

COUNCIL PROCEEDINGS.

[OFFICIAL]

COUNCIL CHAMBER,
ANN ARBOR, March 20, 1893.

Regular session.

President Cooley being absent, the Council was called to order by the Clerk.

Roll called. Quorum present.

Absent—Ald. Taylor and President Cooley.

On motion of Ald. Wines, Ald. Fillmore was elected president pro tem.

The journal of the last session was approved.

COMMUNICATIONS FROM THE MAYOR.

CITY OF ANN ARBOR,
MAYOR'S OFFICE, March 9, 1893.

To the Honorable, the Common Council:

GENTLEMEN—I am constrained to return to you without my approval so much of the proceedings of your honorable body at its last regular session as relates to the adoption of the following resolution:

By Alderman Martin—

Resolved, That \$698.27 be transferred from contingent fund into street fund, the above being the amount spent out of street fund at the old cemetery, \$398.27 for removing dead bodies, and \$300 which has been spent for purchasing point between Detroit street and Beakes street in the fourth ward.

Adopted as follows:

Yeas—Ald. Wines, Schairer, Martin, Herz, Fillmore, Snow, Rehberg, Kitson, Prettyman—9

Nays—Ald. Ferguson, O'Mara—2.

Section 172, subdivision eighth, of the city charter provides as follows: "No transfer shall be made from one fund to another, except by a three-fourths vote of all the members of the Common Council elect."

The resolution having received only nine votes in the affirmative, it is manifest that the same did not receive a three-fourths vote of all the members of the Common Council elect; for section 70 of the City Charter aforesaid expressly provides that "The legislative authority of the said city of Ann Arbor shall be vested in a common council consisting of the president of said council and two aldermen elected from each ward," that is to say, that, as at present constituted, the common council of the city of Ann Arbor consists of thirteen members.

The adoption of the said resolution as declared by the record, being against the express prohibition of the charter, I respectfully refuse my approval thereof.

WILLIAM G. DOTY, Mayor.

The question being that the action of the council regarding the transfer of money from Contingent Fund to the Street Fund be sustained, the mayor's veto notwithstanding, the question was lost, two-thirds of the aldermen elect not voting therefore, by yeas and nays as follows:

Yeas—Alds. Wines, Schairer, Martin, Snow, Prettyman—5.

Nays—Alas. Fillmore, Ferguson, Kitson, O'Mara—4.

A petition signed by W. F. Stiegelmaier and fourteen other residents and property holders of the city of Ann Arbor, asking that a fire hydrant be placed on the corner of Mary and Benjamin streets, and extend the water main from Packard street to Benjamin street along Mary street.

Referred to Water Committee.

A petition signed by Charles Dwyer and sixteen other residents and property holders of the city of Ann Arbor, asking that a sidewalk be ordered built on the north side of Catherine street from Ingalls street to Thirteenth street.

Referred to Sidewalk Committee

REPORTS OF STANDING COMMITTEES.

ORDINANCES.

The third reading by sections of "An Ordinance to Authorize the Ann Arbor Fuel Gas Company to Construct and Operate Gas Works, and lay pipes through the Streets, Alleys, and Public Places of the City of Ann Arbor, for the purpose of supplying fuel gas to the Citizens and Corporations of the City."

After which the chair having stated the question to be "Shall this Ordinance pass?"

On motion of Ald. Martin the Ordinance was laid upon the table.

The second reading by sections of "An Ordinance Extending the Time of Operation of the Provisions of an Ordinance entitled 'An Ordinance Relative to Gas Works,' passed Sept. 2, 1889, and approved Sept. 4, 1889."

STREET.

To the Common Council:

Your committee on streets, to whom was referred the petition of the property owners on Brooks street, third ward, of the city of Ann Arbor, representing that there is urgent

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need for the establishing of a grade, also that the street be graded to the grade when so established would recommend that the said petition be referred to the new common council for action.

Respectfully submitted,

CHRISTIAN MARTIN,
W. G. SNOW,
L. D. WINES,
A. P. FERGUSON,
H. G. PRETTYMAN,
Street Committee.

Ale. Martin moved that the report be and the same is hereby approved and confirmed.

Adopted.

REPORT OF SPECIAL COMMITTEE.

To the Common Council :

We the undersigned duly appointed inspectors of the special election, ordered by the common council of the city of Ann Arbor, to be held at Fireman's Hall, in said city, on the twentieth day of March, A. D 1893, to determine what sum and whether the sum of thirty thousand dollars should be raised by the common council, on the bonds of the said city, to be expended for the purpose of constructing a main sewer according to the determination of the council heretofore had, do hereby certify that such special election was held at the said place, and on the day appointed, as aforesaid, and that at such special election there was cast by ballot, pursuant to law, on such question, one thousand three hundred and fifty-seven (1357) votes, and they were given on the said question as follows:

For sewerage loan tax, yes, seven hundred and ninety-five (795).

For sewerage loan tax, no, five hundred and thirty six (536)

Double ballots, twenty-three (23)

Blank ballots, three (3).

All of which is respectfully submitted.

In witness whereof we have hereunto set our hands, at the city of Ann Arbor, on this twentieth day of March, A. D 1893

CHRISTIAN MARTIN,
A. P. FERGUSON,
ARTHUR J. KITSON,
Inspectors.

Ald. Wines moved that the report be received and filed and spread on the Journal.

Adopted.

REPORTS OF CITY OFFICERS.

City Clerk Miller reported the posting of the notices of Electors' Meeting this day held.

Received and filed.

MOTIONS AND RESOLUTIONS.

By Ald. Ferguson:

Resolved, That the sum of three hundred dollars, (\$300), be appropri-

ated from the Contingent Fund to grade and widen and lay drain tile on South State street from Packard street south to the city limits.

Adopted as follows:

Yeas—Ald Wines, Schairer, Fillmore, Snow, Ferguson, O'Mara, Rehberg, Kitson, Prettyman.--9.

Nays—Ald. Martin, Herz.--2.

By Alderman O'Mara:

Resolved, That the Charter and general election, to be held on the third day of April next, be and the same is hereby appointed to be held in the several wards of the city at the following named places viz:

First ward, at No. 33 and 35 E. Washington street, Weinmann Block.

Second ward, at No. 7 West Liberty street.

Third ward, at C. H. Manly's office, (Court House).

Fourth ward, at the Fourth ward Engine House.

Fifth ward, at the Fifth ward Engine House.

Sixth ward, at the Sixth ward Engine House.

Resolved further, That the City Clerk do give notice of said election pursuant to law.

Adopted as follows :

Yeas—Alds. Wines, Schairer, Martin, Herz, Fillmore, Snow, Ferguson, O'Mara, Rehberg, Kitson, Prettyman --11.

Nays—None.

By Ald. Snow:

Resolved, That the sum of \$35 be appropriated and paid Geo. Palmer for property destroyed by order of Board of Health.

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

Lost as follows:

Yeas—Ald. Schairer, Martin, Herz, Kitson, Prettyman.--5.

Nays—Ald. Wines, Fillmore, Snow, Ferguson, O'Mara, Rehberg.--6.

Ald. Martin moved that the Council now adjourn.

Adopted as follows

Yeas—Ald. Wines, Schairer, Martin, Herz, Fillmore, Rehberg, Prettyman.--7.

Nays—Ald. Snow, Ferguson, O'Mara, Kitson.--4.

Council then adjourned.

W. J. MILLER,
City Clerk.