

(Official Report.)

Council Chamber.

Ann Arbor, Mich., April 24, 1907.

Adjourned Regular Session.

Meeting called to order by President Walz.

Present—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetch, Markey, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—15.

COMMUNICATION FROM MAYOR.

Ann Arbor, Mich., April 24, 1907.

Hon. Common Council:

Gentlemen—I hereby report the appointment of Theo. Apfel, city marshal, in place of Chas. Masten, and Robert Whitney, patrolman, in place of David Collins.

J. C. HENDERSON, Mayor.

Received and ordered on file.

COMMUNICATIONS AND PETITIONS.

From the board of public works in form of resolution:

Resolved, that we substitute American polished best quality plate glass for the glass specified on first and second story of city hall building on Fifth avenue and Huron street sides at an expense not to exceed \$412.00. Subject to the approval of the council.

Moved by Ald. Abbott, that recommendation be concurred in.

Adopted as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, Markey, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—15.

Nays—None.

Ann Arbor, Mich., April 24, 1907.

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

Gentlemen—In harmony with custom and agreeable to the provisions of the law, you will kindly vote the sum of \$50, the same to be expended

by Welch Post, No. 137, G. A. R., in defraying the expenses of observing Memorial day in proper manner.

Very respectfully,

R. L. WARREN,

Com. Welch Post.

Moved by Ald. Blaich, that the request be granted and clerk ordered to draw a warrant in favor of Welch Post, G. A. R., for \$50.

Adopted as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, Markey, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—15.

Nays—None.

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

Gentlemen—The undersigned, committee appointed by Welch Post, No. 137, G. A. R.; Welch Corps, No. 218, Woman's Relief Corps and Ross Granger Camp, No. 7, Spanish War Veterans, most respectfully petition your honorable body to turn over to the use of the above named associations the basement of the city hall now in course of construction on the corner of East Huron street and South Fifth avenue, said basement to be used by the associations above named free of rent, as a place of holding their meetings.

HENRY S. DEAN,

WESLEY E. HOWE,

ISAAC G. REYNOLDS,

Com. G' A. R., W. R. C., S. W. V.

By Ald. Manwaring:

Moved that the petition of Welch Post, No. 137, G. A. R., and others be referred to special committee of three members of the council to be appointed by the president, to consider and designate what part of the basement of the new city hall should be occupied by the petitioners, and report to the council at its first meeting in May next, with a proper resolution covering the matter.

Adopted, and Ald. Manwaring, Fischer and Sweet appointed as committee.

Petition of Leo Gruner et al, for a sidewalk on North Seventh street, received and referred to the sidewalk committee.

Of H. Woodmanse et al. relative to extension of water main along Hill street and Oswego street, received and referred to the water committee.

Of. John Walz, Jr., et al. relative to a sanitary sewer on Jefferson street, received and referred to the sewer committee.

COMMITTEE REPORTS.

Ald. Fischer presented "An ordinance relative to a sanitary sewer on Broadway and Wall street" which was given its first reading by title and passed to and given its second reading by the following vote:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—14.

Nays—Ald. Markey—1.

Moved by Ald. Fischer that the ordinance relative to sewer on Broadway and Wall street be referred to the ordinance committee.

Adoped as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—14

Nay—Ald. Markey—1.

REPORT OF SEWER COMMITTEE.

To the Honorable the common council of the city of Ann Arbor.

Gentlemen—Your committee having under consideration the matter of the proposed sanitary sewer on Broadway and Wall streets, particularly as to the proposition that a part of the cost of constructing same shall be paid by the city, would report that the committee favors the construction of said sewer, and also considers it

proper under all circumstances for the city to pay a portion of the expense.

Your committee is advised by the city attorney that the power of the council to appropriate money for such purpose can only be exercised by ordinance and that the present ordinance does not permit the city to pay for any part of the construction of a sanitary sewer, excepting street-crossings. The report of the city attorney on this subject is herewith submitted as a part of this report.

Your committee would recommend that an ordinance be passed providing for an appropriation from the general funds for the payment of such portion of the costs of said sewer as the council shall deem just.

Respectfully submitted this 24th day of April, A. D. 1907.

I. L. Sherk,

W. H. Stark,

J. F. Maulbetsch,

Geo. H. Fisher,

Committee.

To the sewer committee of the common council of the city of Ann Arbor:

Gentlemen—Several members of your committee have requested an opinion of me relative to the power of the common council to pay out of the general fund a portion of the expense of constructing a sanitary sewer on Broadway and Wall streets.

It is provided by the charter, among other matters relative to sewers as follows:

Sec. 124. Such part of the expenses of building sewers, providing ditches and improving water courses as the council may determine, may be defrayed by special assessment upon the lands benefited thereby in proportion to such benefits.

Sec. 125. The common council may enact such ordinance as may be necessary for the protection and control of

the public drains and sewers and carry into effect the forms herein conferred in respect to drainage of the city.

The city has constructed one main sewer and paid for the same out of the general fund. Lateral sewers have been constructed in accordance with the provisions of the ordinance relative to sewers. This ordinance provides among other things as follows:

“And the common council shall, if the construction of any such lateral sewer shall still be deemed expedient order and direct the board of public works to cause any such lateral sewer to be constructed and shall fix and determine the district to be assessed and charge with the cost and expense of the construction of the same excepting street crossings only, which shall be a charge on and against the general sewer fund, and which resolution of the common council shall be certified to the board of public works and the city assessor respectively.”

In my opinion the common council has the power under the charter to appropriate money from the general funds to pay part of the cost of constructing the sewer above mentioned; it will be necessary, however, because of the limitation imposed by the present ordinance to secure the passage of an ordinance to cover this particular case.

Respectfully submitted this 23rd day of April, A. D. 1907.

FRANK A. STIVERS.

City Attorney.

Moved by Ald. Manwaring, that the report be adopted.

Adopted as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, Markey, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—15.

Nays—None.

REPORT OF LICENSE COMMITTEE.

To the Honorable the Common Council:

Gentlemen—Your committee on license respectfully report that the following applications for saloon licenses comply with the requirements of the ordinance and we recommend that on the filing of the proper bonds licenses be issued to the several applicants, viz:

Oswald Dietz, Robert S. Paul, Gale & Co, Wm. C. Hoppe, Illi & Krauth, Wm. Goetz, M. W. Brillinger, J. G. Fred Schmid, Richard Kearns, Jr., Joseph Neff, Limpert & Walz, Frank H. Ortman, Edward A. Dickerson, Charles Klais, Wm. F. Kapp, Wm. H. Bowman, Lewis Kurtz, Fred Brown, Alfred Paul, Frey Bros., Edwin A. Dunn, A. & E. Waidelich, Lawrence J. Damm, Fred G. Haas, Haas & Heibain, Jacob Dupper, Nicholas Schneider, Collum & Roach, Wm. Corson, Joseph Parker, Wm. Koebneck, Frank J. Champion, Staebler & Johnson.

Adopted as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, Markey, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—15.

Nays—None.

REPORT OF BOND COMMITTEE

To the honorable the Common Council:

Gentlemen—Your committee on bonds have had the following bonds under consideration and would respectfully recommend their approval:

Official Bonds

Ross Granger, as city clerk, principal; Jno R. Miner, Sid W. Millard, sureties.

Theo. C. Aplef, city marshal, principal; Geo. Apfel, John Lindenschmitt, sureties.

Constable Bonds

George Moran, principal; John Moran, H. J. Moran, sureties.

Gottlob Maulbetsch, principal; Christian Schlenker, George Krauth, sureties.

Marvin A. Davenport, principal; Nicholas Schneider, John Berger, sureties.

Frank Kopf, principal; Frank Ratti, R. Disdoride, sureties.

George H. Kelly, principal; William Kapp, Wm. J. Willcutt, sureties.

Charles S. Fox, principal; Chas. L. Miller, C. L. Pray, sureties.

Peter Hines, principal; E. J. Hines, John Matthews, sureties.

Druggist Bonds

E. E. Calkins, principal; J. J. Goodyear, W. J. Mummery, sureties.

Herman M. Roys, principal; Hudson T. Morton, George Blaich, sureties.

J. J. Goodyear, principal, A. E. Mummery, E. E. Calkins, sureties.

A. E. Mummery, principal; J. J. Goodyear, E. E. Calkins, sureties.

Herman F. Miller, principal; Michael Fritz, John Schmid, sureties.

Mann & Walker, principals; Henry J. Mann, George Walker sureties.

Dawson Bros., principals; Edwin C. Krapf, Chas. Esslinger, sureties.

H. J. Brown, principal, Ottmar Eberbach, Chas. S. Millen, sureties.

Eberbach & Son, principals; Martin Haller, H. J. Brown, sureties.

L. O. Cushing, principal, Fred Lamb, Otis Cushing, sureties.

Saloon Bonds

Oswald Dietz, principal; Lewis Kurtz, John Koch, sureties.

Robert S. Paul, principal; George Goetz, Christian Gauss, sureties.

Wm. C. Hoppe, principal; Fred G. Haas, David Rinsey, sureties.

Illi & Krauth, principals; William Illi, Fred G. Haas, sureties.

William Goetz, principal; John Walz, Sr., John Goetz, Sr., sureties.

Marshall W. Brillinger, principal; Louis Weinmann, Geo. F. Stein, sureties.

J. G. Fred Schmid, principal; Geo. F. Stein, Jacob Dupper, sureties.

Richard Kearns, Jr., principal; Richard Kearns, Sr., Wm. B. Copeland, sureties.

Joseph Neff, principal; Lewis Kurtz, Richard Kearns, sureties.

Limpert & Walz, principals; Sam Heusel, David Rinsey, sureties.

Frank Ortman, principal; August Herz, Adam Meuth, sureties.

E. A. Dickerson, principal; Jacob Dupper, Wm. Goetz, sureties.

Chas. F. Klais, principal; J. Maulbetsch, J. F. Hoelzle, sureties.

Wm. F. Kapp, principal, George Spathelf, Wm. A. Gwinner, sureties.

Wm. Bowman, principal; Fred Brown Victor Benz, sureties.

Edward Zachmann, principal; Xavier Zachmann, Alfred J. Paul, sureties.

Lewis Kurtz, principal, Fred W. Buss, Victor Benz, sureties.

Fred Brown, principal; G. F. Stein, Jacob Dupper, sureties.

Alfred J. Paul, principal; Xavier Zachmann, August Waidelich, sureties.

Frey Bros., principals; Frederick Frey, Wm. Goetz, sureties.

Edwin Dunn, principal; Oswald Dietz, John Byron, sureties.

A. & E. Waidlich, principals; John Berger, Alfred J. Paul, sureties.

Lawrence J. Damm, principal; Fred Staebler, Fred Staeb, sureties.

Fred G. Haas, principal; Chas. F. Pardon, Wm. C. Jacobus, sureties.

Haas & Heiben, principals; C. F. Kayser, Fred G. Haas, sureties.

Jacob Dupper, principal; Fred Brown, J. G. Fred Schmid, sureties.

Nicholas Schneider, principal; John Berger, August Waidelich, sureties.

Collum & Roach, principals; Geo. M. Clarken, Joseph Hoheisel, sureties.

Wm. Corson, principal; John Kapp, Gottfried Schoettle, sureties.

Joseph Parker, principal; Richard Kearns, Jr., John M. Wagner, sureties.

Wm. Koebneck, principal; Julius H. Koernke, A. Levy, sureties.

A. S. Gale, principal; Sam Heusel, E. L. Schumacher, sureties.

Frank Campion, principal; Emil Golz, John G. Fischer, sureties.

Johnson & Staebler, principals; Emil Golz, John G. Fischer, sureties.

Liquor Dealers' Bonds

Oswald Dietz, principal; Lewis Kurtz, John Koch, sureties.

Robert S. Paul, principal; George Goetz, Christian Gauss, sureties.

Wm. C. Hoppe, principal; George Weidman, David Rinsey, sureties.

Illi & Krauth, principals; William Illi, Fred Staeb, sureties.

William Goetz, principal; John Walz, Sr., John Goetz, Sr., sureties.

Marshall W. Brillinger, principal; Adam Meuth, Jeremiah Collins, sureties.

J. G. Fred Schmid, principal; Geo. F. Stein, Jacob Dupper, sureties.

Richard Kearns, Jr., principal; Richard Kearns, Sr., Wm. B. Copeland, sureties.

Joseph Neff, principal; Lewis Kurtz, Richard Kearns, Jr., sureties.

Limpert & Walz, principals; Sam Heusel, David Rinsey, sureties.

Frank Ortman, principal; August Herz, Adam Meuth, sureties.

Edward A. Dickerson, principal; Wm. Goetz, Chas. F. Kayser, sureties.

Chas. F. Klais, principal; J. Maulbetsch, J. F. Hoelzle, sureties.

Wm. F. Kapp, principal; George Spathelf, Wm. A. Gwinner, sureties.

Wm. Bowman, principal; Fred Brown Victor Benz, sureties.

Edward Zachmann, principal; Xavier Zachmann, Alfred J. Paul, sureties.

Lewis Kurtz, principal; Fred W. Buss, Victor Benz, sureties.

Fred Brown, principal; G. F. Stein, Jacob Dupper, sureties.

Alfred J. Paul, principal; Xavier Zachmann, August Waidelich, sureties.

Frey Bros., principals; Frederick Frey, Wm. Goetz, sureties.

Edwin Dunn, principal; Oswald Dietz, John Byron, sureties.

A. & E. Waidelich, principals; John Berger, Alfred J. Paul, sureties.

Lawrence J. Damm, principal; Fred Staebler, Fred Staeb, sureties.

Fred G. Haas, principal; Chas. F. Pardon, Wm. C. Jacobus, sureties.

Haas & Heibein, principals; C. F. Kayser, Fred G. Haas, sureties.

Jacob Dupper, principal; Fred Brown, J. G. Fred Schmid, sureties.

Nicholas Schneider, principal; John Berger, August Waidelich, sureties.

Collum & Roach, principals; Geo. M. Clarcken, Joseph Hoheisel, sureties.

Wm. Corson, principal; John Kapp, Gottfried Schoettle, sureties.

Michigan Union Brewing Co., principal; Titus F. Hutzel, Emanuel C. Spring, sureties.

Joseph Parker, principal; Richard Kearns, Jr., John M. Wagner, sureties.

Wm. Koebneck, principal; Julius H. Koernke, A. Levy, sureties.

A. S. Gale, principal; Sam Heusel, E. L. Schumacher, sureties.

Frank J. Campion, principal; Emil Golz, John G. Fischer, sureties.

Willis G. Johnson and Albert H. Staebler, principals; Emil Golz, John G. Fischer, sureties.

Adopted as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch, Markey, St. James, Sherck, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz—15.

Nays—None.

Moved by Ald. Fischer, that bonds received by city clerk between now and May 1st be referred to bond com-

mittee, they to take such action as in their judgment is best. Adopted.

Moved by Ald. Schneider, that the matter of amendment of ordinance licensing amusement houses in the city be referred to the ordinance committee to report at next meeting of council.

Adopted.

By Ald. Schneider:

Resolved, that the creek between Washington and Liberty streets be cleaned and made safe for expectant spring floods. Adopted.

Moved by Ald. Fischer, that the board of public works be instructed to have street commissioner attend to matter of cleaning the creek between Washington and Liberty streets at once. Adopted.

By Ald. Sweet:

Resolved, that Dr. Elliott K. Herdman, our present city physician, be and he is hereby appointed for the ensuing year.

Adopted as follows:

Yeas—Ald. Snauble, Stark, Schneider, Hochrein, Sweet, Maulbetsch Markey, St. James, Sherk, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—15.

Nays—None.

Moved by Ald. Manwaring that committee of three be appointed to look into matter of flagman for railroad crossings. Adopted and following appointed as such committee: Ald. Schneider, Snauble and Abbott.

By Ald. Maulbetsch:

Whereas, Edward Pardon has offered two rods of the west side of Miner street, running from Summit to Pearl streets, to the city providing that street be opened up full width between above named streets, now, therefore,

Resolved that Miner street be opened up, graded and graveled between Summit and Pearl streets as soon as deed to land is presented to council accepted and properly registered.

Resolved, further that the matter of deed be referred to city engineer and city attorney, they to report back to council soon as possible.

Referred to street committee, they to report back to council May 6, 1907.

Moved by Ald. Schneider, that the clerk notify the Ann Arbor Railroad company to comply with the ordinance relative to William street sidetrack, passed Aug. 6, 1906. Adopted.

The council adjourned .

ROSS GRANGER. Clerk.