

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—MAY 4, 1891.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, May 4th, A. D. 1891, at 8:00 o'clock, in regular session.

PRESENT—Hon. Manford D. Yontz, President of the Common Council in the Chair, and 21 members, viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sweetland, Trusler, and Weber.

ABSENT, 4—viz: Councilmen Gauss, Sherer, Stechhan, and Woollen.

The Proceedings of the Common Council for the special session held April 20th, 1891, having been printed and placed upon the desks of the Councilmen, said Journals were approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication; which was received:

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

Gentlemen:—I regret I am not able to approve General Ordinance number eleven (11), "An ordinance regulating the numbering of houses and lots in the City of Indianapolis," passed by your honorable body, under suspension of the Rules, on April 20, 1891.

This ordinance does not materially differ from the law now in force, except to assign to the City Engineer certain specified duties. These duties, if assigned to any one, should have been given to the Board of Public Works.

The law now is that the tin or zinc on which numbers are painted, shall be three (3) inches long and two (2) inches wide. Ordinance No. 11 provides that the figures themselves shall not be less than three (3) inches long. This provision would require the changing of the majority of the numbers now in use in this city, and would impose upon the citizens an expense of thousand of dollars without any practical benefit, as it seems to me.

The present law is that the numbering shall be paid for by the owner of the property, but the ordinance under consideration provides that the numbering shall be paid for by the owner or *occupant* of the building, at the election of the City Civil Engineer; and if the person selected shall fail to comply with the duty imposed upon him, he shall be fined ten dollars (\$10.00) and costs. I do not think the occupant should be required to pay for numbering a house he does not own; neither, in my opinion, should he be liable to a fine, and imprisonment, if the fine is not paid, for not numbering a house, or for permitting the wrong number to remain on a house of which he is only a tenant.

Furthermore, if a house is not correctly numbered, or is without a number, the defect can be corrected under the present law; and I do not think it advisable, at

this time, to expend a large amount of money in simply changing our present system of ascertaining the correct numbers. The City Engineer informs me it will cost the city between four and five thousand dollars to make the plats and other detail required by this ordinance, and it will cost the citizens twice as much to carry them out.

For these reasons I am compelled to return General Ordinance number eleven (11) to you not approved.

April 28, 1891.

THOMAS L. SULLIVAN, Mayor.

Councilman Trusler moved that the City Attorney be instructed to prepare on ordinance to provide for numbering of houses in accordance with the City Charter; which was adopted.

His Honor, the Mayor, presented the following report and recommendations; which was read and received:

CITY COMPTROLLER'S OFFICE, Indianapolis, May 1st, 1891.

Sir:—For the purpose of defraying the expenses of the government of the City of Indianapolis, from date until the 31st day of August next, (both inclusive,) I respectfully recommend that the Common Council of said city be asked to appropriate to the several departments of the city government the amount of money herein named, to-wit:

TO THE DEPARTMENT OF FINANCE.

To pay salaries of city officers and clerks.....	\$ 11,429 15
To pay interest and exchange on bonded debt of city due June 1, 1891..	63,157 35
To pay incidental expenses of city officers.....	500 00
To pay badges and checks for peddlers and dogs.....	120 00
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	\$ 75,206 50

TO THE DEPARTMENT OF PUBLIC WORKS.

For bridges, \$1,500; City Hall, \$2,535.50; cisterns, \$2,000.....	\$ 6,035 50
For wells and fountains \$200.00; light \$21,000; Ill St. tunnel \$100.00..	21,300 00
For parks, \$3,000; sewers, \$2,500.....	5,500 00
For street and alley improvements.....	50,000 00
For street and alley openings and vacations.....	2,000 00
Street Com'rs, pay-rolls, \$11,000; Street Com'rs, accounts, \$3,000.....	14,000 00
Incidentals, \$500.00; Tomlinson Hall accounts, \$400.00.....	900 00
Tomlinson Hall janitors, \$935.50; water rent, \$12,000.....	12,935 50
City Civil Engineer.....	8,000 00
Printing and stationery.....	3,000 00
Furniture and fixtures of city offices.....	1,000 00
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	\$124,671 00

It is not probable that the whole of the \$50,000.00 asked for street and alley improvements will be expended by the 1st day of September; but as the Board of Public Works can make no contracts unless the money has been appropriated to pay for them, and the probability being that all, or at least most of the contracts for work on the streets to be done during 1891, will be made previous to the 1st of September, I recommend that an appropriation of \$50,000.00 be made as aforesaid.

TO THE DEPARTMENT OF PUBLIC SAFETY.

For Police, Police Surgeons and and Building Inspector.....	\$ 28,623 69
For Station House expenses.....	1,400 00
For fire force—pay-rolls.....	28,440 00
For Fire Department accounts.....	11,985 00
For markets.....	1,740 00
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	\$ 72,188 69

In the items of Fire Department accounts is included estimates for 1 chemical engine, 1 ladder truck and 8 horses, for the betterment of the Department.

TO THE DEPARTMENT OF PUBLIC HEALTH AND CHARITY.

For Charity Home and for Friendless Women	\$ 200 00
For expenses of the Health office	1,190 50
For expenses of the City Hospital.....	7,750 00
For expenses of the City Dispensary.....	1,593 51
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	\$10,734 01
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FOR THE DEPARTMENT OF LAW.

To pay witness fees, Mozingo vs. City.....	\$ 61 25
To pay for record for Supreme Court, Cline vs. City.....	12 37
To place in the power of the City Attorney to pay any judgment vs. The City, or to effect a compromise	1,000 00
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	\$ 1,073 62
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FOR THE OFFICE OF CITY CLERK.

To pay for printing Council Proceedings..	\$ 400 00
To pay outstanding bills for re-binding records, books, and printing blanks, etc.	600 00
To pay for indexing Council Proceedings of 1890.....	400 00
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	\$ 1,400 00
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RECAPITULATION.

Department of Finance.....	\$ 75,206 50
Department of Public Works.....	124,671 00
Department of Public Safety.....	72,188 69
Department of Public Health and Charities.....	10,734 01
Department of Law	1,073 62
City Clerk.	1,400 00
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	\$285,273 82
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I estimate the amount of money available to defray the expenses of the city from date until August 31st, 1891, at \$253,609 23. Upon this basis there would be a deficiency at that time; but I believe that this will be covered by the amount of outstanding contracts, or contracts not completed, and consequently would not have to be paid until after the commencement of the next fiscal year.

Respectfully,

To the Mayor.

WILLIAM WESLEY WOOLLEN,
City Comptroller.

Approved: T. L. SULLIVAN, Mayor.

To the Common Council of the City of Indianapolis:

I herewith submit the estimates of the City Comptroller for necessary appropriations from May 1 to August 31, 1891, with my approval, and recommend to your honorable body that the appropriations asked for be made

T. L. SULLIVAN, Mayor.

The President announced the following Standing Committees; which was read and received:

On Accounts and Claims.—Weber, Olsen, Myers.

On Bridges.—Sherer, Nolan, Stechhan.

On Contracts.—Austin, Pearson, Murphy.

- On Education.*—Olsen, Trusler, Nolan.
On Fire Department.—Hicklin, Sweetland, Rassmann.
On Judiciary.—McGill, Myers, Burns.
On Markets.—Burns, Martindale, Gauss.
On Natural Gas.—Murphy, Coy, Dunn.
On Office Fixtures and Supplies.—Nolan, Stechhan, Austin.
On Ordinances.—Rassmann, Pearson, Murphy.
On Printing.—McGill, Davis, Burns.
On Public Health.—Nolan, Gasper, Markey.
On Public Light.—Hicklin, Burns, Martindale.
On Police Department.—Burns, Sweetland, Coy.
On Public Charities.—Trusler, Coy, Cooper.
On Public Property.—Rassmann, Davis, Murphy.
On Railroads.—Markey, Gasper, Weber.
On Rules.—Austin, Dunn, Sherer.
On Sewers and Drainage.—Gauss, Trusler, Murphy
On Streets and Alleys.—Markey, Martindale, Austin.
On Water.—Coy, Myers, Murphy.
On Ways and Means.—Rassmann, Austin, Gauss, Pearson, Cooper.

REPORTS FROM COMMITTEES.

The Committee appointed at the last meeting to draft resolutions of sympathy for the family of the late ex Councilman H. S. Bigham, through Councilman Nolan, submitted the following; which was unanimously adopted, by a rising vote:

WHEREAS, We have learned with profound sorrow of the recent death of the Hon. Heyden S. Bigham, a respected citizen and a former member of this honorable body, we do hereby, in Council assembled, desire to make suitable mention of his many excellent qualities of character, and virtues of his well spent life.

Heyden S. Bigham was born on the 7th day of July, 1842, and departed this life on the 16th day of April, 1891. He enlisted December 25th, 1861, in Co. I. 60th Indiana Volunteers, and served his country with gallantry and fidelity during the late War of the Rebellion until the 28th day of February, 1865, at which date he was honorably discharged by the Federal Government.

The deceased was a faithful and efficient member of the City Council from January 1st, 1871, to January 1st, 1874, and was elected to the Legislature of 1888 from Marion county.

While the deceased may not have been eminently successful in accumulating a large fortune for himself, he was always regarded as an energetic business man. While he was a Democrat in politics, he faithfully represented the interests of the general public during his official career, and it was always agreeable to transact public business with him, and was ready to render a favor to any one, regardless of politics; therefore

Resolved, That a copy of this memorial be spread upon the records of this body, and that a copy be sent to the family.

R. J. NOLAN,
 MICHAEL J. BURNS,
 D. A. MYERS,
 Committee.

The Committee on Judiciary, through Councilman McGill, submitted the following report; which was read and received:

To the Common Council of the City of Indianapolis:

Gentlemen:—Your Committee to whom was referred G. O. 10, 1891, would recommend the following amendment, and when so amended, that the same do pass:

By adding the words at the end of Section four (4): "That the Comptroller shall furnish a printed copy of this ordinance to any person applying for such permit free of charge."

Robt. C McGill,
David A. Myers,
Judiciary Committee.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced:

By Councilman Rassmann. Read the first time:

Ap. O. 3, 1891—An ordinance appropriating two hundred and eighty-five thousand two hundred seventy-three dollars and eighty-two cents, for the purpose of defraying the expenses of the government of the City of Indianapolis for the months of May, June, July and August, 1891.

Councilman Pearson moved that each item be referred to the proper Committees, and that the Committees report at the next meeting.

Adopted.

By Councilman Hicklin. Referred to Committee on Sewers and Drainage:

G. O. 13, 1891—An ordinance creating the office of Inspector of Plumbing and House-drainage; defining the powers, duties and functions attaching to such office; providing for the licensing of those carrying on the business of plumbing and house drainage, as proprietors, and of those engaged in such business as journeymen; authorizing and directing the inspection of all plumbing and house-drainage in buildings and structures in the City of Indianapolis, and relating to other matters properly connected therewith; fixing penalties for any violations thereof, and repealing all ordinances or parts of ordinances in conflict therewith.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Myers presented the following petition; which was referred to the City Attorney:

To the Common Council of the City of Indianapolis:

Gentlemen:—The undersigned petitioners respectfully show to your honorable body that Fulmer, Cooper & Co., contractors, have constructed a brick sewer over and along Virginia avenue, from South street to Coburn street, in the City of Indianapolis, under a valid contract with said city; That the Fletcher Place M. E. Church own Lot 1 in Out-lot 94, in Fletcher's subdivision, abutting upon said avenue between South street and Coburn street, and along the line of said sewer; That said lot is less than ten acres in area; is used solely for religious purposes, and that said church is erected thereon; That said lot has been assessed for the construction of said sewer along the line thereof, and a first and final estimate allowed said Fulmer, Cooper & Co. therefor against said church, in the sum of \$419.32; That the said Trustees are informed and believe they are not legally liable therefor according to the laws of the State of Indiana, and have therefore refused to pay the same.

Wherefore your petitioners pray that said assessment and estimate be paid by said city out of its general fund.

FLETCHER PLACE M. E. CHURCH,
By CHAS. W. GORSUCH, Sec'y.
FULMER, COOPER & Co.

Councilman Myers offered the following resolution :

RESOLUTION No. 5.—*Resolved by the Common Council of the City of Indianapolis, That the corporate seal of the City of Indianapolis used by said city prior to the taking effect of the new City Charter, be, and the same is hereby, adopted as the corporate seal of the City of Indianapolis.*

And it was adopted by the following vote :

AYES, 21—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sweetland, Trusler, Weber, and President Yontz.

NAYS—None.

Councilman Myers offered the following resolution :

RESOLUTION No. 6.—*Resolved by the Common Council of the City of Indianapolis, That the city taxes for the year 1891, and all subsequent years, be in two equal installments, and at the same time and place, and under the same terms and conditions as State and County taxes are paid.*

And it was adopted by the following vote :

AYES, 21—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sweetland, Trusler, Weber, and President Yontz.

NAYS—None.

ORDINANCES ON SECOND READING.

On motion by Councilman McGill, the following entitled ordinance was read the second time :

G. O. 10, 1891.—An ordinance creating the office of Building Inspector; defining the powers and duties attached thereto; authorizing the inspection of buildings and other structures; regulating their construction and repair; requiring the issuance of a license or permit in such cases before any work shall be begun; fixing a penalty for the violation thereof. repealing an ordinance entitled "An ordinance regulating the construction, repair and maintenance of buildings in the City of Indianapolis, and providing penalties for the violation thereof;" ordained and established June 9th, 1890, and repealing all other ordinances or parts of ordinances in conflict therewith.

Councilman Myers offered the following amendment; which was adopted :

SECTION 52.—The provisions of this ordinance shall not apply to any building the contract for the erection of which was made prior to the passage of this ordinance, a permit granted therefor, and work thereon already begun.

Councilman Trusler

Moved to amend G. O. No. 10, 1891, by striking out the words "seven hundred dollars," wherever they occur in said ordinance, and inserting in lieu thereof the words "ten thousand dollars."

Councilman Rassmann moved as a substitute to the above motion, To amend G. O. 10, 1891, by striking out the words "seven hundred dollars," in line 15, Section 4, and insert in lieu thereof the words "twenty-five hundred dollars."

Which was adopted.

On motion by Councilman McGill, the amendments submitted by the Judiciary Committee, were adopted.

The above entitled ordinance was then ordered engrossed, read the third time and passed, as amended, by the following vote :

AYES, 21—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Murphy, Myers, McGill, Nolan, Olsen, Pearson, Rassmann, Sweetland, Trusler, Weber, and President Yontz.

NAYS—None.

On motion by Councilman Myers, the following entitled ordinance was read the second time :

G. O. 12, 1891—An ordinance regulating and fixing the salary of the Clerk of the Board of Public Works of the City of Indianapolis.

The above entitled ordinance was then ordered engrossed, read the third time and passed, by the following vote :

AYES, 19—viz: Councilmen Austin, Burns, Cooper, Coy, Davis, Dunn, Gasper, Hicklin, Markey, Martindale, Myers, McGill, Nolan, Pearson, Rassmann, Sweetland, Trusler, Web r, and President Yount.

NAYS, 2—viz: Councilmen Murphy and Olsen.

On motion, the Common Council then adjourned.

M. D. Yontz, President.
Attest: *R. D. Swift*, City Clerk.