

REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, November 2, 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 five members, viz., Messrs, Bernd, Bramblett, Claycombe, King, and Wise.

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

COMMUNICATIONS FROM THE MAYOR

October 21, 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. 76, 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 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. 77, 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 funds of the City of Indianapolis, to the fund known as "Special 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.

Appropriation ordinance No. 30, 1925, appropriating the sum of Three Hundred (\$300.00) Dollars out of any unappropriated funds of the City of Indianapolis, to the fund known as "Special

Judges Fund," under the Department of Finance, to pay the salaries of Special Judges, and declaring a time when the same shall take effect.

Appropriation Ordinance No. 31, 1925, an ordinance making an appropriation of Sixteen (\$16.00) Dollars from any unappropriated fund to the Department of Finance for the purpose of refunding Thomas Coger for over payment of license.

General Ordinance No. 79, 1925, an ordinance to amend General Ordinance No. 114, 1922.

General Ordinance No. 80, 1925, an ordinance authorizing the sale of certain property of the City of Indianapolis, by and through its Board of Park Commissioners and declaring a time when the same shall take effect.

General Ordinance No. 82, 1925, an ordinance providing for parking permits in the streets adjacent to hotels, social clubs and organizations, providing a penalty for the violation thereof and declaring a time when the same shall take effect.

General Ordinance No. 85, 1925, an ordinance transferring the sum of Five Hundred (\$500.00) Dollars from the "Unimproved Street Department Maintenance and Supplies Fund," under the Board of Public Works to the "Sewer Department Maintenance and Supplies Fund," under the same department, and declaring a time when the same shall take effect.

General Ordinance No. 87, 1925, an ordinance regulating the parking of vehicles on Palmer street in the City of Indianapolis, providing a penalty for the violation thereof and declaring a time when the same shall take effect.

General Ordinance No. 89, 1925, an ordinance establishing two passenger automobile motor bus safety parking zones on South Alabama street in the City of Indianapolis, Indiana, regulating the use thereof, providing penalty for the violation thereof, repealing any and all ordinances in conflict therewith, and declaring the time when the same shall take effect.

General Ordinance No. 91, 1925, an ordinance to amend certain sections of General Ordinance No. 46, 1925, and declaring a time when the same shall take effect.

Special Ordinance No. 5, 1925, an ordinance authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

Very truly yours,
LEW SHANK,
Mayor.

October 21, 1925.

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

Gentlemen—

Since signing General Ordinance No. 78, 1925, I have learned from Mr. Hoffman, attorney for the Plan Commission, that this ordinance was not properly advertised before being presented to your body, therefore, the ordinance is not legal and I wish to withdraw my signature.

Very truly yours,
LEW SHANK,
Mayor.

REPORTS FROM CITY OFFICERS

From the City Controller:

October 31, 1925.

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

I am handing you herewith copies of an ordinance calling for the appropriation of Eight Hundred (\$800.00) Dollars from any unappropriated funds of the City of Indianapolis to the Miscellaneous Expense City Offices Fund, in the Department of Finance, and I respectfully recommend the passage of this ordinance.

Yours very truly,
JOS. L. HOGUE,
City Controller.

From the Board of Public Safety:

October 31, 1925.

Gentlemen—

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

The Board of Public Safety respectfully recommends the passage of an ordinance prohibiting the parking of vehicles on the south side of Fortieth street between Illinois street and Boulevard Place, in the City of Indianapolis.

There have been numerous complaints made in regard to the parking conditions at this point.

Am sending herewith copies of an ordinance covering the same.

Yours very truly,
BOARD OF PUBLIC SAFETY,
By Oscar O. Wise,
Executive Secretary.

November 2, 1925.

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

Gentlemen—

The Board of Public Safety respectfully recommends the passage of an ordinance providing for Railroad Crossing Danger Signal Devices for the crossings of the New York, Chicago and St. Louis Railway Company, north of 13th street within the City of Indianapolis.

The plans and blue prints showing the system proposed has been presented to this board, and it is deemed advisable by said board to have the same installed, subject to your consideration. A copy of the blue print showing same will be submitted to you together with ordinance covering this subject.

Yours respectfully,
BOARD OF PUBLIC SAFETY,
By Oscar O. Wise,
Executive Secretary.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 35, 1925

AN ORDINANCE appropriating the sum of Eight Hundred (\$800.00) Dollars, from any unappropriated funds of the City of Indianapolis, to the Miscellaneous Expense City Offices Fund in the Department of Finance, 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 there be and hereby is appropriated the sum of Eight Hundred (\$800.00) Dollars, from any unappropriated funds of the City of Indianapolis, to the Miscellaneous Expense City Offices Fund in the Department of Finance.

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 Safety:

GENERAL ORDINANCE NO. 101, 1925.

AN ORDINANCE regulating the parking of vehicles on Fortieth Street between Illinois Street and Boulevard Place, in the City of Indianapolis, Indiana, fixing a penalty 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 it shall hereafter be unlawful to leave vehicles parked on the South side of Fortieth Street between Illinois Street and Boulevard Place, in the City of Indianapolis.

Section 2. Any one found guilty of violating any of the provisions of this ordinance shall be fined in any sum not less than One Dollar nor more than Ten Dollars.

Section 3. This ordinance shall be in full force and effect from and after its passage and due publication as may be required by law.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 102, 1925.

AN ORDINANCE providing for the installation and maintenance of railroad crossing danger signal devices at certain street inter-

sections of the New York, Chicago and St. Louis Railroad Company, and Chicago, Indianapolis and Louisville Railway Company tracks within the City of Indianapolis, providing a penalty for the violation thereof and declaring when the same shall take effect.

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

Section 1. That the New York, Chicago & St. Louis Railroad Company and the Chicago Indianapolis & Louisville Railway Company shall install, maintain and operate crossing danger signal devices at the crossings of the certain street intersections, with said railroad tracks within the City of Indianapolis as are hereinafter in this ordinance provided.

Section 2. THIRTEENTH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railroad Company and the New York, Chicago & St. Louis Railroad Company cross 12th Street in the City of Indianapolis shall be installed three flashing light warning signals, two on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 16th Street, who shall be on duty eighteen (18) hours every day between the hours of 6:00 a. m. and 12:00 midnight.

Section 3. FIFTEENTH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross Fifteenth Street in the City of Indianapolis, shall be installed three flashing light warning signals, two on the west side and one on the east side of said tracks; said signals to be manually operated by an operator in an elevated tower located at Thirteenth Street, who shall be on duty eighteen hours every day between the hours of 6:00 a. m. and 12:00 midnight.

Section 4. SIXTEENTH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross Sixteenth Street, in the City of Indianapolis, shall be installed three flashing light warning signals, two on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 16th Street, who shall be on duty twenty-four (24) hours every day.

Section 5. SEVENTEENTH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 17th Street in the City of Indianapolis shall be installed two flashing light warning signals, one on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 16th Street, who shall be on duty twenty-four (24) hours every day.

Section 6. NINETEENTH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 19th Street in the City of Indianapolis, shall be installed two flashing light warning signals one, on the east side and one on the west side of said tracks, said signals to be manually operated by an operator in an elevated tower located at 19th Street, who shall be

on duty eighteen (18) hours every day between the hours of 6:00 a. m., and 12:00 midnight.

Section 7. TWENTIETH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 20th Street in the City of Indianapolis, shall be installed two flashing light warning signals, one on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 19th Street, who shall be on duty eighteen (18) hours every day between the hours of 6:00 a. m. and 12:00 midnight.

Section 8. TWENTY-SECOND STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 22nd Street in the City of Indianapolis shall be installed two flashing light warning signals, one on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 22nd Street who shall be on duty twenty-four (24) hours every day.

Section 9. TWENTY-THIRD STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 23rd Street in the City of Indianapolis shall be installed two flashing light warning signals one on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 24th Street, who shall be on duty eighteen (18) hours every day between the hours of 6:00 a. m. and 12:00 midnight.

Section 10. TWENTY-FOURTH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 24th Street in the City of Indianapolis, shall be installed two flashing light warning signals, one on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 24th Street, who shall be on duty eighteen (18) hours every day between the hours of 6:00 a. m. and 12:00 midnight.

Section 11. TWENTY-FIFTH STREET. At the location of the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 25th Street in the City of Indianapolis shall be installed two flashing light warning signals, one on the east side and one on the west side of said tracks; said signals to be manually operated by an operator in an elevated tower located at 25th Street, who shall be on duty eighteen (18) hours every day between the hours of 6:00 a. m. and 12:00 midnight.

Section 12. THIRTIETH STREET. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Company and the New York, Chicago & St. Louis Railroad Company cross 30th Street in the City of Indianapolis, shall be installed two flashing light warning signals to be automatically operated twenty-four (24) hours every day.

Section 13. SUTHERLAND AVENUE. At the location where the tracks of the Chicago, Indianapolis & Louisville Railway Com-

pany and the New York, Chicago & St. Louis Railroad Company cross Sutherland Avenue in the City of Indianapolis, shall be installed four flashing light warning signals, one on the east side and one on the west side of the Chicago, Indianapolis & Louisville Railway Company track, and one on the east side and one on the west side of the New York, Chicago & St. Louis Railroad Company track; said signals to be automatically operated twenty-four (24) hours every day.

Section 14. Between the elevated towers located at 13th Street and 16th Street at 16th Street and 19th Street, at 19th Street and 22nd Street, and a 22nd Street shall be constructed an annunciator or signal system so that the operators in any of said elevated towers can warn operators in adjacent elevated towers of the approach of trains, cars or engines.

Section 15. THIRTY-EIGHTH STREET. At the northeast corner of the intersection of Thirty-eighth Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic electric bell and swinging disk.

Section 16. FORTY-SECOND STREET. At the southwest corner of the intersection of Forty-second Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic bell and swinging disk.

Section 17. FORTY-SIXTH STREET. At the northeast corner of the intersection of Forty-sixth Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic electric bell and swinging disk.

Section 18. FORTY-NINTH STREET. At the southeast corner of the intersection of Forty-ninth Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic electric bell and swinging disk.

Section 19. SIXTY-THIRD STREET. At the northwest corner of the intersection of Sixty-third Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic electric bell and swinging disk.

Section 20. CORNER CORNELL AND HANCOCK. At the northwest corner of the intersection of Cornell Avenue with Hancock Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic electric bell.

Section 21. SIXTY-FOURTH STREET. At the northwest corner of the intersection of Sixty-fourth Street and the Chicago, Indianapolis & Louisville Railway, there shall be installed an automatic electric bell and swinging disk.

Section 22. Any person, firm or corporation who shall fail to comply with any provision of this ordinance shall, upon conviction, be fined in any sum not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100) Dollars, and each day's failure so to do shall constitute a separate offense after the taking effect of this ordinance.

Section 23. Any and all ordinances or parts of ordinances insofar as the same may be in conflict with the provisions of this ordinance are hereby repealed.

Section 24. This ordinance shall be in full force and effect from and after Ninety (90) days from time of passage and due 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. 103, 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, calling, 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.

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

Section 1. That Clause 3 of Section 23 of General Ordinance No. 114, 1922, be amended to read as follows:

(3) Permit in a district any use or building deemed by the board to be in general keeping with and appropriate to the uses or buildings authorized in such district or existing on neighboring property.

Section 2. That Clause 5 of Section 23 of General Ordinance No. 114, 1922, be amended to read as follows:

(5) Permit the location in any use district of a telephone exchange, electric substation or similar public utility, or any use or building for public convenience, safety or welfare, or of a class U7 use, provided such use in such location will, in the judgment of the board of zoning appeals, substantially serve the public convenience and welfare and will not substantially and permanently injure the appropriate use of the neighboring property.

Section 3. That Clause 6 of Section 23 of General Ordinance No. 114, 1922, be amended to read as follows:

(6) Permit in a dwelling house or apartment house district the location on any lot, lots or tract, having an area of not less than 5 acres, or bounded on at least three sides by streets not less than 40 feet in width. of any use authorized in a business district, provided such use in such location is so conditioned and restricted as to adequately safeguard the appropriate use of neighboring property.

Section 4. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By Mr. King:

SPECIAL ORDINANCE NO. 11, 1925.

AN ORDINANCE annexing certain territory to the City of In-

dianapolis, and defining a part of the boundary line of said city and fixing a time when same shall take effect.

Be It Resolved 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 contiguous 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, to-wit:

Beginning at the intersection of the north property line of Troy avenue with the center line of the first alley east of State avenue; thence south along the center line of said alley as produced due south, to the center line of State avenue, and continuing south with the center line of State avenue, to the center line of the first alley south of Martin street, as produced due east; thence west along the center line of said alley, as produced due east. to the center line of the first alley south of Martin street and continuing west with the center line of the first alley south of Martin street to the center line of Carson avenue; thence northwestwardly with the center line of Carson avenue, to the center line of Knox street; thence east along the center line of Knox street to the center line of Boyd avenue as produced due south from Troy avenue; thence north along the center line of said Boyd avenue, as produced due south, to the north property line of Troy avenue; thence east along the north property 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 (2) 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.

On motion of Mr. Claycombe, the Common Council at 8:05 o'clock p. m. adjourned to meet Monday, November 9, 1925 at 7:30 o'clock p. m.

Ben H. Thompson

Attest:

President.

John N. Rhodehamel

City Clerk.