JOURNAL OF PROCEEDINGS

OF THE

Common Council

OF THE

CITY OF INDIANAPOLIS

In Marion County, in the State of Indiana

REGULAR MEETING

Monday, February 4th, 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber Monday, February 4th, following a public hearing at 7:30, by the Committee on Public Welfare, on General Ordinance 5, 1929. Vice-President Robert E. Springsteen took the chair.

The Clerk called the roll.

Present: Robert E. Springsteen, Vice-President, and five members, viz: Edward W. Harris, Herman P. Lieber, Albert F. Meurer, Meredith Nicholson, Paul E. Rathert.

Absent: Earl Buchanan, Edward B. Raub, John F. White

On motion of Mr. Meurer, seconded by Mr. Harris the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

February 4, 1929.

Mr. President and Members of the City Council of the City of Indianapolis:

Gentlemen:

Pursuant to the statutes I am herewith submitting Financial Statement of the City General Fund and the Bond Proceeds Account of the city of Indianapolis for the year ending December 31st, 1928.

Very truly yours,

L ERT SLACK

Mayor.

FINANCIAL STATEMENT—CITY GENERAL FUND

City of Indianapolis, Indiana.

December 31, 1928.

Cash balance in general fund Jan. 1, 1928\$ 40,624.64
Cash balance in gasoline tax fund Jan. 1, 1928 41,890.77
Total balance Jan. 1, 1928
Receipts from taxes year 1928\$3,739,472.01
Receipts from temporary loans 1928
Receipts from licenses and fees, year 1928 389,524.29
Total receipts general fund 1928
Received from state to gasoline tax fund

Total receipts for 1928 plus balances Jan. 1, 1928\$5,763,481.02

EXPENDITURES

City general fund temporary loan\$4,	
Total expended city general\$5, Expenditure—gasoline tax fund 1928	

Tota	l expended	i		 	 	 	 	.\$5,720,934.41
Balance	December	31,	1928	 .	 	 	 	. 42,546.61

Divided as follows:

	\$42.546.61

BOND PROCEEDS ACCOUNT

January 1, 1928, balance	
Total to be accounted for	7
Expenditures—to sinking fund	
BALANCE—December 31, 1928	.\$434,169.07

January 31, 1929.

Mr. President and Members of the Common Council of the City of Indianapolis:

Gentlemen:

I have this day approved with my signature and delivered to William A. Boyce, Jr., City Clerk, the following ordinance:

SPECIAL ORDINANCE NO. 2, 1929

AN ORDINANCE, annexing certain territory to the city of Indianapolis, and defining a time when the same shall take effect.

Very truly yours,

L. ERT SLACK.

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

February 4, 1929.

Honorable President and Members of the Common Council of Indianapolis:

Gentlemen:

I have been requested by the Board of Public Works to submit the attached General Ordinance No. 6, 1929, transferring the sum of fifteen thousand dollars (\$15,000.00) from Board of Public Works Fund No. 26 and reappropriating the same to Board of Public Works Fund No. 22.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT.

City Controller.

January 30th, 1929.

Mr. Sterling R. Holt, City Controller, City Hall.

Dear Mr. Holt:

The Board of Public Works requests that you have an ordinance prepared providing for the transfer of \$15,000.00 out of Board of Works Other Contractual No. 26 into Board of Works No. 22, Heat, Light, Power and Water, and submit the same to the Common Council at their next meeting with the recommendation of the Board of Works that the same be passed.

For your own information, and also, the Common Council I might add that this transfer is requested due to the fact that the contract with the Welsbach Street Lighting Company for the maintenance of gas lights has expired, and that said sum of \$15,000.00 sought to be transferred was the amount allowed therefor. This will assist in the payment of the bills for the additional electric current occasioned by the installation of electric lights to replace the gas lights.

Yours very truly,

ERNEST F. FRICK,

Secretary, Board of Works.

February 4, 1929.

Honorable President and Members of the Common Council of Indianapolis:

Gentlemen:

Attached please find copies of General Ordinance No. 7, 1929, providing for and authorizing the City Controller to issue bonds in the amount of fourteen thousand (\$14,000.00) dollars for the purpose of procuring money to be used in reconstructing and repairing the Central Avenue Bridge over Fall Creek.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT.

City Controller.

January 16th, 1929.

Mr. Sterling R. Holt, City Controller, City Hall.

Dear Mr. Holt:

The board requests that you have an ordinance prepared providing for a fourteen thousand (\$14,000.00) bond issue for the repairs to the Central Avenue Bridge, over Fall Creek, and submit the same to the Common Council at their next meeting, with the recommendation of the board that the same be passed.

Yours very truly,

ERNEST F. FRICK,

Secretary, Board of Public Works.

February 4, 1929.

Honorable President and Members of the Common Council of Indianapolis:

Gentlemen:

I have been requested by the Board of Public Works to present the attached Appropriation Ordinance No. 2, 1929, which calls for the appropriation of the sum of fifteen thousand (\$15,000.00) dollars from the estimated unappropriated balance in the General Fund for the year 1929 to Board of Public Works Administration Fund No. 26.

I respectfully recommend the passage of this ordinance.

Yours very truly,

STERLING R. HOLT.

City Controller.

January 30th, 1929.

Mr. Sterling R. Holt, City Controller, City Hall.

Dear Mr. Holt:

The Board of Public Works requests that you have an ordinance prepared providing for the transfer of the sum of \$15,000.00 out of the balance in the General Fund and placed in Fund No. 26, Service Other Contractual, and submit the same to the Common Council at their next meeting with the recommendation of the board that same be passed.

This transfer is needed for the payment of emergency repairs and improvements, which have been recommended by the City Civil Engineer and are mainly as follows:

Construction of box culvert at the old bed of White River on South Harding street—\$4,061.00.

Temporary retaining wall at outlet of Kentucky avenue sewer to prevent the undermining of building occupied by the Riverview Packing Co.—\$4,249.00.

Widening of bridge over Bean Creek at Southern avenue to enable construction of cement walks thereon—\$6,000.00.

Yours very truly,

ERNEST F. FRICK.

Secretary, Board of Public Works.

February 4, 1929.

Honorable President and Members of the Common Council of Indianapolis:

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 3, 1929, appropriating the sum of twenty thousand sixty-four dollars and

fifty cents (\$20,064.50) from the unexpended and unappropriated balance of the General Fund for the year 1928 to the several executive departments of the city of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly.

STERLING R. HOLT.

City Controller.

REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., February 4, 1929.

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

Gentlemen:

We, your Committee on Welfare to whom was referred General Ordinance No. 5, 1929, entitled an ordinance to amend General Ordinance No. 114, 1922, commonly known as the zoning ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

> ALBERT F. MEURER, Acting Chairman, MEREDITH NICHOLSON, HERMAN P. LIEBER, E. W. HARRIS (Buchanan Absent)

Mr. Lieber announced that the Committee on Parks requested that action on Special Ordinance 1, 1929, be deferred until July, 1929.

Mr. Rathert announced that the Public Safety Committee wished more time on General Ordinance 3, 1929.

Mr. Nicholson announced that the Law and Judiciary Committee wished more time on General Ordinance 4, 1929.

INTRODUCTION OF APPROPRIATION ORDINANCES

By City Comptroller:

APPROPRIATION ORDINANCE 2, 1929

AN ORDINANCE appropriating the sum of fifteen thousand dollars (\$15,000,00) from the estimated unappropriated balance from the General Fund for the year 1929 to Board of Public Works Administration Fund No. 26 of the city of Indianapolis, Indiana, 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 there be and is hereby appropriated out of the unappropriated balance of the General Fund for the year 1929, the sum of fifteen thousand dollars (\$15,000.00) and the entire sum appropriated and transferred to Board of Public Works Administration Fund No. 26, for the payment of the following emergency repairs and improvements: Construction of box culvert at the old bed of White River on South Harding street; temporary retaining wall at the outlet of Kentucky avenue sewer; widening of the bridge over Bean Creek at Southern avenue, all of which emergency repairs and improvements have been recommended by the City Civil Engineer.

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 Public Works.

By City Comptroller:

APPROPRIATION ORDINANCE 3, 1929

AN ORDINANCE appropriating the sum of twenty thousand sixty-four dollars and fifty cents (\$20,064.50) from the unexpended and unappropriated balance of the General Fund for the year 1928 to the several executive departments of the city of Indianapolis, Indiana, 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 there be and is hereby appropriated out of the unexpended and unappropriated balance of the General Fund for the year 1928 and transferred to the various funds in the different executive departments in said city as hereinafter set forth, viz:

	Fund	Amount
	Controller 25	7.00 17.22
	Legal 36	95.04
	Mayor 36 Purchase 72	18.20
		253.33
	City clerk 24	197.50
	Barrett law 25	54.00
	Barrett law 36	275.95
Board of W		210.30
Board of W	Administration 22	4,926.45
	Administration 24	535.22
	Administration 26	41.30
	Administration 36	42.50
	Administration 51	56.87
	Administration 72	54.00
	Public buildings 21	703.09
	Public buildings 22	19.75
	Public buildings 25	159.20
	Public buildings 26	58.00
	Public buildings 32	508.61
	Public buildings 38	52.66
	Public buildings 41	510.27
	Public buildings 72	1.60
	City civil engineer's office 36	1.00
	City civil engineer's office 41	8.20
	City civil engineer's office 42	8.70
	Street commissioner 32	6.50
	Street commissioner 36	1.00
	Street commissioner 38	264.59
	Street commissioner 41	9.72
	Street commissioner 42	175.50
	Garage 22	60.80
	Garage 25	119.01
	Garage 33	2,052.16
	Garage 45	16.34
	Assessment bureau 72	54.00
Board of F	Public Safety:	0 2.00
Board of I	Administration 25	12.75
	Administration 36	1.75
	Building 24	
	Weights and measures 45	8.50
	Market 34	4.50
	Market 72	36.00
	Dog pound 31	17.00
	Dog pound 32	43.50
	Dog pound 33	21.25
	Dog pound 38	6.55
	Dog pound 45	79.55
	Gamewell 24	25.00
	Gamewell 25	195.00
	Gamewell 38	3.29
		0.40

Gamewell 44	975.52
Gamewell 45	103.00
Gamewell 72	6.55
Fire 21	969.42
Fire 22	40.06
Fire 25	865.90
Fire 52	371.26
Fire 33	153.37
Fire 38	15.00
Fire 41	12.42
Fire 45	247.13
Fire 55	1.50
Police 21	1,672.59
Police 25	130.31
Police 26	406.80
Police 33	714.45
Police 34	23.54
Police 36	59.90
Police 38	487.75
Police 45	52.40
Police 72	916.50

\$20,064.50

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 ORDINANCES

By City Comptroller:

GENERAL ORDINANCE 6, 1929

AN ORDINANCE transferring moneys from certain funds and reappropriating the same to other numbered funds, 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 sum of fifteen thousand dollars (\$15,000.00) now in Board of Public Works Administration Fund No. 26, be and the same is hereby transferred therefrom and reappropriated as follows: Fifteen thousand dollars (\$15,000.00) to Board of Public Works Administration Fund No. 22.

Section 2. This ordinance shall take effect from and after its passage and publication according to law.

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

By City Comptroller:

GENERAL ORDINANCE 7, 1929

AN ORDINANCE, providing for and authorizing the City Controller for and on behalf of the City of Indianapolis to borrow the sum of fourteen thousand dollars (\$14,000.00), payable from the general revenues and funds of said city or from the sinking fund of said city or as may be required by law for the purpose of procuring money to be used in reconstructing and repairing the Central Avenue bridge over Fall Creek in said city and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale and fixing a time when this ordinance shall take effect.

WHEREAS, heretofore on the 16th day of January, 1929, the Board of Public Works of the City of Indianapolis adopted resolution M. R. 352, declaring the reconstruction and repairing of the pier, footings of said bridge to be a public necessity, benefit and utility to the people of the City of Indianapolis and that the said Central Avenue bridge over Fall Creek is a much frequented thoroughfare used by pedestrians and vehicles in said city and that the pier footings of said bridge should be reconstructed and repaired pursuant to the plans and specifications of the City Civil Engineer therefor and requesting the City Controller of said city to prepare an ordinance for the issue and sale of new bonds of the City of Indianapolis in the amount of fourteen thousand dollars (\$14,000.00), and

WHEREAS, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis, with which to meet the aforesaid expenditure and it being necessary for the said city to borrow said fourteen thousand dollars (\$14,000.00) in order to procure a fund to be devoted to the purposes set out in said resolution.

NOW, THEREFORE,

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

Section 1. That the City Controller be and he is hereby authorized for the purpose of procuring money to be used for the purpose of repairing and reconstructing the pier footings of the Central Avenue bridge over Fall Creek in the city of Indianapolis, Marion county, Indiana, to prepare, issue and sell fourteen (14) new bonds of the City of Indianapolis, Marion county, Indiana, of one thousand dollars (\$1,000.00) each, which bonds shall bear the date of April 15, 1929, and shall be numbered one (1) to fourteen (14) both inclusive and shall be designated as "Municipal Bridge Bonds of 1929. First Issue" and shall bear interest at the rate of four and one-half per cent (41/27)

\$1,000.00

per annum, payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Said bonds shall be issued in ten (10) series; the first nine (9) series containing one (1) bond each one thousand dollars (\$1,000.00) and the last or tenth series containing five (5) bonds of one thousand dollars (\$1,000.00) each totalling the sum of fourteen thousand dollars (\$14,000.00). The first series of said issue to be due and payable on the first day of January, 1931, and one series of said bonds becoming due and payable on the first day of January each year thereafter until January 1, 1940, when and by which date the entire series shall be retired.

The said interest on said bonds shall be evidenced by appropriate coupons thereunto attached for the payment of said semi-annual interest and the first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, Said bonds and interest coupons thereunto attached shall be negotiable and payable at the city treasurer's office of the city of Indianapolis at Indianapolis, Indiana; said bonds shall be signed by the mayor and city controller of Indianapolis, Indiana, attested by the City Clerk who shall affix the seal of the City of Indianapolis to each of said bonds and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signature of the mayor and of the city controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the city controller of the said city in due form irrevocably pledging the faith of the City of Indianapolis, Indiana, to the payment and interest stipulated therein respectively. It shall be the duty of the city controller at the time of the issue and negotiation of said bonds to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with the bond numbered one (1), giving also the date of issuance, amount, day of maturity, rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following forms; all blanks for numbers and dates to be properly filled in before the issuance thereof:

No.———

UNITED STATES OF AMERICA CITY OF INDIANAPOLIS

MARION COUNTY STATE OF INDIANA

MUNICIPAL BRIDGE BONDS OF 1929—FIRST ISSUE

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisement laws, on the first day of January, 19—, at the city treasurer's office of the City of Indianapolis, Indiana, one thousand dollars (\$1,000.00) in lawful money of the United States of America, together with interest thereon at the rate of four and one-half ($4\frac{1}{2}$) per cent from date until paid.

The first interest payable on the first day of July, 1930, and the interest thereafter payable semi-annually on the first day of January

Attest:

and the first day of July respectively upon the presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened and have been done, and that all requirements of the law affecting the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the constitution and the laws of the state of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the interest and principal of this bond according to its terms.

> Mayor City Controller

> > City Clerk

Section 2. The City Controller shall, as soon as possible after the passage of this ordinance, advertise for bids or proposals for said bonds by at least one insertion each week for two consecutive weeks in two daily newspapers of opposite political faith of general circulation, printed and published in the English language, in the City of Indianapolis, Marion county, Indiana, as required and authorized by law; and may otherwise advertise for such bids or proposals as he may deem

advisable. Such advertisement shall describe said bonds with such minuteness and particularity as the said City Controller shall see fit and shall set forth the amount of said bonds to be sold and the rate of interest they may bear, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified or cashier's check upon some responsible bank or trust company of the City of Indianapolis, Indiana, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half per cent (21/2%) of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until eleven o'clock a. m. on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and twelve o'clock noon of said day he shall open said bids or proposals. The City Controller shall award said bonds, or as he shall see fit, a part or any number thereof, to the highest and best bidder therefor, and said City Controller shall have the right to reject any or all such bids or proposals or any part thereof and shall have the right to accept any part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising said bond as hereinafter provided.

Section 4. In case the City Controller shall reject all bids submitted or if he shall award only a part of said bids, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, and in such readvertisement he is authorized and directed to fix the date and the time both of receiving and opening bids or proposals, and for the purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller, he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified or cashier's check accompanying the same to the City Treasurer, who shall thereupon present the same for and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If for any reason said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the city in that event, shall have the right to readvertise said bonds for sale at once and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated dam-

ages for such breach of contract and for payment thereof to the city. In case any successful bidder shall fail to complete the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required or which may be prescribed by the City Controller as herein provided, the proceeds of such certified or cashier's check deposited by such bidder, shall be taken, considered, and deemed as agreed and liquidated damages for the breach of such bidder's contract to purchase and shall be taken and deemed as a payment to the city for such damages and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified or cashier's check shall thereupon be returned to such bidder or, at the option of the City Controller, at the time of the completion of the sale and payment of the bonds, said proceeds of said certified or cashier's check may be applied and deemed a payment on account of the purchase of said bonds

Section 6. Delivery of any bonds shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or readvertisement or within such time thereafter as may be fixed by the City Controller and the purchaser or purchasers and the City Controller may extend the time for such delivery not more than ten (10) days after the day or days specified or agreed upon as above provided, and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and time, and his or their refusal or neglect or omission so to do shall be a breach of the contract of his or their bid or proposal on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be a binding obligation upon the City of Indianapolis, according to their tenor and effect, and the proceeds derived from the sale or sales or both as herein authorized, shall be and hereby are appropriated to the Department of Public Works for the construction and repair of said bridge.

Section 8. The Mayor, the City Controller, and the Corporation Counsel are hereby authorized and directed to publish notice of the determination herein to issue bonds as required by law.

Section 9. 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 Public Works.

ORDINANCES ON SECOND READING

Mr. Lieber called for General Ordinance 5, 1929, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Lieber,

General Ordinance 5, 1929, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 5, 1929, was read a third time by the Clerk, and passed by the following roll call vote:

Ayes, 6, viz: Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Vice-President Springsteen.

On motion of Mr. Meurer, second by Mr. Harris, the Common Council adjourned at 8:35 P. M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council held at 7:30 P. M., Monday, February 4, 1929.

In witness whereof we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Attest:

Odward Raub,
President.
William A. Boycefr.

(SEAL)

City Clerk.