

Council Chamber, Dec. 16, 1901.

Regular session.

Called to order by Pres. Haarer.

Roll call. Present—Ald. Hamilton, Schlenker, Clancy, Brown, Schumacher, Jenney, Coon, Fischer, Burg, Pres. Haarer—10. Absent—Ald. Richards, Koch, Kearns, Weeks, Roberts—5.

Minutes of the previous meetings read and approved.

PETITIONS AND COMMUNICATIONS.

Ann Arbor Savings Bank,
Ann Arbor, Mich., Dec. 11, 1901.

Jas. E. Harkins, City Clerk,
Ann Arbor, Mich.

Dear Sir: In reply to your circular letter of the 5th inst. I am authorized to bid par and accrued interest to date of delivery for the \$1,761.62 bonds of Sewer District No. Ten.

Very respectfully,
CHAS. E. HISCOCK, Prest.

By Ald. Brown:

Resolved, that the bid of the Ann Arbor Savings bank for the bonds of sewer district No. 10 be accepted and that the mayor and clerk be authorized to draw up and sell the same.

Adopted as follows:

Yeas—Ald. Hamilton, Schlenker, Clancy, Brown, Schumacher, Jenney, Coon, Fischer, Burg, Pres. Haarer—10. Nays—0.

Ann Arbor, Mich., Dec. 16, '01.

To the Honorable the Common Council of the City of Ann Arbor, Mich.:

Gentlemen:—Our stockholders believe that this company is entitled to a fair dividend upon its capital stock after paying for necessary repairs and expenses, interest on all money borrowed, and a five per cent contribution to a sinking fund. More than this we do not expect.

You are therefore notified that we will consent to any reasonable adjustment of rates which will yield such a revenue, and will co-operate with any committee you may appoint for such an adjustment, and will give such committee all the information that the water company has in order that a rate

may be determined which will furnish the revenue above mentioned, provided that the adjustment made by such committee, and the water company will be accepted by the city.

Respectfully,

THE ANN ARBOR WATER CO.,

By John F. Lawrence, Pres.
Charles E. Hiscock, Sec.

Received and ordered filed.

Ald. Fischer presented for its third reading:

AN ORDINANCE to determine, define and fix the rates to be charged the inhabitants of the City of Ann Arbor for water for domestic and other uses by the Ann Arbor Water Company.

PREAMBLE.

Whereas, the Ann Arbor Water Company has contracted and agreed to furnish and supply the inhabitants of the City of Ann Arbor water for domestic purposes at reasonable rates, and

Whereas, in the opinion of the Common Council, the rates now and heretofore charged the said inhabitants by the Ann Arbor Water Company for water for domestic and other purposes are excessive and unreasonable, therefore

THE COMMON COUNCIL OF THE CITY OF ANN ARBOR ORDAINS:

SECTION 1. That the rates to be charged to the inhabitants of the City of Ann Arbor for water for domestic use by the Ann Arbor Water Company shall not exceed the following maximum rate annually:

DWELLING HOUSE RATES.

| | |
|---|--------|
| Kitchen use for one family, occupying not exceeding four rooms. | \$2.50 |
| For each additional room..... | 50 |
| For each regular boarder..... | 25 |
| For bath tub, with six persons in family | 2 00 |
| For each additional person..... | 25 |
| For each additional bath tub..... | 1 00 |
| For each water-closet, self-closing, and wash-bowl | 2 50 |
| For each additional water-closet, self-closing | 1 00 |
| For each additional wash-bowl..... | 50 |

For hydraulic pump, operated by city water, the Ann Arbor Water Company may charge schedule rates, herein fixed, for the fixtures served by such pump.

For hydrant in yard, where no domestic rates are paid and water is used for domestic purposes, three dollars in addition to the rates hereinafter fixed for lawn sprinkling.

Ald. Jenney moved to amend section 1 so as to have it read as follows:

Section 1. That the rates to be charged to the inhabitants of the city of Ann Arbor for water for domestic use, by the Ann Arbor Water Co., shall not exceed the following rate annually:

DWELLING HOUSE RATES.

| | |
|--|--------|
| For domestic use, except as herein otherwise provided, for one family of not more than six persons | \$3 00 |
| For each additional person or regular roomer..... | 50 |
| For each regular boarder, not a roomer | 25 |
| For one bath tub..... | 2 00 |
| For each additional bath tub... | 1 00 |
| For one water closet, self closing. | 2 00 |
| For each additional water closet, self-closing | 1 00 |
| For each wash bowl..... | 50 |

A hydraulic pump may be used, but no extra charge shall be made for the use of water to drive the same in providing other water for the above mentioned uses.

For hydrant in yard furnishing water for domestic purposes only where no other domestic rates are paid.....\$3 00
Carried.

SEC. 2. Any water consumer may place a meter in his premises for measuring water used for any purpose, subject to the inspection of the Water Company, such meter to be kept in good condition and repair at the expense of the owner or user, and the Water Company shall not be required to furnish water through a defective or imperfect meter, but in case of the refusal or neglect of any water consumer to keep his meter in repair, may charge for its service, the schedule rates herein provided.

METER RATES.

For water measured by meter, the Water Company may charge and collect the following maximum rates:

For a daily consumption of less than one thousand gallons, 20c. per M. gals.

For a daily consumption of 1,000 to 3,000 gallons, 15c. per M. gals.

For a daily consumption of over 3,000 gallons, 10c. per M. gals., provided that charge for water measured by meter shall be \$5.00 per annum.

Ald. Jenney moved to amend section 2 so as to have it read as follows:

Section 2. Any water consumer may place a meter in his premises for measuring water used for any purpose, subject to the inspection of the Water Company, such meter to be kept in good condition and repair at the expense of the owner or user. The Water Company shall not be required to furnish water through a defective or imperfect meter, but in case of the refusal or neglect of any water consumer to keep his meter in repair the Ann Arbor Water Company may charge for its service, the schedule rates herein provided:

METER RATES.

For water measured by meter, the Water Company may charge and collect the following maximum rates:

For a daily consumption of less than one thousand gallons, 20 cents per thousand gallons.

For a daily consumption of 1,000 to 3,000 gallons, 15 cents per thousand gallons.

For a daily consumption of over 3,000 gallons, 10 cents per thousand gallons, provided that the minimum charge for water measured by meter shall be \$5.00 per annum.
Carried.

SEC. 3. For sprinkling lawns and lawn extension, the Ann Arbor Water Company may charge the sum of four dollars for each lot of 4x8 rods, and a proportionate rate for a greater or less area.

The sprinkling season shall extend from April 1st to October 31st of each year, and all persons paying sprinkling rates shall be entitled to the use of one stream of water through a one-fourth inch nozzle, or other fixtures discharging an equal quantity of water, four hours each day during the sprinkling season; such hours to be determined by the Ann Arbor Water Company, but no such hours shall be fixed earlier than six o'clock a. m. or later than eight o'clock p. m. No sprinkling shall be done during a fire alarm.

Ald. Jenney moved to amend section 3 so as to have it read as follows:

Section 3. For water for sprinkling lawns, lawn extensions and street in front of same, the Ann Arbor Water Co. may charge \$4.00 per annum. The sprinkling season shall extend from April 1st to Oct. 31st of each year, and all persons paying sprinkling rates shall be entitled to the use of one stream of water through a one-quarter inch nozzle, or other fixtures discharging an equal quantity of water, four hours each day during the sprinkling season; such hours to be determined by the Ann Arbor Water Company, but no such hours shall be fixed earlier than six o'clock a. m. or later than eight o'clock p. m. No sprinkling shall be done during a fire.

Carried.

SEC. 4. Building Rates—

For stone work, per perch. . 2c.

For brick work, per M. . . . 5c.

For plastering, per 100 yds. 15c.

Rates for service not named in this ordinance are subject to agreement between the Ann Arbor Water Company and the applicant for such service.

Ald. Brown moved to amend section 4 of said ordinance by inserting after the words "fifteen cents" the following:

Builders' rate, 100 cubic feet grout-ing, 20 cents.

Builders' rate, 100 square feet ce-ment walk, 6 inches deep, 15 cents.

Builders' rate, 100 square feet ce-ment cellar bottom, 4 inches deep, 15 cents.

Carried.

SEC. 5. The Water Company may collect all schedule rates quarterly in advance on the first day of January, April, July and October, and may turn off the water from any premises for non-pay-ment of rates herein specified. For wa-ter measured by meter, the Water Com-pany may collect monthly.

Carried.

SEC. 6. Water consumers vacating premises must notify the Water Com-pany at its office, that water may be turned off, and may be held responsible for water rates until such notice. When there is a change of residence the water consumer may have the balance of ser-vice paid for transferred to the other

premises. For turning on or turning off water from any premises, the Wa-ter Company may charge a fee of 25c., but no person shall turn the water on any premises until application for service is filed at the office of the Water Company, and opportunity is given the company to inspect the fixtures upon the premises.

Carried.

SEC. 7. It shall be unlawful for any person or persons to use or permit the use of water for other purposes than those for which water rates are paid.

Carried.

SEC. 8. The inspector or other author-ized agent of the Water Company shall have access, at all reasonable hours, to premises upon which water furnished by the water company is used.

Carried.

SEC. 9. No person or persons other than the chief of the fire department, or persons specially designated by the chief of the fire department, or the Water Company, shall open any of the fire hydrants, or in any manner injure or molest any of the said hydrants.

Carried.

SEC. 10. The rates fixed by this or-dinance to be charged the inhabitants of the City of Ann Arbor, for water for do-mestic use and other purposes, by the Ann Arbor Water Company, are subject to change by the Common Council for cause, after notice and opportunity for hearing is given to the Water Company.

Carried.

SEC. 11. The Ann Arbor Water Com-pany may make rules for the regulation of its service not inconsistent with the provisions of this ordinance; provided, that no such rule shall be made or en-forced, except in case of extended con-flagration, restricting the free use of water for domestic purposes, but only to prevent needless and wanton waste.

Carried.

SEC. 12. Any person or persons vio-lating the provisions of this ordinance, and any agent or employee of the Ann Arbor Water Company collecting or re-ceiving greater sums for supplying the inhabitants of the City of Ann Arbor with water for domestic use than the sums herein specified, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not ex-ceeding twenty-five dollars and the costs of prosecution for each offense. In im-posing such fine, the court shall have

power and authority to commit the offender to the county jail until the fine is paid, or for a period not exceeding thirty days.

Ald. Jenney moved to amend section 12 so as to have it read as follows:

Section 12. Any agent or employee of the Ann Arbor Water Company who shall turn the water off or cause the same to be turned off from the pipes or fixtures of any water consumer in the city of Ann Arbor after said consumer has paid or tendered the sum or sums herein before specified to be paid for the use of said water, except for the unlawful use of said water, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in the sum not exceeding twenty-five dollars and the cost of prosecution for each offense. In imposing such fine, the court shall have power and authority to commit the offender to the county jail until the fine is paid for a period not exceeding thirty days.

Carried.

SEC. 13. This ordinance shall take effect on and after legal publication.

Ald. Jenney moved that the following be substituted for section 13:

Section 13. This ordinance shall not be construed to change, modify, alter or repeal any portion of the ordinance relative to water works passed June 1st, 1885, or contract agreed to May 6th, 1885, except as herein particularly and specifically provided for.

Carried.

Ald. Jenney moved to amend section 13 as originally read and to have it section 14 and to read as follows:

Section 14. This ordinance shall take effect on and after April the 1st, 1902, and after legal publication.

Carried.

By Ald. Jenney:

Resolved, that the ordinance as amended be passed.

Whereupon Pres. Haarer put the question, "Shall this ordinance pass?"

Adopted as follows:

Yeas—Ald. Hamilton, Schlenker Clancy, Schumacher, Jenney, Coon, Fischer, Burg, Pres. Haarer—9. Nays—Ald. Brown—1.

By Ald. Brown:

Resolved, that rule 21 be suspended for the evening. Carried.

By Ald. Brown:

Resolved, that the regular monthly salaries of all the city officers, including members of the police department, fire department and board of health, for the month of December, be and the same are hereby allowed, and the city clerk is hereby ordered to draw the city's warrants for the payment of the same.

Adopted as follows:

Yeas—Ald. Hamilton, Schlenker, Clancy, Brown, Schumacher, Jenney, Coon, Fischer, Burg, Pres. Haarer—10. Nays—0.

City Attorney Sawyer called the committee's attention to an electric light at or near Dr. Dorrance's residence which should be changed. Same was referred to the lighting committee.

Ald. Fischer presented "An ordinance relative to naming streets," which was given its first reading by title and passed to and received its second reading.

By Ald. Jenney:

Resolved, that a committee of three be appointed by the president to confer with the Ann Arbor Water Company in the matter of the proposition made by them this evening and report to this council.

Carried.

Pres. Haarer appointed the following to act on the above committee: Ald. Jenney, Hamilton, Fischer.

On motion the council adjourned.

JAS. E. HARKINS, Clerk.