

COUNCIL CHAMBER,
Ann Arbor, Nov. 21st, 1898. }

Regular session.

Called to order by Pres. Luick.

Roll called. Quorum present.

Absent—Ald. Exinger, Vandawaker
Spathelf.

PETITIONS AND COMMUNICATIONS.

To the Common Council:

The Board of Public Works presents the estimate of the Engineer for completed work on the Washington Street Storm Sewer.

Respectfully submitted,
Glen V. Mills,
City Clerk.

ENGINEER'S ESTIMATE.

Storm Sewer on Washington Street.

124 ft. 24 in. pipe at 36c per ft.....	\$ 44 64
502 ft. 20 in. pipe at 27c per ft.....	135 54
36 ft. 18 in. pipe at 28c per ft.....	8 28
18 ft. 15 in. pipe at 18c per ft.....	3 24
234 ft. 12 in. pipe at 14c per ft.....	32 76
548 ft. 10 in. pipe at 12c per ft.....	65 76
816 ft. excav. and backfil at 43c per ft....	350 88
644 ft. excav. and backfil at 25c per ft....	161 00
4 manholes at \$26.00 each.....	104 00
4 catchbasins at \$25.00 each.....	100 00
1 catchbasin at \$28.00.....	28 00
9 inlets at \$14.00 each.....	126 00
Total estimate.....	\$1,160 10
Extra masonry on inlets.....	3 25
Total.....	\$1,163 35
Less 2 hours for roller at 50c.....	\$ 1 00
Less 5 per cent. for one year.....	58 16
	59 16
Amount due contractor.....	\$1,104 19

Geo. F. Key,
City Engineer.

Ald. Sweet moved to suspend rule 21 for this session.

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell, Cady, Stevens, Pres. Luick—12.

Nays—None.

Ald. Sweet moved that estimate be allowed.

Ald. Coon moved as an amendment that the estimate be laid over until next session.

Lost as follows:

Yeas—Ald. Hamilton, Coon, Stevens—3.

Nays—Ald. Richards, Koch, Dieterle, Sweet, Brown, Weeks, Howell, Cady, Pres. Luick—9

Whereupon the motion of Ald. Sweet was:

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks,

Coon, Howell, Cady, Stevens, Pres. Luick—12.

Nays—None.

To the Common Council:

The Board of Public Works to whom was referred the petition of Eugene Oesterlin relative to an assignment of Sharp & Schultz of their claim against the City of Ann Arbor would refer the opinion of the City Attorney to your honorable body, and acting upon such opinion would recommend that the sum of \$395.00 be allowed Mr. Eugene Oesterlin assignee of Sharp & Schultz.

Respectfully submitted,
Glen V. Mills,
Clerk of the Board of Public Works.

To the Honorable Board of Public Works of the City of Ann Arbor:

Gentlemen:

I am requested to put in writing my opinion relative to the duty of the city respecting certain claims filed with the city clerk for the balance due on the contract with Sharp & Schultz for the construction of the lateral sewer in district number five.

I think it is the duty of the city to apply the balance due under said contract to the payment of the claims of persons holding assignments from Sharp & Schultz of any portion of said balance due in the order of notification thereof to the city.

The city should be careful to discriminate between assignments and orders. Among all the papers submitted to me I find but one assignment. That is of the sum of three hundred ninety-five dollars assigned to Abram Beck and by him assigned to Eugene Oesterlin.

If there is money remaining of said balance due after the payment of this assignment it may be applied to the payment of orders in the order of filing with the city clerk.

The fact that the man Beck mentioned in the assignment may have claimed to be a partner with Sharp & Schultz does not affect the assignment.

Persons who furnished labor or material for the construction of said lateral sewer and have not received their pay from the contractors have a right of action by virtue of the bond in the hands of the city against Henry McMorran and R. C. Wargowsky as sureties.

Dated Ann Arbor, Mice., Nov. 21st, 1898.

Respectfully submitted,
O. E. Butterfield,
City Attorney.

Ald. Kock moved that the recommendation of the Board be concurred in by the council.

Ald. Brown moved as a substitute that the City Attorney be directed to file a bill of interpleader in the case.

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Sweet, Brown, Weeks, Howell, Stevens, Pres. Luick—8.

Nays—Ald. Koch, Dieterle, Coon, Cady—4.

A petition signed by F. W. Bigalke, and 9 others asking for the pavement of an alley was read and referred to the Street Committee.

A petition signed by Martin M. Seabolt, and 14 others asking for a storm sewer on Huron st. was read and referred to the Sewer Committee.

BIDS FOR BONDS.

Dennison, Prior & Co., par.

Trowbridge, McDonald, & Nivar Co. \$130, premium.

W. J. Hayes & Sons (If not optional), \$699 (informal).

Aura Miller, on \$10,000, par.

S. A. Keen, \$83.64, premium.

Farmers and Mechanics Bank, \$405, premium.

Ald Hamilton moved that the bid of the Farmers and Mechanics Bank be accepted.

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell, Cady, Stevens, Pres Luick—12.

Nays—None.

ORDINANCES.

Chairman Cady presented an ordinance to amend an ordinance entitled "An ordinance relative to Street Paving" passed by the Common Council the 7th day of July, 1897, and approved the 12th day of July, 1897," for its third reading.

Ald. Brown moved that the reading be postponed for one month.

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell, Cady, Stevens, Pres. Luick—12.

Nays—None.

Chairman Cady presented an ordinance entitled "An Ordinance to amend an Ordinance Relative to Licenses approved July 15th, 1891,

as amended by an Ordinance approved February 15th, 1895, as amended by an Ordinance approved March 17th, 1896," which was given its first reading by title.

Ald. Brown moved that the ordinance be given its second reading.

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell, Cady, Stevens, Pres. Luick—12.

Nays—None.

Whereupon the ordinance was given its second reading by sections.

BILL OF ELECTION EXPENSES.

F. M. Hamilton, Inspector.....	\$21 00
Henry Richards ".....	21 00
Henry S. Deau ".....	18 00
W. H. Butler, Clerk.....	5 00
Claude J. Price ".....	5 00
Patrick O'Brien, Gateman.....	4 00
Thomas Taylor ".....	4 00
Portland Cafe, Meals.....	7 00
Fred Schmid, Trustee, Rent.....	29 00
John Koch, Inspector.....	21 00
Simon Dieterle ".....	21 00
Sid W. Millard ".....	18 00
A. C. Schumacher, Clerk.....	5 00
Eugene Oesterlin ".....	5 00
John Eiting, Gateman.....	4 00
Gustave Waiter ".....	4 00
Sid W. Millard, Rent.....	10 00
Benz Bros, Rent.....	10 00
American Hotel, Meals.....	9 00
George W. Sweet, Inspector.....	21 00
Henry C. Exinger, ".....	21 00
J. J. Fischer, ".....	18 00
Wm. A. Clark, Clerk.....	5 00
George B. Schwab ".....	5 00
George W. Fields, Gateman.....	4 00
Edward Ross, Gateman.....	4 00
Manly Restaurant, Meals.....	14 50
M. Davenport, Janitor.....	3 00
Arthur Brown, Inspector.....	15 00
H. J. Brown, ".....	6 00
Frank Vandawarker, Inspector.....	21 00
H. Krapp, Inspector.....	18 00
George Vandawarker, Clerk.....	5 00
George Wh tman, ".....	5 00
Adolph Kemper, Gateman.....	4 00
John Forchue, ".....	4 00
Hugh Johnson, Meals.....	7 50
James Boyle, Inspector.....	18 00
George Spathel, Jr., Inspector.....	21 00
George W. Weeks ".....	21 00
Wm Seerey, Clerk.....	5 00
John Shadford, ".....	5 00
Johnson, Gateman.....	4 00
N. Felch, ".....	4 00
Emmet Coon, Inspector.....	21 00
Charles Howell, ".....	21 00
A. J. Kitson ".....	18 00
H. G. Prettyman, Clerk.....	5 00
Francis M. Bain, ".....	5 00
Channing Smith, Gateman.....	4 00
Samuel Gregory, ".....	4 00
Wm. James, Meals.....	14 00
Fred Weinber, Rent.....	21 00
C Homer Cady, Inspector.....	21 00
Alonso B Stevens ".....	21 00
G. Frank Allmendinger, Inspector.....	18 00
Fred H. Belsor, Clerk.....	5 00
E. H. Scott, ".....	5 00
O. H. Gage, Gateman.....	4 00
Peter Hines ".....	4 00

Total.....\$691 00

Ald. Brown moved that the bills be allowed.

Adopted as follows:

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell, Cady, Stevens, Pres. Luick—12.

Nays—None.

RESOLUTIONS.

By Ald. Brown.

Whereas, this Council at its last regular session having ordered a certain street to be laid out and established within the limits of the city, between North Division and North State streets and over the lands of L. Gruner, Esq.

Therefore be it resolved that the President do appoint a committee of three members of this council, who are directed to obtain the terms and conditions upon which a release of the right of way for such street can be acquired, also a statement of the damages accruing to all persons from the establishment of such street: the release of such right of way and of all

such damage to be acquired by gift, purchase, compromise or otherwise.

That such Committee do report the result of their negotiations to this council with all convenient dispatch.

Adopted as follows;

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell, Cady, Stevens, Pres. Luick—12.

Nays—None.

President Luick appointed Ald. Brown, Cady, and Koch, as such committee.

By Ald. Coon.

Resolved, that Superintendent of the Poor Sibly be requested to procure itemized bills for all supplies furnished on his orders, and present the same with his report to the council.

Yeas—Ald. Hamilton, Richards, Koch, Dieterle, Sweet, Brown, Weeks, Coon, Howell Cady, Stevens, Pres. Luick—12.

Nays—None.

On motion the Council adjourned.

GLEN V. MILLS, City Clerk.