Council Chamber, Dec. 1, 1902. Regular session.

Called to order by Pres. Haarer.
Roll call: Present—Ald. Hamilton,
Koch, Schlenker, Kearns, Schumacher,
Johnson, Roberts, Grose, Coon,
Fischer, Pres. Haarer—11. Absent—
Ald. Douglas, Clancy, Jenney. Burg
—4.

Minutes of previous meeting read and approved.

COMMUNICATIONS AND PETITIONS.

Mayor's Office,

Ann Arbor, Mich., Dec. 1, 1902. To the Honorable, the Common Council:

Gentlemen—It is known to most of our citizens that for several years the city has been carrying a financial overdraft. In spite of frequent explanation of its origin the popular idea today is that this state of things came from reckless expenditure of the public funds. At the risk of tiring your honorable body, familiar with the history of this overdraft, I feel it is due our constituents to repeat the history of its creation.

In 1898 the Common Council decided to make a very necessary public improvement, namely the construction of a system of surface sewers. The only mistake in that transaction was the failure to provide a means of paying for this work, either by general tax, bonding or assessment against property directly benefited. There was nothing left for the council to do but to pay for this improvement from the current expense fund. It was charged against the sewer account.

From that day to this the officials of the city have had to face a very large deficit and overdraft in this fund representing the cost of the storm and surface sewers.

Last July the city suffered the effects of a serious flood. Eleven culverts were totally or partially destroyed. Our citizens rejected a proposition to raise a large sum of money to replace this loss, saying to the city officials: "Do the work, present the

bill and we will furnish the money to pay it."

That work has been done, carefully and economically and its total cost is about fifteen thousand dollars.

The two items of expense, that for the storm sewers and the other for the culverts, each in reality a part of the surface sewer system of our city, amount to forty thousand dollars. This sum covers the indebtedness of the municipality and represents the overdraft which will be left after paying the legitimate and necessary expenses of the fiscal year. It does not include one penny of reckless expenditure and is in no sense due to past or present extravagance of city officials. It came from money spent for special purposes, not provided for by charter or general law. It was expended for a useful and necessary public improvement, and the benefits derived from it will not be enjoyed by this generation alone.

This is the history of the overdraft. What of the future?

Up to this time our banks have been most generous and accommodating. have carried the overdraft from year to year and have been patient in our shortcomings. The bank officials have served notice upon the city that after February 1st the overdraft must be wiped out of existence. They feel that they are not justified in longer carrying it. They are numbered among our very best citizens and have at heart only the interests of our city, but the banking laws of the state make it imperative upon them to protect the funds entrusted to their care.

In this emergency some definite action must be taken by your honorable body to provide a means of wiping out the overdraft. Our people have very clearly indicated how they feel about a special tax. However, in spite of this, if the overdraft were the result of extravagance in current expense, I should favor asking the people to vote funds to care for it and do away with our interest account. But, the entire debt is due to the expenditure of

permanent and which will be enjoyed Therefore, I by the next generation. recommend that the city attorney be instructed to prepare an enabling act, permitting the city of Ann Arbor to issue bonds in the sum of forty thousand dollars, payable in ten annual installments, at a rate of interest not to exceed four per cent; further, that this bill be presented to the legislature at the earliest possible moment and our representatives be urged to place it on its immediate passage. When this is done, let the bonds be placed and the money used to liquidate this ancient of Ann Arbor is hereby directed, in and honorable debt.

Respectfully,

R. S. COPELAND, Mayor.

By Ald. Grose:

Resolved, that the recommendations of the mayor relative to getting an enabling act passed to permit the city to issue forty thousand dollars worth of bonds be concurred in.

Adopted as follows:

Yeas- Ald. Hamilton, Koch, Schlenker, Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer-11. Nays-0.

A petition of J. P. Drake et al. relative to taking the necessary steps to acquire the title to the property laying next to the cat hole, known as John and Sarah Mosely property, and the property belonging to the Sylvia E. Smith estate, was read.

By Ald. Schlenker:

Whereas, the common council of the city of Ann Arbor has been applied to in writing by ten or more freeholders in said city, to lay out and establish a common, or park, on, over and above all the pieces of land situated in the sixth ward in said city of Ann Arbor, described as follows: Lot 114, in block 3, R. S. Smith's third addition to the city of Ann Arbor, owned by the estate of Sylvia E. Smith; also the northeast corner of lot "D" in block 3, of R. S. Smith's third addition to the city of Ann Arbor, having a frontage of 138.24 feet on East Washington street and a light committee.

money for improvements which are depth of 136.62 feet, now owned by John Mosely and Sarah E. Mosely.

> Now, therefore, the common council of the city of Ann Arbor do hereby determine that the aforesaid proposed improvement is advisable, and said common council do hereby declare said public improvement to be necessary, and they further declare that they deem it necessary to take the private property described as aforesaid for a public park, and that said improvement is for the use and benefit of the public.

> Therefore, the city clerk of the city the name of the common council, to give notice of the pendency of the question of ordering such proposed improvement, to the owners, occupants, or persons interested, or his her or their agent or representative, by personal service, if they reside within the city of Ann Arbor, and if they shall reside outside said city, then to make service by posting up notice in five or more public places in said city, which notice shall state the time and place when and where the common council will meet to consider the same, and shall also contain a description of the property to be constituted into said common or park.

> Said city clerk is hereby further directed and required to serve and post said notice at least ten days before the time hereby fixed for said hearing.

> Said meeting of said common council for the hearing of said owners or occupants of said lands, and all persons interested therein, is hereby fixed for the 16th day of December, 1902, at 2 o'clock p. m., at the common council rooms in the court house in the city of Ann Arbor.

Adopted as follows:

Yeas— Ald. Hamilton, Koch, Schlen-Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer-11. Navs-0.

A petition of C. E. Hiscock et al. for light on N. Main street near city limits was received and referred to Ann Arbor, Mich., Dec. 1, 1902.

At the last meeting of the board of public works the following resolution was passed:

Mr. Sauer moved that the board accept the contract of the National Bridge Co. as completed, and that the bill of \$2,021.00 be recommended to the council for payment. Carned.

> WM. M'INTYRE, Pres. JAS. E. HARKINS, Clerk.

> > Per E. H. A.

Office of Board of Public Works. December 1, 1902.

The bill of C. J. Snyder, amounting to \$261.19, was received for work on Oxford Road and Hill street and on motion of Mr. Sauer was referred to the common council for meir consideration.

> WM. M'INTYRE. Pres. JAS. E. HARKINS, Clerk.

Ald. Fischer moved that the bill of the National Bridge Co. be allowed and warrant ordered drawn.

Adopted as follows:

Yeas- Ald. Hamilton, Koch, Schlenker, Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer-11. Nays-0.

Ald. Kearns moved that the bill of C. J. Snyder of \$261.19 be allowed and warrant ordered drawn.

Adopted as follows:

Yeas-Ald. Koch, Schlenker, Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer-10. Nays -Ald. Hamilton-1.

Ann Arbor, Mich., Nov. 29, 1902. Mr. J. E. Harkins:

Dear Sir-I will pay the face value for two bonds of five hundred dollars paving bonds, paving district No. 5, State street.

A. J. SAWYER.

December 1, 1902.

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

Gentlemen-We are in receipt of a letter of the 24th ult. inviting bids for \$31,779 paving bonds and beg to say

Office of Board of Public Works. par and accrued interest to date of delivery.

> Very truly yours, CHAS. E. HISCOCK. President.

By Ald. Hamilton:

Resolved, that the bids of Ann Arbor Savings Bank and A. J. Sawyer on paying bonds be accepted.

Adopted as follows:

Yeas- Ald. Hamilton, Koch, Schlenker, Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer-11. Nays-0.

The clerk presented the paving rolls and certificates of paving districts No. 5 and 6, whereupon the following resolution was offered.

By Ald. Hamilton:

Resolved, that Tuesday, the 16th day of December, 1902, at two o'clock p. m., at the council chambers, be fixed as the time and place for the sitting of this council as a board of review for the consideration of the special assessment rolls of paving districts No. five and No. six. That on the above date, and at the place specified above, the said board of review shall proceed without adjournment to review said special assessment rolls; and that the city clerk shall forthwith cause notice of the time so fixed to be published in the Ann Arbor Daily Argus, that being the official newspaper of said city, published in the city of Ann Arbor.

Adopted as follows:

Yeas- Ald. Hamilton, Koch, Schlenker, Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer-11. Nays-0.

FINANCE.

Ann Arbor, Mich., Dec. 1, 1902. To the Common Council:

Gentlemen-Your committee on finance have had the following bills under consideration and recommend their allowance, and that warrants be drawn for the same.

Respectfully submitted, F. M. HAMILTON,

Committee.

CONTINGENT FUND.

that we will take the whole issue at H. Wirt Newkirk, salary....\$ 834

M. E. Easterly, salary		F. M. Hamilton 25 00	1
Marvin Davenport, salary	6 25	H. W. Douglas 25 00	
A. J. Sawyer, salary	50 00	Eugene Osterlin 10 00	
E. W. Groves, salary	100 00	Chris, Schlenker 25 00	
Jas. E. Harkins, salary	\$3 34	John Kech 25 00	
E. L. Seyler, salary	83 34	J. C. Fischer 10 00	
Mrs. C. A. Green, rent	29 17	W. J. Clancey 25 00	
W. B. Hinsdale, salary	37 50	Richard Kearns25 00	
H. Dodsley, salary	25 00	Herman Krapf 10 00	
Dr. C. Georg, Jr., salary	37 50	Phil. Schumacher 25 00	
Nelson Garlinghouse, salary	12 50	Willis Johnson 25 00	
M. E. Easterly, services and		Geo. H. Rhodes 10 00	
election fees	2 50	Louis Roberts 25 00	
Wm.McIntyre, Jr., services	34 65	L. D. Grose 25 00	
Wm. Herz, election commis-		W. D. Harriman 10 00	
sioner	5 00	R. A. Jenney 25 00	
H. G. Prettyman, election		Emmet Coon 25 00	
commissioner	5 00	B. F. Schumacher 10 00	
Geo. L. Moore, election com-		Geo. H. Fischer 25 00	
missioner	5 00	John Burg 25 00	
Jas. E. Harkins, clerk ofelec-		John Haarer 25 00-	- 445 00
tion committee	5 00		
O. M. Martin, rental registra-		1st—Geo. L. Moore 4 00	
tion	5 00	Ross Granger 4 00	
Jas. R. Bach, rent for regis-		2nd—J. Fischer 4 00	
tration and election	15 00	J. F. Weurth 4 00	
Fred Weinburg, rent of shop		3rd—W. J. Clark 4 00	
election and registration	15 00	Chas. Vogel 4 00	
Zion church, rent of school for		4th—John Baumgard-	
election	10 00	ner 4 00	
Karl R. Gauss, printing	11 20		
John Haarer, supplies	7 90		
Hugh Johnson, meals for first		James Boyle 4 00	
and fifth wards	14 00		
Wm. C. Binder, meals for		Edward Duffy 4 00	
third ward	7 50	The second process and the second process and the second process and the second process and the second process are second process.	
Chas. L. Carrao, meals	14 00	\$1000 PP \$10	- 56 00
Glen V. Mills, students' di-		Gate Keepers:	
rectories	10 00		
J. J. West, moving ashes	1 00	The second secon	
John Heinzman, lawn seed	40		
Chas. F. Meyers, printing	2 20		
Bailey & Edmunds, labor and	755 955	3rd—J. J. Fischer 2 00	
supplies	15 30		
Goodyear Drug Co., prescrip-		4th—Jacob Frank 2 00	
tions	13 40		
Eberbach Pharmacy, prescrip-		5th—Jacob Kalam-	
tions	13 85	presentation at appearance to an expension comment	
Mann Bros., prescriptions	2 45		
Bills for Registration and		6th—Silas P. Hill 2 00	
Election.		7th—Peter Hines 2 00	00.00
Inspectors of election and		John Young 2 00-	
Registration:		Wessinger Adv. Sign Co., reg	3-
J. R. Miner\$ 10 00		istration cards	. 4 50
and the same of th			

D. J. Malloy, repair work 2	5 of Schumacher of \$2.10, \$5.12 and		
Schumacher's Hardware, sup-	\$7.70 be added to the report and that		
plies 2 1	the report be accepted and warrants		
	ordered drawn for same.		
\$329 3			
POOR FUND.	that the report be made to read \$25.00		
Fred Sipley, salary\$ 10 0 E. D. Hiscock, wood 78 2	The state of the s		
E. D. Hiscock, wood 78 2 Geo. Loomis, wood 85 0			
A. A. Railroad Co., freight 177 0			
E. Simson & Co., wood 260 3			
J. Eschelbach, meat 7			
Mrs. J. Goetz, groceries 2 1			
G. Hoeffer, groceries 4 0			
J. J. Goodyear, medicine 8			
A. Kearney, groceries 3 0	Ald. Fischer presented for its final		
A. G. Koch, groceries 2 9	5 reading		
W. F. Ludholz, groceries 7 1	4 An Ordinance relative to distributing		
C. F. Pardon, groceries 2 0			
C. Rinsey, groceries 5 7			
Rinsey & Seabolt, groceries 7 0			
Louis Rhode, coal 7 2			
W. F. Stimson, groceries 2 4			
E. C. Strech, coal 3 7			
Geo. Spathelf, meat 2 0			
M. M. Seabolt, groceries 2 2 Geo. Weeks, coal 7 7	The second secon		
Geo. Weeks, coal			
Chas. Zirn, meat	other place in the city of Ann Arbor,		
\$672 5			
CEMETERY FUND.	of medicine, or medical compound, or		
Wm. Haver, labor\$ 45	· · · · · · · · · · · · · · · · · · ·		
DOG FUND.	ages of food, or formula, or material		
John West, burying dog\$ 5			
Jo. Blackburn, burying dog 5			
J. Mason, burying cats 10	of the provisions of section one of		
	this act shall be deemed guilty of a		
\$ 20	misdemeanor, and upon conviction		
BRIDGE, CULVERT AND CROSS			
WALK FUND.	jurisdiction, shall be fined in any sum		
Bacholz & Koruk \$ 76 8			
RECAPITULATION.	than fifty dollars, or imprisonment in		
Contingent fund\$2435 0	1		
Street fund 4284 9	1 3 0 3 1 1 1 13 31		
Fire fund	1		
Police fund	TO 1		
Cemetery fund	1 · · · · · · · · · · · · · · · · · · ·		
Dog fund			
Bridge, Culvert and Cross-	The chair put the question, shall		
walk fund			
1	Adopted as follows:		
\$8468_1	Yeas—Ald. Hamilton, Koch, Schlen-		
Ald. Hamilton moved that the bill	ker, Kearns, Schumacher, Johnson,		

Roberts, Grose, Coon, Fischer, Pres. firm or corporation shall ply the voca-Haarer—11. Nays—0.

Ald. Fischer presented for its third and final reading

An Ordinance providing for and adoptthe foregoing revision and consolidation of the ordinances of the city of Ann Arbor.

Whereas, it is deemed expedient that the ordinances of the city of Ann Arbor be revised, amended, changed and consolidated, and the absolete and inoperative ordinances now encumbering the book of ordinances, and the records of the city be repealed; therefore

The Common Council of the City of Ann Arbor ordain:

Section 1. That all ordinances and parts of ordinances not contained in the foregoing revised ordinances be and the same are hereby repealed.

Sec. 2. That all ordinances and parts of ordinances, beginning on page 99 and ending on page, contained in the foregoing revised and printed ordinances, are hereby passed and adopted as the ordinances of the city of Ann Arbor, in manner and form as adopted and set forth in the foregoing revised book of ordinances.

Sec. 3. All rights, actions, prosecutions, contracts, claims and rights of individuals, private, public and corporations. which may municipal have issued, commenced, made, arisen or secured under any ordinances which may have been, is, or are repealed, changed, amended or modified by the foregoing revision of the ordinances of the city of Ann Arbor, shall continue and be in force to the same extent, and in the same manner, as if change, repeal, modification or amendment had taken place by the foregoing revision of the ordinances of the city of Ann Arbor.

Ald. Fischer presented for its third and final reading

An Ordinance relative to transient traders.

The Common Council of the City of Ann Arbor ordain:

Section 1. No person or persons,

firm or corporation shall ply the vocation of transient trader in the city of Ann Arbor without first obtaining a license as herein provided.

Sec. 2. A transient trader as used in this ordinance shall be construed to mean a person by himself or in company with others who occupies premises within the city for a temporary period and is not assessed for taxes in the city and who offers goods, wares, or merchandise for sale.

Sec. 3. Before any license shall be granted under this ordinance, the person or persons, firm or corporation desiring the same shall make application to the common council in writing specifying the kind of business the applicant proposes to engage in, the time it is to be carried on, and the place where such goods are to be sold and shall at the time of making such application deposit with the city clerk of said city the amount of the license fee required by this ordinance.

Sec. 4. The license fee required by this ordinance shall be as follows:

For the right and privilege of selling goods at retail by sample, \$5.00 per day for the first ten days, and \$3.00 per day for each and every day in addition thereto.

For the right and privilege of selling goods from a stock actually kept on hand from which selections are made by the purchaser, \$7.00 per day for the first twenty days and \$5.00 for each and every day in addition thereto.

Sec. 5. Nothing in this ordinance shall be construed to prohibit the sale of goods, wares or merchandise to local merchants and dealers who are already in or about to engage in business in the said city of Ann Arbor.

Sec. 6. The sum so paid by such party or parties may be remitted by order of the city council provided it is shown that the stock of goods owned and controlled by them has become subject to assessment and has been duly assessed by the city assessor of the city of Ann Arbor and that the taxes thereon have been paid.

Sec. 7. Any person violating any

of the foregoing provisions of this that steps be taken to either purordinance shall on conviction thereof be punished by a fine not to exceed one hundred dollars or imprisonment in the city lock-up or Washtenaw county jail not to exceed ninety days, or both fine and imprisonment in the discretion of the court.

Sec. 8. All ordinances and parts of ordinances heretofore passed by the city of Ann Arbor coming in conflict with this ordinance or any provision of the same are hereby repealed.

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

The chair then put the question, shall this ordinance pass:

Adopted as follows:

Yeas-Ald. Hamilton, Koch, Schlen-Kearns, Schumacher, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—11. Nays—0.

To the Common Council:

Gentlemen-Your committee to whom was referred the matter of considering the advisability of a pest house, respectfully report that they have met with the board of health and in conjunction with said board recommend

chase, or build a place, suitable for such purposes.

> Respectfully submitted. JOHN KOCH. EMMETT COON. GEO. H. FISCHER.

By Ald. Coon:

Resolved, that the report be accepted and that the same committee be continued and instructed to look up the matter of pest house as to cost. etc., and if necessary to provide a temporary one suitable for such purpose. Carried.

By Ald. Schumacher:

Resolved, that a telephone be placed in the residence of Patrolman Harris Ball.

Carried.

City Marshal's report for October received and ordered filed.

Ald. Grose moved that the chair appoint a committee of three to act as park committee. Carried.

Chair appointed Ald, Hamilton, Jenney and Grose.

On motion the council adjourned. JAS. E. HARKINS, Clerk.