

JOURNAL OF PROCEEDINGS
OF THE
COMMON COUNCIL
OF THE
CITY OF INDIANAPOLIS,

In Marion County, in the State of Indiana.

FIRST REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, January 5, 1914, 7:30 P. M.

The records and files in the office of the City Clerk of the City of Indianapolis, a city located in Marion County, in the State of Indiana, and governed by and under an act of the General Assembly of said State entitled, "An act concerning municipal corporations," approved March 6, 1905 (see laws 64th Regular Session, Chapter 129, pages 219 to 410, and commonly called "The Cities and Towns Act") showing that at the election held on the first Tuesday after the first Monday of November, 1913.

being the 4th day of said month, the following officers of said city were duly elected, all of whom have qualified according to said act, to-wit:

JOSEPH E. BELL, *Mayor.*
THOMAS A. RILEY, *City Clerk.*
JAMES E. DEERY, *City Judge.*

Councilmen-at-Large.

EDWARD P. BARRY.
W. TODD YOUNG.
EDWARD R. MILLER.
EDWARD MCGUFF.
AUBREY D. PORTER.
THOMAS C. LEE.
JOHN F. CONNOR.
FRANK GRAHAM.
MICHAEL J. SHEA.

The Common Council held its first meeting on the first Monday in January, 1914, at 7:30 o'clock, P. M., in the Council Chamber, located in the City Hall, and was called to order by Thomas A. Riley, City Clerk, who called the roll of the nine Councilmen-at-Large, all of whom answered to their respective names.

The City Clerk announced nine members present and stated the first business in order to be the election of a presiding officer for the year 1914.

Whereupon Councilman Miller placed in nomination Councilman John F. Connor, which nomination was seconded by Councilman Lee.

Councilman McGuff was placed in nomination by Councilman Young, which nomination was seconded by Councilman Graham.

Councilman Graham was placed in nomination by Councilman McGuff.

Mr. Lee moved that the nominations be closed. Carried.

Mr. Shea moved the members indicate their choice for President by stating their candidate's name as the roll was called. Carried.

The Clerk called the roll, which resulted as follows :

Those voting for Mr. Connor, 6, viz.: Messrs. Barry, Miller, Porter, Lee, Connor and Shea.

Those voting for Mr. McGuff, 2, viz.: Messrs. Young and Graham.

Those voting for Mr. Graham, 1, viz.: Mr. McGuff.

City Clerk Riley announced the result of the vote and declared Councilman John F. Connor duly elected President of the Common Council for the year 1914, and appointed Messrs. Shea and Lee to escort President Connor to the chair.

Whereupon President Connor took the chair and announced the next order of business to be the election of a presiding officer pro tem.

Councilman Miller placed in nomination Councilman Aubrey D. Porter, which nomination was seconded by Councilman Barry.

There being but one nominee, Mr. Miller moved that Mr. Porter be elected by acclamation. Motion carried.

President Connor declared Councilman Porter duly elected President pro tem. of the Common Council for the year 1914.

Mr. Miller moved that the President appoint a committee of three on Rules, to revise the Rules of the Council. Carried.

President Connor appointed the following Committee on Rules :
Messrs. Barry, Lee and Porter.

Mr. Barry moved that the Council take a recess of ten minutes.
Carried.

At 8:30 o'clock P. M. President Connor called the Council to order.

Mr. Barry reported the committee had agreed on the rules and presented the following :

By Committee on Rules :

General Ordinance No. 2—1914: An ordinance prescribing rules for the procedure of the Common Council of Indianapolis.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That on and after the passage of this ordinance the following rules of procedure shall be followed at all meetings of said body :

MEETINGS.

The regular meetings shall be held on the first and third Monday evenings of each month, at the hour of 7:30. At the hour fixed the Clerk shall call the roll, noting those present and those absent. If the President be absent at the time of the first roll call, the Vice-President shall call the Council to order; and if the latter is absent, any member of the Council may, upon motion, be called to the chair, and such chairman shall act as presiding officer until the arrival of the one entitled to preside.

Special meetings of the Common Council may be held upon the call made as follows: By the Mayor, or by the President, or by any five (5) members of the Common Council. In case of a call for a special meeting, in whatever manner made, it shall be the duty of the person authorizing the same to duly notify the City Clerk thereof, and it shall be the duty of that officer to cause notice of such meeting to be immediately served upon each member, either in person or by notice left at his place of residence.

At special meetings of the Common Council only such ordinances or resolutions shall be considered or acted upon, or such communications received, as are specifically stated in the call for said special meeting.

DUTIES OF OFFICERS.

PRESIDENT.

The presiding officer shall preserve order and decorum.

He shall decide all questions of order, subject to an appeal to the Council.

He shall vote on all questions, when the ayes and noes are taken (his name being called last), and upon all other questions, when the Council is equally divided, he shall cast the deciding vote.

He shall appoint all standing committees, as well as all special committees, that may be ordered by the Council, except as hereinafter provided. All standing committees shall be appointed at the commencement of the term of Council: *Provided, however,* That said standing committees shall survive only during the term of the President appointing same. He shall also fill all existing vacancies that may hereafter occur in any of said committees. He shall announce the result of all votes by the Council upon all motions, resolutions, ordinances, etc., whether by roll call or by viva voce vote.

It is the duty of the President to sign all ordinances, orders or resolutions passed by the Council before being presented to the Mayor, as well as all ordinances after enrollment, and the journal of proceedings.

Before putting the question to a vote of the Council, the President shall rise to his feet, but may state the question sitting.

CLERK.

It shall be the duty of the City Clerk to keep an accurate journal of the proceedings of the Common Council.

He shall have said proceedings printed after each regular or special meeting, one copy of which shall be presented to each member within ten days after the meeting, and at least fifty (50) copies of which shall be kept on file, to be bound at the end of the year, with a proper index thereto, which shall be the official journal of the Common Council of said city.

He shall arrange a roll call in the order of districts, and where there are two councilmen from the same district their names shall be placed alphabetically.

He shall keep a proper file of all papers and documents of every kind and character, and shall hold them subject to the orders of the Common Council.

He shall be the custodian of all ordinances, resolutions, petitions, memorials, and all other papers pertaining to the business of the Common Council, except when such ordinances, resolutions, petitions, memorials or other papers are necessarily in the hands of any committee for the consideration of such committee.

SERGEANT-AT-ARMS.

The Sergeant-at-Arms shall act as messenger for the Common Council, and shall deliver into the hands of the proper committee chairman all ordi-

nances, resolutions, petitions, memorials, or other papers or documents, within two days after any meeting of the Common Council at which the same shall have been referred to any committee.

He shall at all times be subject to the orders of the Common Council or the President thereof.

RULE 1.

1. Reed's Parliamentary Rules shall be authority on all questions of parliamentary law and procedure not specifically covered by these rules.

2. A quorum shall consist of a majority of all members elected, but no ordinance, order or resolution shall be passed, or ordinance engrossed, which shall not have received the votes of a majority of all members constituting the Common Council.

3. No one not a member of the Common Council shall be permitted to address the same except by a two-thirds secret ballot vote of the Common Council: *Provided, however,* That any officer of the city or his authorized deputy may, when called upon by the President, make a report.

4. No smoking will be allowed in the Council Chamber during the sitting thereof.

5. The presiding officer shall decide whether any question is carried by affirmative or negative vote; but if he doubt, and the "ayes and noes" or a division be called for, the Council shall decide. In case of a rising vote, those voting in the affirmative shall first rise and be counted; afterward those voting in the negative.

COMMITTEES.

There shall be eight standing committees of the Council, consisting of five members each, as follows:

- (1) Committee on Finance.
- (2) Committee on Public Works.
- (3) Committee on Public Safety.
- (4) Committee on Public Health and Charities.
- (5) Committee on Parks.
- (6) Committee on Law and Judiciary.
- (7) Committee on Elections.
- (8) Committee on the City's Welfare.

In addition, the President may appoint special committees of any odd number of members of the Council for any special purpose, either on his own motion or on motion of the majority of the Council.

The Committee on Finance shall be composed of the Chairman thereof, to be appointed by the President, and the Chairman of the Committee on Public Works, Public Safety, Public Health and Charities and Public Parks, respectively.

All appropriation ordinances and ordinances for the purpose of raising revenues shall be referred to said Committee on Finance.

In case any business is pending in any committee, it shall be the duty of the chairman of such committee to assemble the same at least one week before the next regular meeting, and to present to said committee for action all ordinances then pending therein. Each such ordinance shall be reported back to the Council at the next regular meeting, unless a majority of said committee shall vote to postpone action. In that event the action on the motion to postpone shall be reported at the next regular meeting: *Provided*, That nothing herein contained shall be construed to affect any action taken at any special meeting of the Council.

All reports from committees shall be made in writing, giving both the title and number thereof, and must be signed by a majority of the members thereof; and all committees shall return all ordinances, resolutions and papers referred to them, and report upon the same to the Common Council not later than the second regular meeting night after the same is introduced: *Provided*, That the Council may, at its discretion, extend the time for making such reports.

RULE 2.

ORDINANCES.

1. Ordinances shall be of three distinct classes, viz.: First, appropriation ordinances; second, special ordinances relating to special matters; third, general ordinances in distinct files, according to the number of their readings, and shall give each ordinance of each class a distinct number in the order of its introduction, and shall place such files on the Clerk's desk at the opening of each meeting.

All ordinances shall be read three times before they may be put to vote upon passage, unless these rules shall be suspended, but no ordinance shall be put upon its passage without having been read in its entirety at least once by the Clerk, nor shall any ordinance or resolution be passed upon the same day it is introduced, except by unanimous consent of the Common Council.

2. First and third readings of ordinances shall be by title only, but all ordinances shall be read in their entirety by the Clerk upon second reading.

All ordinances shall be read by title only when introduced, and shall be immediately referred to the proper committee by the President, unless the Common Council shall vote to take up consideration of such ordinance in Committee of the Whole.

All ordinances shall be open to amendment after second reading, but not before.

After second reading all ordinances shall be ordered engrossed by the Common Council before they may be read the third time and placed upon passage, but it shall be proper to include an order for engrossment in a motion for third reading and passage, in which case the proper form of such motion shall be as follows: "I move that _____ Ordinance No. _____ be ordered engrossed, read a third time and placed upon its passage."

3. No amendment, except to strike out, shall be in order after an ordinance has been ordered engrossed unless by unanimous consent.

Any ordinance failing to receive a majority of the votes upon order for

engrossment shall be considered as still upon its second reading and awaiting engrossment unless stricken from the files or otherwise disposed of by the Common Council.

All votes upon the passage of ordinances and resolutions, upon motions to suspend the rules or motions to reconsider, shall be by roll call.

The Common Council may, at any time, order that ordinances, resolutions, petitions, memorials or other papers shall be printed for distribution among the members or other persons.

4. Any ordinance may be stricken from the files at any time by a vote of two-thirds of all the members elected, or by a majority vote after the ordinance shall have passed a second reading.

5. Any ordinance failing of passage or defeat because of not having received such a majority for or against passage, shall be considered as engrossed and awaiting call for third reading and final passage. Any such ordinance may be called for third reading and final passage at any subsequent meeting of the Council unless it shall have been stricken from the files or otherwise disposed of.

6. Any amendment to an ordinance may be referred, delayed, or otherwise disposed of, without delay or prejudice to the ordinance itself.

7. Ordinances reported back to the Council by committees or officers will take their proper place in first, second or third readings.

8. Ordinances, resolutions and reports may be committed and recommended at the pleasure of the Council.

9. Upon call of the roll on any question after any one member shall have voted, it shall not be in order for any member to offer remarks except in explanation of his vote; and no explanation shall be in order under the operation of the "previous question" or motion to "lay on the table."

10. All resolutions presented for any action by the Council shall be read by the Clerk and immediately referred to a proper committee by the President, and no debate shall be in order upon such resolution until the same shall have been reported back to the Council by the committee to which it was referred.

RULE 3.

MOTIONS, THEIR PRECEDENCE, ETC.

1. When any motion is made and seconded it shall be stated by the presiding officer, or, being in writing, it shall be handed to the Clerk and read aloud before debate, and shall be entered upon the journal with the name of the member making it, unless it is withdrawn at the same meeting.

2. Every motion shall be reduced to writing, except to adjourn; to adjourn to a day certain; to reconsider the previous question or the seconding thereof; to lay on the table; to postpone to a day certain; to postpone indefinitely; to commit; to amend; to suspend the rules, or to concur; and every other motion not so reduced to writing shall, upon the objection of any one member, be considered out of order.

3. A motion to "lay on the table" or for the "previous question" shall not be in order if prefaced by any speech or remarks.

4. Any motion or resolution which in effect contemplates a violation of law, or is in conflict with any ordinance, shall be ruled out of order.

5. A motion to adjourn can not be repeated unless other business has intervened between the motions.

6. A motion to adjourn can not be reconsidered.

7. Any matter laid upon the table may be taken up by a vote of the Council at any time: *Provided*, A motion to reconsider, once laid upon the table, can not again be taken up.

8. A motion to "reconsider," and "that when the Council adjourns it adjourns to meet on a day certain," are privileged questions, and are debatable.

9. A business which by law or necessity must or should be transacted within or by a certain time will be considered a question of privilege.

10. A motion to "suspend the rules" is a privileged question, is not debatable, and can not be amended except to the acceptance of the mover.

RULE 4.

RECONSIDERATION.

When any question has been once decided, in the affirmative or negative, any member voting with the majority may move a reconsideration thereof on the same or the next regular meeting: *Provided*, That no such motion shall be introduced at the next or subsequent meeting, unless the member intending to make the same shall have given written notice of such intention at the meeting at which the vote which he desired to have reconsidered was taken. A resolution once adopted may be rescinded by subsequent resolution, and ordinances passed may be repealed by subsequent ordinances.

RULE 5.

PREVIOUS QUESTION.

The "previous question" shall be put in this form: "Shall the main question be now put?"

It shall only be admitted when decided by a majority of the members present, and, until decided, shall preclude all other motions or amendments, except the motion to adjourn. If the motion be sustained, the Chair shall at once put the question, first upon the pending amendments in their order, and then upon the main question.

RULE 6.

ORDER OF BUSINESS.

1. The following order of business shall be observed by the Common Council at its meetings:

(a) Calling of roll.

(b) Reading and correcting journal of the preceding regular or special meetings.

(c) Communications, etc., from Mayor.

(d) Reports, etc., from City Officers and Official Boards.

(e) Reports from Standing Committees in the following order :

1. Finance.
2. Public Works.
3. Public Safety.
4. Public Health and Charities.
5. Parks.
6. Law and Judiciary.
7. City's Welfare.
8. Elections.

(f) Reports from select committees.

(g) Introduction of appropriation ordinances.

(h) Introduction of general and special ordinances.

(i) Introduction of miscellaneous business.

(j) Call for ordinances on second reading and final action.

(k) Unfinished business.

When an ordinance is called for second reading, the subsequent action on the same ordinance may be had immediately before any other business is called or transacted.

2. The reading of the journal may be dispensed with at any time by order of the Council.

3. Special orders may be taken up immediately after "Reports from Select Committees," if so ordered by the Council.

4. The Council may order a return to any order of business after the call of the regular order of business.

5. The chairman of each standing committee, in the order named in Section 1 of this rule, or in his absence some other delegated member of the same committee, shall have the privilege of asking for action upon all matters reported upon by his committee, before reports of other committees are considered, unless a majority of the members present decide to the contrary.

RULE 7.

COMMITTEE OF THE WHOLE.

1. In forming a Committee of the Whole Council the presiding officer, leaving the chair, shall appoint a chairman to preside.

2. Upon the ordinance being committed to a Committee of the Whole Council the ordinance shall be read throughout by the Clerk, and then

again read and debated by sections. The body of the ordinance shall not be defaced or interlined, but all amendments, noting the line and page, shall be duly entered by the Clerk upon a separate paper, as the same shall be agreed to by the committee and so reported to the Council; after report, the ordinance shall again be subject to be debated and amended by clauses before a question to engross it be taken.

3. The rules of proceeding in the Council shall be observed (as well as parliamentary law) in a Committee of the Whole Council, so far as they may be applicable, except the rule limiting the time of speaking; but no member shall speak more than twice to any question until every member choosing to speak shall have spoken.

RULE 8.

DECORUM AND DEBATE.

1. When any member is about to speak or deliver any matter to the Council he shall rise from his seat and respectfully address himself to the presiding officer, and on being recognized may address the Council, and shall confine himself to the question in debate, and avoid personality. The Chair shall not recognize any member as in order unless he shall be in his proper seat.

2. No member shall speak more than twice on the same question without leave of the Council, nor more than once until every member choosing to speak shall have spoken: *Provided*, All speeches shall be limited to five minutes, unless further time be granted by the Council. Time consumed in answering questions shall not be considered as a part of the speaker's time.

3. When two or more members rise at the same time the presiding officer shall decide which shall speak first.

4. While the presiding officer is putting a question or addressing the Council, or when any member is speaking, no member shall engage in any private discourse or walk across or leave the room unnecessarily.

5. No member shall impugn the motive of any other.

6. Any member may change his vote before the announcement of the result by the Chair. Every member must vote upon every question unless excused from voting by a majority of the members present.

7. If any member in anywise transgress the rules of the Council any other member may call him to order, in which case the alleged offender shall immediately take his seat, unless permitted to explain. If the question of order be decided against him he shall be liable, if the case require it, to the censure of the Council. If the decision be in his favor he shall be at liberty to proceed.

8. After the Council shall have been called to order by the President, Vice-President or President pro tem., no member shall absent himself from the Council Chamber without he shall have been excused by the presiding officer: *Provided, however*, That should such presiding officer refuse to grant such excuse, the member seeking to be excused shall have the right to demand a vote of the Council upon his request to be excused,

and the affirmative vote of two-thirds of the members present shall be sufficient to excuse him from further attendance at that meeting of the Council. The question upon excusing a member, notwithstanding the refusal of the presiding officer to do so, shall be a question of privilege, and shall be immediately put to vote by the presiding officer, taking precedence of all other questions and motions that may be before the Council at that time.

When any member shall be excused in accordance with the provisions of this rule the Clerk shall note on the minutes that such leave was granted, showing whether leave be granted by the presiding officer or by vote of the Council.

MISCELLANEOUS RULES.

RULE 9.

When the reading of any paper is called for, if objection be made, the Council shall decide whether the paper shall be read; and no paper shall be read, if objected to, without the consent of the Council.

RULE 10.

No matter or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

RULE 11.

When any matter is postponed indefinitely it shall not be again voted upon during that or the next two succeeding meetings.

Any member may demand the "ayes and noes" upon any question to be voted upon by the Council, and when such demand is made, the Clerk shall call the roll.

Any member may demand a division of a question when the question is capable of a division.

AMENDING THE RULES.

These rules may be amended or annulled by a majority vote of all the members of the Common Council. All proposed amendments to the rules shall be referred to the Committee on Law and Judiciary without debate, and said committee shall have the right to report at any time, and may, at any time, report any change in the rules: *Provided, however,* That no vote on any amendment or resolution to annul shall be taken until at least two weeks' notice shall be given of such intended action.

All ordinances, resolutions or action of any kind heretofore taken by this body, adopting or attempting to adopt rules of procedure for this body in conflict with this ordinance are hereby repealed.

SECTION 2. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

Mr. Barry moved that the rules be suspended and General Ordinance No. 2, 1914, be placed upon its passage :

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

Ayes, 9, viz. : Messrs. Barry, Young, Miller, McGuff, Porter, Lee, Graham, Shea and President John F. Connor.

Mr. Barry called for General Ordinance No. 2, 1914, for second reading. It was read a second time.

Mr. Barry moved that General Ordinance No. 2, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 2, 1914, was read a third time and passed by the following vote :

Ayes, 9, viz. : Messrs. Barry, Young, Miller, McGuff, Porter, Lee, Graham, Shea and President John F. Connor.

President Connor announced the appointment of the following standing committees for the year 1914 :

STANDING COMMITTEES.

Finance—Messrs. Barry, Porter, Lee, McGuff and Young.

Public Works—Messrs. Porter, Lee, Barry, Graham and McGuff.

Public Safety—Messrs. Lee, Shea, Miller, McGuff and Young.

Public Health and Charities—Messrs. Miller, Barry, Shea, Young and Graham.

Parks—Messrs. McGuff, Graham, Lee, Porter and Barry.

Law and Judiciary—Messrs. Shea, Miller, Barry, Young and Graham.

Elections—Messrs. Lee, Barry, Porter, Miller and Shea.

City's Welfare—Messrs. Young, Porter, Shea, Miller and McGuff.

MISCELLANEOUS BUSINESS.

INDIANAPOLIS, IND., January 5, 1914.

Mr. President:

I move that the Clerk be instructed to have a sufficient number of the rules of the Council printed, containing also the names, addresses, places of business and telephones of the different members of the Council, the standing committees and a roster of city officials.

A. D. PORTER.

Which motion carried.

On motion of Mr. Barry, the Common Council, at 9:08 o'clock P. M., adjourned.

John F. Connor
.....
President.

ATTEST:

Thomas A. Riley
.....
City Clerk.

