

REGULAR MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

MONDAY, April 20, 1914.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, April 20, 1914, at 7:30 o'clock, in regular session, President John F. Connor in the chair.

Present: The Hon. John F. Connor, President of the Common Council, and eight members, viz.: Messrs. Barry, Young, McGuff, Miller, Porter, Lee, Graham and Shea.

By Mr. McGuff:

Mr. President:

I move that Appropriation Ordinance No. 25, 1914, be referred to the Finance Committee for their consideration, in that the Rules of the Common Council (*on page 17*) plainly state that:

"All appropriation ordinances shall be referred to the Finance Committee."

Any action taken by any other committee on this or any other appropriation ordinance would not be *binding* or *lawful*.

ED MCGUFF.

Mr. Barry moved that the reading of the Journal be dispensed with and the Clerk make the correction as agreed to. Carried.

COMMUNICATIONS FROM THE MAYOR.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., April 15, 1914.

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

GENTLEMEN—I have approved and signed General Ordinance No. 12, 1914, the same being an ordinance entitled, "An ordinance regulating pawn shops and second-hand stores."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., April 15, 1914.

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

GENTLEMEN—I have approved and signed General Ordinance No. 15, 1914, the same being an ordinance entitled, "An ordinance concerning the wages and compensation of laborers employed by the City of Indianapolis, and fixing the time when the same shall take effect; and repealing all ordinances and parts of ordinances in conflict herewith."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., April 15, 1914.

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

GENTLEMEN—I have approved and signed General Ordinance No. 14, 1914, the same being an ordinance entitled, "An ordinance creating the office of Barrett Law Bookkeeper, fixing the salary, and providing when the same shall take effect."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

EXECUTIVE DEPARTMENT,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., April 15, 1914.

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

GENTLEMEN—I have approved and signed Appropriation Ordinance No. 9, 1914, the same being an ordinance entitled, "An ordinance appropriating the sum of five thousand dollars to the Department of Public Safety for purchase of automobiles for assistant fire chiefs."

I return the said ordinance herewith.

Yours very truly,
J. E. BELL,
Mayor.

REPORTS FROM CITY OFFICERS.

Mr. Lee moved to dispense with the reading of a communication from the City Controller.

Mr. Barry moved to amend that the communication be printed in the Journal. Carried as amended.

From City Controller:

DEPARTMENT OF FINANCE,
CITY OF INDIANAPOLIS.
INDIANAPOLIS, IND., April 10, 1914.

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

I submit herewith a letter which I have to-day sent to the editor of the Indianapolis News concerning the city's finances. I beg to call your attention to it in order that you may not be misled by the false statements of that paper.

Respectfully,
J. P. DUNN,
City Controller.

DEPARTMENT OF FINANCE,
CITY OF INDIANAPOLIS.

INDIANAPOLIS, IND., April 10, 1914.

Mr. Louis Howland, Editor Indianapolis News:

DEAR SIR—I noted with some surprise an article in yesterday's News entitled, "City's Finances," in the third column of the editorial page, which is under your charge. The evident purpose of the article is to encourage certain members of the City Council to oppose the authorization of a temporary loan by statements that are false and misleading. As I have heretofore known you as a man of higher standards of morality than some of the reporters on your paper, I assume that this article is the result of ignorance, rather than of an intentional effort, by deceit, to injure the public welfare, which, in such a case as this, would necessarily meet the condemnation and contempt of every right-thinking man.

Referring to a statement of City Treasurer Von Hake that he has \$103,695.54 of city money in the treasury, you say: "If Dunn needs \$100,000 to pay salaries, why does he not draw the \$103,695.54 which the City Treasurer is prepared to let him have?" I have explained publicly and repeatedly that over \$100,000 of this money is needed to cover special funds which will be drawn on before the money can be replaced from taxes or other sources. To avoid any question as to this I send you herewith a copy of the Council Proceedings of January 19, in which it was fully explained before the present situation developed. On page 24 you will find the report of City Controller Akin showing that on January 1, out of \$164,676.34 of city money then in the City Treasurer's hands, \$138,569.53 was to the credit of special funds. On page 46 you will find my letter to the Council calling for the first loan of \$100,000, in which I explain that this money can not safely be used, "as the special appropriation balances are expected to be called for before May for their specific purposes—chiefly for the completion of the City Hospital and Fire Headquarters."

Of the money now on hand, \$89,070.50 is credited to the City Hospital and Fire Headquarters funds, both of which are special funds created by bond sales. Both buildings are practically completed, and the presentation of the final bills will not be later than May. Only a few weeks ago you objected to the temporary use of the track elevation money, on the ground that it was a special fund, although it could not be called for until after the June settlement for its special purpose. You are now demanding that I use special funds which are needed for their special purpose in the immediate future.

The City Treasurer has no account of these funds, or of other Council appropriations. He makes no pretense of keeping the accounts with city funds provided for by Section 212 of the City Charter, and therefore has no information as to city finances except as to the total of money in his hands. His statement as to what he is willing to pay has no relevancy whatever to what can properly and lawfully be paid.

You say: "The city can easily get along till the next meeting of the Council, April 16. It would be no great hardship to postpone pay day a few days after May 1, or till spring taxes begin coming in." This is not true. The balance in the general fund at the close of business on April 9 was \$2,982.15. Against this there have already been allowed March bills aggregating \$33,977.45, which must be paid on April 15. The semi-monthly pay roll on April 16 is over \$45,000. I would remind you that the large majority of the city employes are firemen and policemen, most of whom have been engaged for years in the protection of your life and property; most of whom are men in humble circumstances, and all of whom are entitled to their pay at the time fixed by law.

The "spring taxes" have been "coming in" since January 1, but the greater part of them will not be paid until between May 1 and May 4, and will not be available for city use until after June 1. In addition to current bills, it will be necessary for me to forward over \$60,000 before June 1, for payment of semi-annual interest on the city's bonded debt. If you have the slightest doubt as to any of these statements, I invite you to send a competent bookkeeper to my office and satisfy yourself by inspection.

I have no objection to the amenities of ordinary political controversy, but I submit to your candor that there are some things which should not be made the playthings of politics, and one of them is the public credit. There is the same distinction here that was so well made by Senator Lodge yesterday between what is honorable and what is dishonorable in national politics. I am making this letter public because it is my duty as a public official to leave the members of the City Council no excuse of misunderstanding in so grave a matter; but I also urge you to correct these misstatements in your issue this afternoon, before the Council meeting. If the orders of the proprietor of the News do not permit a truthful statement of the facts in such a case, may I not ask your private assurance that you do not approve of so infamous a policy. I have been accustomed to class you with those who—

"Envy not the beast that takes
His license in the field of time,
Unfetter'd by the sense of crime,
To whom a conscience never wakes."

I assure you that I should regret to be forced to lower my estimate of your character.

Very truly yours,
J. P. DUNN.

REPORTS FROM STANDING COMMITTEES.

From the Committee of Finance:

INDIANAPOLIS, IND., April 20, 1914.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 16, 1914, entitled, "An ordinance concerning compensation of certain City Hall employes under the Department of Public Works, and repealing all ordinances in conflict herewith," beg leave to report that we have had said ordinance under consideration, and recommend that the same be amended as follows:

That paragraph 7 of section 1 of the ordinance be amended by striking out the words and figures fifty dollars (\$50) and substituting the words and figures sixty dollars (\$60) in their stead.

That paragraph 8 of section 1 of the ordinance be amended by striking

out the words and figures fifty dollars (\$50) and substituting the words and figures sixty dollars (\$60) in their stead.

And when said ordinance is so amended we would recommend that same be passed.

Respectfully submitted,

EDWARD P. BARRY,
A. D. PORTER,
THOMAS C. LEE,
ED MCGUFF,
E. R. MILLER.

Mr. Barry moved that the report of the Committee be concurred in. Carried.

From the Committee on Finance :

INDIANAPOLIS, IND., April 20, 1914.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Finance, to whom was referred General Ordinance No. 18, 1914, entitled, "An ordinance for the transfer of money heretofore appropriated to the Board of Public Safety for cleaning buildings in the East Market appropriations, to the fund for repair of cisterns in the Fire Department appropriations, and fixing the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

Respectfully submitted,

EDWARD P. BARRY,
THOMAS C. LEE,
A. D. PORTER,
ED MCGUFF,
E. R. MILLER.

Mr. Barry moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Works :

INDIANAPOLIS, IND., April 20, 1914.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Public Works, to whom was referred General Ordinance No. 17, 1914, entitled, "An ordinance approving a certain contract granting Joseph L. Hogue the right to lay and maintain a sidetrack or switch from the tracks of the C., C., C. & St. L. Ry. Co. across Twenty-ninth Street, according to blue print attached, in the City of

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

Respectfully submitted,

A. D. PORTER,
THOMAS C. LEE,
ED MCGUFF,
FRANK GRAHAM,
EDWARD P. BARRY.

Mr. Porter moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Works :

INDIANAPOLIS, IND., April 20, 1914.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Public Works, to whom was referred General Ordinance No. 20, 1914, entitled, "An ordinance to amend clause (f), of section 37, of General Ordinance No. 72, 1912," beg leave to report that we have had said ordinance under consideration, and recommend the same be passed.

Respectfully submitted,

A. D. PORTER,
EDWARD P. BARRY,
FRANK GRAHAM,
THOMAS C. LEE,

Mr. Porter moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Works :

INDIANAPOLIS, IND., April 20, 1914.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Public Works, to whom was referred Special Ordinance No. 1, 1914, entitled, "An ordinance changing the name of Mulberry Street to Pennsylvania Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same do pass.

Respectfully submitted,

A. D. PORTER,
ED MCGUFF,
EDWARD P. BARRY,
FRANK GRAHAM,
THOMAS C. LEE,

Mr. Porter moved that the report of the Committee be concurred in. Carried.

From the Committee on Public Safety:

INDIANAPOLIS, IND., April 20, 1914.

To the President and Members of the Common Council:

GENTLEMEN—We, your Committee on Public Safety, to whom was referred General Ordinance No. 23, 1914, being "An ordinance requiring a flagman to be stationed by the Lake Erie & Western Railroad Company at the crossing of said company's tracks over Twenty-eighth Street, in the City of Indianapolis, Indiana," have had said ordinance under consideration, and would recommend that the same be amended by inserting after the word "the" in the last line of section five (5) the words "Indianapolis Commercial," and when so amended that said ordinance do pass.

Respectfully submitted,

THOMAS C. LEE,
W. T. YOUNG,
ED MCGUFF,
MICHAEL J. SHEA,
E. R. MILLER.

Mr. Lee moved that the report of the Committee be concurred in. Carried.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Miller:

General Ordinance No. 26, 1914: An ordinance to amend Section 41 of the General Ordinance No. 72, 1912.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that Section 41 of the General Ordinance No. 72 be and the same is hereby amended to read as follows:

Section 41.

(a) Every building, excepting any dwelling house which is rented, leased, let or hired out, to be occupied, or occupied, or intended, arranged or designed to be occupied as the home or residence of not more than two families, hereafter erected, enlarged or altered within the district known as the fire limits as described in Section 17, shall be erected or enlarged as a first or second class building.

(b) It shall be unlawful to repair or alter any building, other than a first or second class building, or a dwelling house which is rented, leased, let or hired out, to be occupied, or which is occupied, or intended, arranged or designed to be occupied as the home or residence of not more than two families, within the fire limits, if in the opinion of the Commissioner of Buildings, such building has been damaged from any cause to the extent of (60%) sixty per cent. of the cost of a similar new building, and any such

building shall be torn down and removed when in a dangerous condition, if so ordered by the Commissioner of Buildings.

(c) Repairs on every existing building of the first, second or third classes, and on any dwelling which is rented, leased, let or hired out, to be occupied, or which is occupied, or intended, arranged or designed to be occupied as the home or residence of not more than two families within the fire limits may be made involving the substitution of material or work made necessary by ordinary wear and tear.

(d) Any dwelling house which is to be rented, leased, let or hired out, to be occupied, or intended, arranged or designed to be occupied as the home or residence of not more than two families may be constructed and erected within the fire limits as described in Section 17, as third class or brick veneer building of the fourth class.

(e) Additions or alterations may be made to any frame dwelling now existing and located within the fire limits as described in Section 17, as class four, and which is rented, leased, let or hired out, to be occupied, or is occupied, or intended, arranged or designed to be occupied as the home or residence of not more than two families, provided no such additions or alterations are greater than (20%) twenty per cent. of the superficial area of the outer dimensions of the original existing foundation walls, and that the roof of such additions or alterations shall be covered with slate, tile, metal or other equally non-inflammable materials.

Which was read a first time.

Mr. Miller moved that the rules be suspended and General Ordinance No. 26, 1914, be placed upon its passage.

The roll was called and the motion to suspend the rules was lost for want of a unanimous vote, as follows:

Ayes, 7, viz.: Messrs. Barry, McGuff, Miller, Porter, Lee, Shea and President John F. Connor.

Noes, 2, viz.: Messrs. Young and Graham.

General Ordinance No. 26, 1914, was thereupon referred to the Committee on City's Welfare.

ORDINANCES ON SECOND READING.

Mr. Barry called for General Ordinance No. 16, 1914, for second reading. It was read a second time.

Mr. Barry moved that General Ordinance No. 16, 1914, be amended as recommended by the committee. Carried.

Mr. Barry moved that General Ordinance No. 16, 1914, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 16, 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.

Mr. Barry called for General Ordinance No. 18, 1914, for second reading. It was read a second time.

Mr. Barry moved that General Ordinance No. 18, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 18, 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.

Mr. Porter called for General Ordinance No. 17, 1914, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 17, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 17, 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.

Mr. Porter called for Special Ordinance No. 1, 1914, for second reading. It was read a second time.

Mr. Porter moved that Special Ordinance No. 1, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 1, 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.

Mr. Porter called for General Ordinance No. 20, 1914, for second reading. It was read a second time.

Mr. Porter moved that General Ordinance No. 20, 1914, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 20, 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.

Mr. Lee called for General Ordinance No. 23, 1914, for second reading. It was read a second time.

Mr. Lee moved that General Ordinance No. 23, 1914, be amended as recommended by the committee. Carried.

Mr. Lee moved that General Ordinance No. 23, 1914, be ordered engrossed, as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 23, 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.

On motion of Mr. Porter the Common Council, at 8:40 o'clock P. M., adjourned.

John F. Connor
.....
President.

ATTEST:

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

