

Council Chambers, Nov. 17, 1902.

Regular session.

Called to order by President Haarer. Present—Ald. Hamilton, Koch, Schlenker, Clancy, Schumaker, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer.—11.

Absent—Ald. Douglass, Kearns, Jenney, Burg.—4.

Minutes of previous meeting corrected and approved.

Mayor's Office.

Ann Arbor, Mich., Nov. 7, 1902.

To the Common Council:

Gentlemen—The Street Railway Co. has protested against the action of the council compelling them to reduce the strength of their headlights.

It is contended by the railway company that this practice would endanger the lives of the people and their property. They desire to present this view to the council and in order to permit a hearing I will disapprove the action of the council relating to that matter.

R. S. COPELAND,

Mayor.

Board of Public Works.

Ann Arbor, Mich., Nov. 12, 1902.

To the Board of Public Works:

Gentlemen—I herewith submit final estimate of work done and material furnished by Lennane Bros. in paving State street under their contract with the city of Ann Arbor.

12483.8 sq. yds. paving ..	
at \$2.16	\$26,965.00
6257.0 cu. yds. excavation,	
at \$0.20	1251.40
442.0 cu. yds. excavation	
(track) at \$0.27	119.34
5019.4 lin. ft. Berea curb	
at \$0.46	2308.92
731.5 lin. ft. Medina curb at	
\$0.70	512.05
453.7 lin. ft. Headers at 40	181.48
Bill of extras	440.79

Total cost \$31778.98
Less 5 per cent for one yr.. 1588.95

\$30190.03

Paid on former estimates .. 20671.81

Amount due 9518.22

E. W. GROVES,
City Engineer.

On motion of Mr. Cady the report of the engineer was accepted and recommended to the council for payment.

JAS. E. HARKINS,
Clerk of Board.

Board of Public Works.

Ann Arbor, Mich., Nov. 13, 1902.

To the Board of Public Works:

Gentlemen—In the matter of paying for the pavement on State street I make the following distribution of cost, subject to your approval:

Total cost of pavement....	\$31778.98
D. Y. A. A. & J. Ry.	
share	\$ 825.84
Street intersections	6380.62
Univ. of Mich. (less	
20 per cent.) .	4793.07

11999.53

\$19779.45

Less 20 per cent. 3955.89

For property to pay \$15823.56

For the city to pay—

Street intersections \$6380.62
20 per cent. 3955.89—10336.51

E. W. GROVES,
City Engineer.

Ald. Hamilton moved that the report of the Board of Public Works be accepted and that a warrant be ordered drawn in favor of Lennane Bros. for the same.

Adopted as follows:

Yeas—Ald. Hamilton, Koch, Schlenker, Clancy, Schumaker, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer.—11. Nays—None.

ORDINANCE.

Ald. Fischer presented for its final reading:

An ordinance to prohibit and punish the practice of spitting and expectorating, and throwing banana and orange peelings upon the sidewalks and walks upon any street or alley,

park or public grounds, or upon the floors, stairs or steps of any public hall, theatre or other building frequented by the public, or upon the floors of street cars or other vehicles used for public travel within the city of Ann Arbor.

The Common Council of the City of Ann Arbor ordains:

Sec. 1. It shall be unlawful within the city of Ann Arbor for any person or persons to spit, or expectorate, or throw any banana or orange peelings upon any sidewalk, or walk on any of the streets, alleys, public grounds or parks of said city or upon the floors, stairs, or steps of any public hall, theatre or public building frequented by the public, or upon the floors of street cars, or other vehicles used for travel.

Sec. 2 Any person who shall violate any of the provisions of section one of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one dollar or more than ten dollars, and costs of prosecution, or by imprisonment in the county jail not more than thirty days, or by both such fine and imprisonment in the discretion of the court.

Sec. 3. This ordinance shall take effect and be in force from and after ten days from legal publication.

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

Adopted as follows:

Yeas—Ald. Hamilton, Koch, Clancy, Schumaker, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer.—10. Nays—Ald. Schlenker—1.

An ordinance entitled an ordinance relative to distributing advertising packages was presented and given its first and second reading.

An ordinance providing for and adopting the foregoing revision and consolidation of the ordinances of the city of Ann Arbor was read by title and passed to its second reading.

Dr. Hinsdale appeared before the council and gave his views on the necessity of a pest house. Ald. Koch

moved that a committee of three be appointed to confer with the board of Health relative thereto. Carried.

The chair appointed as such committee Ald. Koch, Coon, Fischer.

Ald. Coon moved that the street committee be appointed to investigate the headlight question on the suburban cars. Carried.

By Ald. Schumacher:

Resolved, That the engineer make out a bill against the D. Y. A. A. & J. Ry Co. for the amount due the city of Ann Arbor on account of the State street pavement and make the same to Mr. Hawkes. Carried.

By Ald. Grose:

Whereas certain of our aldermen and many citizens have expressed opinions advocating certain amendments to the present charter of the city of Ann Arbor, therefore be it, and it is hereby

Resolved, That the President of the Council appoint a committee of three aldermen to confer with the mayor and city attorney in making such preliminary arrangements and recommendations as may be necessary to bring the matter before the state legislature at its next session, this committee to report at the next regular council meeting. Carried.

Whereupon the chair appointed Ald. Grose, Coon and Koch.

The reports of Justices Doty and Gibson for the month ending Sept. 30 were received and placed on file.

By Ald. Hamilton:

Resolved, that the pavement on State street, 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 the 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 of the cost of the said public improvement, street and alley intersections and the land in front of city property excepted,

shall be and is hereby ordered to be levied on and assessed against the lands, tenements and premises situate in the special district assessment hereinafter designated and the said special assessment district is hereby fixed as follows, to wit: All those certain pieces or parcels of land situated in the city of Ann Arbor, county of Washtenaw, state of Michigan, excluding all county and city lands aforesaid, and all streets and public alleys bounded as follows:

Beginning at the northeast corner of land of school district No. 1, Ann Arbor, B. 1 south Range 10 east, thence running south to south east corner of said land, thence west to southwest corner of said land, thence south to northwest corner of lot one Block 2 south Range 10 east, thence east on south side of Washington street 132 feet, thence south on the east line of said lots 1, 2, 3, 4, 5, 6 to the southeast corner of lot 6 Blk. 2 S. R. 10 east, thence west to north east corner of land of Fred Schleede, thence south parallel to State street $49\frac{1}{2}$ feet, thence west 11.17 feet, thence south to a point in North University Avenue 79.58 feet east of the southwest corner of lot 7 of said block and range thence west along said south line of lot 7 about thirty eight feet, thence south to the north line of University of Michigan land, thence east to the southwest corner of North and East University avenues, thence south along the west line of East University avenue to the northwest corner of East and South University avenues, thence west along the north line of South University avenue to northeast corner of State street and South University avenue, thence southerly to the northeast corner of lot one Block 6 south Range 10 east, thence south parallel to State street 198 feet, thence east to northeast corner of lot 4, block 6 S. R. 10 E., thence south along the east line of lots 4, 5, 6, 7 and 8 to North line of Monroe street, thence west 132 feet to southwest corner of said lot 8, thence south to southeast corner of Monroe and State

streets, thence west to southwest corner of State and Monroe streets, thence north to southeast corner of lot 7, B. 6 S. R. 9 east, thence west along south line of said lot 132 feet, thence north 99 feet west 11 feet north 66 feet west 5 feet, thence north 99 feet to a point in Madison street 148 feet west of the north east corner of Block 6 S. R. 9 E. thence east to the northeast corner of said block 6, thence north to the northwest corner of Madison and State streets, thence west along the north line of Madison 231 feet North $82\frac{1}{2}$ feet west $16\frac{1}{2}$ feet north $87\frac{1}{2}$ feet, West $82\frac{1}{2}$ feet, thence north $242\frac{1}{2}$ feet to the northwest corner of land of Mary B. Pond, thence east to the southwest corner of land of R. M. Hendrickson, thence north $148\frac{1}{2}$ feet to the northwest corner of land of Zeta Psi society, thence east 66 feet, north 99 feet to the south line of Jefferson street, east $181\frac{1}{2}$ feet to the northeast corner of Blk. 5 S. R. 9 E., thence north to southeast corner of lot 9 Block 4 S. R. 9 E. thence west 132 feet to south west corner of said lot 9, thence north 264 feet along west line of lots 9, 10, 11, 12, thence west $49\frac{1}{2}$ feet north parallel to State street, 120 feet, thence west at right angles to State street, to Maynard street, thence North on east line of Maynard street 12 feet to southwest corner of lot 2 Block 4 S. R. 9 E., thence east along the south line of said lot 2 to southwest corner of lot 15 in said block 4, thence north along the west lines of lots 15 and 16 B. 4 S. R. 9 east to William street, thence east on north line of lot 16 to State street, north to southeast corner of lot 11, B. 3 S. R. 9 E., west along south line of said lot 11 to south west corner of same, north along the west line of lots 11, 12, 13, 14, 15 and 16 to northwest corner of lot 16 in said block, thence east along the north line of said lot 16 to a point 89.45 feet west of State street to Liberty street, thence east to the northeast corner of Block 3 S. R. 9 East, north to southeast corner of Block 2 S. R. 9 E., west along south line of lot 5 of said

B. 2 S. R. 9 E. 132 feet north along west line of lots 5, 6, 7, 8 to Washington street, thence east 132 feet to northeast corner of said Block 2 S. R. 9 E., north to southeast corner of land of Methodist church society, west on south line to southwest corner of said land, north along the west line of Methodist Church property and the Tappan Presbyterian Association lands to Huron street, thence east to southwest corner of State and Huron street, thence north to northwest corner of State and Huron streets, east to northeast corner of said streets, south to the southwest corner of said streets, to northwest corner of School lands, thence east along the north line of School lands to place of beginning.

Resolved further, that and this common council hereby requires and orders the sum of \$15,823.56 dollars, payable in ten equal annual installments with four per cent interest, or, at the option of the tax payer, 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 the 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 assessments shall or 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, and the sum of \$6,380.62 dollars is hereby appro-

riated from the street fund for the purpose of defraying the cost of such public improvement at street and alley intersections, 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 city of Ann Arbor within the said city in and during the period in which any part of this appropriation 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.

By Alderman Hamilton:

Resolved, that the city pay 20 per cent of the cost of said pavement in addition to street and alley intersections, said amount being \$3,955.89.

By Ald. Hamilton:

Whereas, the common council have approved the plans and specifications for the pavement known as the State street paving district number 5 and have authorized the execution by the board of public works of a contract therefor, and

Whereas by a resolution the common council has also declared that for the purpose of assessment to defray the expenses of such improvement the taxable lands and parcels of real estate which in the opinion of the 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. 5, and

Whereas the said common council have 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 a-

against the persons and corporations named therein to remain a lien on and against the said lands, and a charge against such persons and corporation 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 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 street as aforesaid, street crossings, and the amount determined to be charged against the street fund excepted, 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 date of November 17 1902, in the aggregate sum of \$31,779, that being the estimated cost of such improvement payable to bearer in ten equal annual installments from and after the first day of March, 1903, 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 March 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. Hamilton, Koch, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—9. Nays—Ald. Schlenker, Clancy—2.

By Ald. Schlenker:

Resolved, that the pavement of Ann street between Main street and Fourth 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 the 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 of the cost of the said public improvement, street and alley intersections 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 designated, and said special assessment district is hereby fixed as follows,

All those certain pieces or parcels of

land situate in the city of Ann Arbor, county of Washtenaw and state of Michigan, excluding all street and alley intersections, bounded as follows:

Beginning at the southeast corner of block two north range four east, running thence north along the west side of North Fourth avenue fifty seven feet, thence west at right angles with North Fourth avenue sixty six feet, thence north parallel with North Fourth avenue to the north east corner of lands of Mrs. Hoben, thence west on a line at right angles with North Fourth avenue fifty-six feet and eleven inches, thence north on a line parallel with North Fourth avenue sixteen and one half feet, thence west on a line parallel with Ann street twenty feet, thence south thirty five feet, thence west to North Main street to a point ninety-seven feet north of the south-west corner of block No. two, Range four east, thence south along the east line of Main street to the southwest corner of the land of Washtenaw county known as the Court House Square, thence east on the north line of Huron street to the south east corner of said Court House Square, thence north on the west line of North Fourth avenue to the place of beginning.

Resolved further that this common council hereby require the sum of \$1,836.87, payable in ten equal annual installments, with four per cent interest, or, at the option of the taxpay-

er, 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 situate in the said special assessment district aforesaid and as a tax against the owner thereof. All to be assessed on and against the 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 aforesaid with interest as aforesaid on and against the lands and tenements aforesaid on and upon the special assessment roll for the said paving district aforesaid and on and upon each and every of the regular annual assessment roll of the city of Ann Arbor for the year in and during which any of such special assessments shall or 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, and the sum of five hundred and sixty four dollars and sixty two cents (\$564.62) be and the same is hereby appropriated from the street fund for the purpose of defraying the cost of such public improvement at street and alley intersections, all of which sum of money in ten equal 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.

Resolved, that the city pay twenty per cent of all pavement in addition to street and alley intersections amounting to four hundred fifty nine

dollars and twenty one cents (\$459.21.)

Whereas the common council have approved the plans and specifications for the pavement known as the Ann street pavement, being paving district number 6, and have authorized the execution by the board of public works of a contract therefor, and

Whereas by a resolution the common council has also declared that for the purpose of assessment to defray the 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 sum and fixed the boundaries thereof, shall constitute a special assessment district known and designated as Ann street paving district number 6 and

Whereas the said common council have 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 were thereby 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 therein named to remain a lien on and against the said lands, and a charge against such person and corporation 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 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 street as aforesaid, street crossings and the amount determined to be charged against the street fund excepted, 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, pavement bonds of the city of Ann Arbor under date of November 17th, 1902, in the aggregate sum of three thousand four hundred and four and 65-100 dollars, that being the estimated cost of such improvement payable to bearer in ten equal annual installments from and after the first day of March, 1903, payable 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 March 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. Hamilton, Kitch, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer.—9. Nays—Ald. Schlenker, Clancy.—2.

On motion the council adjourned.

JAMES E. HARKINS,

City Clerk.