

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

MONDAY, November, 5, 1917.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, November 5, 1917, at 7:30 o'clock in regular session, President Michael J. Shea in the chair.

Present: The Hon. Michael J. Shea, President of the Common Council, and 6 members, viz.: Messrs. Barry, Young, Miller, Porter, Lee, and Graham.

Absent: Messrs. McGuff and Connor.

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

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 18, 1917.

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

GENTLEMEN—I have approved and signed the following ordinances:

1. Appropriation Ordinance No. 19, 1917, the same being an ordinance entitled "An ordinance appropriating the sum of \$300.00 to the Department of Public Works and fixing a time when the same shall take effect."
2. Appropriation Ordinance No. 20, 1917, the same being an ordinance entitled "An ordinance appropriating certain funds to the Department of Public Works and fixing a time when the same shall take effect."
3. Special Ordinance No. 19, 1917, the same being an ordinance entitled "An ordinance authorizing the Board of Public Works to sell certain real estate therein described."
4. General Ordinance No. 88, 1917, the same being an ordinance entitled "An ordinance providing for the transfer of certain funds of the Department of Public Safety, reappropriating the same to certain funds of the Department of Public Safety, and fixing a time when the same shall take effect."

5. General Ordinance No. 89, 1917, the same being an ordinance entitled "An ordinance approving a certain contract granting the Cincinnati, Indianapolis and Western Railroad Company the right to lay and maintain a sidetrack or switch across Belmont Avenue and relocate its main track, according to blue print attached, in the City of Indianapolis, Indiana."

6. General Ordinance No. 90, 1917, the same being an ordinance entitled "An ordinance approving a certain contract granting the Meier Packing Company the right to lay and maintain a sidetrack or switch from the main track of the P., C., C. & St. L. R. R., St. Louis Division, Starch Works Branch, across Vinton Street, crossing the center line of Vinton Street at a point 1 ft. east of the east line of Dakota Street, according to blue print attached, in the City of Indianapolis, Indiana."

I return the said ordinances herewith.

Yours very truly,

J. E. BELL,

Mayor.

EXECUTIVE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 3, 1917.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 21, 1917, the same being an ordinance entitled "An ordinance appropriating the sum of \$15,000.00 to and for the use of the Department of Finance and fixing a time when the same shall take effect."

I return the said ordinance herewith.

Yours very truly,

J. E. BELL,

Mayor.

REPORTS FROM CITY OFFICERS.

From City Controller:

FINANCE DEPARTMENT,

CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., November 5, 1917.

To the Honorable, the President and Members of the Common Council:

GENTLEMEN—I enclose herewith letter from the Board of Sanitary Commissioners, asking you to give the City Controller authority to make a loan for \$12,500.00, for the use and benefit of the Department of Public Sanitation. This department was created by the last Legislature by an act which provides that money for current expenses shall be raised by appropriating money from the General Fund or transferring money or temporary loan. One transfer of \$8,000.00 has been made and at this time it is not advisable

that other money be appropriated or transferred out of the General Fund for the use of a separate department, and therefore I recommend an ordinance authorizing a loan which I approve.

I enclose also letters from Thomas A. Riley, City Clerk, and William A. Pickens, Corporation Counsel, asking for an appropriation of \$24.55, to pay costs taxed against Thomas A. Riley, in cause No. 22769, in the Supreme Court of Indiana. I enclose ordinance which I recommend.

I also enclose herewith a letter from the Corporation Counsel asking that an appropriation of \$500.00 be made for the payment of awards made to city employees by the Industrial Board of Indiana on account of injuries received while in the service of the city. I enclose ordinance appropriating said sum.

I also enclose an ordinance transferring certain funds of the Department of Public Safety to the Fuel and Heat Fund of said department. I enclose letter from the Board of Safety asking for said transfer and I am also verbally informed by the President of said board and the Chief of the Fire Department that said fund is necessary to buy coal for heating the engine houses and use of engines. The price of coal has advanced and the appropriation made by you in 1916 for coal for the Fire Department during the year 1917 is not sufficient to last the entire year because of the increase in the price of coal. I recommend the transfer ordinance which I enclose.

Said department also asks for \$24.00 for the benefit of Asa Stonehouse, who was injured while on duty in 1915. I enclose ordinance and recommend same.

Respectfully,

R. H. SULLIVAN,

City Controller.

DEPARTMENT OF PUBLIC SANITATION,

BOARD OF SANITARY COMMISSIONERS.

INDIANAPOLIS, IND., November 5, 1917.

Mr. R. G. Sullivan, Controller, City of Indianapolis, Indiana:

DEAR SIR—The Board of Sanitary Commissioners of the Department of Public Sanitation request you to recommend to the Common Council the passage of an ordinance authorizing a temporary loan of Twelve Thousand Five Hundred Dollars (\$12,500.00) to reimburse the city for money transferred from the Board of Public Works funds to the Department of Public Sanitation, and for money necessary to run the department to the first of the year.

Very truly yours,

B. J. T. JEUP,

President, Board of Sanitary Commissioners.

OFFICE OF THE CITY CLERK,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 24, 1917.

Mr. R. H. Sullivan, City Controller:

DEAR SIR—I enclose herewith a statement of costs charged against me as City Clerk, in the Supreme Court of Indiana, amounting to \$24.55, in the case of Thomas A. Riley, City Clerk, vs. Joseph E. Beil, Mayor, Cause No. 22769. This is a case in which the City Clerk was "authorized, empowered and directed to employ two lawyers to make a complete revision and codification of the ordinances of the City of Indianapolis," etc., by General Ordinance No. 25, 1914, vetoed by the Mayor September 2, 1914, and passed over the veto of the Mayor September 7, 1914, and repealed by General Ordinance No. 19, 1915, passed August 16, 1915, and approved by the Mayor August 18, 1915.

The case was appealed to the Supreme Court and dismissed with costs assessed against Thomas A. Riley, City Clerk.

I am also inclosing a letter of William A. Pickens, Corporation Counsel, specifying the manner in which the costs in the case should be paid.

Kindly send an ordinance to the Common Council appropriating \$24.55 for that purpose.

Respectfully,

THOMAS A. RILEY,
City Clerk.

DEPARTMENT OF LAW,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 16, 1917.

Honorable Thomas A. Riley, City Clerk, Indianapolis, Indiana:

DEAR SIR—I have yours inquiring concerning the bill for costs in case of Riley, City Clerk, v. Joseph E. Bell, Mayor, No. 22769 in the Superior Court of this county. This was a suit that grew out of the question as to who should appoint the commission to revise the city ordinances and the ordinance that authorized you to make the appointment of the commissioners was repealed, thus making the suit what we call a moot case and resulting in its dismissal. I am of opinion that you had a right to bring the suit at the time it was brought, and inasmuch as you were acting in your official capacity, I am of opinion that the Council should make you an appropriation for the payment of the costs unless you have a fund already out of which you can properly make the payment.

Yours truly,

WILLIAM A. PICKENS,
Corporation Counsel.

DEPARTMENT OF LAW,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 15, 1917.

Honorable Reginald H. Sullivan, City Controller, City Hall, City:

DEAR SIR—From time to time the State Industrial Board has made awards against the city on account of injuries to city employees and this department has no fund out of which it can properly make the payments. These awards are not judgments, in the strict sense, and I doubt whether we ought to pay them out of our appropriation for the payment of judgments, compromises and costs. I, therefore, desire that you apply to the Common Council for an appropriation in the sum of \$----- to make these payments up to the first of January, 1918, and I enclose you an ordinance for that purpose.

Yours truly,

WILLIAM A. PICKENS,
Corporation Counsel.

DEPARTMENT OF PUBLIC SAFETY,
OFFICE OF THE BOARD.

INDIANAPOLIS, IND., October 25, 1917.

R. H. Sullivan, City Controller, City Hall, City:

DEAR SIR—This Board desires you to ask the Common Council to make the following transfers in the funds of the Fire Force accounts:

\$1,500.00 from Horse Purchase Fund to Fuel and Heat Fund.

1,000.00 from Repairs to Cisterns to Fuel and Heat Fund.

1,500.00 from Hose Fund to Miscellaneous Fund.

The Board also desires you to request an appropriation of \$24.00 to take care of the attached communication from Chief of Police Quigley.

Yours very truly,

BOARD OF PUBLIC SAFETY,
ALBERT GALL,
President.

DEPARTMENT OF POLICE,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., October 20, 1917.

Honorable Board of Public Safety, City, Hall:

GENTLEMEN—Mounted Patrolman Asa Stonehouse was injured by his horse falling on him while on duty in November, 1914. Through an oversight he was not paid for eight days of the time he was incapacitated for duty, the days being November 15th to November 22d, inclusive.

If it is in conformity with the policy of the members of the Board, will the Board kindly refer the matter to the City Council at its next regular meeting and have a special appropriation made for \$24.00 to reimburse Mr. Stonehouse for this lost time?

Very respectfully,

J. F. QUIGLEY,

Chief of Police.

INTRODUCTION OF APPROPRIATION ORDINANCES.

By City Controller :

Appropriation Ordinance No. 22, 1917. An ordinance making an appropriation to the Department of Law to pay awards made by the State Industrial Board.

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

SECTION 1. That there be and hereby is appropriated to the Department of Law the sum of Five Hundred Dollars, to be known as the Workmen's Compensation Fund for the payment of awards made to city employees by the Industrial Board of Indiana on account of injuries while in the service of the city.

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.

By City Controller :

Appropriation Ordinance No. 23, 1917. An ordinance appropriating the sum of Twenty-four and 55/100 (\$24.55) Dollars to the Department of Finance to pay for costs taxed against Thomas A. Riley, City Clerk, in Cause No. 22769 in the Supreme Court of Indiana, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and hereby is appropriated to the Department of Finance the sum of Twenty-four and 55/100 (\$24.55) Dollars to be used in payment of costs taxed against Thomas A. Riley, City Clerk, vs. Jos. E. Bell, Mayor, in Cause No. 22769 in the Supreme Court of Indiana.

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.

By City Controller:

Appropriation Ordinance No. 24, 1917. An ordinance appropriating Twenty-four (\$24) Dollars to the Department of Public Safety to pay Patrolman Asa Stonehouse, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that there be and hereby is appropriated to the Department of Public Safety for the purpose of paying Patrolman Asa Stonehouse, who was injured while on duty, the sum of Twenty-four (\$24) 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 GENERAL AND SPECIAL ORDINANCES.

By City Controller:

General Ordinance No. 98, 1917. An ordinance authorizing the City Controller to make a temporary loan for the Department of Public Sanitation of the City of Indianapolis in anticipation of certain revenues of said department and payable out of the same, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the City Controller be and is hereby authorized and empowered to negotiate a temporary loan for the use of the Department of Public Sanitation in anticipation of the revenues of said department to be derived from taxes heretofore levied, bonds or other sources. Said loan shall not exceed the sum of Twelve Thousand Five Hundred (\$12,500) Dollars, and may be for a lesser amount, and shall be for a period not to exceed six months and at a rate of interest not exceeding six per cent. per annum and payable from the revenues of said department. The said loan shall be made on competitive bidding after one publication in a daily newspaper of the City of Indianapolis, the bidding to be on the rate of interest to be paid, and the loan to be made from the lowest and best bidders. The Mayor and City Controller are hereby authorized and directed to execute the proper obligations of said city for the payment of the amount so borrowed, and said obligations shall be countersigned by the President of the Board of Sanitary Commissioners; and for the payment of the said obligations the faith of said city is hereby irrevocably pledged.

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.

By City Controller :

General Ordinance No. 99, 1917. An ordinance transferring Twenty-five Hundred (\$2,500) Dollars from certain funds of the Department of Public Safety to certain funds of the Department of Public Safety, re-appropriating the same, and fixing a time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that the sum of Fifteen Hundred (\$1,500) Dollars be and hereby is transferred from the Horse Purchase Fund of the Department of Public Safety, and One Thousand (\$1,000) Dollars be and hereby is transferred from the Repairs to Cisterns Fund of the Department of Public Safety to the Fuel and Heat Fund of said department, and said sum of money is hereby reappropriated to said Fuel and Heat Fund of the Department of Public Safety.

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

Which was read a first time.

Mr. Miller moved that the rules be suspended and General Ordinance No. 99, 1917, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote :

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Lee, Graham and President Michael J. Shea.

Noes, none.

Mr. Miller called for General Ordinance No. 99, 1917, for second reading. It was read a second time.

Mr. Miller moved that General Ordinance No. 99, 1917, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 99, 1917, was read a third time and passed by the following vote :

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Lee, Graham and President Michael J. Shea.

Noes, none.

By Mr. Young:

Special Ordinance No. 22, 1917. An ordinance to annex to the City of Indianapolis, State of Indiana, certain territory contiguous thereto.

Be it ordained by the Common Council of the City of Indianapolis, in the State of Indiana, that the following described territory, contiguous to said city, be, and the same is, hereby annexed to and made a part of said City of Indianapolis, to-wit:

Beginning at the intersection of Cameron Street with the east property line of Shelby Street, which point of intersection is a point in the present south boundary line of the City of Indianapolis, in the State of Indiana, and running thence south, on and along the east property line of said Shelby Street, to a point which is one hundred and twenty-three (123) feet south of the south property line of Martin Street, as said Martin Street is dedicated to the public in the plat of Golden Addition, a subdivision of the west part of the north half of the northwest quarter of section thirty (30), in township fifteen (15) north, of range four (4) east, said plat being recorded in plat book six (6), at page seventy-one (71), in the office of the Recorder of Marion County in said State of Indiana, thence east, parallel to and one hundred and twenty-three (123) feet south of the said south property line of said Martin Street to the west property line of Carson Avenue, sometimes and otherwise known as the Indianapolis and Lick Creek, or Shelbyville, Free Gravel Road, thence in a northwestwardly direction, on and along the west property line of said Carson Avenue, to a point which is five and $5\frac{1}{2}/100$ ($5.05\frac{1}{2}$) chains, measured at right angles to, and south of, the north line of the above mentioned section thirty (30), thence east, parallel to and five and $5\frac{1}{2}/100$ ($5.05\frac{1}{2}$) chains south of said north line, to a point which is fifteen and $84/100$ (15.84) chains west of the east line of the northwest quarter of said section thirty (30), thence north, parallel to said east line of said quarter section, to a point which is twenty (20) feet north of the north line of said section thirty (30), thence east, parallel to and twenty (20) feet north of said north line of said section, to a point which is five hundred and twenty-eight (528) feet east of the southwest corner of the southeast quarter of section nineteen (19), above named township and range, thence north, parallel to, and five hundred twenty-eight (528) feet east of, the west line of said southeast quarter section, to the present corporate boundary line of said City of Indianapolis, thence westerly, following said present corporate boundary line of said City of Indianapolis, to the point of beginning.

This ordinance shall be in full force and effect from and after its passage, after the same shall have been published for at least two consecutive weeks in a daily newspaper of general circulation published in said City of Indianapolis.

Which was read a first time and referred to the Committee on City's Welfare.

ORDINANCES ON SECOND READING.

Mr. Miller called for Resolution No. 10, 1917, for second reading. It was read a second time.

By Mr. Miller :

INDIANAPOLIS, IND., November 5, 1917.

MR. PRESIDENT :

I move that Resolution No. 10, 1917, be amended as follows :

By substituting the name of Louis Overdurf in place of C. A. Howes, Sixth Precinct, Sixth Ward.

By substituting the name of William Mayer in place of Anton Wieland, Sixth Precinct, Tenth Ward.

By substituting the name of Henry Folz in place of Edward Fitzgibbon, Fourth Precinct, Fourteenth Ward.

By changing the name of the ward in which S. H. Strickland is named inspector to the Fourth Ward instead of Third Ward.

Also that paragraph of Seventh Precinct, Fourth Ward, be stricken out and that the following be substituted instead: Second Precinct, Fourth Ward, Fred Prigger, 2916 N. New Jersey St., in place of Edward B. Raub.

And by adding the following :

Second Precinct, Second Ward—Harry Fenton, in place of Julius Pasquire.

Fourteenth Precinct, Fourth Ward—Wm. H. Vanstone, 622 Langsdale Ave., in place of Wm. Jackson.

Fifth Precinct, Sixth Ward—Wm. McCracken, 619 W. Market St., in place of James Kelly.

Sixth Precinct, Seventh Ward—Thomas W. Smith, 605 E. North St., in place of Anthony E. Amer.

Second Precinct, Ninth Ward—Wm. H. Orbison, 3522 E. New York, in place of Rudolph Engelkin.

Sixth Precinct, Fourteenth Ward—Louis Meyer, Sr., 1347 Kentucky Ave., in place of John Fitzgibbons.

Sixth Precinct, Fifteenth Ward—Edward L. Moore, in place of Bernard Roach.

EDWARD R. MILLER.

Seconded by Mr. Porter. Carried.

Mr. Miller moved that Resolution No. 10, 1917, be adopted as amended.

The roll was called and Resolution No. 10, 1917, was adopted by the following vote :

Ayes, 7, viz.: Messrs. Barry, Young, Miller, Porter, Lee, Graham and President Michael J. Shea.

Noes, none.

On motion of Mr. Porter, the Common Council, at 8:50 o'clock P. M., adjourned.

Michael H. Porter

President.

ATTEST:

Thomas A. Riley

City Clerk.

