

Council Chambers, Mar. 16, 1903.
Regular session.

Meeting called to order by President Haarer. Roll call.

Present Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—12.

Absent—Ald. Schumacher, Jenney—2.

Minutes of previous meeting read and approved.

Ann Arbor, Mich., March 16, 1903.
Board of Public Works,

Wm H. McIntyre, President.

Gentlemen: I have compared the bids received March 14 for paving Liberty street and find the totals as follows:

George H. Kneal,	\$25,074.00
J. Carland,	25,505.00
Harry Jannison,	25,681.00
E. L. Schneider,	26,258.00

Yours respectfully,

E. W. GROVES,
City Engineer.

Office of the Board of Public Works.
March 16, 1903.

To the Common Council of Ann Arbor.

Gentlemen,—From a comparison of bids received for the paving of Liberty street we find that George H. Kneal is the lowest bidder and recommend that the contract be awarded to him.

BOARD OF PUBLIC WORKS,

James E. Harkins, Clerk.

On motion the resolution was concurred in and the Board of Public Works was ordered to enter into contract for the construction of same.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—10.

Nays—Ald. Clancy, Kearns.—2.

The petition of John F. Hiller, et al. relative to widening South Seventh street was received and referred to the street committee.

March 16, 1903.

To the Honorable, the Common Council:

We, the undersigned property own-

ers on Fourth Avenue between Liberty Street and Huron Street respectfully petition your honorable body to pave that part of Fourth Avenue between said Liberty street and Huron street with asphalt block

Dated, Ann Arbor, March 4th, 1903.

Signed:

Christ. Spaeth,
James W. Robison,
Tobias Laubengayer,
Enoch Dieterle,
David Rinsey,
Ernest A. Dieterle,
A. L. Nowlin,
Henry J. Mann,
J. F. Hoelzle,
.. Maubetsch,
Geo. W. Seybold,
F. G. Schleicher,

A communication relative to Albion securing some of Ann Arbor's squirrels was received and the clerk instructed to confer with the Albion party in reference thereto.

Ann Arbor, March 16th, 1903.

By Ald. Hamilton.

Whereas, this common council has been applied to in writing by a majority of the owners of the lands, which are liable to be assessed for the payment of the construction of the same, praying for the grading and paving of Fourth Avenue, between Liberty Street and Huron Street, within the corporate limits of the city of Ann Arbor, Michigan, and

Whereas, the grading and paving of Fourth Avenue within the limits aforesaid, is deemed and hereby declared to be a necessary public improvement; therefore

Resolved and it is hereby declared to be the purpose of the common council to cause Fourth Avenue, within the limits aforesaid, to be graded and paved under the charter and ordinances of the city of Ann Arbor, and in pursuance of the prayer of said petitioners.

Resolved further, that the cost and expense of the construction of such public improvement shall be charged, assessed and paid as follows:

All street and public alley intersections, engineering expences, and twenty per cent of the remainder, shall be charged to and paid from the street fund, and the remainder shall be assessed and paid by special assessment levied and assessed according to the benefits on and along and against all the lands, tenements and premises lying on or fronting Fourth Avenue, within the limits aforesaid.

Resolved further, that the said petition along with this determination be and the same is hereby referred to the Board of Public Works, with directions to report to the council with all convenient despatch, suitable plans with specifications for the said proposed improvement, the kind and quality of the material to be used therefor, together with an estimate of the probable cost and expense of such public improvement.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Schumacher, Roberts, Grose, Coon, Fischer, Pres. Haarer—9. Nays—Clancy, Kearns, Johnson—3.

REPORT OF COMMITTEE.

Your committee to whom was referred the resolution of Ald. Schumacher in reference to the differences between the Ann Arbor Railroad and their customers having side track privileges, beg to report that they visited Mr. Richards, the engineer of the railroad, who referred us to the railroad's attorney, Mr. A. J. Sawyer. The committee then consulted with City Attorney Andrew J. Sawyer, who, after consulting with the railroad's attorney, advised your committee that the question was without their province, to which we agreed.

Respectfully submitted,

Henry W. Douglas,
Emmett Coon.

Received and ordered filed.

By Ald. Coon:

Resolved, that the council request the board to have the sidewalk graded on the south side of Fourteenth street between Ann and Huron, Mr. Arthur Brown to furnish the money, same to

be refunded when money is in the treasury.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—12.

Whereas, the funds of the city are exhausted, and on or before the first day of July next there will be a deficit of \$25,000; and

Whereas, there are no provisions for supplying the funds necessary to pay such indebtedness; now, therefore,

Resolved, that a special election be and the same is hereby called and will be held on the 24th day of March, in pursuance of the charter of this city, to raise the sum of twenty-five thousand dollars by special tax, which funds when raised shall be applied to the payment and discharge of such indebtedness. And the clerk is hereby directed to make and post the proper notices for such election.

Lost as follows:

Yeas—Ald. Hamilton, Schlenker, Roberts, Grose, Fischer—5. Nays—Ald. Douglas, Koch, Clancy, Kearns, Coon, Pres. Haarer—7.

By Ald. Schlenker:

Whereas, the common council of the city of Ann Arbor has been applied to in writing by ten or more freeholders of said city to lay out, establish, open and alter First street between William street on the south and Liberty street on the north so that the altered portion of said street shall pass over, upon and along the following described property, to-wit:

Beginning at the intersection of the southerly line of West Liberty street with the westerly line of the right of way of the Ann Arbor railway company, thence westerly along the southerly line of West Liberty street sixty-six feet; thence southeasterly parallel to the westerly line of the right of way of said railway to the west line of First street; thence northerly along the westerly line of First street to the westerly line of the above railway

company's right of way; thence north-westerly along the right of way of the above railway company to the place of beginning; being in block three south, range one east, according to the recorded plat of the village (now city) of Ann Arbor.

Resolved, that it is hereby determined by this common council that the proposed change of said First street is a necessary improvement, and it is advisable to lay out, open, establish and alter said First street so that the same shall pass over and upon that piece or parcel of land described as follows, to-wit:

Beginning at the intersection of the southerly line of West Liberty street with the westerly line of the right of way of the Ann Arbor railway company; thence westerly along the southerly line of West Liberty street sixty-six feet; thence southeasterly parallel to the westerly line of the right of way of said railway to the west line of First street; thence northerly along the westerly line of First street to the westerly line of the above railway company's right of way; thence north-westerly along the right of way of the above railway company to the place of beginning; being in block three south, range one east, according to the recorded plat of the village (now city) of Ann Arbor.

Resolved, that Monday, the 30th day of March, A. D. 1903, at the hour of two o'clock p. m., at the council chambers in the city of Ann Arbor be and is hereby fixed as the time and place when and where this council will meet to consider the proposed improvement and to hear the parties interested therein; and

Resolved, that notice of this meeting be given to the persons interested in said proposed improvement in accordance with section 127 of the charter of the city of Ann Arbor.

Adopted as follows:

Yeas—Ald. Hamilton, Koch, Schlenker, Clancy, Kearns, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—11. Nays—Ald. Douglas—1.

By Ald. Johnson:

Resolved, that it be the sense of this common council that a friendly suit be instituted to determine the legality or illegality of an overdraft. And that a committee of three be appointed to take the proper steps at once.

Adopted as follows:

Yeas—Ald. Hamilton, Koch, Johnson, Roberts, Fischer, Pres. Haarer—7. Nays—Ald. Douglas, Schlenker, Clancy, Kearns, Grose—5.

The Chair appointed Ald. Roberts, Johnson and Fischer on the above committee.

By Ald. Schlenker:

Resolved, that the board of works be directed to have Seventh street put in passable condition. Carried.

By. Ald. Koch:

Resolved, that the board of works be directed to cover the sewer pipe on West William street and that the dirt be drawn from the Union Brewing Co., that \$150 be appropriated for the same with the understanding that Ald. Koch advance the money necessary and that it be returned to him when money is in the treasury.

Adopted as follows:

Yeas—Ald. Douglas, Koch, Schlenker, Clancy, Kearns, Johnson, Roberts, Grose, Pres. Haarer—9. Nays—Ald. Coon, Fischer, Hamilton—3.

By Ald. Clancy:

Resolved, That the city treasurer is hereby instructed by the city clerk to put back in the city treasury the money he paid out for bonds without a warrant ordered by this Council and signed by the mayor and clerk as required by the charter.

Resolver, further, That the city treasurer be required to furnish the council at its next meeting with a detailed statement of bonds due, so that the proper warrant for their payment may be authorized.

Lost as follows:

Yeas—Ald. Koch, Schlenker, Clancy, Kearns—4. Nays—Ald. Hamilton, Douglas, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—8.

By Ald. Fischer:
 State of Michigan, in the Circuit Court for the County of Washtenaw. City of Ann Arbor vs. Detroit, Ypsilanti, Ann Arbor & Jackson Railway.
 Whereas, An agreement to arbitrate the matters at issue in the above entitled cause was entered into by and between the parties hereto at the request of the Common Council of the City of Ann Arbor on or about the 8th day of October, 1902, and

Whereas, The defendant has been unable to proceed to trial for the reason of an absent witness, whose testimony it has been unable to obtain by reason of the exact whereabouts of the witness being unknown, and his location having changed from one locality to another during the period since said agreement of arbitration was made.

Whereas, By reason of such delay, the Common Council of the City of Ann Arbor has requested that such arbitration shall be set aside and said cause proceed in court as originally commenced, and the said defendant is ready and willing to proceed in such manner as may be agreeable to said plaintiff, provided the testimony of said witness can be obtained within a reasonable time.

Now therefore, it is hereby stipulated and agreed by and between the parties to said cause that said stipulation may be set aside and the said cause proceed to trial in the Circuit Court in the same manner in all respects as if said agreement for arbitration had never been entered into.

Dated this — day of February, 1903.

City of Ann Arbor,
 By R. S. Copeland, Mayor.

City Attorney.
 Detroit, Ypsilanti, Ann Arbor,
 & Jackson Ry.,
 By _____,
 President.

By Ald. Clancy:

Resolved, That the city attorney investigate the franchise of Hawks & Angus relative to their obligations to

the city and if he thinks advisable, sue them.

Adopted as follows:

Yeas—Ald. Hamilton, Douglas, Koch, Schlenker, Clancy, Kearns, Johnson, Roberts, Grose, Coon, Fischer, Pres. Haarer—12. Nays—0.

By Ald. Koch:

Resolved, That the street committee be directed to look into the matter of high tension wires in general and the one on First street in particular.

The city marshal's report was received and filed.

TREASURER'S REPORT

For month ending Feb. 28, 1903.

Money Received

POLICE FUND.

City Marshall.....	3 50
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STREET FUND

Transferred from Paving Dist. No. 5..	30,189 55
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CONTINGENT FUND

Penalty, city tax collected	690 26
From Excess of rolls.....	176 99
Interest in daily balances, S. & B.....	69 69
State tax collected	3,562 76
County tax collected.....	2,584 44
City tax collected.....	642 14
Sidewalk tax collected.....	266 30
Excess of tax rolls.....	145 03
School tax collected.....	10,293 72
Uncollected city tax returned to Co. treasurer.....	1,360 32

Total.....	49,984 70
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Balance from last report	3,865 67
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53,850 37

DISBURSED, WARRANTS PAID.

Contingent fund	
Warrants \$30.00	
Int. on overdrafts 92.20	\$ 122 20
Delinquent tax fund	
County Treasurer	
Uncollected city tax returned.....	1,360 32
Poor fund.....	4 88
Police fund.....	1 00
School Dist. No. 1.....	22,922 53
Excess of Rolls.....	176 19

Total.....	24,587 92
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29,262 45

53,850 37

Balance on hand.....	29,262 45
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CONDITION OF CITY FUNDS ON MAR. 1, 1903.

	On Hand	Over-drawn
Bridge, Culvert and Cross-walk fund.....	\$13,448 07	
Contingent fund.....	2,815 29	
City cemetery fund.....	479 40	
Dog License fund.....		313 00
State Dog Tax.....	1 0 00	
Delinquent Tax fund.....		3,500 24
Fire fund.....	2,741 54	
Poor fund.....		254 09
Police fund.....	1,721 70	
Street fund.....		982 81

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Uncollected city tax fund-----	2,531 72
Water fund-----	2,540 32
Uncollected Sidewalk tax,-----	6 8 71
Rejected tax-----	701 78
Bond Acc't Pav. Dist. No. 3..	1,250 00
Bond Acc't Pav. Dist. No. 4..	1,500 00
Street opening fund-----	1,122 00
Alley opening-----	1 00
County Treasurer-----	9,218 66

Total----- 37,546 09 \$8,283 64

Balance on hand----- 29,262 45

PAVING FUND.

TREASURER'S REPORT.

For month ending Feb. 28, 1903.

Tax Acct. Paving Dist. No. 1-----	\$ 106 69
Tax Acct. Paving Dist. No. 2-----	73 50
Tax Acct. Paving Dist. No. 3-----	6 05
Tax Acct. Paving Dist. No. 4-----	347 48
Tax Acct. Paving Dist. No. 5-----	5,188 93
Transfer from No. 6 to No. 5-----	3,226 30

Total----- 9,009 95

On hand last report----- 31,277 45

40,287 40

Tax acct. Paving Dist. No. 4
Bonds and interest----- \$ 3,676 20

Transfer to street fund

Labor Acct. Paving Dist. No 5----- 30,189 55

Bonds and interest

Tax Acct. Paving Dist. No. 5----- 7,972 28

Labor—Transfer to Pav. No 5—6----- 3,226 30

Tax—Int. on bonds—6----- 54 48

Total----- 45,118 81

4,831 41

40,287 40

CONDITION OF PAVING FUNDS ON MAR. 1, 1903

	Dr.	Cr.
Lab. Acct. Paving Dist. No. 1		\$2,162 14
Tax Acct. Paving Dist. No. 1	\$8,337 34	
Lab. Acct. Paving Dist. No. 2		897 55
Tax Acct. Paving Dist. No. 2	2,044 09	
Lab. acct. Paving Dist. No. 3		518 65
Tax acct. Paving Dist. No. 3	421 19	
Tax Acct. Paving Dist. No. 4	85 06	
Tax acct. Paving Dist. No. 4		590 25
Lab. Acct. Paving Dist. No. 5		1,589 45
Tax Acct. Paving Dist. No. 5	46 22	
Lab. Acct. Paving Dist. No. 6		178 35
Tax Acct. Paving Dist. No. 6		169 19

Total----- 10,936 90 6,105 49

Overdraft----- 4,831 41

SEWER FUND.

TREASURER'S REPORT,

For month ending Feb. 28, 1903.

Money Received.

Tax Acct. Lateral Sewer No 9-----	152 86
Tax Acct. Lateral Sewer No. 10-----	16 14

Total----- \$ 169 00

Overdraft last Report----- 15,807 44

Tax—Bonds and interest No. 10----- \$ 560 00

169 6.

\$15,638 44

Total----- 560 00

Overdraft----- 16,198 44
550 00

15,538 44

CONDITION OF SEWER FUNDS ON Mar. 1, 1903.

	Dr.	Cr.
Main Sewer Fund-----	\$21,070 81	
Lab. Ac. Lateral Sewer No. 1	39 97	
Tax Ac. Lateral Sewer No. 1	159 80	
Lab. Ac. Lateral Sewer No. 2		\$ 27 28
Tax Ac. Lateral Sewer No. 2		729 59
Lab. Ac. Lateral Sewer No. 3	5,805 82	
Tax Ac. Lateral Sewer No. 3		5,361 72
Lab. Ac. Lateral Sewer No. 4	836 21	
Tax Ac. Lateral Sewer No. 4		988 11
Lab. Ac. Lateral Sewer No. 5	1,375 24	
Tax Ac. Lateral Sewer No. 5		3,292 57
Lab. Ac. Lateral Sewer No. 6		2,411 95
Tax Ac. Lateral Sewer No. 6	156 63	
Lab. Ac. Lateral Sewer No. 7		57 73
Tax Ac. Lateral Sewer No. 7	30 62	
Delinquent Sewer Tax-----		181 48
Lab. Ac. Lateral Sewer No. 8	8 96	
Tax Ac. Lateral Sewer No. 8		116 01
Lab. Ac. Lateral Sewer No. 9	458 47	
Tax Ac. Lateral Sewer No. 9		264 74
Labor Acct. Lat. Sewer No 10		223 19
Tax Ac bond & int. No. 10		59 64

Total----- 29,942 45 13,744 01

Overdraft----- \$16,198 44

Respectfully submitted,

H. WIRT NEWKIRK, Treasurer.

City on Hand----- \$21,262 45

Sewer Overdraft----- 16,198 44

Paving Overdraft----- 4,831 41

21,029 85

29,262 45

21,029 85

Balance----- 8,232 60

Bank Bal.----- 7,978 29

Checks rec'd too late to deposit... 345 68

8,232 97

The above amount is all due the county treasurer.

To the Common Council of the City
of Ann Arbor:

This is to certify that there was on deposit in this bank to the credit of H. Wirt Newkirk, treasurer of the city of Ann Arbor, the sum of seven thousand, nine hundred seventy-eight and 29-100 dollars (\$7,978.29) at the close of business Feby. 28, 1903.

Respectfully yours,

M. J. FRITZ, Cashier.

No further business, the Council adjourned.

JAS. E. HARKINS,

Clerk.