

MARCH 15, 1897.

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COUNCIL CHAMBER. }
Ann Arbor, March 15th, 1897. }

Regular Session.

Called to order by President Hiscock.

Roll Called. Quorum present.

Absent Ald. Coon.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE.

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

Gentlemen:—The resolution passed by your Honorable Body at your last meeting ordering the construction of a sewer in the Fourth Ward called District No. 6 I hereby disapprove and for the following reasons.

Ever since Ann Arbor became an incorporated city, when an occasion arose whereby the people of any particular locality were to become personally responsible for the payment of money, as for instance, the building of a sidewalk along one of our streets where several persons were interested, it has always been the custom to petition the Council therefore, and if others objected they sent in their remonstrances, both of which were duly considered and if the remonstrance showed a comparably respectable number of those who were to pay for the improvement, it would have to be a very urgent case indeed if the Council would order it done.

To make an order against a two-thirds majority was never to my knowledge attempted. The people's wishes was the Council's guide until the building of our lateral sewers commenced since which time the mere matter of whether the people do or do not want a sewer seems to cut no figure and in consequence great wrongs have been done resulting in unnecessary hardships.

Sewers have been forced upon communities where the people could not afford to connect with them after they were built and cannot to this day af-

flush them even if they were connected. I believe the sewer is a good thing if properly handled. It should not be made to oppress the people. There are some localities where it is needed badly, the people want it and they should have it and that as soon as possible but I don't believe, and I believe, you gentlemen of the Council will agree with me, that it is our duty to force upon the people at this time this sewer as mapped out in District No. 6 I feel that I would be derelict in my duty were I to allow it to be done, if it was in my power to prevent, especially when confronted by a remonstrance of 129 interested citizens and a special vote of 88 more at a committee meeting all against having the sewer while there were only 18 in favor of having it.

If there was some dread disease traversing the country and this section of Ann Arbor was in such an unsanitary condition that a sewer was absolutely necessary to ward it off then there might be some excuse for disregarding the will of the people, but happily we are not in that condition, neither is there any dread disease that is any more likely to strike Ann Arbor now than there has been during the last fifty years but the hard times struck us and a part of this sewer district received a goodly share of the blow and to force at this time the building of a sewer there, would work a hardship more than many could bear and might be the cause of many being compelled to mortgage their homes to pay for a sewer to which they could not afford to connect after they got it.

There is a large portion of District No. 6 where the people don't want the sewer for the simple reason that the times are too hard and they can't afford it, nor does their necessities demand it. There are other sections where they do want it and it should be

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as to give the sewer to those who want it and let the rest go until such times as they can better afford it or the exigencies of the time demand it. I understand the Ann street people want it, if that should prove true give them a district by themselves. The same may be said of the State street section.

WARREN WALKER,
Mayor.

Ann Arbor, Mich., March 4, '97
Filed March 5th, 1897.

GLEN V. MILLS,
City Clerk.

A petition signed by thirty-five persons in favor of the construction and 213 persons against the construction of the sewer was presented to the council.

A petition signed by 31 persons in favor of the construction of the sewer was presented to the council.

To the Honorable Common Council Greeting:

The proposed sewerage which will come before your Honorable Body tonight for action; is one that I look upon favorably as a health measure and particularly that part next and adjacent to Ann street, as well as all portions of the district. And as health officer would recommend the same to be constructed as soon as convenient.

Yours Courteously,
JOHN KAPP,
Health Officer.

Ann Arbor, Mich., Mar. 15th, '97.

The resolution failed of passage over the veto of the mayor as follows:

Yeas—Ald Koch, Grossman, Dell, Burke, Brown—5.

Nays—Ald. Maynard, Moore, Laubengaver, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—9.

PETITIONS AND COMMUNICATIONS.

To the Common Council:

The Board of Public Works would respectfully recommend that your Honorable Body authorize them to pur-

chase 8 or 10 thousand feet of 3 in. oak plank 8 to 18 in. wide for the construction of crosswalks.

Respectfully submitted,
GLEN V. MILLS,
Clerk Board of Public Works.

Ald. Brown moved that the recommendation be concurred in by the Council.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth Pres. Hiscock—14.

Nays—None.

To the Common Council:

Gentlemen:—I do hereby give notice to your Honorable Body that the stone wall situated along the east line of Detroit street in front of the Dient property is in a dangerous condition and I do hereby recommend that the same be torn down at once or repaired.

Respectfully submitted,
JOHN J. FERGUSON,
Building Inspector.

Ann Arbor, March 15th, '97.

Referred to Board of Public Works.

A petition signed by J. C. Knowlton and five others asking for a crosswalk across Hill at the north end of Lincoln Ave. was read and referred to the Sidewalk Committee.

REPORTS OF STANDING COMMITTEES.

ORDINANCE.

Chairman Maynard presented an ordinance entitled, "An ordinance Relative to the closing of saloons, bar-rooms and all other rooms or places where intoxicating liquors are sold, upon Sundays, holidays, election days, and during certain hours on all other days of the week," which was given its third reading by sections and placed upon its passage.

Ald. Moore offered the following substitute to Section 1.

Section 1. That all saloons, bar-rooms and all other rooms or places

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within the limits of said City of Ann Arbor, where any spirituous, malt, fermented or vinous liquors are sold or kept for sale, shall be closed on the first day of the week, commonly called Sunday, on all election days, on all legal holidays and until seven o'clock of the following morning, and on each week day and night from and after the hour of nine o'clock p. m. until seven o'clock of the morning of the succeeding day. The word "closed" in this ordinance shall be construed to mean and apply to the back doors or other entrances as well as the front door, and in prosecutions under this ordinance it shall not be necessary to prove that any liquor was sold.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Dell, Shadford, Rhodes, Soule, Cady, Danforth—8.

Nays—Ald. Koch, Grossman, Laubengayer, Burke, Brown, Pres. Hiscock—6.

Ald. Brown moved that the words "aforesaid penal" be inserted in the last line of Section 3, so that the last sentence shall read as follows: "In case druggists do not comply with the provisions of said Act, No. 313, the aforesaid penal provisions shall apply to them."

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

Ald. Brown moved the following substitute to Section 4. Section 4. Whenever the marshal or any of the patrolmen of said city shall learn of a violation of any of the provisions of this ordinance, it shall be his duty to report said violation to the mayor of said city, whose duty it shall be to enter complaint or cause complaint to be entered before a Justice of the Peace of said

city, and to do whatever shall be necessary to bring the offender to justice.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

Ald. Brown moved the following substitute in place of Section 6. Section 6. Any person or persons violating any of the provisions of this ordinance shall be punished by a fine of not less than ten dollars, nor more than one hundred dollars, together with the costs of prosecution, and in imposing any such fine and cost the Court may further sentence the offender to be imprisoned in the City Lock-up or the common jail of the County of Washtenaw until said fine and costs are paid, not exceeding in all the period of ninety days from and including the date of said sentence.

Ald. Dell moved as an amendment to the substitute that the minimum penalty be placed at \$25 instead of \$10.

Lost as follows:

Yeas—Ald. Moore, Dell—2.

Nays—Ald. Maynard, Koch, Grossman, Laubengayer, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—12.

Whereupon the original motion was adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

Ald. Brown moved the substitution of the following as a title to the ordinance. "An Ordinance relative to Saloons, Bar-rooms and other Rooms or Places where Intoxicating Liquors are sold or kept for sale."

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

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No other amendments being presented the question was put "Shall this ordinance pass?"

Lost as follows:

Yeas—Ald. Maynard, Moore, Dell, Shadford, Soule, Cady, Danforth—7.

Nays—Ald. Koch, Grossman, Laubengayer, Burke, Brown, Rhodes, Pres. Hiscock—7.

STREETS.

To the Common Council:

Your Committee on Streets would recommend that the Board of Public Works be directed to lay about 125 feet of tile at the corner of Hiscock and Gott streets, for the purpose of taking the surface water that gathers at said corner, and to prevent the washing out of the street by heavy rainfalls.

Respectfully submitted,

Geo. L. Moore,
M. Grossman,
J. A. Dell,
H. J. Burke,
W. M. Shadford,
Harrison Soule,
C. H. Cady,
Committee on Street.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None,

SIDEWALKS.

To the Common Council:

Your Committee on Sidewalks would recommend that a crosswalk be ordered built across Hill at the north end of Lincoln ave.

Respectfully submitted,

H. P. Danforth,
G. C. Rhodes,
Jacob Laubengayer,

Committee on Sidewalks.

Lost as follows:

Yeas—Ald. Maynard, Laubengayer, Rhodes, Danforth, Pres Hiscock 5.

Nays—Ald. Moore, Koch, Grossman, Dell, Burke, Brown, Shadford, Soule, Cady—9.

LIGHTING.

To the Common Council:

Your Committee on Lighting would recommend that the electric light on Miller avenue near the Ann Arbor Rail Road crossing and now on wire over the street be raised on a sixty foot pole to the end that it will be more servicable in lighting adjacent property which does not now have the benefit of said light.

Respectfully submitted,

Harrison Soule.
C. H. Cady,
H. P. Danforth.

Committee on Lighting.

POOR.

To the Common Council:

Your Committee on Poor would recommend that the Superintendent of the Poor be notified not to furnish any further assistance from the Poor Fund to Mrs. Kean and her son at 54 N. Main street, but that if they are in need of aid that they be sent to the Poor House. It has been reported to this Committee that the house is a resort for tramps and people of questionable character and we therefore make this recommendation.

Respectfully submitted,

G. C. Rhodes,
Jacob Laubengayer,
H. P. Danforth,

Committee on Poor.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

RESOLUTIONS.

By Ald. Cady.

Resolved, That the annual Charter and General election of the City of Ann Arbor, to be held on the 5th day of April next be and the same is hereby appointed to be held in the several

wards of the City at the following places viz:

1st Ward—Zion German School, Washinton-st., near S. 5th-ave.

2nd Ward—Pratt's Block, 64 S. Main.

3rd " —Basement of Court House.

4th " —Engine House.

5th " —Engine House.

6th " —Engine House.

7th " —Weinberg's or Hammond's Shop, rear 110 S State St.

And further be it resolved that the registration for voters for the several wards to be held on the 30th day of March at the same places hereinbefore named for the holding of the charter and general election except in the Second Ward where the said registration is hereby appointed to be held at the office of Sid W. Millard, 3 W. Liberty.

And be it further resolved that the City Clerk do give notice of said charter and General Election and registration pursuant to law.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

By Ald. Brown.

Resolved, That G. Frank Allmendinger, Bradley M. Thompson and Nelson J. Kyer be and they are hereby appointed and elected to be members of and to constitute the Board of Election Commissioners in and for the City of Ann Arbor, for the city election to be held in and for said City on the 5th day of April, A. D., 1897. That such persons above named shall have and hold such office for and during such time and term as shall be necessary to fully

discharge all of the duties pertaining to such in the conduct of such election and the said Board of Election Commissioners are hereby charged with the duty of doing all of the things enjoined upon the City Board of Election Commissioners under the general laws of the State of Michigan.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

By Ald. Moore.

Resolved, That L. C. Goodrich be appointed to fill the vacancy upon the Board of Registration and Election in the first ward in place of J. R. Miner who is absent from the city.

Adopted as follows:

Yeas—Ald. Maynard, Moore, Koch, Grossman, Laubengayer, Dell, Burke, Brown, Shadford, Rhodes, Soule, Cady, Danforth, Pres. Hiscock—14.

Nays—None.

By Ald. Maynard.

Resolved, That the City Clerk be instructed to notify the Hon. W. E. Walker, mayor, before 9 o'clock a. m., tomorrow that the saloons are operating under the State Law and the stated time is 7 o'clock a. m, until 9 p. m.

Ald. Brown moved that the resolution be laid on the table.

Lost as follows:

Yeas—Ald. Koch, Grossman, Laubengayer, Burke, Brown, Rhodes, Pres. Hiscock—7.

Nays—Ald. Maynard, Moore, Dell, Shadford, Soule, Cady, Danforth—7.

Upon motion of Ald. Brown the Council adjourned.

GLEN V. MILLS,

City Clerk.