

Council Chamber,
Ann Arbor, Mich., Oct. 2, 1905.

Regular Session.

Meeting called to order by Pres. Gilmore.

Present, Ald. Blair, Gill, Schlenker, Kurtz, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Absent, Ald. St. James, Kearns—2.

Minutes of previous meeting approved.

Communications and Petitions.

Communications and recommendations from the board of public works in form of resolutions received as follows:

Resolved, That the council be requested to grant this board permission to paint the city house and office building at the city yards and woodwork on the Second ward building.

Moved by Ald. Fischer and supported by Ald. Schlenker that recommendation of board of public works be concurred in and \$50 be and is hereby appropriated to be used in refinishing council chamber.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Nays—None.

Bids for the construction of Lateral Sewer No. 15 were opened and the following resolution offered:

By Mr. Nichols:

Resolved, That inasmuch as E. L. Schneider is the lowest bidder for the construction of lateral sewer in Lateral Sewer District No. 15, we recommend that the contract be awarded to him and the matter of bond be referred to the city attorney. Adopted by the board and concurred in by the council by the following vote:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Nays—None.

Bids for collecting and taking care of garbage and rubbish according to the ordinance governing same received and following resolution offered:

By Mr. McIntyre:

Resolved, That inasmuch as Mr.

J. W. Broakaw is the lowest bidder for collecting garbage and rubbish in the city according to plans furnished by the city engineer and the ordinance relative thereto, this board recommend the acceptance of his bid to the common council. Adopted by the board and following resolution offered:

By Ald. Fischer:

Resolved, That the recommendation of the board of public works relative to collecting of rubbish and garbage be concurred in subject to bond decided on by the council.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Nays—None.

Moved by Ald. Fischer, supported by Ald. Coon that amount of bond for faithful performance of contract in collecting and taking care of garbage and rubbish be fixed at \$500.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Nays—None.

Petition of John Maulbetsch relative to return of license money received and referred to the license committee.

Enter Ald. Kearns.

Committee Reports.

Finance.

Ann Arbor, Mich., Oct. 1, 1905.

To the Honorable the Common Council:

Gentlemen—Your committee on finance have had the following bills under consideration and would recommend their approval and that warrants be drawn for same.

EMMET COON,

GEO H. FISCHER,

WM. GOODYEAR,

Committee.

CONTINGENT.

George Sample, salary	8.23
M. E. Easterly, salary	20.00
Marvin Davinport, salary	6.25
Frank Stivers, salary	50.00
E. L. Seyler, salary	125.00
Ross Granger, salary	125.00
Ed. Groves, salary	100.00
John Wisner, salary	83.00

Frank Mason, salary	35.00
Mrs. C. A. Green, rent	37.50
Wm. McIntyre, labor	50.00
George Wahr, supplies	17.60
Robert A. Rayer, supplies	3.00
Russell Wheel & Foundry Co.	26.18
Polhemus Transfer Line, car-	
riages	5.25
The Athens Press, printing ..	5.75
Washtenaw Post, printing ...	2.90
Ann Arbor Argus, printing ...	79.63
Ann Arbor Times, printing ...	89.19
Ald. Wm. Blair, services on	
board of review	2.00
Ald. C. Schlenker, services on	
board of review	2.00
Ald. Louis Kurtz, services on	
board of review	2.00
Ald. R. Kearns, Jr., services	
on board of review	2.00
Ald. C. L. Miller, services on	
board of review	2.00
Ald. J. W. Markey, services on	
board of review	2.00
Ald. B. St. James, services on	
board of review	2.00
Ald. I. L. Sherk, services on	
board of review	2.00
Ald. E. B. Manwaring, services	
on board of review	2.00
Ald. E. Coon, services on	
board of review	2.00
Ald. Wm. Goodyear, services	
on board of review	2.00
Ald. G. H. Fischer, services on	
board of review	2.00
Pres. E. S. Gilmore, services	
on board of review	2.00

\$895.58

CEMETERY FUND.

L. D. Grose, salary	\$29.16
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\$29.16

DOG FUND.

Sam Smith, burying two cats	\$1.00
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\$1.00

FIRE FUND.

Fred Siple, salary	\$72.00
C. A. Edwards, salary	66.00
W. H. McLaren, salary	60.00
Max Wittlinger, salary	60.00
Eugene Williams, salary	60.00
Herman Kirn, salary	60.00
Fred Nordman, salary	60.00
Chas. Andrews, salary	60.00
Ralph Edwards, salary	60.00
Dean Seabolt, salary	50.00
Wm. Rettich, salary	50.00

T. M. O'Brien, salary	50.00
Chas. Carroll, salary	30.00
H. B. Walters, hay	37.39
C. A. Sauer & Co., building	
engine house	400.00
Geo. W. Sweet, oats	15.10
Kenny & Co., repairs	21.17
Mrs. Ream, washing	8.00
John Henzmann, supplies ...	20.25
Muehlig & Schmid, supplies ..	6.25
Martin Haller, supplies	5.50
Seybold & Esslinger, supplies	19.60
Dawson Bros., supplies40
Sid W. Millard, cash expd. ...	4.80
Fred Siple, cash expd.	6.19

\$1282.65

POOR FUND

Fred Siple, salary	\$10.00
J. S. Cavanaugh, wood	300.00
Bigalke & Reule, supplies ...	1.47
Dorrow & Rockol, supplies ...	5.03
J. Eschelbach, supplies	1.03
Fischer & Finnell, supplies ...	7.65
Wm. Goetz, supplies	4.00
Haas & Heibein, supplies	5.19
Mrs. Lodholz, supplies	5.70
Miller & Pray, supplies	8.82
G. B. Ottmer, supplies	5.00
C. Rinsey, supplies	11.88
Rinsey & Kyer, supplies	13.00
W. F. Stimson, supplies	3.00
Geo. Spathelf, supplies	1.00
C. Zuern, supplies	1.53

\$384.30

POLICE FUND.

Schumacher Hardware Co.,	
supplies	\$2.80
Charles B. Masten, salary	83.33
Harris Ball, salary	75.00
William Walsh, salary	60.00
George Isbell, salary	60.00
David Collins salary	60.00
John O'Mara, salary	60.00
William Eldert, salary	60.00

\$461.13

STREET LIGHTING.

Washtenaw Light and Power	
Co., lighting	\$887.67

\$887.67

STREET FUND

S. Wood & Co., supplies	\$10.66
Geo. W. Sweet, supplies	3.84
Schumacher Hardware Co.,	
supplies	4.30
E. C. Allmendinger, gravel ...	64.80
James Mason, making broom..	\$10.00

James Williams, labor	1.65
Mathew Leoppold, labor	2.39
Henry Allmond, labor	8.25
George Randall, labor	9.90
Chris Larney, labor	9.90
Leonard Blake, labor	11.55
Frank Bartlett, labor	11.55
John Jahnke, labor	11.55
Fred Gakle, labor	12.47
William Shirtz, labor	14.85
Will. Lamborn, labor	14.85
Gustave Walter, labor	16.50
Will Grass, labor	16.50
Michael Heary, labor	16.50
George Darrow, labor	18.15
Philip Rheinfrank, labor	18.15
Michael Williams, labor	19.80
Chas. Haase, labor	19.80
Frank Judson, team labor	4.28
DeWitt Carr, team labor	10.50
Julius Reuter, team labor	14.00
Ernest Hanselman, team labor	15.56
George Schaible, team labor	17.50
C. S. Sweeney, team labor	17.50
Bennett French, team labor	21.00
Harvey Robinson, team labor	24.50
E. S. Elsifor, team labor	24.50
John Markey, team labor	24.50
Marion Wheelock, team labor	28.00
Wm. Marshall, team labor	38.50
John McHugh, team labor	42.00
William Bury, foreman	15.32
James Mason, foreman	18.00

645.57

SIDEWALK FUND.

Judson & Son, building extensions	\$37.75
Michael Heary, labor	1.65
Will Grass, labor	1.65
Frank Bartlett, labor	4.95
Leonard Blake, labor	5.87
John Jahnke, labor	6.60
Chris. Larney, labor	8.25
George Randall, labor	8.25
Julius Reuter, team labor	3.50
C. S. Sweeney, team labor	3.50
Wm. Marshall, team labor	3.50
Chas. Niethammer, team labor	3.50
John Markey, team labor	15.56
Ernest Hanselmann, team labor	15.56
George Schaible, team labor	19.06
Bennett French, team labor	19.06
William Bury, foreman	8.00

\$165.96

BRIDGE, CULVERT AND CROSS-WALK FUND.

Kenny & Co., supplies	\$2.90
Hutzel & Co., supplies	10.52

Louis Rohde, supplies	5.58
Fred Oalikug, labor	1.65
Will Shirtz, labor	1.65
George Darrow, labor	1.65
Edward Barnett, labor	9.90
Philip, Fohey, Jr., labor	13.20
DeWitt Carr, team labor	3.50
James Mason foreman	6.00
Will Wisner, foreman	6.00
William Keuhn, foreman	16.00
Willis Clark, foreman	21.54

\$94.15

PARK FUND.

William Warren, labor	\$3.30
Sam Kambaugh, labor	3.30
William Sherk, labor	3.30
August Leopphold, labor	7.05
Fred Garvin, labor	7.43
Geo. Schlemmer, labor	7.43
L. S. Garvin, labor	7.88
Jerry O'Brien, labor	22.75
George Becks, team labor	5.25
Julius Reuter, team labor	7.00
Geo. W. Weeks, team labor	10.50
Joseph, Walker, team labor	45.50
Will Freeman, team labor	55.88
Melvin Lennon, stone	2.00
Chas. Niethammer, gravel	1.50

\$190.07

BUILDING SIDEWALK FUND.

Mast & Weinmann, building tar walk	\$19.75
Mast & Weinmann, building tar walk	12.00
Mast & Weinmann, building tar walk	16.00
Mast & Weinmann, building tar walk	49.00
Mast & Weinmann, building tar walk	36.00
Mast & Weinmann, building tar walk	2.00
Mast & Weinmann, building tar walk	65.76

\$200.51

RECAPITULATION.

Contingent fund	\$895.58
Cemetery fund	29.16
Street Lighting fund	887.67
Fire fund	1282.65
Poor fund	384.30
Police fund	461.13
Street fund	645.57
Sidewalk fund	165.96
Bridge, Culvert and Crosswalk fund	94.15
Building Sidewalk	200.51

Park fund	190.07
Dog fund	1.00

Total	\$5237.75

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Sewer Committee.

To the Honorable the Common Council:

Gentlemen—Your committee to whom the matter of sanitary sewers in Sewer Districts Nos. 16, 17 and 18 (Liberty, Third and Huron streets) was referred, respectfully report that a meeting was held in the board of public works room the 28th inst., according to resolutions of the council and there being a great many protests against building said sewers at this time, the majority of the committee are in favor of deferring action until next spring.

LEWIS KURTZ,
RICHARD KEARNS,
Committee.

Sewer Committee.

Ann Arbor, Michigan.

To the Honorable the Common Council:

Gentlemen—Your committee on sewers, to whom was referred the estimate and report of the city engineer relative to the construction of lateral sewers in Sewer Districts Nos. 16, 17 and 18, beg leave to report that they have had such estimate and report as well as the resolution of the common council under consideration and have made due inquiries relating thereto, and that we have heard all persons desiring to be heard in the premises, and your committee is of the opinion that there is necessity for the construction of such lateral sewers, and that special taxing or assessment districts ought to be fixed by the common council upon and against which the construction of such sewers may be charged, street crossings excepted, pursuant to the ordinance in such case made and provided.

Your committee further recommends that resolutions fixing the boundaries of said sewer districts be prepared by the city engineer, and the board of public works ordered to advertise for bids for construction

of above named sewers. Bids to be in on Nos. 16 and 18 during the month of February next, and that bid for sewer designated as No. 17 (Third street) be asked for at once.

C. SCHLENKER,
J. W. MARKEY,
I. L. SHERK,
WM. BLAIR,
Committee.

Moved by Ald. Coon, supported by Ald. Fischer, that majority report be accepted and recommendation concurred in.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—11.

Nays—Ald. Kurtz, Kearns—2.

By Ald. Sherk:

Resolved, That this common council still deeming it expedient to cause to be constructed lateral sewers in Lateral Sewer Districts Nos. 16, 17 and 18, the construction of the same is hereby ordered.

Resolved further, That the city engineer furnish proper boundaries by next regular meeting of the council and this determination and order be certified to the city assessor and the board of public works and they advertise for bids on construction of said sewers. Bids on Liberty and Huron street sewers to be in not later than Feb., 1906, and bid on Third street sewer asked for at once. Sewers to be constructed as soon as possible thereafter.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Nays—Ald. Kearns—1.

To the Honorable the Common Council:

Gentlemen—Your committee on sewers recommend that the William and Washington street sewers be referred to the city engineer and board of public works to furnish estimate of cost.

L. KURTZ,
C. SCHLENKER,
R. KEARNS,
J. W. MARKEY,
WM. BLAIR,
I. L. SHERK,
Committee.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres, Gilmore—13.

Nays—None.

Sidewalk.

By Ald. Schlenker:

Resolved, That Mary McCarty be ordered to build a cement walk in front of her property on Ingalls street at the corner of Ann street. This is deemed and declared to be a necessary public improvement.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres, Gilmore—13.

Nays—None.

Lighting Committee.

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

Gentlemen—Your committee on lighting would recommend that for street lighting for the five (5) years beginning with January 1, 1906, the bid of the Washtenaw Light & Power company to furnish one hundred and fifty (150) arc lights at sixty-three dollars (\$63.00) per light per year of 3,815 hours, for all-night lighting, every night in the year, and the bid of the Welsbach Street Lighting company to furnish fifty (50) or more gas lights at twenty-two dollars (\$22.00) per light per year of 3,815 hours, for all-night lighting, every night in the year, both be accepted and that a contract with each of these companies be entered into as soon as practicable.

WM. GOODYEAR,

C. W. GILL,

Committee.

By Ald. Coon:

Resolved, That the report of the lighting committee be accepted and adopted, and that the mayor and city clerk be, and hereby are, authorized to enter into contracts for lighting the streets, alleys and public places of the City of Ann Arbor for the term of five (5) years from January 1, 1906, with the Washtenaw Light & Power company and with the Welsbach Street Lighting company, in accordance with the recommendations of said report.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker,

Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres, Gilmore—13.

Nays—None.

Petition of John W. Langley, et al, asking for tar walks on north side Geddes avenue received and Mr. Blake stating that he will be satisfied with grade established by city engineer, the following report and sidewalk grade was presented:

Common Council:

Gentlemen—I herewith submit grade resolution fixing grade for walk on north side of Geddes avenue east of Forest Hill cemetery. This resolution is submitted without recommendation.

E. W. GROVES,

City Engineer.

By Ald. Schlenker:

Whereas, in the opinion of the council the grade of the sidewalk on the north side of Geddes avenue ought to be changed and fixed and established, to the end that such street may be suitable for public travel, therefore

Resolved, and it is hereby ordered that the grade of the sidewalk on and along the north side of Geddes avenue from the east line of Forest Hill cemetery to the city limits be, and the same is hereby changed, fixed and established, so that the grade of said sidewalk on and along the street aforesaid shall be as follows, that is to say:

At east line of Forest Hill cemetery, 916.00.

At 100 ft. east of east line of cemetery, 924.50.

At 190 ft. east of east line of cemetery, 928.50.

At 240 ft. east of east line of cemetery, 929.50.

At 824 ft. east of east line of cemetery, 933.56.

At 885 ft. east of east line of cemetery, 933.00.

At 1,200 ft. east of east line of cemetery, 925.00.

At 1,300 ft. east of east line of cemetery, 920.00.

At 1,455 ft. east of east line of cemetery, 906.50.

The elevation given being above the official city datum and along the cen-

ter line of such walk, and the grade lines to consist of straight lines between the several points or stations above stated.

Approved by council Oct. 2, 1905.

ROSS GRANGER,
City Clerk.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Nays—None.

By Ald. Blair:

Resolved, That the construction of sidewalks on and along the north side of Geddes avenue from Forest Hill cemetery to Oswego street is deemed and declared a necessary public improvement and they are hereby ordered and the board of public works is instructed to serve the required notice and construct the walks as soon as possible.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Nays—None.

REPORT OF CITY OFFICERS.

TREASURER'S REPORT.

For Month Ending September 30 1905

CITY FUNDS.

MONEY RECEIVED. AM'T

Bridge, Culvert and Crosswalk Fund		
To city clerk—sale brick.....	\$ 41	33
Contingent fund.		
To city clerk—dray license.....	5	00
Dog License Fund.		
To city clerk.....	43	50
Police Fund.		
To C. B. Masten—Officer's Fees	\$4.55	
To W. G. Doty—J. P. Fines.....	21	60 25 55
Total.....	115	38
On Hand Sept. 1, 1905.....	44,091	34
	44,206	72
Expenditures.....	7,480	01
On Hand August 1, 1905.....	36,726	71

Condition of city Funds on the First day of October, 1905.

DISBURSEMENTS, WARRANTS PAID

	Am't	On Hand
Bridge, Culvert and Crosswalk Fund,	\$ 434 75	\$13,781 26
Contingent Fund	1,574 00	8,560 54
City Cemetery Fund.....	33 16	345 36
Dog License Fund.....	8 50	186 50
State Dog Tax Fund.....		100 00

Delinquent Tax Fund		
Overdrawn... 364 62 }		
Fire Department Fund....	790 43	5,733 72
Poor Fund.....	114 30	2,326 82
Police Fund.....	458 33	3,322 46
Street Fund.....	1,899 02	4,706 72
Uncollected City Tax Fund		
Overdrawn... 16,843 61 }		
Water Fund.....	14 75	5,099 74
Storm Sewer Fund.....		60
Park Fund.....	559 38	712 90
Street Lighting Fund.....	902 27	7,890 08
Sidewalk Fund.....	567 12	
Sidewalk Fund		
Overdrawn... \$1,137 12 }		
Sidewalk Building Fund..	124 00	
Sidewalk Building Fund		
overdrawn... \$94 64 }		
Main Sewer Tax Ac. Fund		2,400 00
Total.....	\$7,480 01	\$55,166 70
Overdrawn.....		18,439 99

PAVING FUNDS.

On hand Sept. 1, 1905...	11,094 70
Expenditures	7,248 08
On hand Oct. 1, 1905....	3,846 62
Tax Acct. Paving District No. 7.....	\$ 57 95
Tax Acct. Paving District No. 8.....	5 97
Lab Acct. Paving District No. 9.....	7,184 16
Total.....	7,248 08

Condition of Paving Funds on the 1st day of Oct. 1905.

	On hand	Over-dr'wn
Tax Acc't Pav. Dis. No. 4... \$	3,564 43	
Tax Acc't Pav. Dis. No. 5....	5,311 63	
Tax Acc't Pav. Dis. No. 6....	654 07	
Tax Acc't Pav. Dis. No. 7....	4,166 47	
Tax Acc't Pav. Dis. No. 8....	334 18	
Lab Acc't Pav. Dis. No. 9....		10,184 16
Total.....	14,030 78	10,184 16

LATERAL SEWER FUNDS.

Tax Acc't Lateral Sewer No. 13, Tax col	10 57
Total.....	10 57
Overdraft Sept 1, 1905	3,504 63
	3,494 06
Overdraft Oct. 1, 1905.....	3,494 06
Condition of Lat. Sewer Funds on the 1st day of Oct. 1905.	

	On Hand	Over drawn
Tax Acc't Lat. S'r No. 9,.....		433 71
Tax Acc't Lat. S'r No. 10.....		264 80
Tax Acc't Lat. S'r No. 11.....	86 22	
Tax Acc't Lat. S'r No. 12.....	168 22	
Lab. Acc't Lat. S'r No. 12.....	104 15	
Tax Acc't Lat. S'r No. 13.....	1,870 26	
Lab. Acc't Lat. S'r No. 13.....		5,024 40
Total.....	2,228 85	5,722 91

RECAPITULATION.

City Funds On Hand	\$36,726.71
Paving Funds On Hand.....	3,846 62
	40,573 33
Overdraft Sewer Funds.....	3,494 06
	37,079 27

Bank Certificate Herewith.....	36,929 83
Cash on hand.....	149 44
	<hr/>
	37,079 27

Respectfully Submitted,
GEO. W. SAMPLE.

Ann Arbor, Mich., Sept. 30, 1905.

This is to certify that there was on deposit to the credit of Geo. W. Sample, city treasurer, at the close of business on September 30, 1905, thirty-six thousand nine hundred twenty-nine and 83-100 dollars (\$36,929.83).

C. J. WALZ, Cashier.

Report of city treasurer, clerk, marshal, physician and Justice Doty received and ordered on file.

Ann Arbor, Mich., Sept. 28, 1905.

To the Common Council:

The undersigned, city clerk, hereby begs leave to submit the following as his report of the proceedings of the common council having under consideration the matter of closing the street or highway known as Charles street, between Main street and the Ann Arbor railroad:

The council sitting in pursuance to its order and appointment for that purpose met at the council chamber on Thursday, the 28th day of September, 1905, at 2 o'clock p. m. and due proof of the publication of the notice of the meeting having been filed, the roll of alderman being called, the quorum found to be present, the chairman announced that the meeting would enter upon the consideration of the same, and after hearing Charles D. Hiscock and Charles Campbell, and there being no other persons desiring to be heard, Alderman Miller offered the following resolution, which was adopted unanimously:

Whereas, The common council of the city of Ann Arbor was on the 7th day of November, A. D. 1904, petitioned by ten freeholders to legally close a certain street or highway known as Charles street between Main street and the right of way of the Ann Arbor railroad, and

Whereas, After the reception of said petition and after fully considering the same, the said common council did determine that the aforesaid proposed improvement was advisable, the said common council did by a resolution declare said public

improvement to be necessary, and

Whereas, In accordance with said resolution, notice has been given to the owners, occupants or persons interested in said proposed improvement, as required by the charter, and

Whereas, In compliance with said resolution and notice, the common council of the City of Ann Arbor have convened at the time and place mentioned in said notice, and after hearing persons interested in said proposed improvement, and duly considering the same, now, therefore,

Resolved, That the president do appoint a committee of three members who are directed to investigate further concerning said proposed improvement, and make report to the council as to damages, if any, accruing to all persons from the closing of said Charles street, between Main street and the right of way of the Ann Arbor railroad, and that such committee report the result of their investigation to the council with all convenient dispatch.

Moved by Ald. Kearns that report be accepted, placed on file and committee of three be appointed.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Nays—None.

and following committee appointed:
Ald. Miller, Blair and Fischer.

Ann Arbor, Mich., Sept. 28, 1905.

To the Common Council:

The undersigned, city clerk, begs leave to submit the following as his report of the proceedings of the common council, having under consideration the matter of condemning the property in the Fourth ward described as follows: All of block 18 of Ormsby & Page's addition; also lots 1, 2, 3, 4, 5, 6, in block 19 of Ormsby & Page's addition; also a piece of land bounded on the north by Broadway, on the east by the Huron river, and on the south by lot 1, block 19, Ormsby & Page's addition, and on the west by State street; also all that land lying north of the Michigan Central right of way, and south of the Huron river, extending from Wall street on the east to lot 4 in block "D," part of the Eastern

addition on the west. Also lots 1, 2, 3, 4, block "D," part of the Eastern addition. All in the City of Ann Arbor, Washtenaw county, Michigan. The council sitting in pursuance to its order and appointment for that purpose met at the council chamber on Thursday, September 28, 1905, at 2 o'clock p. m. and due proof of the publication of the notice of the meeting having been filed, the roll of aldermen being called, the quorum being found to be present, the chairman announced that the council would enter upon the consideration of the same, and after hearing Thomas D. Kearney, attorney for Bessie Millen; Claramcn L. Pray, on behalf of Bertha Pray and heirs of Alber; John McDevitt, agent and attorney in fact for James W. Howard, and Guy Henning on behalf of Edwin Henning, and other persons interested in said lands, being present, in person or by agent, and there being no other persons desiring to be heard, Alderman Sherk offered the following resolution:

Whereas, The common council of the City of Ann Arbor was on the 31st day of August, 1905, petitioned by ten freeholders of said city to lay out and establish a public common or park of the following described property:

All of block eighteen of Ormsby & Page's addition; also lots 1, 2, 2, 4, 5, 6, in block 19 of Ormsby & Page's addition; also a piece of land bounded on the north by Broadway, on the east by the Huron river, and on the south by lot 1, block 19, Ormsby & Page's addition, and on the west by State street. Also all that land lying north of the Michigan Central right of way, and south of the Huron river, extending from Wall street on the east to lot No. 4, in block "D" part of the eastern addition on the west. Also lots 1, 2, 3, and 4, block "D," part of the Eastern addition. All in the City of Ann Arbor, Washtenaw county, Michigan and

Whereas, After the reception of said petition, and at a meeting of the common council on the 31st day of August, 1905, upon reading and filing said petition and after fully considering the same, the said common council did determine that the

aforsaid improvement was advisable, the said common council did by resolution declare said public improvement to be necessary, and that they deem it necessary to take the private property described in said petition as aforsaid for a public park, and that said improvement was for the use and benefit of the public; and

Whereas, At the meeting last aforsaid, said common council of the City of Ann Arbor did direct that the city clerk, in the name of the said common council, give notice of the pendency of the question of ordering such proposed improvement to the owners, occupants or persons interested, or their agents, by personal service, if they reside within the City of Ann Arbor, and if they reside without said city then to make such service by posting up notices in five different places in said city, which notice should state the time and place when and where the common council would meet to consider the same, and also a description of the property to be constituted into said common or park. Said city clerk was further directed to serve and post said notices at least ten days before the time fixed for said hearing; and

Whereas, At said last mentioned meeting of said common council it was further ordered that a meeting of the common council for the hearing of said owners or occupants of said lands, and all persons interested therein, was then and there fixed for 2 o'clock of the 28th day of September, 1905, in the court house in the City of Ann Arbor and

Whereas, It appears by the records in the city clerk's office, and by the affidavits of Charles Master, William Walsh and Harris Ball that said notices were personally served upon all parties who are interested as owners or otherwise in said property described in said petition and resolution, excepting one William H. Howard, who appears to be interested in a portion of said premises; and

Whereas, It further appears by the affidavit of Charles Masten that the required and hereinbefore mentioned were properly posted in five or more public places in said city, and a copy thereof could not personally be

served upon James W. Howard because said James W. Howard is not a resident of the City of Ann Arbor and his place of residence is unknown, and whereas it appears that one John McDevitt is the duly authorized agent and attorney in fact of said James W. Howard and that said John McDevitt as such agent was duly served with a copy of said notice and that said James W. Howard is represented at this meeting by said agent; and

Whereas. In compliance with said resolution, and notice, the common council of the City of Ann Arbor have convened at the time and place mentioned in said notice, and after hearing all persons interested in the lands aforesaid, and duly considering the same, it is

Resolved, And hereby determined by said common council to lay out and establish said public park or common in accordance with the petition aforesaid, and be it further

Resolved, That the president do appoint a committee of three members of this common council who are directed to obtain the terms and conditions upon which a release of the title of said lands for such public common or park can be acquired, and also a statement of the damages accruing to all persons from the establishment of said public park or common, and also the release of the title to said property, and all such damages, if said lands shall be acquired by purchase, compromise or otherwise, and that such committee report the result of their negotiation to this council with all convenient dispatch.

Received, accepted and following resolution offered:

By Ald. Sherk:

Resolved, That the report of the city clerk relating to the proceedings of the meeting of the common council held at the council room in the court house, in the City of Ann Arbor, at 2 o'clock p. m., on the 28th day of September, A. D. 1905, for the purpose of hearing the owners and occupants of the following described lands, to-wit: All of block 18 of Ormsby & Page's addition; Also lots 1, 2, 3, 4, 5, and 6, in block 19 in Ormsby & Page's addition; also a

piece of land bounded on the north by Broadway, on the east by the Huron river, and on the south by lot 1, block 19, Ormsby & Page's addition, and on the west by State street; also all of that land lying north of the Michigan Central right of way, and south of the Huron river, extending from Wall street on the east to lot 4 in block D, part of the Eastern addition on the west also lots 1, 2, 3, and 4, block D, part of the Eastern addition; all in the City of Ann Arbor, Washtenaw county, Michigan, which said report sets for the resolution adopted at said meeting of said common council, be accepted, placed on file and printed.

Resolved further, That the action of said common council at said meeting, as set forth in said resolution contained in the report of said city clerk, be ratified and in all respects confirmed by this council. Resolved further, That the president of this council appoint three members of the council as a committee for the purpose set forth in said resolution.

Adopted as follows:

Yeas—Ald. Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—12.

Nays—None.

Committee appointed by the president as per above resolution, Ald. Coon, Markey and Gill.

City attorney reported in the claim of Mr. Perkins for injury to horse that Mr. Perkins would accept \$25 in settlement of same. On motion of Ald. Fischer the city attorney was instructed to make further investigation and report at next meeting of council.

RESOLUTIONS.

By Ald. Goodyear:

Resolved, That brick crosswalks be built on east side of Thayer across South University; also east side of Ingalls across South University; also east side of Twelfth street across South University. Referred to street committee.

By Ald. Manwaring:

Resolved, That a brick crosswalk be laid across the Boulevard or Cedar Bend street where it intersects Broadway. Referred to street committee.

By Ald. Miller:

Resolved, That a crosswalk be ordered built on the south side of Summit street across Brooks street, and also one across Beakes street on north side of North Fourth avenue First named referred to street committee. On motion of Ald. Markey the second named crosswalk ordered built at once by following vote:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Navs—None.

Ald. Markey reported that the president of the board of public works had employed Bennett French to do sweeping and recommended that board be instructed to contract with him at \$210 per month.

By Ald. Schlenker:

Resolved, That the recommendation be concurred in and contract be made with Bennett French for sweeping paved streets.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Nays—None.

By Ald. Schlenker:

Resolved, That when we adjourn we adjourn to meet next Monday night at 7:30 o'clock. Adopted.

Resolution Relative to Pavements.

By Ald. Fischer:

Resolved, That the pavement on North University avenue, within the City of Ann Arbor, heretofore ordered, in the opinion of the common council is and is hereby declared to be a necessary public improvement.

Resolved further, That all lands, tenements and premises hereinafter mentioned are deemed and declared to be benefitted by the construction and completion of such public improvement, and it is hereby ordered and determined that all the cost of the said public improvement, street and alley intersections and the land in front of city property, and twenty per cent of the balance of the costs of said public improvement excepted, shall be and is hereby ordered to be levied on and assessed against the lands, tenements, and premises situated in the special district assessment hereinafter designated and the

said special assessment district is hereby fixed as follows, to-wit:

All those certain pieces and parcels of land situated in the City of Ann Arbor, County of Washtenaw, State of Michigan, excluding all city lands aforesaid, and all streets and public alleys bounded as follows:

Boundary Paving District No. (9).

Beginning at the northeast corner of Twelfth street and North University avenue, thence east 270 feet thence north 198 feet; thence west 115.5 feet; thence south 100 feet; thence west to the east line of Twelfth street; thence along the east line of Twelfth street to the place of beginning. Also the south 106 feet of lot No. 7; also all of lots 8, 9, and 10 and that parcel of land lying between Twelfth street and lot No. 10, except that part owned by Mrs. Jane L. Williams, all in block 2 south, range 12 east; also lots 7, 8, 9, and 10, block 2 south, range 11 east; also lots 9 and 10, block 2 south, range 10 east also lots E, F, and D and 10-foot alley and court all in J. B. Orr's subdivision of a portion of lots 7 and 8, block 2 south, range 10 east, Eastern addition also land bounded on the north by North University avenue, on the south by South University avenue, on the east by East University avenue, and on the west by State street.

Resolved further, That and this common council hereby requires and orders the sum of ten thousand seven hundred twenty dollars and sixteen cents (\$10,720.16) payable in ten equal annual installments with four per cent interest or, at the operation of the taxpayer, in one payment, to be raised by tax, and as a special assessment on and against the lots, and parts of lots, lands, tenements and premises aforesaid and situated in the said special assessment district, and as a tax against the owner thereof. All to be assessed on and against said lands, tenements and premises according to the benefit coming to each parcel thereof from such local public improvement, and the city assessor is hereby required to levy and assess the said sum of money as aforesaid on and against the lands and tenements aforesaid, on and upon the special assessment

roll for the paving district aforesaid, and on and upon each and every of the regular assessment rolls of the City of Ann Arbor for the year and during which any such special assessment may be payable, until the whole of said special assessment shall be paid in full, all to be assessed in the manner and for the purpose aforesaid pursuant to law.

Resolved further, That the sum of three thousand nine hundred seven dollars and twenty-six cents (\$3,907.26) is hereby appropriated from the street fund for the purpose of defraying the cost of such public improvement at street and alley intersections, and twenty per cent of the balance of the costs of said public improvements, all of which sum of money in ten equal annual installments, with interest, be and the same is hereby ordered and required to be levied, spread and assessed on and upon each and every of the regular annual assessment rolls of the City of Ann Arbor, and on and against all of the taxable property within the said city in and during the period in which any part of this appropriation and assessment is or shall be payable.

Resolved further, That the city clerk do certify this determination and order of assessment to the city assessor pursuant to law.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Nays—None.

By Ald. Fischer:

Whereas, the common council have approved the plans and specifications for the pavement known as the North University avenue Paving District No. 9, and have authorized the execution by the board of public works of a contract therefor, and

Whereas, By resolution the common council has also declared that for the purpose of assessment to defray the cost and expenses of such improvement, the taxable lands and parcels of real estate which in the opinion of the common council are benefitted by such improvement in which they have specified the same and fixed the boundaries thereof, shall constitute

a special assessment district known and designated as Paving District No. 9, and

Whereas, The common council has further resolved that all and singular all of the taxes and sums of money set down therein and spread thereon as taxes, be and the same are hereby levied and assessed on and against the lands, tenements, and premises therein mentioned, and on and against each parcel thereof as therein specified, and as a charge against the persons and corporations named therein to remain a lien on and against said lands, and a charge against such persons and corporations until paid, satisfied and discharged according to law, and

Whereas, It was further resolved by the said common council that the city clerk do certify the said special assessment together with the order and resolution aforesaid to the city assessor pursuant to law, and

Whereas, The common council having fixed and caused to be certified to the city assessor, the district or the part of the city upon and against which the common council has so determined to assess the cost of the construction of the pavement of said streets as aforesaid street crossings and the amount determined to be charged against the Street Fund accepted, therefore be it

Resolved, and it is hereby ordered, That the mayor and city clerk be and are hereby authorized and required to execute under their hands and the seal of the City of Ann Arbor, pavement bonds of the City of Ann Arbor under the date of October 2, 1905, ten thousand seven hundred twenty dollars and sixteen cents (\$10,720.16), that being the estimated cost of such improvement, payable to bearer in ten equal annual installments, from and after the first day of August, 1906, at the office of the city treasurer with interest at the rate of four per cent per annum, payable annually on the first day of August in each and every year.

The principal to be payable at the option of the city treasurer pursuant to law.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk,

Manwaring, Coon, Goodyear, Fischer, Pres, Gilmore—13.

Nays—None.

By Ald. Blair:

Resolved, That the city engineer be requested to confer with the bridge engineer of the M. C. R. R. with reference to securing a permanent pavement across viaduct over M. C. R. R. tracks at Detroit street.

Adopted as follows:

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres, Gilmore—13.

Nays—None.

By Ald. Fischer:

Resolved, That contractor provide himself with wagon lined with galvanized iron, close joints, and tight covers, for collection of garbage.

Yeas—Ald. Blair, Gill, Schlenker, Kurtz, Kearns, Miller, Markey, Sherk, Manwaring, Coon, Goodyear, Fischer, Pres. Gilmore—13.

Nays—None.

On motion the council adjourned to meet Monday, Oct. 9th, 7:30 o'clock.

ROSS GRANGER, Clerk.