

Council Chamber, Ann Arbor,  
Michigan, March 18, '07.

Regular Session.

Meeting called to order by President  
Gilmore.

Present—Alds. Gill, Schneider, Mil-  
ler, Sweet, St. James, Markey, Man-  
waring, Sherk, Goodyear, Pres. Gil-  
more.—10.

Absent—Alds. Snauble, Kurtz,  
Blaich, Abbott and Fischer.—5.

Minutes of previous meetings approv-  
ed.

**Communications**

From clerk of Lansing relative to  
use of streets by electric light companies  
etc. Referred to street committee.

From Board of Public Works in form  
of action taken at meetings of board  
March 6th., asks permission to purchase  
car of cement.

March 15 the engineer's report on  
bids for the construction of the lateral  
sewers in districts Nos. 22, 24, 25 was  
received and the bid of Mr. J. A. Black  
of Lansing found lowest by about  
\$1,800.00. The following resolution  
was offered by Mr. Nichols.

Resolved, That in as much as the bid  
of Mr. J. H. Black is lowest on the con-  
struction of lateral sewers Nos. 22, 24,  
25, the board recommend to the council  
that he be given the contract for build-  
ing the same. The matter of bond be  
referred to the City Attorney. adopted

**Action of Council**

By Ald. Manwaring. Resolved, That  
the recommendation of the board of  
Public works relative sewers Nos. 22,  
24 and 25, be concurred in, and the  
Board of Public Works be and are here-  
by authorized to enter into contract  
with Mr. J. A. Black for the construc-  
tion of said sewers, as soon as a bond  
satisfactory to the City Attorney is  
filed with the City Clerk. Adopted as  
follows:

Yeas—Alds. Gill, Schneider, Miller,  
Sweet, St. James, Markey, Manwaring,

Sherk, Goodyear and Pres. Gilmore.—  
10.

Nays—None.

**Action of Board**

Several bids on the construction of  
the proposed City Hall, were received  
and following motion made and adopted  
Mr. Nichols moved that the bids be re-  
ferred to the City Engineer, he to report  
on same before 7 o'clock Monday night,  
March 18, 1907. Adopted by unani-  
mous vote of board.

March 16 action of board.

**Engineer's Report on City Hall Bids**

Koch Bros., building complete .....	\$23275.60
F.C. Weinberg, building complete ..	25140.36
Extra for tile floor .....	\$274.80
Extra for tile roof .....	\$916.00
Extra for oak finish .....	\$500.00
Extra for reinforced floor \$1747.84	
John L. Donald & Son, building com- plete .....	\$33897.00
Extra for tile floor .....	\$70.00
Extra for tile roof .....	\$755.00
Extra for oak finish .....	\$690.00
C. A. Sauer & Co., building complete	\$22551.55
Extra for tile floor .....	\$360.00
Extra for tile roof .....	\$850.00
Extra for oak finish .....	\$215.00
J. M. Feiner, painting and glazing ..	\$ 1100.00
Wm. Herz, painting and glazing ....	\$ 809.00
Barrett & Dailey, East Lake shingle roof .....	\$ 893.75
Barrett & Dailey, metal work and tile roof.....	\$ 1693.78
Finkbinder & Arnold, cut stone ....	\$ 2494.50
Julius Koernke, carpenter work ....	\$ 5000.00
Hutzel & Co., heating and plumbing	\$ 2098.00
P. Pellarian, mosaic floor per specifi- cation .....	\$ 50.00
P. Pellarian, Mosaic floor main floor corridor .....	\$ 328.00

By Mr. Nichols, Resolved, That in-  
asmuch as C. A. Sauer & Co. are the  
lowest bidders on the construction of  
the proposed City Hall building, the  
board recommend to the council they  
be awarded the contract. Adopted as  
follows:

Yeas—Messrs. Nichols, Scott, Corn-  
well, Mummery and Howe.—5.

Nays—None.

**Council Action**

By Alderman Manwaring. Resolved,  
That the recommendation of the Board  
of Public Works that C. A. Sauer & Co.  
be awarded the contract for the City  
Hall be concurred in and adopted.

Resolved, further, That said Board of  
Public Works are hereby directed to

enter into said contract upon filing by said C. A. Sauer & Co. of a satisfactory bond, approved by the City Attorney.

Adopted as follows:

Yeas—Alds. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear and Pres. Gilmore.—10.

Nays—None.

Enter Alds. Fischer and Abbott.

**Committee Reports**

To the honorable common council. Gentlemen:—Your committee on finance have had the following bills under consideration and recommend their approval, that rule 21 be suspended for the evening and that warrants be drawn for the following amounts:

- E. B. Manwaring.
- Wm. Goodyear.
- C. W. Gill.

Finance Committee.

**Contingent Fund**

Frank Perkins, collection of garbage month of February	\$200.00
Wm. K. Childs, insurance	37.00
Geo. W. Sample, taxes on Mummery property	1.62
Geo. W. Sample, taxes on Rhode property	19.00
George H. Fischer, expenses to Lansing (2 trips)	22.00
E. B. Manwaring, expenses to Lansing (2 trips)	22.00
Frank A. Stivers expenses to Lansing (1 trip)	10.14
Horatio J. Abbott, expenses to Lansing (2 trips)	15.85
<b>Total,</b>	<b>\$327.61</b>

**Fire Fund**

C. A. Edwards, salary	\$37.50
Eugene Williams, salary	33.00
Chas. Andrews, salary	32.50
Herman Kern	30.00
Fred Nordman, salary	30.00
Ralph Edwards, salary	30.00
Fred Stein, salary	30.00
Wm. Rettich, salary	27.50

Dean Seabolt, salary	27.50
Tom O'Brien, salary	27.50
George Hoelzle, salary	27.50
Fred Jolly, salary	27.50
Rex Burnett, salary	27.50
Carl Kuhn, salary	27.50
John Flynn, salary	27.50
Wm. Bernik, salary	25.00
John Kief, salary	25.00
Jacob Gwinner, salary	25.00
Chas. Carroll, salary	20.00
Frank Kapp, salary	20.00

**Total, \$558.00**

**Police Fund**

Chas. B. Masten, salary	\$41.66
Harris Ball, salary	37.50
David Collins, salary	30.00
Wm. Eldert, salary	30.00
Wm. Clark, salary	30.00
Wm. Walsh, salary	30.00
John O'Mara, salary	30.00

**Total, \$229.16**

**Street Fund**

James Mason making broom for sweeper	\$ 8.00
James Mason, due on brooms made in February	11.50
Bennett French, snow Plowing	4.50
John Herrst, snow Plowing	4.50
Wm. Hodson, snow plowing	4.50
Wm. Stark, snow plowing	4.50
Harvey Robinson snow plowing	4.50
Geo. Weeks, snow plowing	3.50
Frank Hogan, team labor	5.06
Joe Walker, team labor	4.28
Chas. Neithamer, team labor	10.90
Geo. Collins, team labor	18.95
Joe Hertchen, hand labor	1.65
Mathew Dalton, hand labor	11.37
John Holkey, hand labor	6.42
Wm. Bury, hand labor	6.60
Adolph Christman, hand labor	1.65
Wm. Kuehn, hand labor	1.65
Charles Mason, hand labor	1.65
Chas. Neithammer, hand labor	3.85

**Total, \$119.03**

**Bridge, Culvert and Cross Walks**

Chas. Neithammer, team labor	\$ 3.50
Charles Mason, hand labor	3.30
Wm. Kuehn, hand labor	4.05
Wm. Bury, hand labor	9.90
John Holkey, hand labor	2.39
James Mason, hand labor	6.05
Wm. Bucholz, hand labor	1.29
John Weinmann, hand labor	4.95

Total, \$ 35.43

**Recapitulation**

Contingent Fund	\$327.61
Fire Fund	558.00
Police Fund	229.16
Street Fund	119.03
Bridge, C. and C. Fund	35.43

Total, \$1269.23

Adopted as follows:

Yeas—Alds. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer and Pres. Gilmore.—12.

Nays—None.

**Ordinance Committee**

Ald. Fischer presented the following ordinance which was given its third reading as follows:

An ordinance to Amend Section Two of an Ordinance entitled, "An Ordinance relative to sewers: Providing for the construction of a system of lateral and connecting sewers in the city of Ann Arbor," passed May 21, 1894, Approved, May 23, 1894; amended January 23, 1899; amended March 12, 1906.

The Common Council of the city of Ann Arbor ordained:

That section two of an ordinance entitled "An ordinance relative to sewers; providing for the construction of a system of lateral and connecting sewers in the city of Ann Arbor" be and the same is hereby amended as follows:

Section Two. Lateral Sewers shall be deemed to consist of the central sewer

pipe and extension thereof the curb-line on either side of the street, lane, alley or public place, through and along which the said lateral sewer may be constructed. Provided, however, that the Common Council in ordering or constructing for the construction of such public improvement may omit in its discretion the extensions thereof to the curb stone on either side of the street, lane, alley or public place through and along which the said lateral sewer may be constructed.

Sub-lateral sewers shall be considered and deemed to consist of laterals extending from the principal lateral to and into side or intersecting streets and to or near unto the center of the blocks fronting or abutting the streets in which the principal lateral is or may be constructed and shall be deemed a part and parcel of the principal lateral.

Connecting sewers shall be deemed to consist of the sewer pipe, and house connections from the building to the lateral at the curbstone.

Wherever the word street is used in this ordinance or in any resolution, order or direction for the construction of any lateral sewer, it shall be deemed and understood to embrace streets, avenues, lanes, alleys, parks, and other public grounds, the same as though named specifically herein, or in any such order, resolution or direction.

This ordinance shall take immediate effect.

The chair put the question, "Shall this ordinance pass?"

Adopted as follows:

Yeas Ald. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore.—12.

Nays—none.

**Special Committee**

Special committee on Charter Amendments made verbal report and Ald. Fischer moved that committee be con-

tinued and instructed to go to Lansing again on behalf of bill to place assessor on Board of Supervisors.

Adopted as follows:

Yeas—Ald. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore.—12.

Nays—none.

To the honorable common council Ann Arbor, Mich., March 18, 1907.

Gentlemen:—Your committee on Detention Hospital site, having investigated the same, respectfully recommend that the property owned by Mrs. J. W. Markey consisting of five lots and a house located on Fuller street, be purchased at \$2,000.00.

George H. Fischer,  
J. W. Markey,  
John A. Wessinger,  
Health officer.  
Committee.

By Ald. Sweet. Resolved, That the report and recommendation of the committee on Detention Hospital site be accepted and concurred in; resolved further, That the sum of two thousand dollars, (\$2,000.00) be and the same is hereby appropriated for the purpose of purchasing the property of Mrs. John W. Markey on Fuller street, this city, for detention hospital site.

Adopted as follows:

Yeas—Ald. Gill, Schneider, Miller, Sweet, St. James, Markey, Goodyear, Abbott, Fischer, Pres. Gilmore—10.

Nays—Ald. Manwaring and Sherk—2.

**Officer's Report.**

Acct Paving District No. 4 Feb. '07 tax	\$324.15
Acct Paving District No. 5 Feb. '07 tax	243.86
Acct. Paving District No. 6 Feb. '07 tax	36.11
Acct Paving District No. 7 Feb. '07 coll	291.80
Acct Paving District No. 8 Feb. '07 coll.	61.13
Acct Paving District No. 9 Feb. '07 coll	9.34
<b>Total</b>	<b>\$966.39</b>
On hand Feb. 1, 1907	\$11,819.38
On hand March 1, 1907	\$12,785.77

**Paving Funds  
Disbursed, Warrants Paid**

	On hand	overdrn
Tax acct Pav. Dist. No. 4	\$3911.61	
Tax acct Pav. dist. No. 5	5797.88	
Tax acct Pav. dist. No. 6	574.54	
Tax acct Pav. dist. No. 7	4415.46	
Tax acct Pav. dist. No. 8	557.72	
Tax acct Pav. dist. No. 9	357.12	
Labor acct Pav. dist No. 9		444.10
Lakor acct Pav. dist. No. 10		2384.46
<b>Total</b>	<b>\$15,614.38</b>	<b>\$2828.56</b>

**Lateral Sewer Funds  
Money Received**

Tax acct Lat sewer dist 11 Feb. 1907 collections	31.25
Tax acct lat. sewer dist 13 Feb. 07 coll	180.48
Tax acct lat sewer dist 14 Feb. 07 coll	121.86
Tax acct lat. sewer dist. 15 Feb. 07 coll	62.65
Tax acct lat. sewer dist 16 Feb. 07 coll	20.58
Tax acct lat sewer dist 17 Feb. 07 coll	19.18
Tax acct lat. sewer dist 18 Feb. 07 coll	29.68
Tax acct lat sewer dist No. 20 Feb 07 coll	48.17
<b>Total</b>	<b>\$513.85</b>
Overdraft Feb. 1, 1907	9208.97
Overdraft March 1, 1907	9695.12

**Disbursed Warrants Paid**

	On hand	Overdrawn
Tax acct lateral sewer 11	\$38.00	
Tax acct lateral sewer 12	206.83	
Tax acct Lateral sewer 13	338.09	
Labor acct lateral sewer 13		\$2170.17
Tax acct lateral sewer 14	342.52	
Labor acct lateral sewer 14		1295.81
Tax acct lateral sewer 15	156.72	
Labor acct lateral sewer 15		996.99
Tax acct lateral sewer 16	441.65	
Labor acct lateral sewer 16		1202.30
Tax acct lateral sewer 17	60.49	
Labor acct lateral sewer 17		240.03
Tax acct lateral sewer 18	1130.93	
Labor acct lateral sewer 18		3905.95
Tax acct lateral sewer 19	320.80	
Labor acct lateral sewer 19		546.02
Tax acct lateral sewer 20	666.03	
Labor acct lateral sewer 10		2039.91
<b>Total</b>	<b>\$3702.06</b>	<b>\$12397.18</b>

Respectfully submitted,  
GEO.W. SAMPLE, City Treasurer.

To the Honorable Common Council, City of Ann Arbor:

Gentlemen:  
This is to certifiy that there was on deposit in this bank the sum of forty two thousand four hundred seventy five and 3-100 dollars (\$42,475.03) at the close of business on the 28th day of February 1907.

Respectfully submitted  
Michael J. Fritz, Cashier.

Ann Arbor, Mich., March 19th, 1907.

City Funds on hand March 1, 1907	\$44,900.75
Paving funds on hand March 1, 1907	12,785.77
	<b>\$57,686.52</b>
Sewer funds overpaid	8,695.12
	<b>\$48,991.40</b>
Bank Certificate	\$42,475.03
Checks and cash on hand	6,516.37
	<b>\$48,991.40</b>

council exhibit c  
To the Common Council of the city of Ann Arbor



**Treasurer's Report for Month Ending**

**February 28, 1907**

**Contingent Fund**

From clerk peddlers' licenses \$3.00  
From clk. City scales . . . . . 1.50 \$4.50

**City Cemetery Fund**

From clk sale lot . . . . . \$10.00  
From clk. burial permit . . . . . 10.00 20.00

**Fire Fund**

From clk. Sale horse . . . . . 50.00

**Police Fund**

From W. G. Doty, fees 4th quarter 1906 . . . . . 13.90  
From W. G. Doty, fines 4th quarter 1906 . . . . . 31.00

**Uncollected City Tax Fund**

February 1907 collections 2,840.99  
Rec'd tax fund Feb. 1907 col 8.15  
Sidewlk bldg fund Feb. 1907 col 79.85  
State Tax fund Feb. 1907 col 3,472.32  
County tax fund Feb. 1907 col 2,525.32  
School tax fund Feb. 1907 col 9,312.13

Total . . . . . \$18,358.16  
On hand Feb. 1, 1907 . . . . . 51,369.83  
69,727.99

Disbursements . . . . . 24,827.24

On hand Mar. 1, 1907 . . . . . 44,900.75

**Disbursements, Warrants Paid**

	Amt	On hand
Brd'g cu't & crss'k fund . . . \$	84.33	\$ 4,715.84
Contingent fund . . . . .	1490.41	
Contingent fund overdrawn	5588.99	
City cemetery fund . . . . .	29.16	311.12
Dog license fund . . . . .	1.50	225.00
State dog tax fund . . . . .		100.00
Delinquent tax fund over drawn, \$107.11		
Fire dept fund . . . . .	1324.56	2,369.82
Poor fund . . . . .	274.60	633.24
Police fund . . . . .	444.48	672.42
Street fund, overdrawn \$3,827.06	157.51	
Uncollected city tax fund \$457.97		
Water fund overdrawn \$1,911.47		
Rejected tax fund . . . . .		8.15
Storm Sewer fund . . . . .		.60
Park fund . . . . .	4.28	33.25
Street lighting fund . . . . .	1,013.04	2364.81
Sidewalk fund overdrawn \$364.88		
Sidewalk blg. fund overdrawn, \$219.18	3.37	
State Tax fund . . . . .		7142.17
County Tax fund . . . . .		4397.45
School tax fund . . . . .		34403.54
Total . . . . .	\$24,827.24	\$57,437.41
Overdrawn, \$12,536.66.		

Treasurer's report received and ordered on file.

Report of city attorney relative to proposition of Ann Arbor Water Co., also the proposition received.

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

Gentlemen:— The solicitors for the city and other defendants in the case

of the Ann Arbor Water Company, complainant, vs. the City of Ann Arbor, et al, defendants, have received from the solicitors of the water company a proposition to submit the matters at issue in said suit to a board of arbitration. This proposition, by request of the complainant's solicitors, is herewith submitted for the consideration of your honorable body.

The suit in question involves the matter of the tile at the Washington street station and the water conveyed by means of it into the city's water supply.

In submitting this proposition to the council I think it proper to state that the acceptance of the same is not recommended by the solicitors for the city. We are of the opinion that it is to the interest of all parties concerned to have an adjudication of the questions of law involved, particularly as to the rights of the complainant to lay tile in the streets and the obtaining of a water supply through tile, involving the interpretation and construction of the company's contract with the city, which questions can be authoritatively determined only in the courts.

Respectfully submitted this 18th day of March, A. D., 1907.

Frank A. Stivers,  
City Attorney.

To Frank A. Stivers and Thomas A. Bogle, solicitors for Defendants, the City of Ann Arbor and Others:

Gentlemen:—On behalf of the Ann Arbor Water Company, the undersigned as solicitors for said company in the case of the Ann Arbor Water Company vs. the City of Ann Arbor and others, hereby submit to you the following proposition.

Inasmuch as we believe (1) that the objects sought by the answer and cross-bill filed by you on March 6th, 1907, for the defendants in the case of the Ann Arbor Water Company vs. the

City of Ann Arbor and others, are substantially in accordance with the declared purpose and policy of the Ann Arbor Water Company, (2) that the interests of all parties may be more fully served by agreement than by litigation, and (3) that future difficulties and misunderstandings may be avoided by a full, fair and through investigation of the tile mentioned in said answer and cross-bill and of the water collected thereby, we propose:

1. That there shall be appointed as soon as practicable a board of arbitration, consisting of two members appointed by the city of Ann Arbor and two members appointed by the Ann Arbor Water Company, neither of the latter to have any financial interest in the said company, this board to have the authority to appoint a fifth member at any time that it may deem such a course advisable.

2. That this board shall have full power and authority to investigate the location, character and surroundings of the tile mentioned in the aforesaid answer and cross-bill, and the character and source of the water collected by means thereof, using such source of information and such evidence as it may see fit, and shall, as soon as may be, make a report to the City of Ann Arbor and to the Ann Arbor Water Company, wherein it shall make any recommendations that it shall deem expedient respecting the said tile and the water collected thereby, and the Company will, before using said water, conform to such recommendations.

3. Pending the report of said board the Company will wholly abstain from the use of any of the water obtained from said tile for the city water supply.

4. The report of said board shall be a final adjustment and adjudication of all questions at issue between the parties to the said suit.

5. We respectfully ask that you

submit the foregoing proposition to the common council of the city of Ann Arbor at its next meeting.

Very Truly Yours,

John F. Lawrence and E. R. Sunderland, solicitors for the Ann Arbor Water Company.

Ann Arbor, Michigan, March 14th, 1907.

Ordered on file and the following resolution offered:

#### Resolution.

By Alderman Manwaring.

Resolved, That the proposition of the Ann Arbor Water Company for the creation of a board of arbitration to determine the questions at issue in the suit now pending with reference to the tile and the water collected thereby at the Washington street station, be, and the same hereby is, declined.

Resolved, Further, That the solicitors for the city be directed to proceed in said suit in the courts as rapidly as possible.

Adopted as follows:

Yeas—Ald Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore.—12.— Nays—None.

#### Resolution.

By Ald. Miller.

Resolved, That the city clerk make arrangements for the annual charter election, Monday, April 1st, 1907, the said election to be held in each ward at the following places:

First ward—The Schmid store, 300 East Washington street.

Second ward—Second ward building, No. 310 South Ashley street.

Third ward—Beal building, North Main street.

Fourth ward—Green store, No. 206 North Fourth avenue. (Arlington hotel.)

Fifth ward—Fifth ward engine house, Swift street.

Sixth ward—Basement sixth ward school house.

Seventh ward—Seventh ward building, Mary street.

Adopted as follows:

Yeas—Ald. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—12. Nays—None.

Dr. James B. Pollock made a verbal report of the fruit and orchard inspectors, showing the necessity for more spraying apparatus and Ald. Abbott moved that an appropriation of not exceeding \$75 be made for said purpose.

Adopted as follows:

Yeas—Ald. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—12. Nays—None.

Ald. Miller moved that the Home Telephone Company be authorized to place a phone in J. M. Martin's, the poor commissioner, residence, No. 415 North Fourth avenue.

Adopted as follows:

Yeas—Ald. Gill, Schneider, Miller, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—12. Nays—None.

Moved by Ald. Manwaring that Mr. S. W. Beakes be made a member of the special committee to go to Lansing in interest of charter amendments.

Adopted.

Moved by Ald. Schneider that the matter of the Dewey avenue sewer be reconsidered. Lost.

The council adjourned.

Ross Granger, clerk.