

Council Chamber,

Ann Arbor, May 15, 1893.

Regular session.

The council was called to order by Pres. Watts.

Roll called. Full board present.

The journal of the last session was approved.

COMMUNICATIONS FROM THE MAYOR.

To the Honorable Common Council,

Gentlemen:—Your attention is called to the fact that there is no ordinance regulating the sale of intoxicating liquors in this city. It is desirable, in my opinion, that there should be such an ordinance for the following reasons: First, the entire cost of police supervision is paid by the city and therefore all fines collected should go into the city treasury. Second, when there is a violation of the law, the punishment should be prompt. This is impossible when the prosecutions are under the state law since the circuit court is in session only four times a year and there is an attendance of a jury in that court for about ten weeks during the whole time.

It is generally understood that there is an ordinance permitting saloons to keep open beyond the time fixed by the statute. This is an error however, in the opinion of the city attorney and in his opinion I concur. Of course no complaint has been made against any person for keeping his place open after nine o'clock. I have thought that simple justice required that what everyone supposed to be the law should be regarded as the law for the present.

Your attention is called especially to this matter and your immediate action requested, if you desire to take any action, as I shall assume in its absence that you desire to have the statute enforced and the saloons closed at nine o'clock.

B. M. THOMPSON.

Mayor.

On motion of Ald. Prettyman, the communication was referred to the ordinance committee.

PETITIONS AND COMMUNICATIONS.

A communication from Welch Post No. 137, G. A. R., extending a cor-

dial invitation to the common council to participate in observing the coming Memorial Day, May 30th, was received and read.

Ald. Prettyman moved that the invitation be accepted and the chair appoint a special committee of three to make the necessary arrangements for observing said Memorial Day.

Adopted.

Pres. Watts appointed the following committee: Aids. Prettyman, Manly and Herz.

To the Honorable the Common Council:

At a meeting held by the Board of Health, May 15th, the following resolutions were unanimously adopted, for your consideration:

Resolved, That inasmuch as the council has prohibited the keeping of pigs in the city limits, and said action was done by the direction of the Board of Health, we would respectfully ask your honorable body to devise some measure to remove garbage and "swill" that accumulates at houses, which was taken away formerly by persons keeping swine in the city. We would suggest that the honorable council appoint some person or persons to remove said accumulations at least once a week during the hot weather, at a reasonable compensation, or empower the Board of Health to appoint them; said garbage to be removed to some place designated by the Board of Health.

Resolved, That the honorable common council, enforce the ordinance relative to slaughter houses, enacted Dec. 5th 1892.

By order of the Board of Health.

W. J. MILLER, Clerk.

Ald Manly moved that the communication be accepted, filed and ordered printed.

Adopted.

A petition signed by John Karberg and eighteen other residents and property holders of the 3d ward, asking for the grading and filling in of N. First street, between Miller ave. and Kingsley street.

Referred to committee on streets.

A petition signed by Rev. E. D. Kelly and eleven others, residents and property holders on North State st., city of Ann Arbor, asking that sidewalks be ordered built on the west side of North State st., from Kingsley street to Fuller street.

Referred to the committee on sidewalks.

A petition signed by the business men and citizens on State street, ask-

ing that the council delegate one of the patrolmen of the city, as a night patrolman on State street.

Referred to the committee on police.

A petition signed by Adam Schrater and twenty-seven others, residents and property owners of the 3d and 4th wards, asking the council not to grant the laying of a track on depot street crossing Fourth ave.

Referred to committee on streets.

REPORTS OF STANDING COMMITTEES.

FINANCE.

To the Honorable Common Council:

Your committee on finance, to whom was referred the petition of property holders, adjoining the Court House square, praying that the city cause to be done the sprinkling of the streets adjoining the Court House square, respectfully report that they have had the subject matter under consideration, and would recommend that the petition be denied, for it is a matter for the consideration of the board of supervisors and not the council.

We would recommend that the bid of the Ann Arbor Savings Bank for the custody of the City's money, be accepted, their bid being the highest. Respectfully submitted,

WALTER L. TAYLOR,
WILLIAM HERZ,
A. H. FILLMORE.

Finance Committee.

Ald. Taylor moved that the report be accepted and approved.

Adopted as follows :

Yeas—Aids. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts—13.

Nays—None.

Chairman Martin of the street committee, reported progress and asked for further time.

Granted.

To the Honorable the Common Council:

Your committee on Fire Department, to whom was referred the petition of Richard Kearns, praying that permission may be granted him to erect a frame dwelling-house on lot 3, block 3, North Range 4 East, City of Ann Arbor, said house when completed to be three rods from any building on adjoining property, respectfully report that they have had the matter under consideration, and your committee feel that the fire limits ought not to extend any further north than Catherine street, on Main street, as said block between Catherine and Kingsley streets being built up with residences, and your committee would therefore recommend that the prayer of said petitioner be granted.

Respectfully submitted.

J. O'MARA,
W. G. SNOW.
Committee.

Ald. Kitson asked time to make a minority report on the matter.

Granted.

Chairman Prettyman, of the Bond committee, reported that several bonds had been presented to him this evening, and asked for further time to report on them.

Granted.

REPORTS OF SPECIAL COMMITTEES.

SEWERS.

To the Honorable Common Council:

Your committee on sewers would respectfully report, that at a meeting of your committee and Board of Public Works, it was determined that better progress would be likely to be made if certain matters were first acted upon by the Common Council.

The committee find that while the route of the main sewer has been fixed substantially, still, some parts of said route pass over private property, and hence the route as fixed is dependent upon obtaining a right of way over such private property, and also over and along the right of way of the Michigan Central Railroad Company. Also, to enable any person to bid for the construction of such main sewer with intelligence, or the city to act upon such bids with justice to the tax payer, it will be necessary after such route is fully determined upon, to procure a complete survey of the same, a profile to be made, also plans and specifications of the manner of the construction. Your committee, therefore, would recommend as follows:

First, that the Council refer the matter of the route as already determined upon to the Board of Public Works with directions to obtain a release of the right of way over all private property, including the railroad company's land.

Second, the Board be directed to cause the City Engineer, under the supervision of Prof. Charles E. Greene, to make a full and complete survey of the route, also a proper profile of the same. Also plans and specifications of the manner of construction, that such profile, plans and specifications be filed with the City Clerk and reported by the Board of Public Works to the Common Council for consideration and approval.

Your committee discussed somewhat the subject of construction of lateral sewers, and the best method of payment of the same, but reached no definite conclusion, or at least, no conclusion which we are able to report at the present time. Your committee, therefore, ask leave to report on such question at another time.

Respectfully submitted,
CHRISTIAN MARTIN,
CHAS. W. WAGNER,
C. H. MANLY,
A. P. FERGUSON,
H. G. PRETTYMAN,
W. G. SNOW.

Committee.

Ald. Martin moved that the report be, and the same is hereby approved.

Adopted.

Ald. Kitson made the following minority report :

To the Common Council:

Your committee to whom was referred the petition of Richard Kearns, asking permission to erect a frame dwelling inside the fire limits, would respectfully report it has had the subject matter under consideration, and cannot see how it can grant the petition without violating a city ordinance, and your committee having no desire to do that, recommend the petition be denied.

Respectfully submitted,
ARTHUR J. KITSON.

Ald Ferguson moved that the report of Ald. Kitson be laid on the table.

Adopted as follows:

Yeas—Alds. Herz, Martin, O'Mara, Snow, Fillmore, Ferguson, President Watts—7.

Nays—Alds. Schairer, Wagner, Taylor, Manly, Prettyman, Kitson—6.

Ald. Ferguson moved that the majority report made by the Fire committee be, and the same is hereby approved and confirmed.

Adopted as follows:

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts—13.

Nays—None.

ON CITY OFFICES.

To the Honorable Common Council:

Your special committee on building of city offices would respectfully report that they are thoroughly convinced of the necessity of obtaining a building put up with the view of furnishing suitable offices for City Clerk, City Assessor, City Engineer, etc. The Clerk's office contains many documents of great value to the city, not to speak of the large number of chattel mortgages on file, which are in great danger of fire. No business man would keep such valuable papers in such an unprotected building. It is only the city's good fortune that it has hitherto escaped great loss by fire. Many papers of value have heretofore been lost owing to the frequent removals of the offices of what were formerly termed City Recorders. And the loss of these papers has frequently, in the past, entailed expense upon the city. The office for City Clerk must necessarily be provided with a fire-proof vault, with plenty of room for filing papers. Such an office cannot now be rented. The City Assessor having now become a regular salaried officer to take his time during the year, should be provided with an office in which he may keep his plats, books and notes and keep track of the various transfers. The City Engineer should have an office in which to keep the files, the various grade plats, maps, etc., and do the work which will be required from him during the time the sewerage system is being constructed. The want of such an office has caused the loss of many grade plats through the city and has frequently occasioned the same work being done over several times. The Marshal's office should be

contiguous to the other city offices, so that in case the city Marshal is not at hand, the City Clerk may be able to inform inquiring parties where he may be found.

It may be well to have the city taxes collected at the same place every year, as many citizens are at a loss each year to know where taxes may be paid, whether, as hitherto, at a printing office, drug store, a hardware or jewelry store. Owing to the fact that the city is now to be taxed for putting in a system of sewerage, it does not now seem to be expedient for the city to go to the outlay of erecting a city building.

The proposition of David Rinsey to erect a suitable building on Fourth Avenue, near Huron street, to be built as the city desires its offices arranged, to be rented to the city at a rental of ten per cent. (10 per cent) of the cost of the construction, strikes your committee as the most feasible plan for the city at present. The building can be erected for three thousand (\$3,000) or three thousand five hundred (\$3,500) dollars. It will also furnish for the First Ward a polling place, something it has long needed.

All of which is respectfully submitted.

A. P. FERGUSON,
ARTHUR J. KITSON,
D. F. SCHAIRER.
Committee.

Ald. O'Mara moved that the report be, and the same is hereby approved, confirmed and filed.

Adopted.

ON MAYOR'S MESSAGE.

To the Honorable Common Council:

Your special committee to whom was referred the Mayor's annual message for division and reference, beg leave to report that so much of the message as refers to the sewers, should be referred to the sewer committee. That so much of the message as refers to the plats of sub-divisions and surveyor's notes, be referred to the street committee. That so much as refers to plat-books be referred to the finance committee, and so much as refers to police order of the city be referred to the police committee.

All of which is respectfully submitted, and your committee ask to be discharged.

A. P. FERGUSON,
C. H. MANLY,
D. F. SCHAIRER.
Committee.

Ald. Manly moved that the report be, and the same is hereby approved, confirmed and ordered spread on the journal.

Adopted.

ON SALARIES.

To the Honorable Common Council:

Your special committee to whom was referred the resolution at the last regular meeting relating to salaries of city officers, would recommend that the resolution be adopted. The salaries being fixed the same as last year. We further recommend that the city Assessor's salary be fixed at one thousand dollars per annum, the same to be payable monthly.

All of which is respectfully submitted and

your committee ask to be discharged from the further consideration of the subject.

WALTER L. TAYLOR,
WILLIAM HERZ,
A. H. FILLMORE,
Committee.

Ald O'Mara moved that the report be, and the same is hereby accepted and adopted.

Ald Prettyman moved the report be so amended as to make the marshal's salary \$1,000 per year.

Which motion was declared out of order.

Ald. Wagner moved as a substitute that the report be accepted and filed.

Adopted as follows:

Yeas—Alds. Schairer, Wagner, Martin, Snow, Fillmore, Prettyman, Kitson—7.

Nays—Alds. Herz, O'Mara, Ferguson, Taylor, Manly, Pres. Watts—6.

ON PRINTING.

To the Honorable Common Council:

Your special committee to whom was referred the bids for printing the proceedings of the council, and the board of public works would report that they find the bids are incomplete, for the reason that the resolution asking for bids did not ask for bids on the pamphlets. We would, therefore, recommend that all bids be rejected and new bids asked for, to be presented at the next meeting of the council, for publishing the proceedings in the papers and in pamphlet form.

Respectfully submitted.

WALTER L. TAYLOR,
D. FRED. SCHAIRER,
Committee.

Ald Ferguson offered the following minority report:

To the Honorable Common Council:

The present arrangement of printing the proceedings of the council having given satisfaction to the people generally, the undersigned members of the committee to whom the matter was referred, recommend that the bid of the Courier and Argus be accepted.

A. P. FERGUSON.

Ald. O'Mara moved that the minority report be accepted and adopted.

Ald. Prettyman moved as a substitute that the majority report be accepted and adopted.

Adopted as follows:

Yeas—Alds. Schairer, Wagner, Martin, Herz, Taylor, Prettyman, Kitson—7.

Nays—Alds. Snow, Fillmore, Ferguson, O'Mara, Manly, Pres. Watts—6.

On motion of Ald. Taylor, City Treasurer Beakes was allowed to address the council.

ON MAYOR'S APPOINTMENTS.

To the Common Council:

Your special committee to whom was referred the appointments of the Mayor, beg leave to report as follows:

1st. We would recommend that the appointments of Gottlob Luick, Warren E. Walker and Herman Krapf members of the Board of Building Inspectors; James E. Harkins, member of the Board of Fire Commissioners; Thomas J. Keech, member of Board of Public Works; George H. Pond, City Treasurer, be confirmed.

2nd. We recommend that the appointment of Paris Banfield as City Marshal, be referred back to the Council without recommendation.

Respectfully submitted,
WILLIAM HERZ,
A. P. FERGUSON,
WALTER L. TAYLOR,
H. G. PRETTYMAN,
W. G. SNOW,
Committee.

Ald. Wagner moved that the report be accepted and filed.

Ald. Manly moved as an amendment that the report be accepted and adopted.

Adopted as follows:

Yeas—Alds. Schairer, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts—12.

Nays—Ald. Wagner—1.

Ald. Prettyman moved that the appointment of Paris Banfield as city marshal be confirmed.

Lost as follows:

Yeas—Alds. Schairer, Wagner, Prettyman, Kitson, Pres. Watts—5.

Nays—Alds. Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly—8.

REPORT OF BOND COMMITTEE.

Chairman Prettyman reported that the bond committee had examined the bond of City Clerk Miller with David Rinsey and Moses Seabolt as sureties; and recommended its acceptance with the sureties named.

On motion the bond was approved as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

REPORTS OF CITY OFFICERS.

An opinion of the city attorney relative to the two gas ordinances passed April 5th, 1893, was read and Ald. Manly moved that the communication be laid on the table.

Adopted as follows :

Yeas—Alds. Schairer, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Pres. Watts—10.

Nays—Alds. Wagner, Prettyman, Kitson—3.

UNFINISHED BUSINESS.

Ald. Herz moved that the appointments of the mayor be now separately passed upon in their regular order as presented by the committee.

Adopted.

Ald. Ferguson moved that the appointment of Gottlob Luick as member of the board of building inspectors be confirmed.

Adopted as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

Ald. Ferguson moved that the appointment of Warren E. Walker as member of the board of building inspectors be confirmed.

Adopted as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

Ald. Martin moved that the appointment of Herman Krapf, as member of the board of building inspectors be confirmed.

Adopted as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

Ald. Herz moved that the appointment of James E. Harkins, as member of the board of fire commissioners be confirmed.

Adopted as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

Ald. Kitson moved that the appointment of Thomas J. Keech as member of the board of public works be confirmed.

Adopted as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

Ald. O'Mara moved that the appointment of Geo. H. Pond as city treasurer be confirmed.

Adopted as follows :

Yeas—Alds. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Kitson, Prettyman, Pres. Watts—13.

Nays—None.

By Ald. Taylor;

Resolved, That the salaries of the following city officers be fixed at the following prices for the coming year: City Clerk \$800, City Attorney \$300, City Treasurer \$100, City Marshal \$780, Patrolman \$600, City Assessor \$1,000, the same to be payable monthly.

Ald. Prettyman moved to amend by striking out the words "seven hundred and eighty dollars" relative to the City Marshals salary, and inserting in place thereof the words "one thousand dollars."

Ald. Wagner moved an amendment to the amendment by striking out the

words "seven hundred and eighty dollars" and inserting in place thereof the words "nine hundred dollars."

Which amendment to the amendment was lost as follows:

Yeas—Ald. Schairer, Wagner—2.

Nays—Ald. Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts—11.

The yeas and nays being called on Ald. Prettyman's amendment it was lost as follows:

Yeas—Ald. Schairer, Prettyman, Kitson—3.

Nays—Ald. Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Pres. Watts—10.

The yeas and nays being called on the original resolution, it prevailed as follows:

Yeas—Ald. Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Pres. Watts—9.

Nays—Ald. Schairer, Wagner, Prettyman, Kitson—4.

Ald. Prettyman explained his vote which explanation was on motion of Ald. Manly spread upon the records as follows: "On account of the inadequate salary of the City Marshal, I vote against the resolution."

MOTIONS AND RESOLUTIONS.

By Ald. Taylor:

Resolved, That Dr. Anna M. Flynn, be and is hereby appointed to the office of City Physician for the ensuing year.

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

Adopted as follows:

Yeas—Ald. Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Pres. Watts—7.

Nays—Ald. Schairer, Wagner, Taylor, Manly, Prettyman, Kitson.—6.

By Ald. Ferguson:

Resolved, That Dr. E. A. Clark be appointed by this Council as City Physician for the ensuing year at a salary of one hundred dollars per year.

Ald. Taylor moved to amend by inserting the name of Dr. Anna M.

Flynn in place of Dr. E. A. Clark. Declared out of order.

The resolution was then adopted as follows:

Yeas—Ald. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—13.

Nays—None.

By Ald. Taylor:

Resolved, That the bond of the City Treasurer be and is hereby fixed at eighty thousand dollars for the ensuing year.

Adopted as follows:

Yeas—Ald. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—13.

Nays—None.

By Ald. Ferguson:

Resolved, That the sum of \$45 be appropriated from the bridge, culvert and crosswalk fund for the purpose of building a stone crosswalk on Fourth avenue at the intersection of Detroit street.

Referred to sidewalk committee.

By Ald. Schairer:

Resolved, That \$50 be appropriated from the street fund for grading Monroe street, between Packard and State streets, the grading to be referred to the Board of Public Works.

Referred to street committee.

By Ald. Prettyman:

Resolved, That the matter of gas ordinances be referred to the ordinance committee.

Adopted.

By Ald. O'Mara:

Resolved, That the special committee on city building be directed to make arrangements with David Rinsey for the erection of a building suitable for city offices, as outlined in their report, and to report the contract in writing to this Council for confirmation.

Adopted as follows:

Yeas—Ald. Schairer, Wagner, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—12.

Nay—Ald. Herz.—1.

By Ald. Martin:

Resolved, That the Ann Arbor Street Railway Company is hereby ordered and required to forthwith fill in, repair and make reasonably safe the roadway between its tracks throughout the entire length of its road.

Adopted by a unanimous vote.

By Ald. Martin:

Resolved, That the question of the most feasible plan of constructing the lateral sewers and raising the money for the payment of the same, be referred to the sewer committee, with instructions to report at the next meeting, regular or special.

Adopted.

By Ald. Taylor:

Resolved, That the printing of the Council proceedings be let to the Courier and Argus at the same rate as heretofore, until new bids are received and acted upon.

Adopted as follows:

Yeas—Ald. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—13.

Nays—None.

By Ald. O'Mara:

Resolved, That the Board of Public Works are hereby directed to cause the sidewalk in front of the engine house built.

Adopted as follows:

Yeas—Ald. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—13.

Nays—None.

By Ald. Manly:

Resolved, That the Board of Health be authorized to procure the services of some suitable person to remove the garbage from the city, as in the communication of the Board of Health requesting it, until such time as the

Council can dispose of the subject matter.

Adopted as follows:

Yeas—Ald. Schairer, Martin, Snow, Fillmore, O'Mara, Ferguson, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—11.

Nays—Ald. Wagner, Herz.—2.

By Ald. Prettyman:

Resolved, That the bids for printing the Council proceedings for the ensuing year in both newspaper and pamphlet form be obtained by the city clerk and opened at the next meeting, regular or special, the bids to be by the 1,000 ems and the bids for the pamphlets to be by the page.

Adopted as follows:

Yeas—Ald. Schairer, Wagner, Herz, Martin, Snow, Fillmore, O'Mara, Taylor, Manly, Prettyman, Kitson, Pres. Watts.—12.

Nays—Ald. Ferguson.—1.

By Ald. Manly:

Resolved, That a committee of six, one from each ward, be appointed to meet with the soldiers' relief commission at some day to be called by the chairman of the relief commission.

Adopted.

Ald. Martin stated that Mr. F. C. Twitchell, state agent for the Chicago rock breaking machine, was present and he would like to address the Council upon the merits of his machine.

On motion of Ald. Prettyman, Mr. Twitchell was granted the floor.

Ald. Kitson moved that when we adjourn we adjourn to meet Tuesday, May 23, 1893, at the usual time.

Adopted.

On motion the Council adjourned.

W. J. MILLER,
City Clerk.