

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, March 5, 1906.

The Common Council of the City of Indianapolis, met in the Council chamber, Monday evening, March 5, 1906, at 7:30 o'clock, in regular session, President Frederick W. Eppert in the chair.

Present: The Hon. Frederick W. Eppert, President of the Common Council, and 20 members, viz : Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Rhodes, Bangs, Uhl, Stickelman, Hartmann, Portteus, Royse, Donovan, Sullivan, Hofmann, Hilkene, Wright and Henry.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., February 28, 1906.

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

GENTLEMEN: I herewith return General Ordinance No. 2, 1906, with my signature and approval.

I have the honor to remain,

Respectfully,

CHARLES A. BOOKWALTER,  
*Mayor.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., February 27, 1906.

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

GENTLEMEN: I herewith return with my signature and approval General Ordinance No. 4, 1906

Yours respectfully,

CHARLES A. BOOKWALTER,  
*Mayor.*

EXECUTIVE DEPARTMENT,  
CITY OF INDIANAPOLIS.  
INDIANAPOLIS, IND., February 28, 1906.

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

GENTLEMEN: I return herewith without my approval General Ordinance No. 3, 1906, being "An ordinance relative to the licensing of dogs, and the disposition of the funds so derived therefrom."

I am constrained to take this action for the following reasons:

(1) I cannot agree to the appropriation of the amount of money named in this ordinance for the purpose intended, considering the sum excessive; (2) I consider it a dangerous precedent for the City of Indianapolis to appropriate money to a private enterprise, all of such money, under the terms of the ordinance, being placed at the disposal of an institution over which the City of Indianapolis has no control whatever; and (3) the terms of the ordinance are vague, providing in no way for the final disposition of the dogs placed in such institution.

I recognize the necessity existing for some means of ridding the city of the stray dogs now to be found in such large numbers, and would favor any reasonable appropriation looking towards the establishment of a city pound, the same to be under the control of the chief of police. If such pound is established it should be provided by law that all dogs impounded should be held a specified time, not exceeding seventy-two hours, and after such time has expired the same should be disposed of in some humane manner.

I am of opinion that better service and better results can be secured through the city controlling all phases of this question than can be had by means of the method sought to be established in this ordinance; and at the same time a material sum of money will be saved to the City of Indianapolis.

I have the honor to remain,

Respectfully yours,  
CHARLES A. BOOKWALTER,  
*Mayor.*

Mr. Hofmann moved that General Ordinance No. 3, 1906, be passed over the Mayor's veto and carried by the following vote:

Ayes, 16, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Uhl, Stickelman, Royse, Donovan, Sullivan, Hofmann, Hilkene, Wright, Henry and President Frederick W. Eppert.

Noes, 5, viz.: Messrs. Smither, Rhodes, Bangs, Hartmann, Portteus.

#### COMMUNICATIONS FROM CITY OFFICERS.

INDIANAPOLIS, IND., February 28, 1906.

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

GENTLEMEN: We refer to you herewith for your consideration and action thereon an ordinance authorizing the improvement of the roadway of Twentieth street from the east property line of Talbott avenue to the west line of Central avenue, except the crossings at Alabama, Delaware and New Jersey streets, with asphalt roadway, as authorized by Improvement Resolution No. 4389, 1906, adopted by the Board of Public Works

January 24, 1906. This street is in a very bad condition and the improvement of same is considered a public necessity.

JOSEPH T. ELLIOTT,  
P. C. TRUSLER,  
F. J. MACK,  
Board of Public Works.

**REPORTS FROM STANDING COMMITTEES.**

INDIANAPOLIS, IND., March 5, 1906.

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

GENTLEMEN: Your Committee on Public Safety and Comfort, to which was referred General Ordinance No. 5, 1906, have had same under consideration and recommend that Section One of said ordinance be amended by striking out all of said section after the words "Amended to read as follows" and inserting in lieu thereof the following:

SEC. NO. 110. The face of any wall, pilaster or column of any building above the level of its main water table shall not project beyond the building line, except as hereafter provided.

The plinths, pilasters, columns, porticoes or entrances of buildings may extend not to exceed twenty-eight (28) inches and such porticoes or entrances shall not be over one story in height, but no such extended entrance shall be allowed on sidewalks of less than twelve (12) feet in width.

Steps or stairs to any building shall not project over the property line, except where an open area is permissible under Section 97 of this ordinance, and in no case shall such steps project beyond such area, nor shall any such steps remain after any such area is closed or removed.

Oriel or balcony windows shall not project over the street line more than three (3) feet, and no such window shall be at a less distance than twelve (12) feet above the grade of the sidewalk.

Balconies for hotels and theaters may be constructed in accordance with the provisions as hereinafter provided.

And that when the ordinance is so amended it do pass.

Respectfully,

J. H. HAMLET,  
JOHN F. WOOD,  
LOUIS F. HENRY,  
OTTO HOFMANN,  
WM. J. NEUKOM.

Mr. Hamlet moved that the report of the committee be concurred in. Carried.

**INTRODUCTION OF GENERAL ORDINANCE.**

**By Board of Public Works:**

General Ordinance No. 6—1906: An ordinance authorizing and empowering the Board of Public Works of the City of Indianapolis, Indiana, to improve Twentieth street from the east property line of Talbott avenue to the west property line of Central avenue, except the crossings of Alabama street, Delaware street and New Jersey street, by grading and paving the

roadway with asphalt from gutter line to gutter line to a uniform width of twenty-one and thirty-three hundredths (21.33) feet laid on a six (6) inch gravel concrete foundation including the wings of intersecting alleys; placing the necessary inlets and stratified limestone marginal stones in accordance with Improvement Resolution No. 4389, 1906, adopted by the Board of Public Works, and fixing the time when the same shall take effect.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, did on the 24th day of January, 1906, adopt Improvement Resolution No. 4389, 1906, for the improvement of Twentieth street from the east property line of Talbott avenue, to the west property line of Central avenue, except the crossings at Alabama, Delaware and New Jersey streets, by grading and paving the roadway with asphalt from gutter line to gutter line to a uniform width of twenty-one and thirty-three hundredths (21.33) feet laid on a six (6) inch gravel concrete foundation including the wings of intersecting alleys; placing the necessary inlets and stratified limestone marginal stones as shown on plans; and

WHEREAS, The said Board of Public Works did at the same time fix the 9th day of February, 1906, at 10 o'clock, A. M., as a date to hear all persons interested or whose property is affected by said proposed improvement; and the notice of the passage of said resolution and of the said time for hearing was published on the 25th day of January, 1906, and the 1st day of February, 1906, in the Indianapolis Sentinel, a daily newspaper of general circulation, printed and published in the City of Indianapolis, and notices by mail duly forwarded as provided by law; and

WHEREAS, At the time set for hearing as aforesaid, petitions in writing of resident freeholders upon said street were filed in the office of the Board of Public Works remonstrating against the improvement of Twentieth street; and

WHEREAS, On the 9th day of February, 1906, the Board having met in regular session, took final action on said Improvement Resolution without modification; and

WHEREAS, On the 20th day of February, 1906, a written remonstrance was filed with the Board against the improvement of Twentieth street, and the same was referred to the City Civil Engineer for investigation and report; and

WHEREAS, On the 28th day of February, 1906, the said Board of Public Works directed that said resolution be referred to the Common Council of the City of Indianapolis, with a request that said Council pass an ordinance authorizing and empowering the said Board of Public Works to improve the roadway of said Twentieth street with asphalt, in accordance with said resolution; now, therefore,

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Board of Public Works of said City, be, and the same is, hereby authorized and empowered to improve Twentieth street from the east property line of Talbott avenue to the west property line of Central avenue, except the crossings of Alabama, Delaware and New Jersey streets, by grading and paving the roadway with asphalt from gutter line to gutter line to a uniform width of twenty-one and thirty-three hundredths (21.33) feet laid on a six (6) inch concrete foundation including the wings of intersecting alleys; placing the necessary inlets and stratified limestone marginal stones, in accordance with Improvement Resolution No. 4389, 1906, adopted by the Board of Public Works on the 24th day of January, 1906.

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

Referred to Committee on Sewers, Streets and Alleys.

ORDINANCES ON SECOND READING.

Mr. Hamlet called for General Ordinance No. 5, 1906, for second reading. It was read a second time.

Mr Hilkene offered the following amendment to General Ordinance No. 5, 1906: By striking out all words in third sentence after word "line" in Section 110, which was lost by the following vote:

Ayes, 8, viz.: Messrs. Rhodes, Uhl, Hartmann, Portteus, Donovan, Sullivan, Hilkene, Wright.

Noes, 13, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Bangs, Stickelman, Royse, Hofmann, Henry and President Frederick W. Eppert.

Mr. Hamlet moved that General Ordinance No. 5, 1906, be amended as recommended by the committees report. Carried.

Mr. Hamlet moved that General Ordinance No. 5, 1906, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No 5, 1906, was read a third time and passed by the following vote:

Ayes, 12, viz.: Messrs. Brown, Cottey, Hamlet, Wood, Davis, Neukom, Smither, Bangs, Stickelman, Royse, Hofmann and President Frederick W. Eppert.

Noes, 9, viz.: Messrs. Rhodes, Uhl, Hartmann, Portteus, Donovan, Sullivan, Hilkene, Wright, Henry.

On motion of Mr. Royse, the Common Council, at 8:15 o'clock, P. M., adjourned.

*Frederick W. Eppert*  
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President.

ATTEST:

*James M. Nulty*  
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City Clerk.

