

Council Chamber,
Ann Arbor, Mich., March 13, 1905.
Adjourned Regular Session.

Meeting called to order by President Walz.

Present — Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer, Pres. Walz—11.

Absent—Ald. Miller, Hutzel, Coon, Robinson—4.

Communications and Petitions.

Meeting of Special Committee on Fire Protection.

March 8th, 1905.

Dr. Copeland moved that the committee request the common council to authorize it to employ from time to time such legal assistance as may be deemed necessary short of actual procedure in court at an expense not to exceed \$500. Adopted as follows: Yeas—Ald. Douglas, Kearns, Markey, Fischer, Messrs. Dean, Ohlinger, Wilgus, Davis, Copeland, and Pres. Coon—10. Nays—None.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer—9.

Nays—Ald. Schlenker, Pres. Walz—2.

Petition of D. A. Tinker et al for electric light on corner Willard and Church streets referred to light committee.

Finance Committee.

By Ald. Douglas—

Resolved that the following bills be allowed and warrants drawn for same: Frank Mason, salary, \$35 (street fund); Mrs. Green, rent \$5 (contingent fund); Washtenaw Light & Power Co., \$861.95 (street lighting fund); L. D. Grote \$9, (cemetery fund).

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer, Pres. Walz—11.

Nays—None.

City Engineer Groves presented statement showing balance due Len-

nane Bros. for paving Liberty street and Fourth avenue to be: Liberty street, paving district No. 7, \$1289.75, Fourth avenue, paving district No. 8, \$263.04.

Ald. Kearns moved that statement of engineer be accepted and warrants be drawn in favor of Lennane Bros. for amount due them.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer, Pres. Walz—11.

Nays—None.

Special Order.

Act amending the charter of the City of Ann Arbor presented by Ald. Fischer.

AN ACT to amend sections sixty-nine, one hundred thirty-six, one hundred thirty-seven, one hundred seventy-one, of act number three hundred thirty-one of the local acts of Michigan, of 1889, entitled "An Act to reincorporate the City of Ann Arbor, revise the charter of said city and repeal all conflicting acts relating thereto," approved March fifteenth, eighteen hundred and eighty-nine as amended and revised by the several acts amendatory and revisionary thereof, and to add twelve new sections to be known as sections one hundred eighteen a, one hundred eighteen b, one hundred eighteen c, one hundred eighteen d, one hundred eighteen e, one hundred eighteen f, one hundred eighteen g, one hundred eighteen h, one hundred eighteen i, one hundred eighteen j, one hundred eighteen k, and section one hundred twenty-four a.

The People of the State of Michigan enact;

Section 1. That section sixty-nine, one hundred thirty-six, one hundred thirty-seven and one hundred seventy-one of an act entitled "An Act to reincorporate the City of Ann Arbor, revise the charter of the said city and repeal all conflicting acts relating thereto," being act three hundred

thirty-one of the local acts of Michigan of 1889, approved March 15th, 1889, as amended and revised by the several acts amendatory and revisionary thereof, be and the same are hereby amended and that there shall be added thereto twelve new sections to be known as sections one hundred eighteen a, one hundred eighteen b, one hundred eighteen c, one hundred eighteen d, one hundred eighteen e, one hundred eighteen f, one hundred eighteen g, one hundred eighteen h, one hundred eighteen i, one hundred eighteen j, one hundred eighteen k, and section one hundred twenty for a.

Section 69. The officers of said corporation shall be entitled to receive out of the city treasury the following sums in full payment of their services: The mayor shall be paid one dollar per annum; city clerk shall receive one thousand five hundred dollars per annum, which shall be in full for his services as well as the services of a deputy, of clerk hire, or other assistance required in the performance of the duties of his office; the city attorney shall receive six hundred dollars per annum; the treasurer shall be entitled to receive such sum as the common council shall allow, not exceeding one hundred dollars per annum. Provided, That the said treasurer shall be entitled to receive, in addition to such salary the fees hereinafter provided for collecting the taxes to be levied and collected in the said city. The marshal shall be entitled to receive such compensation not exceeding eight, three and thirty three one hundredths dollars per month, as the common council shall allow; the assessor shall receive one thousand five hundred dollars per annum; the justices of the peace and the constables shall be allowed the same fees as are by law allowed to corresponding township officers; supervisors and all other officers of said city shall be entitled to receive such compensation as the common council shall allow, not exceeding two dollars per day for every day actually employed in the perform-

ance of the duties of their respective offices; Provided further, That the common council may increase the compensation of any officer when ever authorized thereto by majority vote of the qualified electors of the said city voting at any annual charter election, ten days notice having been given of the proposed increase.

Section 118a. All real estate now owned by the City of Ann Arbor and dedicated to park purposes, including all properties, buildings and improvements of every kind connected therewith, together with all property that may hereafter be acquired for park purposes, and all lawn extensions and shade trees, shall be under the exclusive control of five commissioners who shall be electors and actual residents of the said city and shall be known and designated as "The Board of Park Commissioners of the City of Ann Arbor."

Section 118b. The members of said board shall be appointed by the mayor of said city on the first Monday in May of each year, or within a reasonable time thereafter, and in accordance with the provisions of section thirty-one of the Charter of said city, relative to appointments by the mayor; the full term of each member shall be five years, from the first Monday in May of the year in which he may be appointed and until his successor is appointed and qualified, except as hereinafter specially provided. Whenever the term of office of any member shall expire, his successor shall be appointed by the mayor, as herein provided, and his term of office shall date from the expiration of the term of office of the member whom he succeeds. The members of the said board shall devote all the time necessary to a proper discharge of the duties of their offices, and shall serve without pay. At the first meeting of the said board after the first Monday in May of each year the member whose term of office shall soonest expire shall be president of the board for that year.

Section 118c. Immediately after

this act shall take effect the mayor of said city shall appoint five members of said board who shall serve as follows: one until the first Monday in May, 1906, and until his successor is appointed and qualified, one until the first Monday in May, 1907, and until his successor is appointed and qualified, one until the first Monday in May, 1908, and until his successor is appointed and qualified, one until the first Monday in May, 1909, and until his successor is appointed and qualified, and one until the first Monday in May, 1910, and until his successor is appointed and qualified.

Section 118d. The common council shall provide an appropriation in its annual budget for the year, 1905, for the care, maintenance, improvements or extensions of parks. It shall be the duty of said board to prepare and submit to this common council for its ratification or amendment, on or before the first Monday in June, each year, estimates for the care, maintenance, improvements or extensions of the said parks. Such estimates shall specify in detail the objects of the expenditures, the sum desired for each and any special reasons the board may have for desiring the same. The amount of money which the common council shall determine by resolution to be necessary shall be certified by the city clerk to the city assessor with the other amounts determined to be raised by tax for the city streets, sewers, and other purposes in accordance with the provisions of the charter of the City of Ann Arbor.

Section 118e. The said board shall pay to the city treasurer all moneys received from any source relating to said parks, who shall receive such money and place the same in a fund to be called the park fund. All expenses incurred by the board on account of parks shall be passed upon by it, certified to by the president thereof, and filed with the city clerk who shall certify the same to the common council for payment, and in case the matter of expense involved is included in the annual budget, herein

provided for, the common council shall order the payment of the same. In case the matter of expense is not therein included the common council shall take such action in relation thereto as it may deem proper.

Section 118f. No debt or liability of any kind shall be created by said board on account of parks in excess of the annual budget and money in said park fund unless specially authorized so to do by the majority elect of the common council. The said board may accept donations or bequests of money or property which shall be used for the maintenance and improvements of said parks as contemplated by such donation or bequest.

Section 118g. Said board shall have power to engage or appoint all employees on the parks and fix their compensation. It shall have power to appoint a superintendent of parks who shall not be a member of said board, and fix his salary. Such superintendent shall hold his position during the pleasure of said board.

Section 118h. Said board shall have exclusive control over all improvements in any of the said parks; also the construction of all buildings and the maintenance thereof within said parks, and the care and trimming of all shade trees within said city.

Section 118i. The said board may make all needful rules and regulations for the management, maintenance and care of parks and regulate their use; and the common council of said city may provide ordinances for the observation of the same; and may also, in like manner, provide for the observation and enforcement of any other rules and regulations duly made by the said board, under any provisions of this act; and said common council may by ordinance provide for the preservation and protection of the parks and any of the property in charge of said board against any destruction or injury, and prevent the destruction or injury to or taking of any trees, shrubs, plants, flowers or other things

set out, planted or used by the said board in benefitting, improving or ornamenting the said parks and prevent any disorder or disturbance on or about said parks or any encroachment thereon or any interference with the quiet and peaceful use and enjoyment of the same, for the purposes for which the same are established and maintained. The said ordinances may provide for the punishment of any breach or violation of any of their provisions by like penalty provided for violation of ordinances of the said city.

Section 118j. The said board shall classify the various works under its control, and keep an accurate account of the cost of each, and of the amounts expended for construction, repairs, superintendence and salaries of employees, and, also, detailed accounts of all other matters under its charge and control, and upon the second Monday in May in the year, 1906, and on the second Monday in May, in every year thereafter, and oftener if required by the common council, shall submit to it a statement, showing in detail, the progress and condition of all the public improvements commenced or carried forward by said board; the character and amounts of all contracts made by the board; the moneys earned and paid thereon and all other information necessary to the full understanding of the business conducted by said board.

Section 118k. The city engineer shall perform such services as may be required of him by the said board; the city attorney shall be the legal adviser of said board and the city clerk shall be the clerk of said board.

Section 124a. Whenever the parties owning a majority of the property in any proposed storm sewer district shall petition the common council to construct storm sewers in said district, it may order the improvement made and assess the whole or any part of the cost of the same against the property in said district included in the petition, and all proceedings

for the construction of said storm sewers shall be the same as that for the construction of lateral sewers in said city.

Section 136. Said board of public works shall, after the said public improvements have been first duly ordered by the common council, have supervision and charge of the construction and repair of all sidewalks, cellars under sidewalks, crosswalks, culverts, bridges, platforms, fountains, and reservoirs; the construction, repair and extension of all the main and lateral sewers and drains; the erection, alteration and repair of all engine houses, police station, city halls, and other public buildings of every description in said city, except school houses and buildings for water works; the digging and cleaning of ditches and gutters; the cleaning, repairing, grading, planking, graveling or covering with other material of all streets and alleys; and shall in addition thereto, exercise such other power and perform such other duties in the superintendence, construction and care of public works and improvements as the common council may from time to time by ordinance direct. Said board of public works may recommend a change of grades for streets, alleys, lanes, and sidewalks to the common council, but shall make no change in the established grades of any streets, alleys, lanes, gutters, or sidewalks of the city without the consent of the common council, made in pursuance of an ordinance of the city establishing all said grades. All plats or additions to the city shall be first submitted to the board of public works for its approval before the same are recorded.

Section 137. Whenever the common council of the said city shall have decided upon the making of any public improvement, it shall so declare by resolution and shall refer the matter to the board of public works and such other board or boards as may be interested therein, and said board or boards, with all convenient

dispatch, shall determine as to the particular kind of materials to be used thereon, and estimate, in detail the quantity of materials, the probable cost and expense of such work and of the materials, and make a record thereof in their office, and cause to be prepared, so far as necessary, plans and specifications for such work or improvement, and report the determination and estimate to the common council. When such plans and specifications have been submitted to the common council, and approved by it, the said board of public works shall, except in the case of cleaning the ditches and gutters and the repair of streets and sidewalks, advertise for proposals for furnishing of materials and for the performance of such work; and may require all bidders to furnish security for the performance of any contract awarded to them; and all bids submitted to said board shall be publicly opened by it, and, as soon thereafter as may be, reported by the said board to the common council together with its recommendation in respect thereof; and no contract shall be let by the said board until duly authorized by the common council. Said board shall have the right to reject any and all bids made and in case all bids are rejected, the board may then advertise a second time or perform such work and furnish the materials itself. And if the board shall decide to perform such work and furnish the materials it shall be the duty of the board to communicate in writing to the common council, at its earliest opportunity, its determination so to do; and after the completion of such work, at its earliest opportunity, the board shall make an itemized report in writing to the common council of all money expended by it in the prosecution of such work, and the purchase of such material, stating therein for what particular purpose said money was expended. No expenditures for any purpose exceeding twenty-five dollars shall be made by the said board ex-

cept by consent of the common council.

Section 171. The common council shall have authority to assess, levy, and collect taxes on all the real and personal estate taxable in said city, which tax shall be and remain a lien upon the property so assessed until the same shall be paid: Provided, that the aggregate amount which the council may raise by general tax upon the taxable real and personal property for the purpose for which the several general funds are hereinafter constituted shall not, except as herein otherwise provided, exceed in any one year three-fourths of one per cent on the assessed value of all the real, and personal property in the city made taxable by law: And Provided Further, that nothing herein contained shall be so construed as to prohibit the common council of said city from regulating by tax or otherwise the business of dealing in malt, spirituous or intoxicating liquors.

By Ald. Schlenker—

Resolved that the charter amendments submitted by the special charter committee and city attorney be concurred in by this council and that they be requested to go to Lansing and secure the passage of a bill by the legislature for the same.

Resolved, further, that our representative, Hon. J. E. Beal, and our senator, Hon. A. J. Peck, be requested to render the committee their kindly assistance in securing the speedy passage of said bill and have same given immediate effect.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Marke, Bangs, Sleek, Golyear, Fischer, Pres. Walz—11.

Nays—None.

Resolutions.

By Ald. Marke.—

Resolved that the council ask the legislature to pass an act to enable the city of Ann Arbor to raise \$100,000 by issuing bonds for the purpose of building a garbage plant.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer, Pres. Walz.—11.

Nays—None.

By Ald. Bangs:

Resolved, That the annual charter election in the city of Ann Arbor to be held on the first Monday in April next, be and is hereby appointed to be held in the several wards of the city at places as follows:

First Ward, at Schmid store, 300 East Washington street.

Second Ward, at Second Ward city building.

Third Ward, at Maynard store, 123 East Ann street.

Fourth Ward, at Firemen's Hall.

Fifth Ward, at Fifth Ward engine house.

Sixth Ward, at Sixth Ward engine house.

Seventh Ward, at Weinberg's shop.

Resolved further, That the city clerk do give notice of said election pursuant to law.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer, Pres. Walz.—11.

Nays—None.

By Ald. Gill—

Resolved, and it is hereby ordered, That the city clerk do give in all of the Wards the usual notice of the meeting of the Board of Registration preceding the next charter election.

That the said Boards of Registration do meet in the several wards at the following places:

First Ward, at O. M. Martin's office.

Second Ward, at the Second Ward city building.

Third Ward, at Council Chambers.

Fourth Ward, at Firemen's Hall.

Fifth Ward, at Fifth Ward engine house.

Sixth Ward, at Sixth Ward engine house.

Seventh Ward, at Fischer's store, 701 Packard street.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker,

Kearns, Schumacher, Markey, Bangs, Sherk, Goodyear, Fischer, Pres. Walz.—11.

Nays—None.

Report of City Officers.

TREASURER'S REPORT.

For Month Ending February 28 1905

MONEY RECEIVED.

Contingent Fund.		
From City Clerk, Adrian & A. A. Electric.....	50 00	
Peddler's licenses.....	2 50	
City Clerk, City Scales.....	2 40	
Transfer from Labor Acct. Paving No. 3.....	436 95	491 85
Cemetery Fund		
From City Clerk.....		10 00
Sidewalk Building Fund		
From City Clerk.....	2 25	
Tax collected in February.....	413 81	416 60
Uncollected City Tax Fund		
City Tax collected in February.....		2,219 35
Back Taxes, Beck estate.....		169 00
Rejected Tax Fund		
Rejected tax collected in February....		60 42
Park Fund		
Transfer from contingent fund.....		300 00
Sidewalk Fund		
Transfer from bridge, crosswalk and culvert fund.....		100 00
Total.....		3,967 98
On hand Feb. 1, 1905.....		19, 02 25
		<hr/>
		2, 10 21

Expenditures.....

	4, 09 58	
On hand March 1.....		18, 40 83

DISBURSED, WARRANTS PAID.

Bridge, culvert & crosswalk fund, Transf.	100 00	
Contingent Fund,	1,07 96	
Contingent Fund (transfer)	57 56	
Dog License Fund,	50	
Delinquent Tax fund	6 05	
Fire Fund,	814 26	
Poor Fund,	1 2 34	
Police Fund,	368 88	
Street Fund,	250 58	
Water Fund	198 62	
Street Lighting Fund,	1,005 02	
Total,		4, 09 58

CONDITION OF CITY FUNDS, MAR. 1, 1905

	On Hand	Or drawn.
Bridge, Culvert and Cross-walk Fund,	\$4,939 51	
Contingent Fund,	6,178 62	
City Cemetery Fund,	112 05	
State Dog Tax Fund,	100 00	
Delinquent Tax Fund,	161 45	
Fire Fund,	1, 09 31	
Poor Fund,	214 84	
Police Fund	749 12	
Street Fund,	2,145 09	
Uncollected City Tax Fund,		2,831 07
Water Fund,	4,178 42	
Storm Sewer Fund,	15 55	
Rejected Tax Fund,		53 21
Park Fund,	3 81	
Street Lighting Fund,	2,100 82	
Sidewalk Fund,	62 55	
Sidewalk Building Fund,		1,004 33
Total,	\$22, 59 44	\$ 888 61
Balance on hand.....		17, 30 83

PAVING FUNDS.

Tax Account Paving District No. 4,	\$157 41
Tax Account Paving District No. 5,	198 70
Tax Account Paving District No. 6,	6 12
Tax Account Paving District No. 7,	121 47
Tax Account Paving District No. 8,	80 66
Transfers	
Tax Account Paving District No. 3	
From labor account district No. 3.....	81 70
Labor Account Paving District No. 4	
From contingent fund.....	85 06
Tax Account Paving District No. 5	
From labor account No. 5.....	50
Tax Account Paving District No. 6	
From labor account No. 6.....	7 50
Total,	\$ 739 12
On hand February 1, 1905 .	\$17,859 97

Expenditures.....	18,599 09
	526 65

On hand March 1, 1905..... 18,072 44

DISBURSED, WARRANTS PAID

Tax account Paving District No. 3.....	\$ 518 65
Labor account Paving District No. 5.....	50
Labor account Paving District No. 6.....	7 50

Total 536 65

Condition of Paving Funds on the 1st day of March, 1905.

	On hand	Over drawn
Tax Acc't Paving Dis. No. 4,	4,916 16	
Tax Acc't Paving Dis. No. 5,	4,899 76	
Tax Acc't Paving Dis. No. 6,	851 89	
Tax Acc't Paving Dis. No. 7,	5,376 41	
Lab. Acc't Paving Dis. No. 8,	1,050 95	
Tax Acc't Paving Dis. No. 8,	672 73	
Lab. Acc't Paving Dis. No. 8,	524 54	

Total, \$18,072 94

LATERAL SEWER FUNDS.

Treasurer's Report Month ending Feb. 28, 1905.	
Tax Account Lateral Sewer No. 9.....	12 86
Tax Account Lateral Sewer No. 10.....	63 01
Tax Account Lateral Sewer No. 11.....	6 40
Tax Account Lateral Sewer No. 12.....	14 91
Tax Account Lateral Sewer No. 13.....	70 35

Transfers	
Tax Account Lateral Sewer No. 8	
From contingent fund.....	\$ 22 85
Labor Account Lateral Sewer No. 9	
From labor account sewer No. 10.....	159 60
Tax Account Lateral Sewer No. 9	
From labor account sewer No. 9.....	9 30
Tax Account Lateral Sewer No. 10	
From labor account sewer No. 10.....	3 04
Labor Account Lateral Sewer No. 10	
From contingent fund.....	139 45
Total.....	701 77

Disbursed, Warrants Paid

Labor Account Lateral Sewer No. 9.....	9 30
Labor Account Lateral Sewer No. 10.....	362 64

Total 371 94

Overdrawn Feb. 1..... 3,470 62

Receipts..... 3,842 56

Overdrawn March 1..... 3,140 79

Condition of Sewer Funds on the 1st day of March, 1905.

	On Hand	Over drawn
Tax Acc't Lat. S'r No. 9,		149 13
Lab. Acc't Lat. S'r No. 9,		103 17

Tax Acc't Lat. S'r No. 10,	\$ 141 58	
Tax Acc't Lat. S'r No. 11,	654 63	
Lab. Acc't Lat. S'r No. 11,		292 33
Tax Acc't Lat. S'r No. 12,	1046 06	
Lab. Acc't Lat. S'r No. 12,		937 37
Tax Acc't Lat. S'r No. 13,	1,277 17	
Lab. Acc't Lat. S'r No. 13,		4,773 18
Total	\$3,119 44	\$6,260 23
Balance Overdraft.		3,140 79

STATE, COUNTY AND SCHOOL FUNDS

State Tax	
Collected in February.....	\$ 3,745 42
County Tax	
Collected in February.....	2,602 53
School Tax	
Collected in February.....	10,652 44

Total	17,000 39
On Hand Feb. 1.....	21,108 07

Expenditures.....	38,108 46
	10,000 00

On hand March 1..... 28,108 46

Condition of State, County and School Funds on the 1st Day of March, 1905.

DISBURSED, WARRANTS PAID.

	Amount	On Hand
State Tax paid Treasurer		\$ 5,148 24
County Tax " Treasurer		5,895 09
School Tax " Treasurer	10,000 00	17,065 13
Total.....	10,000 00	28,108 46

Ann Arbor, Mich., March 3, 1905.

To Whom It May Concern:

This is to certify that S. W. Beakes as Treasurer of the City of Ann Arbor had on deposit March 1st, 1905, in the Farmers' & Mechanics' Bank, the sum of fifty-five thousand, seven hundred forty-eight dollars and forty-five cents (\$55748.45).

Signed, H. A. WILLIAMS,
Assistant Cashier.

On Hand—City Funds,	\$18,460 83
Paving Funds,	18,072 94
	\$36,533 77
Overdrawn—Sewer Funds,	3,140 79
	33,392 98
State, Co. and School Funds.....	28,108 46
Total	61,501 44
Bonds paid March 1 and taken out of bank. Statement by cashier.....	5,737 06
Cash in bank.....	55,764 38
Treasurer's fees.....	15 93

Bank Balance, \$55,748 45

Respectfully Submitted,

S. W. BEAKES, Treas.

Report of city treasurer, marshal and clerk received, accepted and ordered on file.

By Ald. Fisher:

Resolved, That \$100.00 be appropri-

COUNCIL PROCEEDINGS.

ated to finish laying tile on South State street.

Adopted as follows:

Yeas—Ald. Gill, Douglas, Schlenker, Kearns, Schumacher, Markey,

Bangs, Sherk, Goodyear, Fischer, Pres. Walz.—11.

Nays—None.

On motion the Council adjourned.

ROSS GRANGER, Clerk.