

REGULAR MEETING

Monday, May 3, 1937
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, May 3, 1937, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

Present: Edward B. Raub, President, and eight members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Wallace, seconded by Mrs. Dowd.

COMMUNICATIONS FROM THE MAYOR

April 21, 1937.

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

Gentlemen:

I have today approved with my signature and delivered to the Honorable Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 21, 1937

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

GENERAL ORDINANCE NO. 22, 1937

AN ORDINANCE to amend Class U3 uses and Class U4 uses and Class U7 uses of Section 2, General Ordinance No. 114-1922,

commonly known as the Zoning Ordinance, repealing ordinances in conflict therewith, and specifically repealing Section 1 of General Ordinance No. 92-1928 and General Ordinance No. 32-1936, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 23, 1937

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase certain equipment, materials and supplies, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 26, 1937

AN ORDINANCE regulating the operation of vehicles at the intersection of South Illinois Street, Merrill Street, and Russell Avenue, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 27, 1937

AN ORDINANCE regulating the parking of vehicles upon the streets of the City of Indianapolis, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 11, 1937

(As Amended)

AN ORDINANCE appropriating the sum of Eleven Thousand Dollars (\$11,000.00) from the unexpended and unappropriated 1936 balance of the fund derived from Gasoline Tax to certain designated funds of the Department of Public Parks, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 12, 1937

AN ORDINANCE appropriating and allocating the sum of One Hundred Eighty-eight Thousand Five Hundred Seventeen Dollars and Thirty-five Cents (\$188,517.35), received on April 2, 1937, from the State of Indiana as revenue under the Gasoline Tax, to the following departments of the City of Indianapolis, in the amounts specified, in accordance with the provisions

of Section 5 of General Ordinance No. 60-1936, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 13, 1937

AN ORDINANCE appropriating Twenty-five Hundred Dollars (\$2500) from the unappropriated and unexpended 1936 balance of the general fund of the Department of Health and Charities and allocating the same to certain designated funds in said department, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 14, 1937

AN ORDINANCE appropriating certain sums of money from the unexpended and unappropriated 1936 balances of certain funds of the Department of Health and Charities to certain designated funds of said department, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 15, 1937

AN ORDINANCE appropriating and allocating the proceeds of the sales of bonds designated "City of Indianapolis, City Hospital Bonds of 1937—First Issue," as authorized by General Ordinance No. 84-1936 and General Ordinance No. 10-1937, and repealing those parts of Appropriation Ordinance No. 35-1936 in conflict herewith, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 3, 1937

AN ORDINANCE authorizing the Board of Health to contract for the construction and equipment of a new service building unit to be known as the "F-Wing" of the Indianapolis City Hospital, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

May 3, 1937.

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

Gentlemen:

It is my privilege to invite you to join me on a tour of the city on Wednesday and Thursday, May 12th and May 13th, for the purpose of inspecting any projects or branches of the city government which might be of official interest to you.

If it suits your convenience, I should be glad to have you meet in my office at about nine-thirty in the morning of May 12th, and if you will be good enough to advise me how many will be able to come, arrangements may be more easily made for transportation facilities.

I sincerely hope it will be possible for each member of the Council to make this trip.

Sincerely yours,

JOHN W. KERN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

May 3, 1937.

To the Members of the Common
Council of the City of Indianapolis.

Gentlemen:

I am herewith enclosing fourteen copies of Resolution No. 3, being a resolution requiring the President of the Board of Safety of the City of Indianapolis to furnish to the Common Council of the City of Indianapolis a complete list of the members of the Police Department and Fire Department, showing the political affiliations of said policemen and firemen. The members, of course, realize that the law provides that there should be an equal number of Republicans and Democratic policemen and firemen.

Theodore Dammyer, President of the Board of Safety of the City of Indianapolis, on numerous occasions has made statements, together with Mayor Kern, that there were more Republicans in the Police and Fire Departments than there were Democrats, which I believe to be untrue. Republican applicants for positions to these two departments have been unduly discriminated against by Mayor Kern and Theodore Dammyer, of the Board of Safety, and their applications have not been given fair consideration. I have reason to believe that there is an organized political effort on foot to keep deserving Republican applicants out of the Police and Fire Departments.

Inasmuch as the law provides that the number of Republicans and Democrats should be equal and in view of the statements made by Mayor Kern and Theodore Dammyer, this Common Council is entitled to know the truth about the situation and we believe that in all fairness to the citizens of Indianapolis, such complete list of policemen and firemen should be furnished the Common Council without undue delay. If the Mayor and the President of the Board of Safety have nothing to hide, there should be no question about furnishing this complete list promptly.

I believe that this Common Council should place itself above politics and in the spirit of good government, set an example for others to follow. Of course, if the Common Council is not interested in living up to the law and providing good government for the citizens of this community, it would be their duty to vote against this resolution.

Very truly yours,

EDWARD R. KEALING,
Councilman.

April 22, 1937.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

In re: Appropriation Ordinances
Nos. 16, 17, 18, 19, 20
and 21, 1937.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused notice by publication to be inserted in the Indianapolis News and Indianapolis Commercial, on April 22, 1937, that tax-

payers would have a right to be heard on the above ordinances at the regular meeting of the Common Council, to be held on the 3rd day of May, 1937, and by posting a copy of the notice in the following places:

City Hall,
Police Station and
Court House.

Yours very respectfully,

DANIEL J. O'NEILL, JR.
City Clerk.

May 3, 1937.

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

Gentlemen:

For your information, the Board of Safety is submitting herewith several copies of the personnel of the police and fire departments, setting out the politics of each member.

According to department records the tabulation shows as follows:

Police Department:

261—Democrats,
250—Republicans,

Fire Department:

289—Democrats,
307—Republicans.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
BLYTHE Q. HENDRICKS,
Executive Secretary.

May 3, 1937.

President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

Attached hereto are nineteen copies of General Ordinance No. 29 authorizing the Board of Public Works and Sanitation, through its duly

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appointed purchasing agent, to purchase six auto trucks and chassis for the Board of Works and Sanitation to use and be used in the operation and maintenance of streets, alley's and thoroughfares.

These bids will be opened 10:00 A. M., Monday, May 7, 1937, by the Board and the award will be made to the lowest and best bidder.

The City Purchasing Agent respectfully recommends the passage of this ordinance in order to facilitate the immediate purchase of this equipment for the Board of Works and Sanitation.

Respectfully submitted,

DEPARTMENT OF PUBLIC PURCHASE

ALBERT H. LOSCHE,

Purchasing Agent.

Mr. Cable asked for a recess. The motion was seconded by Mrs. Dowd and the Council recessed at 7:40 p. m.

The Council reconvened at 8:35 p. m., with all members present.

COMMITTEE REPORTS

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 16, 1937, entitled

Appropriating the sum of \$62,923.75 to
the Board of Public Work and Sanitation

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.

THEODORE CABLE.

SILAS J. CARR.

ADOLPH J. FRITZ.

NANNETTE DOWD.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 17, 1937, entitled

Appropriating the sum of \$450.00 to Department of Law beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 18, 1937, entitled

Appropriating the sum of \$50.00 to Mayor's Office beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

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Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 19, 1937, entitled

Appropriating the sum of \$11,000 to
the Department of Public Parks

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 20, 1937, entitled

Appropriating sums for flood control 1937 budget

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 21, 1937, entitled

Appropriating the sum of \$241.84 to Garbage Reduction Plant beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred General Ordinance No. 6, 1937, entitled

Amending G. O. No. 10, 1933, dancing

beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

JOHN A. SCHUMACHER, Chairman.
EDWARD R. KEALING.
THEODORE CABLE.
ADOLPH J. FRITZ.
ROSS H. WALLACE.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 28, 1937, entitled

Loading zone, Dunlap Tire & Rubber Co.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., May 3, 1937.

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

Gentlemen:

We, your Committee on Public Parks, to whom was referred Special Ordinance No. 4, 1937, entitled

Authorizing sale of park property

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

NANNETTE DOWD, Chairman.
SILAS J. CARR.
ADOLPH J. FRITZ.
WM. A. OREN.
EDWARD R. KEALING.

Mr. Raub asked if there were any taxpayers present who wished to be heard in the matter of Appropriation Ordinances Nos. 16, 17, 18, 19, 20 and 21, 1937. There was no response.

INTRODUCTION OF GENERAL ORDINANCES AND RESOLUTIONS

By the Purchasing Department:

GENERAL ORDINANCE No. 29, 1937

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase, through its duly authorized purchasing agent,

certain trucks and truck chassis, 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 Board of Public Works and Sanitation be, and it is, hereby authorized and empowered to purchase, through its duly authorized purchasing agent, the following equipment, said equipment to be purchased only after competitive bids have been advertised therefor according to law, and purchases are to be made from the lowest and best bidders, and the total cost for said equipment shall not exceed the sums of money as hereinafter set out:

(a) Four (4) truck chassis, of six (6) or eight (8) cylinders and not less than 11,000 lbs. gross minimum weight. The total combined cost of said four (4) truck chassis shall not exceed the sum of Four Thousand Dollars (\$4,000) and the allowance made for the trade-in of the following trucks, which trade-in is hereby authorized to be made at not less than the appraised value thereof as fixed by the Appraisal Board of said city:

No. 28—1928 Ford; No. 68—1929 Ford;
No. 88—1929 Indiana; No. 113—1929 Ford.

(b) Two (2) trucks for the Sewer Department. The combined cost of said two (2) trucks shall not exceed Two Thousand Dollars (\$2,000).

Section 2. This ordinance shall be in effect after its passage and approval by the Mayor.

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

By Councilman Kealing:

RESOLUTION NO. 3, 1937

IN THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Be it hereby resolved by the Common Council of the City of Indianapolis, as follows:

WHEREAS, Edward R. Kealing, William A. Oren, and John A. Schumacher, members of the Common Council of the City of Indianapolis, have heretofore requested of Theodore Dammyer, president of the Board of Safety of the City of Indianapolis,

a list of the Republican and Democratic policemen in the Police Department of the City of Indianapolis, and also a list of the Republican and Democratic firemen in the Fire Department of the City of Indianapolis, and,

WHEREAS, said Theodore Dammyer has failed, neglected and refused to deliver said list of said members of the said police and fire departments to said members of the Common Council of the City of Indianapolis.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Indianapolis, that said Theodore Dammyer, president of the Board of Safety of the City of Indianapolis, be requested and ordered by the members of this Common Council to reveal and turn over to the members of the Common Council of the City of Indianapolis, a complete list of all policemen and firemen employed in the Police Department and Fire Department by the City of Indianapolis, setting forth opposite their individual names the political affiliations of each and every policeman and fireman so employed by the City of Indianapolis.

Which was read the first time and referred to the following Special Committee: Mr. Kealing, Mr. Oren, Mr. Schumacher.

ORDINANCES ON SECOND READING

Mr. Wallace called for Appropriation Ordinance No. 16, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, Appropriation Ordinance No. 16, 1937, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 16, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 17, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mrs. Dowd, Appropriation Ordinance No. 17, 1937, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 17, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 18, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Fritz, Appropriation Ordinance No. 18, 1937, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 18, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 19, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, Appropriation Ordinance No. 19, 1937, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 19, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 20, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, Appropriation Ordinance No. 20, 1937, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 20, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 5, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Wallace.

Noes, 4, viz: Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 21, 1937, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, Appropriation Ordinance No. 21, 1937, was ordered engrossed, read a third time and placed upon its passage

Appropriation Ordinance No. 21, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 28, 1937, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Kealing, General Ordinance No. 28, 1937, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 28, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mrs. Dowd called for Special Ordinance No. 4, 1937, for second reading. It was read a second time.

On motion of Mrs. Dowd, seconded by Mr. Wallace, Special Ordinance No. 4, 1937, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 4, 1937, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Cable, seconded by Mr. Kealing, the Common Council adjourned at 8:40 p. m.

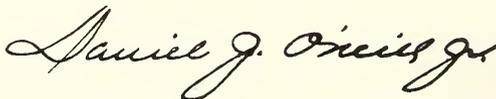
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 3rd day of May, 1937, at 7:30 p. m.

In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



President.

Attest:



City Clerk.

(SEAL)