

-REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, March 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 eight members, viz., Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray and Wise.

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

COMMUNICATIONS FROM THE MAYOR

February 24, 1925.

To the 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. 163, 1924, an ordinance regulating the location, construction and maintenance of driveways across sidewalks, providing a penalty, declaring a nuisance, repealing conflicting ordinances and fixing a time when the same shall take effect.

General Ordinance No. 2, 1925, an ordinance ratifying, confirming and approving a certain contract made and entered into on the 24th day of December, 1924, by the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor and the H. P. Andresen & Company, by Edward W. Andresen, whereby said city is authorized to purchase from said H. P. Andresen & Company, One (1) Andresen Repair Outfit, for the sum of Thirty-five Hundred (\$3500.00) Dollars, and declaring a time when the same shall take effect.

General Ordinance No. 4, 1925, an ordinance amending Section 14 of General Ordinance No. 37, 1923, known as "The Traffic Ordinance of 1923" as amended by Section 2 of General Ordinance No. 109, 1923, and declaring a time when the same shall take effect.

General Ordinance No. 6, 1925, an ordinance authorizing and creating the position of two (2) additional Assistant Barrett Law Clerks in the Department of Finance at the salary of Fifteen Hundred (\$1500.00) Dollars per year and declaring a time when the same shall take effect.

General Ordinance No. 12, 1925, an ordinance fixing the salary of stenographer in the Department of Law, transferring the sum of Two Hundred Twenty (\$220.00) Dollars from the Miscellaneous Expense Fund in the Department of Law to the Salaries Fund in the

same Department, repealing all ordinances or parts of ordinances in conflict therewith, and declaring a time when the same shall take effect.

General Ordinance No. 15, 1925, an ordinance ratifying, confirming and approving certain contracts made and entered into on the 2nd day of February, 1925, between the City of Indianapolis, by and through its Board of Public Works, with the approval of the Mayor, and the Stone Chevrolet Company, and another contract of the same date by and between the Board of Public Works for the City of Indianapolis and the Thirtieth and Central Sales Company, both contracts for the purchase of certain automobiles described in said contracts, for the use of the Department of City Civil Engineering, under the Board of Public Works, providing for the transfer and re-appropriation of the sum of Thirteen Hundred (\$1300.00) Dollars from a fund in the City Civil Engineer's Office Maintenance Fund, heretofore Appropriated for the purchase of one Dodge Truck to a fund in the City Civil Engineer's Department, to be used for the purchase of One Chevrolet Coupe and One Ford Coupe for the use of the same department, and declaring a time when the same shall take effect.

General Ordinance No. 16, 1925, an ordinance ratifying, confirming and approving a certain contract made and entered into on the 2nd day of February, 1925, between the City of Indianapolis by and through its Board of Public Works with the approval of its Mayor, and the Indian Refining Company whereby said City is authorized to purchase from the Indian Refining Company Two Hundred Thirty-nine Thousand (239,000) gallons of Indian Road Oil at Six and 29/100 (6.29) cents F. O. B. Indianapolis, Indiana, amounting in all to Fifteen Thousand (\$15,000.00) Dollars, specifying the fund out of which the same shall be paid and fixing a time when the same shall take effect.

Very truly yours,

LEW SHANK,

Mayor.

REPORTS FROM CITY OFFICERS

From the City Controller:

March 2, 1925.

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

Gentlemen—I hand you, herewith, copies of General Ordinance No. 25, 1925, transferring and reappropriating \$2,500.00 from Interest and Exchange Fund in the Finance Department to the Salaries Fund in Finance Department.

I respectfully submit this ordinance and recommend passage of same.

Respectfully yours,

JOS. L. HOGUE,

City Controller.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 25, 1925.

AN ORDINANCE, transferring and reappropriating Twenty-five Hundred (\$2500.00) Dollars from Interest and Exchange Fund in Finance Department to the Salaries Fund in Finance Department and declaring the 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 and re-appropriated from Interest and Exchange Fund in Finance Department to the Salaries Fund in Finance Department Twenty-five Hundred (\$2500.00) Dollars.

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.

From the City Plan Commission:

February 11th, 1925.

Mr. Ben H. Thompson,
President Common Council,
Indianapolis, Indiana.

Dear Sir—The Zoning Ordinance was as good as it was humanly possible to make it from the experience and facts at hand three years ago.

Over two years of operation under the ordinance has convinced every unselfish, patriotic citizen of the great benefit of Zoning to our city, notwithstanding the defects and hardships that have been disclosed.

The Board of Zoning Appeals has honestly and impartially granted relief to those injured or adversely affected by a strict application of the ordinance, but it is my opinion that where the trend of growth of the city or circumstances have changed local conditions, the relief, in justice to all, should come through amendment by the Council.

Our Commission has made note of numerous locations and districts where the present ordinance does not properly fit. I am appointing a special Committee to study these cases and make recommendations for change to your body. In the interest of efficiency, I invite you to appoint from the members of the Council, a committee of three to be headed by you to discuss with our committee the nature and extent of the needed changes.

Very truly yours,

TOM L. DILLON,
President, City Plan Commission.

President Thompson appointed the following committee to meet with a special committee from the City Plan Commission to discuss proposed changes in the zoning ordinance:

Messrs. Thompson, Ray and King.

The following charges, filed by Mr. Polen, were read and referred to the Committee on Parks:

March 2, 1925.

In accordance to Section 728 of the Municipal Code (of 1917) of the City of Indianapolis, I hereby file charges of malfeasance in the reassignment of house numbers in the 4800 block on Winthrop avenue, against City Engineer F. Lingenfelter, Assistant Engineer E. Doeppers and M. Cain of Street Commissioner's department, and as a taxpayer of this city, I demand their removal from further duties in the offices they now hold, as they have carried on this re-assignment in direct violation of Section 722 of the Municipal law as follows:

(1) They disturbed the continuity of numbers on west side of street when there was absolutely no need of same, only it lacked one lot of complying with a 20-foot system of their own make, and which has never been approved by the City Council. This disturbance made necessary the changing of five other houses on this side, that had been regularly assigned several years before by the Engineer's department. It being explained to them that this would cause untold and endless confusion, Mr. Doeppers definitely agreed to restore the old numbers, if consent of all the owners was obtained. This was obtained, but still he refused to comply with his word and after a few weeks' delay sent Mr. M. Cain from Street Commissioner's department, who deliberately and maliciously drove nails into my residence in placing numbers November 11, 1924, in direct violation of Section 722.

(2) On December 20, 1924, Mr. Lingenfelter definitely agreed that I should keep and use my old number. Upon this promise the new numbers were taken down and arrangements were made to use the old numbers at considerable expense. He deliberately refuted his own word and ordered, January 20, 1925, Mr. Cain to replace the new numbers, as before. This was done by said Mr. Cain with loud and boisterous threats of "arrest" if the number was again removed, before the women and children in the house in the absence of the owner.

(3) It being pointed out to them that there was only one correct number on east side of street, according to their so-called "20" foot system, they deliberately changed the correct number. This was done by said M. Cain on November 11, 1924, by taking down the figure "3" in 4803 and placing "5", thereby violating the law again by driving nails into said residence without consent of owner. When this lady went to their office and protested that the old number was removed in violation of Section 722, that she was uneasy over her mail and showed them that all the numbers on east side of street would have to be changed again when 48th street was con-

nected through (which is only a question of a short time). They only laughed in their sleeve, as much as to say "what you going to do about it."

(4) They changed base line at 48th street, which makes the third change they have made within about one year for house at 4801.

(5) Since we own Lot 186 on east side of street and are therefore interested in the correct numbering of same, we hereby demand that the above officials be investigated by a non-political body at once and handled in conformity of the law. THOS. E. POLEN.

On motion of Mr. King, General Ordinances No. 158, 1924, Nos. 7, 8, 14, 17 and 18, 1925, were stricken from the files.

Mr. King moved that the vote, by which Appropriation Ordinance No. 4, 1925, failed to pass, be reconsidered. Carried.

Mr. King moved that Appropriation Ordinance No. 4, 1925, be passed.

The roll was called and Appropriation Ordinance No. 4, 1925, failed to pass by the following vote:

Ayes, 5, viz., Messrs. Buchanan, Clauer, King, Ray and President Ben H. Thompson.

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

Mr. King called for Appropriation Ordinance No. 6, 1925, for second reading. It was read a second time.

Mr. King moved that Appropriation Ordinance No. 6, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 6, 1925, was read a third time and failed to pass by the following vote:

Ayes, 5, viz.: Messrs. Buchanan, Clauer, King, Ray and President Ben H. Thompson.

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

Mr. King called for General Ordinance No. 22, 1925, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 22, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 22, 1925, was read a third time and failed to pass by the following vote:

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

Noes, 5, viz.: Messrs. Buchanan, Clauer, King, Ray and President Ben H. Thompson.

Mr. King called for Appropriation Ordinance No. 7, 1925, for second reading. It was read a second time.

Mr. King moved that Appropriation Ordinance No. 7, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 7, 1925, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Wise and President Ben H. Thompson.

Mr. King called for Appropriation Ordinance No. 8, 1925, for second reading. It was read a second time.

Mr. Clauer moved that Appropriation Ordinance No. 8, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

Appropriation Ordinance No. 8, 1925, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Wise and President Ben H. Thompson.

Mr. King called for General Ordinance No. 23, 1925, for second reading. It was read a second time.

By Mr. King:

Indianapolis, Ind., March 2, 1925.

Mr. President—I move that General Ordinance No. 23, 1925, be amended by striking out in Section (1) One thereof the words and figures, Four Thousand Two Hundred (\$4,200.00) Dollars, and inserting in lieu thereof the following: Thirty-six Hundred (\$3600.00) Dollars.

JOHN E. KING, Councilman.

Carried.

Mr. King moved that General Ordinance No. 23, 1925, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 23, 1925, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Wise and President Ben H. Thompson.

Mr. King called for General Ordinance No. 24, 1925, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 24, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 24, 1925, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Wise and President Ben H. Thompson.

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

By Mr. King:

Indianapolis, Ind., March 2, 1925.

Mr. President—I move that General Ordinance No. 13, 1925, be amended by striking out in Section 1 thereof the following words and figures: Twelve Hundred (\$1200.00) Dollars, and inserting in lieu thereof the following: Fifteen Hundred (\$1500.00) Dollars.

JOHN E. KING, Councilman.

Carried.

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

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

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, King, Ray, Wise and President Ben H. Thompson.

Mr. Clauer called for General Ordinance No. 19, 1925, for second reading. It was read a second time.

Mr. Clauer moved that General Ordinance No. 19, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 19, 1925, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Buchanan, Clauer, Claycombe, King, Ray and President Ben H. Thompson.

Noes, 3, viz.: Messrs. Bernd, Bramblett and Wise.

Mr. Clauer called for General Ordinance No. 20, 1925, for second reading. It was read a second time.

Mr. Clauer moved that General Ordinance No. 20, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 20, 1925, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Buchanan, Clauer, Claycombe, King, Ray and President Ben H. Thompson.

Noes, 3, viz.: Messrs. Bernd, Bramblett and Wise.

Mr. Clauer called for General Ordinance No. 21, 1925, for second reading. It was read a second time.

Mr. Clauer moved that General Ordinance No. 21, 1925, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 21, 1925, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Buchanan, Clauer, King, Ray, Wise and President Ben H. Thompson.

Noes, 3, viz.: Messrs. Bernd, Bramblett and Claycombe.

On motion of Mr. Buchanan, the Common Council at 8:35 o'clock p. m., adjourned.

Ben H. Thompson

President.

Attest:

John N. Rhodehamel

City Clerk.