

## COMMON COUNCIL—DECEMBER 16, 1907.

Council Chamber, Ann Arbor, Mich.,  
December 16, 1907.

## REGULAR SESSION.

Meeting called to order by Pres.  
Walz.

Present—Ald. Stark, Hochrein,  
Sweet, Maulbetsch, St. James, Man-  
waring, Blaich, Goodyear, Fischer,  
Abbott, Pres. Walz.—11.

Absent—Ald. Schneider, Markey,  
Shirk, Snauble.—4.

Minutes of previous meeting ap-  
proved.

Ann Arbor, Mich., Dec. 13th, 1907.  
To the Honorable the Common Coun-  
cil:

Gentlemen: In as much as this will  
be the last regular meeting of the  
council before the holidays, I recom-  
mend that the council take proper ac-  
tion to allow all regular salaries for  
month of December and order war-  
rants drawn for same payable De-  
cember 23rd, next.

Yours truly,

J. C. HENDERSON,

Mayor.

By Ald. Sweet—

Resolved, That the Mayor's recom-  
mendation be concurred in, that rule  
No. 21 be suspended for the evening  
and warrants ordered drawn for all  
December salaries and pay due City  
officials, police and firemen. War-  
rants to be issued December 23rd,  
1907.

Adopted as follows:

Yeas—Ald. Stark, Hochrein, Sweet,  
Maulbetsch, St. James, Manwaring,  
Blaich, Goodyear, Fischer, Abbott,  
Pres. Walz.—11.

Nays.—None.

Ann Arbor, Mich., Dec. 16th, 1907.  
To the Honorable the Common Coun-  
cil:

Gentlemen: Having notified the  
several city officials, charged with the  
expenditure of appropriations, that no  
money remains in the contingent,  
fire, police, water and street lighting  
funds for further appropriations, I  
am, according to the charter, requir-

ed to report in writing to the council  
my reasons for such notification,  
which are:

Contracts and appropriations, al-  
ready made, have so depleted the  
funds that further appropriations  
are impossible until some arrange-  
ment is made to replenish the funds,  
from which any just claim can be  
paid if necessary.

The charter also provides that the  
he sees fit. I recommend that this  
he sees fit. I recommend that this  
report and following sections from the  
charter be referred to the Mayor,  
President of the Council, chairman  
of the finance committee and chair-  
man of the ordinance committee—  
they to find if possible, some way to  
relieve the situation.

Sec. 31. Charter. "The common  
council may also, from time to time,  
PROVIDED BY ORDINANCE FOR  
THE APPOINTMENT, and appoint  
for such term as may be provided in  
any such ordinance, such other of-  
ficers whose election or appointment  
is not herein specially provided for,  
as the common council shall deem  
necessary for the execution of the  
powers granted by this act, and may  
remove the same at pleasure. The  
POWERS and DUTIES of all such  
officers shall be prescribed BY OR-  
DINANCE."

Sec. 52. "Whenever any appropria-  
tion is made from any fund in excess  
of the balance remaining in such  
fund, AFTER PREVIOUS APPRO-  
PRIATIONS HAVE BEEN DEDUCT-  
ED THEREFROM AND AFTER  
THE FIXED SALARIES OR  
CHARGES THEREON TO BE  
PAID FROM SUCH FUND ARE  
DEDUCTED THEREFROM, the City  
Clerk shall notify the officials or offi-  
cials charged with the expenditure of  
such appropriation of the amount of  
money available for such appropria-  
tion or of the fact that no money re-  
mains in the fund available for the  
appropriation, and after such notifica-  
tion no expenditures shall be made

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under such appropriation in excess of the amount so reported as available. Clerk shall notify the official or officing to the Common Council at its first meeting thereafter the reasons for such notification together with such recommendations as he sees fit."

Sec. 170. "The Common Council shall examine, settle and allow all accounts and demands properly chargeable against the City, as well of its officers as of other persons, AND SHALL HAVE AUTHORITY TO PROVIDE MEANS FOR THE PAYMENT OF THE SAME, and for defraying the contingent expenses of the city, subject only to the limitation and the restrictions in this act contained."

The charter restricts the raising by general TAX over a fixed amount, but nothing that I can find prohibits the issuing of orders on the treasurer payable on presentation from any money in the treasury on the first day of February thereafter. (Sec. 186.) Stop and think what a position the city would be in if it were otherwise: It would render the city powerless to protect itself from litigation, etc.

Yours very respectfully,

ROSS GRANGER,

City Clerk.

Moved by Ald. Fischer that communication from clerk be received and recommendation concurred in Adopted.

COMMITTEE REPORTS.

FINANCE REPORT.

Ann Arbor, Mich., Dec. 16th, 1907.  
To the Honorable the Common Council:

Gentlemen:—Your committee on finance have had the following bills under consideration and recommend their allowance and warrants drawn for the following amounts.

WM. GOODYEAR,

FIRE FUND.

|                              |          |
|------------------------------|----------|
| Chas. Andrews, salary.....   | \$ 37 50 |
| Chas. Edwards, salary.....   | 33 00    |
| Eugene Williams, salary..... | 33 00    |
| Fred Stein, salary .....     | 32 50    |
| Herman Kirn, salary.....     | 30 00    |
| Ralph Edwards, salary.....   | 30 00    |
| Dean Seabolt, salary.....    | 30 00    |
| Henry McLaren, salary .....  | 30 00    |
| Geo. Hochle, salary.....     | 27 50    |
| Fred Jolly, salary.....      | 27 50    |
| Rex Burnett, salary.....     | 27 50    |
| Carl Kuhn, salary.....       | 27 50    |
| Jacob Gwinner, salary.....   | 27 50    |

HORATIO J. ABBOTT,  
Finance Committee.

|                            |           |
|----------------------------|-----------|
| Wm. Berauek, salary.....   | 27 50     |
| Arthur Clark .....         | 25 00     |
| Don Golden, salary .....   | 25 00     |
| Geo. Isbell, salary .....  | 25 00     |
| John Maurer .....          | 20 00     |
| Chas. Carroll, salary..... | 20 00     |
| Frank Kapp, salary.....    | 20 00     |
| Total .....                | \$ 561 00 |

POLICE FUND.

|                              |          |
|------------------------------|----------|
| Theo. C. Apfel, salary.....  | \$ 41 66 |
| John O'Mara, salary.....     | 30 00    |
| Zenus Sweet, salary.....     | 30 00    |
| Thomas O'Brien, salary ..... | 30 00    |
| Wm. Walsh, salary.....       | 30 00    |
| Matthew Max, salary .....    | 30 00    |
| Wm. E. Blackburn, salary..   | 30 00    |
| Michael Martin, salary ..... | 12 50    |

\$234 16

STREET FUND.

|                              |         |
|------------------------------|---------|
| Will Bury, labor .....       | \$ 4 00 |
| Fred Gakle, labor .....      | 1 20    |
| Michael Hecy, labor .....    | 2 20    |
| Michael Hession, labor ..... | 14 10   |
| John Holka, labor .....      | 2 20    |
| James Mason, labor .....     | 12 00   |
| John Weinman, labor .....    | 2 60    |
| John Markey, team .....      | 20 51   |
| John McHugh, team .....      | 5 12    |
| Chas. Neithammer, team ..... | 19 67   |
| John Miller, team .....      | 4 45    |
| Albert Steffen, team .....   | 8 00    |
| Joe Wallaker, team .....     | 9 17    |

\$105 22

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SIDEWALK FUND.

|                        |         |
|------------------------|---------|
| Will Bury, labor ..... | \$ 1 00 |
|                        | <hr/>   |
|                        | \$ 1 00 |

CITY HALL LABOR FUND.

|                           |          |
|---------------------------|----------|
| Will Bury, labor .....    | \$ 5 40  |
| James Mason, labor .....  | 6 00     |
| Fred Ullrich, labor ..... | 2 20     |
|                           | <hr/>    |
|                           | \$ 13 60 |

CEMETERY FUND.

|                           |         |
|---------------------------|---------|
| John Elsifor, labor ..... | \$ 1 75 |
| W. J. Randel, labor ..... | 1 75    |
|                           | <hr/>   |
|                           | \$ 3 50 |

CONTINGENT FUND.

|  |           |
|--|-----------|
| E. B. Novis, services .....                | \$ 100 00 |
| Ann Arbor News Pub. Co.,<br>printing ..... | 23 46     |
|  | <hr/>     |
|  | \$ 123 46 |

RECAPITULATION.

|                       |           |
|-----------------------|-----------|
| Fire fund .....       | \$ 561 00 |
| Police .....          | 234 16    |
| Street .....          | 105 22    |
| Sidewalk .....        | 1 00      |
| City Hall labor ..... | 13 60     |
| Cemetery .....        | 3 50      |
| Contingent .....      | 123 46    |
|                       | <hr/>     |
| Total .....           | 1041 94   |

Approved and respectfully submitted to the Finance committee.

ROSS GRANGER,

City Clerk.

Yeas—Ald. Stark, Hochrein, Sweet.

Adopted as follows:

Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—11.

Nays.—None.

Ald. Fischer presented an ordinance relative to licenses, which was given its first reading by title and passed to and given its second reading by the following vote:

Yeas—Ald. Stark, Hochrein, Sweet Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—11.

Enter Ald. Schneider.

Moved by Ald. Fischer that ordin-

ance, relative to licenses, be referred to the ordinance committee.

Adopted as follows:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—12.

Nays.—None.

Ald. Fischer presented an ordinance, "Regulating the posting of bills, tacking and painting of signs, and the circulating of advertising matter and sample packages, to license bill posters and regulate their manner of doing business in the city of Ann Arbor," which was given its first reading by title and passed to and given its second reading by the following vote:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—12.

Nays.—None.

Moved by Ald. Fischer that the ordinance, relative to posting of bills be referred to the ordinance committee.

Adopted as follows:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—12.

Nays.—None.

By Ald. Blaich:

Resolved, That the special assessment roll for lateral sewer district No. 28 of the City of Ann Arbor, Michigan, as fixed and determined by the Board of Review and certified to this common council, do stand in all things confirmed.

Resolved, further, and the City assessor is hereby ordered and required to assess and spread thereon and against the lands, tenements and premises mentioned therein the sum of \$1,840.04, being the estimated cost of such lateral sewer construction, street crossings excepted, and also to levy, assess and spread the sum of money on and upon each and every year in and during which any of such

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assessment shall or may be payable, and to levy and assess the said lands, tenements and premises and against the owners and occupants thereof, as mentioned therein according to law.

Resolved, further, that the city clerk do certify the said special assessment roll, this resolution of confirmation and order of assessment to the city assessor pursuant to law.

Adopted as follows:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—12.

Nays.—None.

To the Common Council:

Gentlemen:—Your license committee have had the application of David P. Collins for saloon license under consideration. And upon the filing of the proper bond we recommend that a license be granted.

J. F. MAULBETSCH,

C. J. SWEET,

GEO. H. FISCHER,

License Committee.

Moved by Ald. Manwaring that the matter be deferred to next meeting of the council.

Lost as follows:

Yeas—Ald. Schneider, Manwaring, Blaich, Goodyear, Abbott, Pres. Walz.—6.

Nays—Ald. Hochrein, Sweet, Maulbetsch, St. James, Stark and Fischer—6.

Moved by Ald. Sweet that recommendation of license committee be adopted.

Adopted as follows:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, Goodyear, Fischer, Abbott, St. James, Pres. Walz.—10.

Nays—Ald. Manwaring and Blaich—2.

To the Common Council:—

Gentlemen:—Your committee on bonds have had the saloon bond and liquor bond of David P. Collins under consideration: David P. Collins as

principal. John Reynolds and Jerry Collins sureties. We recommend approval of the same.

B. ST. JAMES,

Chairman Committee.

Ald. Fischer moved the adoption of report.

Adopted as follows:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—12.

#### SPECIAL COMMITTEE.

To the Honorable, the Common Council of Ann Arbor:

Gentlemen:—Your committee appointed in the matter of Fruit and Orchard Inspection, respectfully report:

That heretofore there have been two inspectors and in order to do the work they have been compelled to work all winter, (when the weather permitted), marking infected trees, and the sprayers followed in the spring. By this plan it was seldom possible for an inspector to be with the sprayers, either to superintend the work or to collect for it. Instead of this plan, we recommend that two additional inspectors be appointed, making three in all, and that they commence work at about same time as the sprayers do, viz: about last of February, or first of March, and that each inspector have charge of two spray gangs, and work along with them as far as practicable and oversee their work and collect for it as they go along, wherever possible.

We believe this plan will result in a saving of expense, and better work. We also recommend that Mr. M. F. Bailey and Mr. M. G. Richmond be appointed as such additional inspectors, and that they hold their offices for the term of one year.

Respectfully submitted,

E. B. MANWARNING,

W. H. STARK,

GEO. H. FISCHER,

Committee.

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Moved by Ald. Fischer that report and recommendation be accepted and adopted.

Adopted as follows:

Yeas—Ald. Stark, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—11.

Nays—Ald. Schneider.—1

Ann Arbor, Mich., Dec. 16, 1907.

Hon. Common Council—

Gentlemen:—Your committee, to whom was referred the petition of Mr. Frank Leaverett asking that his sewer tax in District No. 24 be remitted, beg leave to report that we have investigated the situation and find that about 10 years ago Edward H. Waples owned a piece of land on Hill street, about 370 feet east of Oxford Road; that the said Waples was granted permission to lay a sewer to his land from Oxford Road easterly along Hill street, which he did under the direction of the City Engineer. We

find further that this sewer was made a part of the sewer district No. 24, thereby saving the district about \$370.00. We therefore recommend that the tax against this property be remitted, and that the City Clerk be instructed to draw a warrant in favor of the City Treasurer for \$75.44, the total amount assessed against the property formerly owned by said Waples.

E. W. GROVES,  
J. W. DWYER,  
Committee.

Moved by Ald. Abbott that recommendation be concurred in.

Adopted as follows:

Yeas—Ald. Stark, Schneider, Hochrein, Sweet, Maulbetsch, St. James, Manwaring, Blaich, Goodyear, Fischer, Abbott, Pres. Walz.—12.

Nays.—None.

The council adjourned.

ROSS GRANGER, Clerk.