joseph L. Hogue,
City Controller,
City.

Dear Sir:

May 18, 1925.

I am directed by the Board of Public Works to submit for your approval and transmission to the Common Council an ordinance authorizing the purchase of certain real estate in the City of Indianapolis, Marion County, Indiana for the purpose of erecting a Coliseum thereon, under Miscellaneous Resolution No. 302, 1925, adopted on April 27th, 1925, said ground to be of the value of \$465,000.00, bounded as follows:

- By Washington street on the south;
- By Market street on the north;
- By Davidson street on the west;
- By Pine street on the east.

Yours truly,
ELMER WILLIAMS,
Clerk of the Board of Public Works.

From the Board of Public Safety:

May 18, 1925.

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

Gentlemen:

The Board of Public Safety respectfully requests the passage of an ordinance amending Sub-Section "F" of General Ordinance No. 37, 1923.

You will find hereto attached 12 copies of such an ordinance.

Respectfully submitted,
BOARD OF PUBLIC SAFETY,
By Oscar O. Wise, Executive Secretary.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By the City Controller:

APPROPRIATION ORDINANCE NO. 17, 1925.

AN ORDINANCE appropriating out of any moneys in the General Fund of the City of Indianapolis, not otherwise appropriated, the sum of Sixty-six Hundred (\$6600.00) Dollars, with which to pay an allowance made by Harry C. Chamberlin, Judge of the Marion Circuit Court, in re, the construction of the Pleasant Run and Bean Creek Interceptor Sewer Improvement, such allowance having been made by said court on the 4th day of May, 1925, and declaring a time when said ordinance shall take effect.

WHEREAS, on the 4th day of May, 1925, the Honorable Harry O. Chamberlin, Judge of the Marion County Circuit Court, in the matter of the Construction of the Pleasant Run and Bean Creek Interceptor Sewer Improvement, being cause No. 2437 in said court, made an allowance in the sum of Twenty-two Hundred (\$2200.00) Dollars each to Frank Noll Jr., Walter Crull and Myron Young, appraisers appointed by said court in said cause, and

WHEREAS, a certified copy of said judgment has been delivered to the Board of Public Works, as provided by law,,
Be it Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the sum of Sixty-six Hundred (\$6600.00) Dollars is hereby appropriated from any moneys in the General Fund of said city, not otherwise appropriated, to the payment of the allowance of Twenty-two Hundred (\$2200.00) Dollars each to Frank Noll Jr., Walter Crull and Byron Young, appraisers in the matter of the Construction of Pleasant Run and Bean Creek Interceptor Sewer Improvement.

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 GENERAL AND SPECIAL ORDINANCES.

By the Board of Public Works:

GENERAL ORDINANCE NO 38, 1925.

AN ORDINANCE authorizing the purchase of certain real estate in the City of Indianapolis, Marion County, Indiana, for the purpose of erecting a coliseum thereon, and providing a time when said ordinance shall take effect.

WHEREAS, on the 28th day of April, 1925, the Board of Public Works of the City of Indianapolis, Indiana, adopted the following resolution, to-wit:

MISCELLANEOUS RESOLUTION NO. 302, 1925.

WHEREAS, a certain proposition has been presented to the Board of Public Works to sell to the City of Indianapolis a site for a coliseum, which proposition was in the words and figures following, to-wit:

Indianapolis, Indiana,
April 17th, 1925.

To the City of Indianapolis:

The undersigned hereby offer and propose to sell and convey to the City of Indianapolis, as and for a site for the proposed coliseum, the following described real estate:

Out Lot 69, and part of Out Lot 68, being a tract of ground, in said city, bounded as follows:

By Washington street on the south, by Market street on the north, by Davidson street on the west and by Pine street on the east.

The purchase price at which said property is offered is the sum of Four Hundred Sixty-five Thousand (\$465000.00) Dollars.

All conveyances are to be in form of general warranty deeds, signed and duly executed by the owners and abstracts of title, showing good merchantable title to be furnished; free from all incumbrances and liens except the taxes of 1925, payable in 1926, mortgage in the sum of Twenty-nine Thousand (\$29000.00) Dollars, and interest to date of transfer to be deducted from above purchase price.

The real estate herein proposed to be sold and conveyed is more definitely shown by the blue print herewith submitted and made part of this proposition.

This proposition to be binding on us, is to be duly accepted by said city, and the transaction completed, and the purchase price paid, within fifty (50) days from this date.

R. A. HAVERLICK,
THOMAS D. MCGEE.

And, WHEREAS, the Board of Public Works believes that it is necessary and expedient for the City of Indianapolis, and for the good of the inhabitants thereof, to purchase a site for a coliseum, the building of which shall be provided for hereafter, and

WHEREAS, the Board at the present time approves the purchase of the ground described in said proposition.

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

That the above described ground should be purchased for a site for a coliseum, and that all legal and necessary steps be taken for the purchase of said ground, furnishing of abstract for the same and the examination of said abstract, and the taking of all other and necessary steps for the purchase of said ground, and that a contract be prepared for said purchase, and an ordinance prepared, submitting said contract to the Common Council of the City of Indianapolis for its approval.

April 27, 1925.

Charles E. Coffin,
Wm. H. Freeman
Mavity J. Spencer.

And, WHEREAS, the Board of Public Works deem it necessary, expedient and proper, and for the best interests of the City of Indianapolis, and the inhabitants thereof, to erect and maintain a coliseum for the purpose of affording suitable rooms in which large

assemblies may gather for the holding of political conventions and other meetings.

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

Section 1. That the proposition as set out in Miscellaneous Resolution No. 302, 1925, be and the same is approved by the Common Council of the City of Indianapolis, and the Board of Public Works is hereby authorized to take all legal and necessary steps to purchase said ground for the site of a coliseum and to have abstracts for the same duly examined and to take all other and necessary steps for the purchase of said ground.

Section 2. The said Board of Public Works, after it has taken the steps provided for in Section 1, shall cause to be submitted to the Common Council of the City of Indianapolis an ordinance setting out the completed contracts for the purchase of said ground, which ordinance shall provide that the said purchase and contract shall not be in full force and completed untill approved by the Common Council, and until such time as the said Common Council may have authorized an issue of bonds to provide the moneys with which to pay for said coliseum site, and until said bonds have been sold and the money paid into the City Treasury therefor.

Section 3. This ordinance shall be in full force and effect from and after the time of its passage.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 39, 1925.

AN ORDINANCE amending Sub-Section "F" of Section Three (3) of General Ordinance No. 37, 1923, known as the Traffic Ordinance, 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 Sub-Section "F" of Section Three (3) of General Ordinance No. 37, 1923, be and the same is hereby amended by providing that all vehicles, city and interurban cars shall come to a complete stop before continuing into or across Capitol avenue at the street and alley intersections from Maple Road Boulevard to Fiftieth street, and that as so amended, said Sub-Section "F" of Section Three (3) of General Ordinance No. 37, 1923, shall read as follows:

(F) VEHICLES, CITY AND INTERURBAN CAR STOPS. All vehicles, city and interurban cars approaching any of the following named streets and avenues within the City of Indianapolis, shall come to a complete stop before continuing into or across the same; North Capitol avenue from Washington street to Fiftieth street; Meridian street from Washington street to the Canal; East New York street from the Big Four Railroad tracks to Emerson avenue; East Michigan street from the Big Four Railroad tracks to Emersan avenue; Washington street from the city limits on the east to the city limits on the west; Maple Road Boulevard from Northwestern avenue

to Fall Creek, and Fall Creek Boulevard north. That the above named streets and avenues as set out in this Sub-Section "F" be and the same are hereby declared to be and are designated as preferential streets for the purpose of regulating traffic upon or crossing over the same.

Section 2. This ordinance shall be in full force and effect from and after passage and due publication as required by law.

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

By Mr. Buchanan:

GENERAL ORDINANCE NO. 40, 1925.

AN ORDINANCE amending Section 851 of General Ordinance No. 12, 1917.

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

Section 1. That Section 851 of General Ordinance No. 12, 1917, be and the same is hereby amended to read as follows: Section 851. Soliciting Business on Street or Sidewalk. Except as otherwise provided in this ordinance it shall be unlawful for any person, firm or corporation, in person or by an employe, to solicit trade or custom for any business, profession or calling, upon any street, alley or sidewalk, by any outcry or other personal means, or to solicit the trade of any person passing any such place of business: Provided, however, the provisions of this section do not apply to the owners or drivers of taxicabs or to persns selling newspapers.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. King:

RESOLUTION NO. 11, 1925.

WHEREAS, it is the duty of the Common Council of the City of Indianapolis, Indiana, to fix the compensation of the Board of Canvassers of the City of Indianapolis for canvassing the vote at the Primary Election, held in said City on May 5, 1925, therefore,

BE IT RESOLVED, By the Common Council of the City of Indianapolis, Indiana: That the compensation for the Board of Canvassers, composed of Ira M. Holmes, Frank P. Baker and John W. Rhodehamel, for services rendered as a Canvassing Board at the City Primary election, held in the City of Indianapolis, May

5, 1925, be fixed at One Thousand Dollars (\$1000.00) each and that the City Controller be and is hereby instructed to pay the same out of moneys appropriated for election purposes.

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

By Mr. King:

RESOLUTION NO. 12, 1925.

WHEREAS, it is the duty of the Common Council of the City of Indianapolis, Indiana, to fix the compensation of the appointive members of the Board of Primary Election Commissioners for the City of Indianapolis, Indiana, therefore,

BE IT RESOLVED, By the Common Council of the City of Indianapolis, Indiana: That the compensation of Ira M. Holmes and Frank P. Baker, the appointive members of the Board of Primary Election Commissioners of the City of Indianapolis, Indiana, for services rendered by them as such Board of Primary Election Commissioners for the Primary Election, held in the City of Indianapolis, Indiana, May 5, 1925, be fixed at One Thousand (\$1000) Dollars each, and that the City Controller be and he is hereby instructed to pay the same out of the moneys appropriated for election purposes.

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

ORDINANCES ON SECOND READING.

Mr. Bramblett called for General Ordinance No. 34, 1925, for second reading. It was read a second time.

Mr. Bramblett moved that General Ordinance No. 34, 1925, be ordered engrossed, read a third time and placed upon its passage.

The roll was called and the motion to engross General Ordinance No. 34, 1925, failed to carry by the following vote:

Ayes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

Noes, 4, viz.: Messrs. Buchanan, King, Ray and President Ben H. Thompson.

Mr. King called for General Ordinance No. 30, 1925, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 30, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 30, 1925, was read a third time and failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

Ayes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

Mr. King called for Appropriation Ordinance No. 13, 1925, for second reading. It was read a second time.

Mr. King moved that Appropriation Ordinance No. 13, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 13, 1925, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bernd, Bramblett, Buchanan, Claycombe, King, Ray, Wise and President Ben H. Thompson.

Mr. King called for Appropriation Ordinance No. 15, 1925, for second reading. It was read a second time.

Mr. King moved that Appropriation Ordinance No. 15, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 15, 1925, was read a third time and failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Bernd, Bramblett, Claycombe and Wise.

Noes, 4, viz.: Messrs. Buchanan, King, Ray and President Ben H. Thompson.

On motion of Mr. King the Common Council at 8:45 o'clock p. m. adjourned.

Ben H. Thompson

President.

Attest:

John H. Rhodehamel

City Clerk.