

REGULAR MEETING

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, September 21, 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 six members, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King and Ray.

Absent: Messrs. Bernd and Wise.

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

COMMUNICATIONS FROM THE MAYOR

September 15, 1925.

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

Gentlemen—I have today approved, signed and delivered to John W. Rhodehamel, City Clerk, the following ordinances:

General Ordinance, No. 51, 1925, 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; 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 the time when the same shall take effect.

General Ordinance No. 71, 1925, an ordinance, transferring the sum of Three Thousand (\$3,000.00) Dollars from the Municipal Garage Maintenance and Repairs Fund in the Department of Public Works to the Assessment Bureau Salaries Fund in the same department, and declaring a time when the same shall take effect.

Appropriation Ordinance No. 18, 1925, an ordinance appropriating the sum of Two Thousand (\$2,000.00) Dollars to the fund in the Police Department under the Department of Public Safety, known and designated as the "Material and Supply for Traffic Fund", and declaring a time when the same shall take effect.

Switch Contract, General Ordinance No. 65, 1925, an ordinance approving a certain contract granting D-A Lubricant Company, Inc., the right to lay and maintain a sidetrack or switch from over and

across Udell Street according to blue print attached in the City of Indianapolis, Indiana.

Very truly yours,

LEW SHANK,
Mayor.

September 17, 1925.

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

Gentlemen—I have today approved, signed and delivered to John W. Rhodehamel, City Clerk, Appropriation Ordinance No. 28, 1925, an ordinance appropriating moneys for the purpose of defraying current expenses of the City Government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year, beginning January 1st, 1926, and ending December 31st, 1926, including all outstanding claims and obligations, and fixing a time the same shall take effect. Repealing all General, Special, Appropriation and other Ordinances in any manner in conflict.

Very truly yours,

LEW SHANK,
Mayor.

September 16, 1925.

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

Gentlemen—I have approved, signed and delivered to John W. Rhodehamel, City Clerk, General Ordinance No. 64, 1925, an ordinance approving a certain contract granting Harry Kaufman the right to lay and maintain a sidetrack or switch from a point in the west property line of Senate Avenue along and across said Senate Avenue to a point in the east line of said Senate Avenue according to blue print attached, in the City of Indianapolis, Indiana.

Very truly yours,

LEW SHANK,
Mayor.

September 18, 1925.

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

Gentlemen—I return herewith without my approval General Ordinance No. 74, 1925, an ordinance approving a certain contract granting George C. Brinkmeyer Company the right to lay and maintain a sidetrack or switch from Point in the Inbound Freight House Track No. 6 of the Illinois Central Railroad Company across Senate Avenue according to blue print attached, in the City of Indianapolis, Indiana.

I do not approve of this contract for the reason that there has been a great number of people calling me and objecting to this switch, therefore I feel that there should be a public hearing on this matter.

Very truly yours,

S. L. SHANK,
Mayor.

September 17, 1925.

Honorable Members of the Common Council,
City of Indianapolis.

Gentlemen—I have vetoed the item of one cent for Sanitation Maintenance Fund in General Ordinance No. 72, 1925, same being “an ordinance fixing and establishing the annual rates of taxation and tax levies for the year 1925 for the City of Indianapolis for each fund for which a separate tax levy is authorized by law to be collected and expended in the year 1926.

I have vetoed this item for the following reasons:

1. The rate of \$.55 upon each One Hundred Dollars valuation is sufficient to meet all the needs of said fund.
2. Many expenses in the Department of Sanitation can be cut during the coming year.
3. The Department can raise more revenue than has been calculated.
4. The item was raised without my recommendation and contrary to the express provisions of the Statutes of Indiana as contained in Section 8686 Burns Annotated Statutes, which among other things provides:

“It shall be the duty of the committee of finance of the Common Council thereup to prepare an ordinance fixing the rate of taxation for the ensuing year, and also an ordinance making appropriation by items for the use of the various executive departments and other city purposes for the ensuing year. Such ordinance may reduce any estimated item for any executive department, from the figure submitted in the report of the City Controller, but shall not increase the same unless recommended by the Mayor.”

5. The levy of \$.065 is greater than that as set out in the ten-day notice to the public by publication of the budget and of the public hearing as required by Statute

Respectfully submitted,

S. L. SHANK,
Mayor.

REPORTS FROM CITY OFFICERS.

From the Board of Public Works:

September 21, 1925.

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

Gentlemen—At the request of the Board of Public Works I am handing you for passage an ordinance ordering the Board of Public Works of the City of Indianapolis, Indiana, to improve 41st Street from the west property line of Capitol Avenue to the east property line of Senate Avenue by grading the roadway from curb line to curbline to the uniform width of 24 feet; grading the wings of the intersecting alleys in a similar manner, and to the width as shown on plans prepared; curbing both sides of roadway with stratified lime stone, berea sand stone, granite, or 6x24" concrete curb; curbing the wings of the intersecting alleys in a similar manner and to the width shown on plans; providing 75 lineal feet of 6 ft. radius granite

corners; providing 4 new inlets, etc., all as shown under Street Improvement Resolution No. 12614.

Yours truly,

E. WILLIAMS,
Clerk Board of Public Works.

From the City Plan Commission:

September 21, 1925.

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

Gentlemen—General Ordinance No. 79, 1925, has been approved by the City Plan Commission and its passage by your Honorable Body is hereby recommended.

Very truly yours,

CITY PLAN COMMISSION
Tom L. Dillon, President

INTRODUCTION OF MISCELLANEOUS BUSINESS.

By Mr. Buchanan:

Mr. President:

I move that, notwithstanding the veto of the Mayor of the City of Indianapolis, dated September 17, 1925, of so much of General Ordinance No. 72, passed by the Common Council of the City of Indianapolis, September 1, 1925, as has to do with a levy of 6½ cents for the Maintenance Fund for Sanitation, in the ordinance called "Sanitation Maintenance Fund," said maintenance fund be placed at 6½ cents as it was in said ordinance when so passed by the Council on September 7, 1925, and that said ordinance and each item thereof therefore be repassed over the Mayor's said veto.

HEYDON W. BUCHANAN.

The roll was called and General Ordinance No. 72, 1925, was passed over the Mayor's veto by the following vote:

Ayes, 7, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray and President Ben H. Thompson.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the Board of Public Works:

GENERAL ORDINANCE NO. 81, 1925.

AN ORDINANCE ordering the Board of Public Works of the City of Indianapolis to improve 41st street in said city from the west

property line of Capitol avenue to the east property line of Senate avenue, except intersection of Graceland avenue, by grading the roadway from curb line to curb line to the uniform width of 24 feet; grading the wings of the intersecting alleys in a similar manner, and to the width as shown on the plans prepared; curbing both sides of the roadway with stratified lime stone, borea sand stone, granite or 6x24 inch concrete curb; curbing the wings of the intersecting alleys in a similar manner and to the width as shown on plan; providing 75 lineal feet of 6-foot radius granite corners; providing 4 new iron inlets; and laying 80 lineal feet of 12-inch drain pipe with connections made to inlets and catch basins, all as shown under Street Improvement Resolution No. 12614, and declaring a time when this ordinance shall take effect.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, on July 29th, 1925, adopted a resolution, being Street Improvement Resolution No. 12,614, for the improvement of 41st street from the west property line of Capitol avenue to the east property line of Senate avenue, and

WHEREAS, The Board of Public Works took all proper and legal steps under said resolution until August 24th, 1925, it confirmed said Improvement Resolution, and

WHEREAS, A remonstrance was duly filed by a majority of the resident property holders on said described portion of 41st street, and

WHEREAS, The City Civil Engineer recommended to the Board of Public Works that the said improvement is absolutely necessary to take care of the drainage of the north and south alleys recently improved, and recommended that this improvement be referred to the Common Council for action, and

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, has referred the said Resolution No. 12,614 for the improvement of said part of 41st street to the Common Council of the City of Indianapolis for action.

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

Section 1. That the Board of Public Works of the City of Indianapolis, Indiana, do and is hereby ordered to improve that part of 41st street from the west property line of Capitol avenue to the east property line of Senate avenue, except intersection of Graceland avenue, by grading the roadway from curb to curb line to the uniform width of 24 feet; grading the wings of the intersecting alleys in a similar manner, and to the width as shown on the plans prepared; curbing both sides of the roadway with stratified lime stone, borea sand stone; granite, or 6x24 inch concrete curb; curbing the wings of the intersecting alleys in a similar manner and to the width as shown in plan; providing 75 lineal feet of 6 foot radius granite corners; providing 4 new iron inlets; and laying 80 lineal feet of 12 inch drain pipe with connections made to inlets and catch basins, all as provided under said Improvement Resolution No. 12,614, 1925.

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 Public Works.

By Mr. Ray:

GENERAL ORDINANCE NO. 82, 1925.

AN ORDINANCE providing for parking permits in the streets adjacent to hotels, social clubs and organizations providing penalties for the violation thereof 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 whenever any hotel having not less than two hundred (200) guest rooms, or social club or organization having not less than one thousand bona fide members, which said hotels, social clubs or social organizations shall be located within the congested district of the City of Indianapolis, shall make a request in writing to the Board of Public Safety of the City of Indianapolis for special parking space on the street adjacent to such hotel, club or organization such Board of Safety shall set apart not more than two such parking spaces, which such parking spaces shall be designated by such Board with appropriate markers or standards; which such spaces shall be used exclusively for the purpose of parking of vehicles used for the transportation of passengers to and from such hotels, clubs or organizations. In no instance shall such parking space exceed twenty-four (24) feet in width along the curb of such streets.

Section 2. Such hotels, clubs or organizations shall pay a license fee annually for the use of such standards or markers of \$25.00 to the City Controller of the City of Indianapolis.

Section 3. When so marked off and set aside, such parking spaces shall be used for no other parking purposes than those enumerated in Section 1 hereof.

Section 4. Such hotel, club or organization may designate in writing to the Board of Public Safety of the City of Indianapolis from time to time for their respective places, the persons, firms or corporations who shall use such parking spaces for such purposes on such adjacent streets.

Section 5. When such hotel, club or association shall have so designated in writing to such Board of Public Safety the persons, firms or corporations who shall use such parking spaces for such purposes adjacent thereto, and such spaces shall have been properly marked off and designated as herein provided, it shall thereafter be unlawful for any person, firm or corporation to use such parking space or spaces for parking purposes other than those designated in such written request to such Board of Public Safety of the City of Indianapolis.

Section 6. Any person violating any of the provisions of this ordinance shall upon conviction be fined not more than One Hundred (\$100.00) Dollars to which may be added imprisonment not exceeding thirty (30) days.

Section 7. 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.

By the City Plan Commission:

GENERAL ORDINANCE NO. 83, 1925.

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; 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 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 A5, or 500 square foot area district, and H1, or 50 foot height district as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented, changed and extended, so as to include the following described territory:

Beginning at a point on the north property line of 22nd street at its intersection with the west property line of Central avenue; thence west with and along the north property line of said 22nd street 145 feet to a point; thence north with and along the east line of an alley and parallel with the west property line of said Central avenue 80 feet to a point; thence east parallel with and to the north property line of said 22nd street 145 feet to a point; thence south along the west property line of said Central avenue and parallel with the east line of said alley 80 feet to the place of beginning, the same being lots No. 1 and 2 in "Lincoln Park," an addition to the City of Indianapolis.

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

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

Mr. Messrs. King and Ray:

SPECIAL ORDINANCE NO. 7, 1925.

AN ORDINANCE annexing certain territory to the City of Indianapolis; and defining a part of the boundary line 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 City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana:

Section 2. Beginning at the intersection of the southwest prop-

erty line of Churchman avenue with the present corporation boundary line of the City of Indianapolis; thence southeasterly following the southwest property line of Churchman avenue extended, also known as Churchman Free Gravel Road, to the center of Oxford street in William L. Elder's South Eastern Park Addition, as now recorded in the office of the Recorder of Marion County; thence south with the center line of Oxford street to the center line of Southern avenue; thence east with the center line of Southern avenue to the southwest property line of Churchman avenue in said subdivision; thence southeast with the southwest property line of Churchman avenue or Churchman avenue extended, to the intersection of the west corporation boundary line of the Town of Beech Grove, which is the center of Perkins avenue or Twenty-fifth avenue in said town; thence south following the west corporation boundary line of the said Town of Beech Grove to the southwest corner of said town; thence east with the south boundary line of said town to the southeast corner of said town; thence northwest and north with the corporate boundary of said town to the northeast corner of said town; thence west with the north boundary line to the center of Sherman Drive or Seventeenth avenue in said town; thence south with the corporation line of said town to the center of Southern avenue, also known as Erie street in said town; thence west in Southern avenue following the corporate boundary of said town to the northeast line of the right-of-way of the Beech Grove Traction Company as now occupied; thence northwest with the said northeast property line of the right-of-way of said traction company to the intersection of said property line with the present corporate boundary line of the City of Indianapolis. Said boundaries comprising all of the Town of Beech Grove and certain property within the boundaries described lying between the City of Indianapolis and the Town of Beech Grove.

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 Parks.

By Mr. King:

SPECIAL ORDINANCE NO. 8, 1925.

AN ORDINANCE annexing certain territory to the City of Indianapolis, and defining a part of the boundary line of said city, 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 boundary lines of the City of Indianapolis be and the same are hereby extended so as to include the following described contiguous territory constituting and forming the City of Indianapolis, in Marion County, Indiana, to-wit:

Beginning at the intersection of the center line of Keystone avenue with the center line of the first alley north of Walker avenue; thence east along the center line of the first alley north of Walker avenue to the center line of Churchman avenue; thence southeasterly along the center line of Churchman avenue to the center line of Southern avenue; thence west along the center line of Southern ave-

nue to the center line of Keystone avenue, and continuing west with said center line as produced west, to the center line of State avenue; thence north along the center line of State avenue to the center line of Walker avenue; thence southeasterly and easterly along the center line of Walker avenue to the center line of Keystone avenue; thence north along the center line of Keystone avenue to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in a daily newspaper of general circulation, printed and published in said City of Indianapolis.

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

By Mr. King:

SPECIAL ORDINANCE NO. 9, 1925.

AN ORDINANCE annexing certain territory to the City of Indianapolis, and defining a part of the boundary line of said city 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 boundary lines of the City of Indianapolis be and the same are hereby extended so as to include the following described contiguous territory constituting and forming the City of Indianapolis in Marion County, Indiana, to-wit:

Beginning at the intersection of the east line of Shelby street with the center line of the first alley south of Martin street; thence east along the center line of the first alley south of Martin street, a distance of 150 feet to a point; thence south along a line 150 feet east of and parallel to the east line of Shelby street to the center line of Hanna avenue; thence west along the center line of Hanna avenue to the east line of Shelby street; thence north along the east line of Shelby street to the place of beginning. Also

Beginning at the intersection of the center line of Troy avenue west of Shelby street, with the west line of Shelby street; thence south along the west line of Shelby street to the center line of Hanna avenue; thence west along the center line of Hanna avenue, a distance of 150 feet to a point; thence north along a line 150 feet west of and parallel to the west line of Shelby street to the center line of Troy avenue; thence east along the center line of Troy avenue to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication for two consecutive weeks in a daily newspaper of general publication, printed and published in said City of Indianapolis.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS

At 8:00 o'clock p. m. a public hearing was held on General Ordinances No. 75, 76, 77, 78 and 79, 1925.

On motion of Mr. King General Ordinance No. 43, 1925, was stricken from the files.

ORDINANCES ON SECOND READING

Mr. King called for Appropriation Ordinance No. 29, 1925, for second reading. It was read a second time.

Mr. King moved that Appropriation Ordinance No. 29, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 29, 1925, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bramblett, Buchanan, Clauer, Claycombe, King, Ray and President Ben H. Thompson.

On motion of Mr. Claycombe the Common Council at 8:20 o'clock p. m. adjourned.

Ben H. Thompson

Attest:

President.

John W. Rhodehamel

City Clerk.