

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.,

April 22, 1918.

The Common Council of the City of Indianapolis met in the Council Chamber, April 22, 1918, at 7:30 o'clock p. m. in special session, President Louis W. Carnefix in the chair, pursuant to the following call:

April 20, 1918.

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

Gentlemen:

You are hereby notified that there will be a special meeting of the Common Council held in the Council Chambers Monday, April 22, 1918, at 7:30 o'clock p. m., the purpose of such meeting being to receive communications from the Mayor or City Controller of said city or from the Board of Public Works for the introduction, consideration and passage of an ordinance approving contract entered into on the 19th day of April, 1918, by and between the City of Indianapolis, by and through its Board of Public Works, with A. Underwood for the renting of certain mules for city use, and also for the introduction, consideration, and passage of an ordinance amending General Ordinance No. 19, 1918, and for further action on General Ordinance No. 28, 1918.

Respectfully,

CHARLES W. JEWETT, *Mayor.*

I, George O. Hutsell, Clerk of the Common Council of the City of Indianapolis, do hereby certify that I have served the above and foregoing notice on each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

GEORGE O. HUTSELL, *City Clerk.*

Present: The Hon. Louis W. Carnefix, President of the Common Council, and seven members, viz.: Messrs. Peake, Willson, Miller, Schmidt, Furniss, Pettijohn and Brown. Absent, 1, viz.: Mr. Kirsch.

ORDINANCES ON SECOND READING.

Mr. Brown called for General Ordinance No. 28, 1918, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 28, 1918, be ordered engrossed, read a third time and placed upon its passage.

Mr. Willson arose to a point of order.

The point was well taken by the chair.

Mr. Miller at 8:45 o'clock moved that the Common Council take a recess for five minutes to permit the Finance Committee to prepare a report on General Ordinance No. 28, 1918. Carried.

President Carnefix at 9 o'clock called the Council to order.

Mr. Schmidt moved that General Ordinance No. 28 be called out of committee and be acted upon by the Council sitting as a committee of the whole. Carried.

President Carnefix called Mr. Peake to the chair to act as chairman of the committee of the whole at 9:05 o'clock.

Mr. Peake called the committee to order.

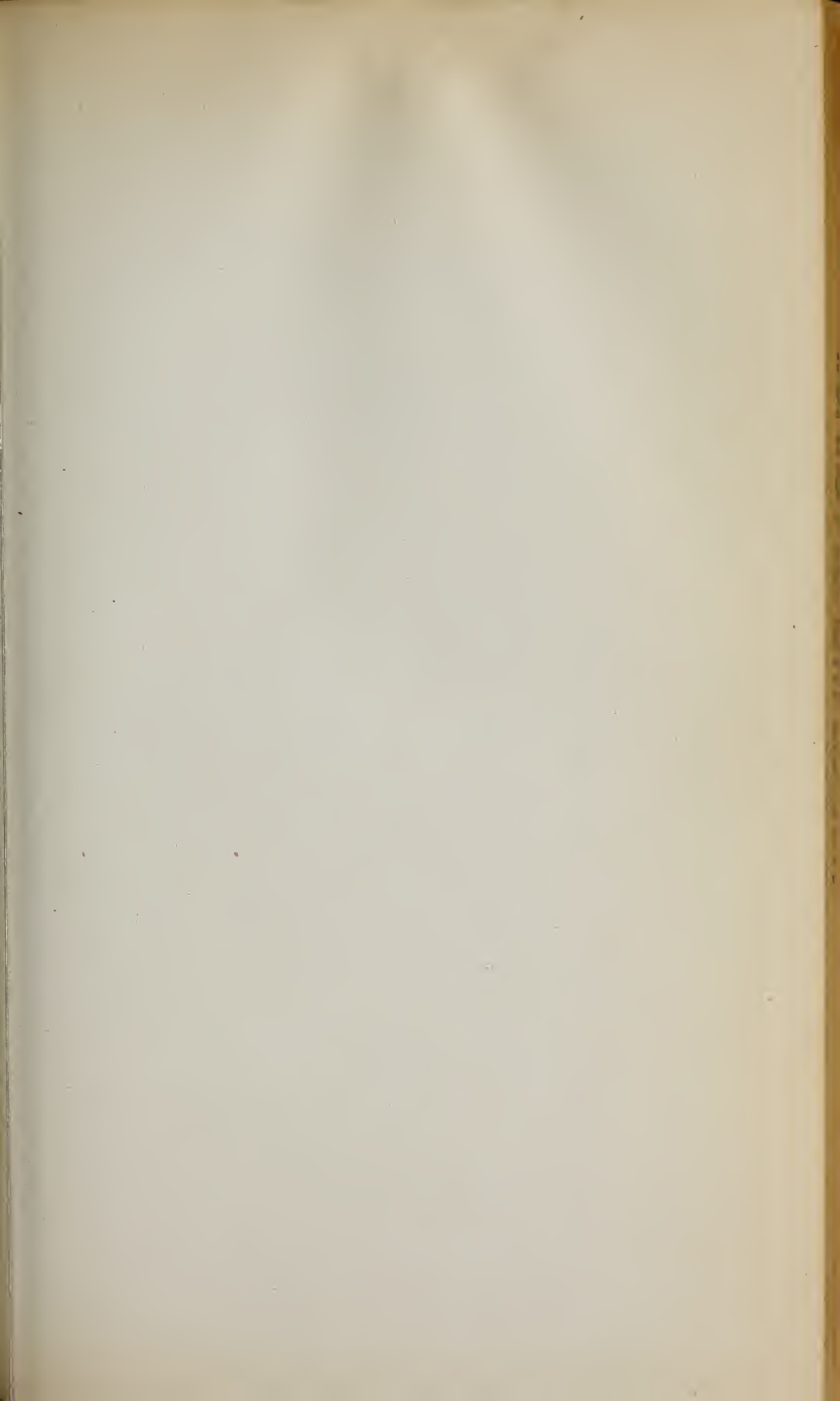
The clerk read General Ordinance No. 28, 1918, in its entirety. The clerk then read General Ordinance No. 28, 1918, section by section.

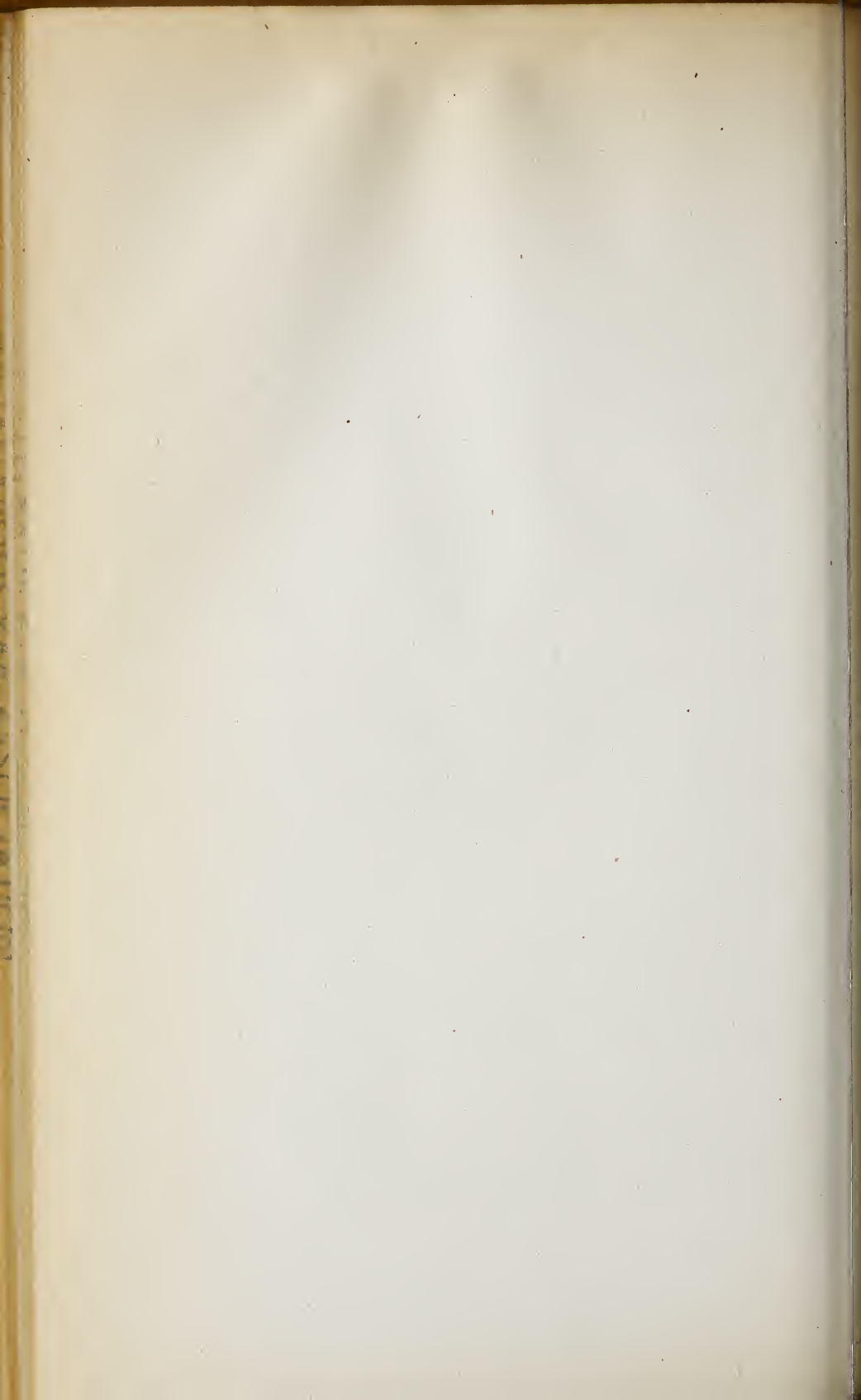
By unanimous consent of the committee Mr. Schuyler A. Haas, president of the Board of Public Works, addressed the committee and urged the immediate passage of General Ordinance No. 28, 1918.

Mr. Schmidt moved that the committee of the whole make a report recommending the passage of General Ordinance No. 28, 1918. Carried.

On motion of Mr. Willson the committee of the whole at 9:25 o'clock adjourned.

President Carnefix at 9:26 o'clock called the Council to order.





From the Committee of the Whole :

April 22, 1918.

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

Gentlemen :

We, your Committee of the Whole, to whom was referred General Ordinance No. 28, 1918, entitled An ordinance authorizing the Board of Public Works to purchase certain equipment and to pay for same from funds already appropriated, beg leave to report that we have had said ordinance under consideration, and recommend that the same do pass.

J. P. BROWN.

RUSSELL WILLSON.

S. A. FURNISS.

W. B. PEAKE.

J. E. MILLER.

L. W. CARNEFIX.

G. G. SCHMIDT.

O. B. PETTIJOHN.

Mr. Brown moved that the report of the committee be concurred in. Carried.

Mr. Brown called for General Ordinance No. 28, 1918, for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 28, 1918, be ordered engrossed read a third time and placed upon its passage. Carried.

General Ordinance No. 28, 1918, was read a third time and passed by the following vote :

Ayes, 8, viz.: Messrs. Peake, Willson, Miller, Schmidt, Furniss, Pettijohn, Brown, and President Louis W. Carnefix.

By unanimous consent the Common Council at o'clock reverted back to Introduction of General and Special Ordinances.

By Board of Public Works :

General Ordinance No. 29, 1918.

An ordinance amending General Ordinance No. 19, 1918, entitled "An

Ordinance Amending Clause 'i' of Section 983 of General Ordinance No. 12, 1917."

Be it ordained by the Common Council of the City of Indianapolis, Indiana, as follows:

SECTION 1. That clause "i" of Section 983 of General Ordinance No. 12, 1917, be and the same is hereby amended to read as follows:

FOR THE MUNICIPAL GARAGE: The Municipal Garage Mechanician, Fifteen Hundred Dollars (\$1,500.00) per year. Assistant Mechanician, Fourteen Hundred, Forty Dollars (\$1,440.00) per year. Each Mechanic, Twelve Hundred Dollars (\$1,200.00) per year, and for each Mechanic's Helper, Ten Hundred Forty Dollars (\$1,040.00) per year. One Chauffeur, Ten Hundred Forty Dollars (\$1,040.00) per year. One Washer, Seven Hundred Eighty Dollars (\$780.00) per year.

SEC. 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

Mr. Peake moved that the rules be suspended and General Ordinance No. 29, 1918, be placed upon its passage.

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

Ayes, 8, viz.: Messrs. Peake, Willson, Miller, Schmidt, Furniss, Pettijohn, Brown and President Carnefix.

Mr. Peake called for General Ordinance No. 29, 1918, for second reading. It was read a second time.

Mr. Peake moved that General Ordinance No. 29, 1918, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 29, 1918, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Peake, Willson, Miller, Schmidt, Furniss, Pettijohn, Brown, and President Louis W. Carnefix.
By Board of Public Works:

Special Ordinance No. 5, 1918.

An ordinance ratifying, confirming and approving the contract entered into on the 19th day of April, 1918, between the City of Indianapolis, by and through its Board of Public Works, and approved by the Mayor, and A. Underwood, for the renting of certain mules for the city's use.

Whereas, heretofore, to-wit, On the 19th day of April, 1918, the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, entered into the following contract and agreement with A. Underwood, to-wit:

CONTRACT.

This Agreement, Made and entered into this 19th day of April, 1918, by and between the City of Indianapolis, Marion County, State of Indiana, by and through its Board of Public Works, party of the first part, hereinafter designated as "City," and A. Underwood, of Marion County, Indiana, party of the second part, hereinafter designated as "contractor," *witnesseth,*

That whereas, Said Board of Public Works did on the 27th day of March, 1918, adopt resolution No. 232, containing complete drawings and specifications for contract for the renting of mules for city's use, and caused a notice to be published for two weeks, once each week in The Indianapolis Star, a newspaper of general circulation, published in such city, informing the public and contractors of the general nature of the contract to be let, and the fact that drawings and specifications were on file in the office of said Board, and calling for sealed proposals for such work, until ten o'clock a. m., April 10, 1918, said day being not earlier than ten days after the first of said publications, and

Whereas, Among the various sealed proposals received was a proposal from said contractor in due form to rent mules to said city as required by said resolution and specifications, for the sum of eighty-two and one-half (82½) cents per day for each mule, which the board found was a satisfactory bid, and the lowest and best bid received, and therefore awarded said contract to the party of the second part, the contractor herein.

Now Therefore, It is hereby agreed by and between the parties hereto that:

First: The parties hereto hereby agree to all of the terms, stipulations and specifications contained in said notice and specifications, and hereby make the same a part of this contract, which notice and specifications read as follows:

"NOTICE TO CONTRACTORS.

"Sealed proposals for renting to the city of Indianapolis, mules for use in the street cleaning department will be received by the board of public works of the city of Indianapolis until 10 o'clock a. m., April 10, 1918, at which hour the bids will be publicly opened and read.

"Each proposal shall be indorsed 'Bid for Mules' and shall bear the name of the bidder and the date of its presentation.

"All bids shall be filed with the clerk of the board of public works on or before the day and hour mentioned above and stated in the advertisement, and no proposal presented after this time will be accepted.

"The price must be stated in words and figures.

"Each bidder is required to deposit with his bid a certified check on a reputable bank doing business in the city of Indianapolis for an amount not less than five hundred dollars (\$500.00). In case no bid is accepted, this check will be returned to the bidder; but if one of the bids is accepted, and the bidder shall refuse or neglect to enter into a contract with the city of Indianapolis within five (5) days from the time he shall have been notified of the acceptance of the same, said check shall be forfeited to the city of Indianapolis as ascertained and liquidated damages for failure so to do.

"Persons, firms or corporations submitting proposals shall show to the satisfaction of the Board of Public Works that they are able to furnish the number of mules required in the accompanying specifications promptly and on demand of the Board of Public Works. Otherwise their bids will not be considered.

"Bids will be received on thirty (30) or more mules, to be sixteen (16) hands high or over, and weighing at least 1,300 pounds each, and on sixteen (16) or more mules to be fifteen and one-half (15½) hands or more high and weighing at least 1,100 pounds each.

"All mules must be serviceably sound, city broke and fit for the work to be done, and shall pass the inspection of the superintendent of the Street Cleaning Department and the city veterinary surgeon. A record of the condition of each mule shall be made, the mule numbered and described, and the condition certified to by both the superintendent of the Street Cleaning Department and the city veterinary surgeon. These descriptions shall be kept in a record book, and the entry as made must be certified to as correct by the contractor before the mule shall be accepted.

"The above number of mules shall be delivered to the city barns newly shod on or before May 1, 1918. The mules will be used continuously from May 1 to September 1, 1918. Whenever the Board of

Public Works shall not require a certain number of mules, the board shall notify the contractor in writing, giving the contractor five (5) days in which to take away the mules.

"On failure of the contractor to take away the mules within the specified time, the Board of Public Works will deduct one dollar (\$1.00) per day for each mule from any moneys due the contractor, for failure to remove such mules after the time stipulated in the notice.

"The city agrees to feed, shoe and care for all mules rented and shall also be responsible for damages to any mules by accident, except the act of God, and in case of the death of any mule as the result of an accident, the city shall pay the original cost of the mule, less one-half ($\frac{1}{2}$) the amount the mule has earned during the existence of the contract.

"The city will pay full time for all mules furnished, except when the contractor is notified of the incapability of the mules, in which case the contractor will replace said mules at once by mules of like height and weight. In case the contractor shall fail to replace mules within forty-eight (48) hours after receiving written notice, the board will deduct five dollars (\$5.00) per day for each mule until the mules are replaced.

"All mules delivered by the contractor shall be in good condition and suitable for the work of the Street Cleaning Department.

"No charge shall be made for Sundays and other legal holidays, unless the mules are worked, in which case the contractor shall be notified of the number so used. A Sunday or legal holiday will be construed to be a period of twenty-four (24) hours, ending 6 p. m. on the day of the Sunday or holiday.

"Sealed proposals shall state a price per day for each mule furnished in accordance with the foregoing specifications, stipulations and conditions.

"The city agrees to pay the amount due each month on this contract on the 10th day of the following month.

"The contractor must carry insurance on all mules furnished the city of Indianapolis.

"The contractor shall maintain an office in the city of Indianapolis, where notice may be delivered. Notices delivered to said office shall be deemed to be of the same force and effect as if served on the contractor in person.

“Adopted on this 27th day of March, 1918.”

SCHUYLER A. HAAS, President.

GEORGE LEMAUX.

THOS. A. RILEY.

Board of Public Works.

“The Board of Public Works reserves the right to reject any and all bids.

Published on March 28. April 4, 1918.

Second: That said contractor hereby covenants and agrees to rent to the city of Indianapolis for use in the Street Cleaning Department, thirty or more mules, at the option of the city, to be sixteen hands high or over, and weighing at least 1,300 pounds each, and sixteen or more mules, at the option of the city, to be 15½ hands or more high, and weighing at least 1,100 pounds, for which the city agrees, upon the faithful performance of all the conditions set out in this contract, to be performed by the contractor, to pay to said contractor the sum of eighty-two and one-half (\$82½) cents per day for each mule furnished in accordance with this contract, and said specifications herein set out and agreed to. It is agreed that payment shall be made on the 10th day of each month for all mules furnished during the preceding calendar month.

Third: That said contractor is to execute a bond to the city of Indianapolis in the penal sum of ten thousand dollars, with surety to be approved by said Board of Public Works conditioned upon the faithful performance of this contract by said contractor.

In Witness Whereof, said parties hereunto set their hands this 19th day of April, 1918.

Approved April 19, 1918.

CHARLES W. JEWETT, Mayor.

Approved April 19, 1918.

SCHUYLER A. HAAS.

GEO. LEMAUX.

THOMAS A. RILEY.

Board of Public Works.

Accepted April 19, 1918.

A. UNDERWOOD, Bidder.

And Whereas, Said contract has been submitted by said Board of Public Works of the city of Indianapolis to the Common Council of said city for its action thereon, *Therefore:*

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis,* That the foregoing contract and agreement made and entered into this 19th day of April, 1918, by the city of Indianapolis, by and through its Board of Public Works, with the approval of its

Mayor, with A. Underwood, be and the same is hereby in all things ratified, confirmed and approved; the cost incurred by the city under its contract to be paid out of the funds heretofore appropriated to the Board of Public Works for its Street Cleaning Department.

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

Which was read a first time.

Mr. Brown moved that the rules be suspended and Special Ordinance No. 5, 1918, be placed upon its passage.

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

Ayes, 8, viz.: Messrs. Peake, Willson, Miller, Schmidt, Furniss, Pettijohn, Brown, and President Louis W. Carnefix.

Mr. Brown called for Special Ordinance No. 5, 1918, for second reading. It was read a second time.

Mr. Brown moved that Special Ordinance No. 5, 1918, be ordered engrossed, read a third time and placed upon its passage.

Mr. Willson called for a roll call on the question.

The clerk called the roll and Special Ordinance No. 5, 1918, was ordered engrossed, read a third time and placed upon its passage by the following vote:

Ayes, 6, viz.: Messrs. Peake, Schmidt, Furniss, Pettijohn, Brown, and President Louis W. Carnefix.

Noes, 2, viz.: Messrs. Willson and Miller.

General Ordinance No. 18, 1918, was read a third time and failed to pass by the following vote:

Ayes 3, viz.: Messrs. Willson, Miller and Furniss.

Noes 5, viz.: Messrs. Peake, Schmidt, Pettijohn, Brown, and President Louis W. Carnefix.

On motion of Mr. Pettijohn, the Common Council at 10:00 o'clock, p. m., adjourned.

President.

ATTEST:

City Clerk.