

COUNCIL CHAMBER, }  
Ann Arbor, November 20th, 1895. }  
Adjourned Session.

President Hiscock being absent the Council was called to order by Glen V. Mills City Clerk.

Roll called. Quorum present.

Absent Ald. Butterfield, Pres. Hiscock.

On motion of Ald. Laubengayer, Ald. Brown was chosen President pro tem.

COMMUNICATIONS AND PETITIONS.

FROM THE BOARD OF PUBLIC WORKS.

*To the Honorable Common Council of the City of Ann Arbor:*

Gentlemen:—The Board of Public Works desires to call your attention to the fact that the Hill street, and Huron street, lateral sewer systems which are about completed, and to which a large number of houses are already connected, are without flushing facilities, and to the further fact that this condition is due to the refusal of the receiver of the Ann Arbor Water Company to connect the automatic flush-tanks now completed upon those systems to the mains of said company.

The franchise which grants the Water Company exclusive privileges in the streets of Ann Arbor provides as compensation for these privileges, among other things, that "the said Company shall furnish water for the purpose of washing gutters, and flushing all sewers that may be constructed for \$100 per annum."

Acting under the provisions of this contract, between the City and the Water Company, this Board has, promptly upon the completion of each lateral sewer, requested the Water Company to connect the flush-tanks upon such lateral with its mains. In the case of the Liberty street and Washington street laterals, this request was complied with, and the flush-tanks upon those sewers are pro-

perly connected and furnished with water. The receiver of the Water Company, however, declines to make the proper connections upon Hill street and Huron street laterals, alleging as a reason for such action that the contract between the city and the Water Company did not contemplate the use of the automatic flush-tanks, and that the Company cannot afford to furnish water for the stipulated sum.

As the Water Company, through its receiver, has already made a demand upon your Honorable body for extra compensation for this service, the Board of Public Works deem it expedient to submit to you the following upon this subject:

The language of the contract is plain. It admits of but one construction. The Water Company is to furnish water for washing gutters and flushing sewers, and the city is to pay for that service \$100 per year. The quantity of water is not limited, and the manner in which it is to be applied is left upon, probably with the intention that both parties would reap the benefit likely to accrue from the rapid improvement of mechanical devices. Such at least has been the result. The automatic flushing system adopted for use upon our sewers has the merit of a high degree of efficiency, with a minimum consumption of water and expense of maintenance. In no other way could the sewers be so cheaply and so effectively flushed with the same quantity of water. Instead of imposing a hardship upon the Water Company, the automatic flush-tanks effect a saving over the water consumption of any other system of flushing that would do the required work in a reasonably efficient manner and the actual expense which the Water Company will be placed under in furnishing the water needed for the proper flushing of sewers already constructed, and those whose construc-

tion is contemplated in the near future, will be more than covered by the stipulated price of \$100 per year.

With the completion of the Hill street lateral there will be a total of 97 flush tanks, distributed as follows:

Liberty street, 9; Washington-st., 14; Huron street, 11; and Hill street, 13. These flush tanks hold 250 gallons each, hence it will require 24,250 gallons of water to fill them all once. Figuring on the basis of discharging each tank twice a week, or 104 times a year, which will be sufficient to keep the sewers clean, it will take only 2,512,000 gallons to flush the entire system for a whole year, about one-half of one per cent. of the quantity which the company now claims to be pumping for the supply of this city. In other words, the work upon the Water Company's pumps, machinery, and men will be increased 1-200th part by the task of flushing sewers.

At the rate of ten cents per thousand gallons, at which the Company retails water to private consumers, this quantity would only cost \$251.20 per year.

But in computing the extra expense, consequent upon the pumping of this water for flushing sewers, the Water Company cannot fairly charge more than the cost of extra fuel. Its plant is established upon a basis of domestic consumption, and the municipality is already paying a large sum towards its maintenance. The force of engineers and others necessary for the working of its plant will not be increased, nor their hours lengthened by an increase in the consumption of water one-half of one per cent. A few extra strokes of the pumps per hour, and the task is accomplished. And in this connection it may be proper to state that the draught made by the flush-tanks will be evenly distributed to the manifest benefit of both machinery and mains. While the method of flushing with fire

water, would cause periodical disturbances of pressure in the mains with its attendant flow of iron sediment of which every household knows the inconvenience.

After making due allowance for friction in pipes and machinery six tons of good soft coal will furnish the steam necessary to pump to a height of two hundred feet the 2,512,000 gallons of water necessary to flush the sewers now completed for a period of one year, six tons of soft coal will not cost to exceed \$15.00. and this \$15.00 represents the actual burden at present placed upon the Water Company by exacting a full compliance of its contract with the city for the relief of which burden that company draws \$100.00 per year, a new profit of \$85.00.

In proof that this estimate of expense is a liberal one for the Water Company we refer you to a recent report of the Secretary of the Detroit Water Board, which places the cost of pumping 1,000,000 gallons of water, so low as \$1.98, when using oil for fuel, and \$2.68 when using coal, so that to pump this 2,512,000 gallons of water required to flush our sewers for one year would cost with coal for fuel at the Detroit rate, only \$7.00 per year.

The exclusive right of furnishing the citizens of Ann Arbor with water for domestic purposes at the present rates, even were that service of a first-class character, constitutes a valuable franchise, and the contract with the Company for water for public purposes is exceedingly liberal as it stands. In addition to a high charge for the school and other public buildings, the City is now paying \$5,860.00 per year for hydrant rentals, which service is merely a nominal expense to the Water Company, and further, the building of sewers is a public improvement which has already increased, and will continue to incur the domestic con-

quently increase the revenues of the Water Company. For each gallon furnished for the flushing of sewers, many additional gallons will be sold to private consumers.

THEREFORE, this Board would recommend that your honorable body take such steps as you may deem proper, most effective and expeditious to secure water service for these flush-tanks under the existing contract before cold weather renders it impracticable to make the connections.

A. M. CLARK,

President Board of Public Works.

Referred to the Water Committee.

A petition signed by L. Gruner and 22 others asking for the suspension of the building of the lateral sewers on Main street north of Catherine street was read and referred to the Sewer Committee.

REPORTS OF STANDING COMMITTEES.

FINANCE.

To the Common Council:

Your Committee on Finance to whom was referred the communication of H. J. Burke, executor asking for the discharge of a certain mortgage held by the City of Ann Arbor against property owned by the estate of Wm. Burke, would recommend that the same be done and submit a resolution ordering the same.

Respectfully submitted,

H. J. Brown,  
C. H. Cady,  
Emmett Coon.

Committee on Finance.

Leave being granted the following resolution was introduced.

By Ald. Cady.

WHEREAS, it appears that a certain mortgage executed by Albert Sorg and wife to the Mayor, Recorder and Alderman of the City of Ann Arbor on the 21st day of September 1887 purports to cover property to which said Sorg then had no title and which has since passed into the hands of the

a sale ordered by the Probate Court of Washtenaw County, to raise money to pay debts of Frederick Sorg deceased, and

WHEREAS, it appears by the advice of the City Attorney that said mortgage affords the City no security whatever.

*Resolved*, That the Mayor and City Clerk be and are hereby directed to discharge said mortgage in such manner as the heirs of William Burke may direct, provided the same be done without expense of the City of Ann Arbor.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubenger, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Cady—13.

Nays—None.

STREETS.

To the Common Council:

Your Committee on Streets to whom was referred the petition of Adam Mueth asking for payment for a certain piece of land occupied by the City, would recommend that \$35 be paid to Mr. Mueth for the same provided that he give a deed to the city of such property, the provisions of such deeds to be as directed by the City Engineer and City Attorney.

Respectfully submitted,

W. L. Taylor,  
A. P. Ferguson,  
Geo. L. Moore,  
C. J. Snyder,  
D. F. Allmendinger,  
H. G. Prettyman.

Committee on Streets.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Cady—13.

Nays—None.

To the Common Council:

Your Committee on Streets would recommend that a fence be ordered built around the pump on Broadway

ing to the city engineer's plan, at a cost not to exceed \$20.

Respectfully submitted,

W. L. Taylor,  
A. P. Ferguson,  
Geo. L. Moore,  
C. J. Snyder,  
D. F. Allmendinger,  
Committee on Streets.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Cady—13.

Nays—None.

To the Common Council:

Your Committee on Streets would recommend that the Street Commissioner be ordered to grade and turnpike the following streets:

Hill from the stone culvert near Division street to Packard.

South University Avenue from Wash-tenaw to Oxford.

Walnut from South University Ave. to Geddes Ave.

The impassible condition of these streets makes it necessary that this work be done as soon as possible.

And further your committee would recommend that the Street Commissioner be ordered to cut out gutters at the corner of Madison and South Seventh streets so that the same will be capable of carrying off the surface water.

Respectfully submitted,

W. L. Taylor,  
A. P. Ferguson,  
Geo. L. Moore,  
C. J. Snyder,  
D. F. Allmendinger,  
Committee on Streets.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Cady—13.

Nays—None.

To the Common Council:

Your Committee on Streets would recommend that \$50 be appropriated from the street fund to complete the

work of putting Tappan street to grade, and that the earth taken therefrom be used in filling the street at the corner of Tappan and East University Avenue, and also at the corner of Prospect and East University Avenue, and that all the remainder of the earth not used at the above designated places be used in filling in East University Avenue between Prospect and Packard streets, and that no part of such earth be drawn to any other than the above named places.

Respectfully submitted,

W. L. Taylor,  
A. P. Ferguson,  
Geo. L. Moore,  
C. J. Snyder,  
D. F. Allmendinger,  
Committee on Streets.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Cady—13.

Nays—None.

To the Common Council:

Your Committee on Streets would recommend that the Board of Public Works be directed to furnish this Council at its next regular session an estimate of the cost of paving the gutter on the north side of Prospect street between east University Avenue and the turn in said Prospect street, and also for laying two culverts of tile 24 inches in diameter across Prospect street on the east side of east University Avenue.

Respectfully submitted,

W. L. Taylor,  
A. P. Ferguson,  
Geo. L. Moore,  
C. J. Snyder,  
D. F. Allmendinger,  
Committee on Streets.

Adopted.

#### SIDEWALKS.

To the Common Council:

Your Committee on Sidewalks consider it a public necessity that sidewalks be graded and constructed along certain streets in the City of Ann Arbor, and

submit the following resolution ordering the same and recommend its adoption.

Respectfully submitted,

Emmet Coon.  
W. M. Shadford,  
H. J. Brown,  
C. A. Maynard,  
John Koch,  
Jacob Laubengayer,  
C. H. Cady,

Committee on Sidewalks.

By Ald. Coon.

*Resolved*, that the construction of certain sidewalks along the following named streets and in front of the following named property is declared a necessary public improvement. Therefore, it is hereby ordered that plank sidewalks be graded, built and constructed as follows:

On the east side of 13th between Ann and Catherine the property of Charles Kingsley, Mrs. Lucas, J. J. Goodyear.

On the east side of Ashley street south, from south line of Jefferson street to the plank walk; in front of the property of Fredericka Schlanderer estate Conrad Schneider, Wilhelmina Birk.

On the east side of East University avenue from the south line of Washtenaw-ave. to the cement walk, along the property of Don M. Dickinson Trustee.

Adopted.

FIRE DEPARTMENT.

To the Common Council:

Your Committee on Fire Department to whom was referred the resolution relative to a telephone for fire protection at the telegraph office of the Ann Arbor Railroad Co. at the Miller Avenue crossing would recommend that the city pay one-half of the expense for maintaining such telephone.

Respectfully submitted,

Geo. L. Moore,  
John Koch,  
W. M. Shadford,

Committee on Fire Department.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer,

Brown, Ferguson, Taylor, Shad'ord, Prettyman, Coon, Cady—13.

Nays—None.

To the Common Council:

Your Committee on Fire Department to whom was referred the petition of George W. Johnston and others asking for the use of the 6th Ward Engine House for a public gathering, would respectfully recommend that the same be referred to the Board of Public Works.

Respectfully submitted,

Geo. L. Moore,  
John Koch,  
W. M. Shadford,

Committee on Fire Department.

Adopted.

LIGHTING.

To the Common Council.

Your Committee on Lighting to whom was referred the petition of Rev. Father E. D. Kelly and others asking for an electric light on Elizabeth street between Kingsley and Fuller would recommend that the petition be denied.

And further Your Committee would recommend that the Court House Clock be lighted by eight incandescent lights at an expense of \$96 per annum, the same to be lighted from sun set to sun rise every night during the year according to the plan of the Ann Arbor Electric Co. as submitted by this Council.

Respectfully submitted,

D. F. Allmendinger,  
A. P. Ferguson,  
W. L. Taylor,

Committee on Lighting.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Cady—13.

Nays—None.

Ald. Butterfield entered.

SEWERS.

To the Common Council:

Your Committee on Sewers to whom was referred the petition of certain residents on Washtenaw avenue asking for the lowering of the sub-lateral sewer on such avenue between S. University

avenue and Hill, would report that they have visited said location and consulted with the parties interested to gather with the City Engineer,

From the statement of the Engineer your committee is of the opinion that there is a sufficient fall to make the connections work properly, and owing to the lateness of the season your committee would recommend that nothing be done in the matter this fall with the understanding that if the sewers fail to do their work in a proper manner that the city then lower the sewers as asked by your petitioners.

Respectfully submitted,  
H. J. Brown,  
C. H. Cady,  
W. L. Taylor,  
Committee on Sewers.

To the Common Council:

The undersigned members of the Committee on Sewers being unable to agree with the majority report of said committee on the subject of lowering the sewer on Washtenaw Avenue, state to this Council that in their opinion the prayer of the petitioners should be granted for the following reasons:

1st. The sewer along the property of the petitioners is not of sufficient depth to allow the house connections to be laid with the fall required by the plumbers rules as adopted by this Council, and to gain said fall house connections have heretofore been taken up and relaid at a great expense.

2nd. The house connections in certain places are not of sufficient depth to prevent freezing; In some places such connections are less than twelve inches below the surface of the ground.

We believe that the rules adopted by this Council should be lived up to more closely in the construction of so important an improvement as the sewer system.

We therefore recommend that the sewer be ordered lowered so as to give the persons concerned sufficient fall to

comply with the requirements of the rules.

Respectfully submitted,  
Geo. L. Moore,  
John Koch,  
Jacob Laubengayer,  
Of the Committee on Sewers.

To the Common Council:

As a member of your Committee on Sewers to whom was referred the petition of certain residents on Washtenaw avenue asking for the lowering of the sub-lateral sewer on such avenue between S. University avenue and Hill, would report that he has visited said location and consulted with the parties interested to gather with the City Engineer.

From the statement of the Engineer your member of the committee is of the opinion that there is sufficient fall to make the connections work properly, and owing to the lateness of the season your member of the committee would recommend that nothing be done in the matter this fall with the understanding that if the sewers fail to do their work in a proper manner that the city then lower the sewers as asked by your petitioners and that the additional expense caused by the adopting of an imperfect grade thereof be borne equally by the City Engineer, members of the Board of Public Works and Common Council holding office at the time the plans and specifications of the Hill street sewer were adopted.

Lost as follows:

Yeas—Ald. Prettyman—1,

Nays—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Coon, Butterfield, Cady—13.

Ald. Maynard moved as an amendment to the first minority report that the cost of lowering the sewer be assessed against the Hill Street District.

Adopted.

Whereupon the first minority report was adopted as follows:

Yeas—Ald. Moore, Maynard, Allmen-

ding, Koch, Snyder, Laubengayer, Shadford, Coon—8.

Nays—Ald. Brown, Ferguson, Taylor, Prettyman, Butterfield, Cady—6.

REPORT OF SPECIAL COMMITTEES.

To the Common Council of the City of Ann Arbor:

Your Committee to whom was referred the communication from the Chicago Photo. Eng. Co. would respectfully beg further time for consideration of the matters therein contained and request that the City Clerk be authorized to obtain bids for such engraving as may be deemed necessary by your committee.

H. G. Prettyman,  
H. J. Brown,  
Geo. L. Moore.  
Committee.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Prettyman—10.

Nays—Ald. Shadford, Coon, Butterfield, Cady—4.

President Protem Brown called Ald. Butterfield to the chair.

To the Common Council:

Your Committee on Finance to whom was referred the matter of a janitor for the city offices would report that they have secured bids for doing the work and would recommend that the contract be awarded to Marvin Davenport at \$129 per year he being the lowest bidder for doing such work.

H. J. Brown,  
Emmett Coon,  
C. H. Cady.

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Butterfield, Cady—14.

Nays—None.

RESOLUTIONS.

By Ald. Taylor.

*Resolved*, that the Ann Arbor Organ Co. be permitted to build an area way 3 feet wide along the South side of their factory on Washington street, provided

the same is protected by an iron railing.

Ald. Prettyman raised the point of order

The President protem ruled the point well taken.

By Ald. Ferguson.

*Resolved*, that the report of the Committee on Sewers be referred to the Board of Public Works, they to report plans and specifications for lowering the same at the next regular session of this Council.

Adopted.

By Ald. Cady.

WHEREAS, in past years the City of Ann Arbor was in the habit of charging Hon. William M. White, the owner of the Opera House in said City, an annual license, for carrying on the theatrical business in said house, varying from twenty-five to fifty dollars per year and

WHEREAS, said city of Ann Arbor was at that time leasing of said William M. White certain grounds in said city to be used as an open market and was paying said White from seventy-five to one hundred and fifty dollars a year for the use of said land and

WHEREAS, an agreement and understanding was heretofore arrived at between said William M. White and the said City of Ann Arbor, whereby the said City contracted and agreed with said White to permit him to carry on the theatrical business in said Opera House in the manner in which he was then carrying it on without charging license therefor, in consideration that said White should permit the said City of Ann Arbor to occupy the grounds aforesaid as an open market aforesaid without charging any annual rent therefor and

WHEREAS, at that time in order to carry on his business said William M. White was using a certain space on Main street in front of said Opera House at the south-west corner of Main and Ann streets, between the side walk on Main street and the cross walk crossing Main street at that point with a three-sheet bill board for the purpose of advertising said business and

WHEREAS, the further occupancy of that point for the purpose aforesaid might be construed as prohibited by a certain ordinance recently passed by the Common Council of the City of Ann Arbor

*Now Therefore be it Resolved*, in consideration of the premises aforesaid, and so long as the contract aforesaid shall be in existence and the said William M. White or his agents shall continue to carry on the theatrical business aforesaid in a respectable and legitimate manner and shall place no obscene or improper cuts, lithographs or three-sheets or other improper paper upon said three-sheet board, he shall be permitted to use the space last aforesaid for the purpose of a bill board, and the same shall not be held to be a violation of any ordinance of said city.

Adopted.

By Ald. Snyder.

*Resolved*, that the Board of Public Works be instructed to repair the

sheds for storing the roller on the lots leased by the city.

Adopted.

By Ald. Maynard.

*Resolved*, that the Board of Public Works be instructed to secure bids for furnishing the City with stone suitable for the crusher in amounts to aggregate 3000 yards, the bids to be at so much per yard and report to the Council at the next regular session of this Council

Adopted as follows:

Yeas—Ald. Moore, Maynard, Allmendinger, Koch, Snyder, Laubengayer, Brown, Ferguson, Taylor, Shadford, Prettyman, Coon, Butterfield, Cady—14.

On motion the Council adjourned.

GLEN V. MILLS,

City Clerk.