

Official Report

Council Chamber
Ann Arbor, Mich., Mar. 4, 1907
Regular session.

Meeting called to order by Pres. Gilmore.

Present—Ald. Gill, Snauble, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore.—13.

Absent—Ald. Miller and Blaieli.—2.

Minutes corrected by changing Ald. Schneider's vote from no to yes on adoption of charter changes Feb. 18, 1907. Minutes of Feb. 18 approved as corrected.

Communications

To the Honorable Mayor and Common Council of the City of Ann Arbor:

Gentlemen—After investigation and conference with the city attorney relative to proceedings to condemn land for park between M. C. R. R., Broadway and Huron river, we recommend that the proceeding be dropped and the land acquired by purchase in accordance with a plan to be submitted.

Your respectfully,

G. P. BURNS,

President of Park Commissioners

Received and city attorney reported as follows:

To the Honorable the Mayor and the Common Council of the City of Ann Arbor.

Gentlemen—Relative to the matter of the proceedings to condemn certain land near the Michigan Central railroad depot and Huron river for purpose of a public park, I would report that recently negotiations for the settlement of this matter were entered into with the owners of the several parcels with the following results:

Edwin Henning, the owner of block eighteen of Ormsby' and Page's addition, will convey said parcel for the sum of two thousand seven hundred dollars (\$2,700.00), provided the Mich-

igan Central Railroad company will pay at least two thousand dollars (\$2,000.00) of the purchase price.

The owners of the so-called Alber property will convey said property for the consideration of eight hundred and forty-five dollars (\$845.00).

The Michigan Central railroad company will convey their lands without compensation.

Through the efforts of the members of the board of park commissioners, arrangements have been made with the Michigan Central whereby they will pay at least two thousand dollars toward the purchase of the Henning property; other parties, whose names cannot be disclosed at the present time, will contribute the balance of the purchase price of the Henning property.

If the settlement as outlined in the foregoing is carried out the city will have to pay in addition thereto some costs to be taxed in the several proceedings now pending relative to condemning the land in question.

I may add that Mr. Henning has removed the case so far as it concerns the property he is interested in to the United States circuit court. As to the balance of the property the case can be tried out in the circuit court for this county. The litigation is in such condition that it would undoubtedly be a source of considerable expense to proceed therein to a final determination.

It will be recalled that Mrs. Jessie Millen has already made an offer in writing to convey to the city the lot owned by her in consideration of the park being called the Daniel Millen Park. We have received no other definite offer from Mrs. Millen with reference to this parcel, but the land can probably be purchased at a price proportional to the cost of the other parcels. The total cost to the city

therefore for all the land would be about \$1,200.

I therefore recommend that a settlement be made in accordance with the arrangement above outlined, including acceptance of Mrs. Millen's offer, and if the council does not deem it wise to consummate said settlement, I would recommend that the proceedings be discontinued. I make this latter recommendation for the reason that I do not believe that the city will be able by condemnation proceedings to obtain the land at less cost to the city than by the foregoing arrangement.

Respectfully submitted this 4th day of March, A. D. 1907.

FRANK A. STIVERS
City Attorney

Resolution

By Ald. Snauble:

Resolved, that the report of the city attorney relative to a proposed settlement with the owners of the property proposed to be condemned for a park near the Michigan Central depot be concurred in and that the recommendations contained in the said report are hereby adopted.

Resolved, further, that the board of park commissioners and the city attorney are hereby directed to and authorized to consummate said settlement in accordance with the terms set forth in said report.

Yeas—Ald. Gill, Snaubel, Kurtz, Sweet, St. James, Markey, Mannwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—12.

Nays—Ald. Schneider—1.

Petition

Of Everel H. Scott et al., relative to vacating part of Vinewood boulevard, received and referred to the street committee.

Of W. Weigand et al., relative to sidewalk on Mosly street, received and referred to the sidewalk committee.

Report of special committee to investigate petition of Carl Storm praying that council require street railway to give additional service on Packard street, received.

Moved by Ald. Snaubel, that report be laid on the table indefinitely. Supported and adopted as follow:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Goodyear—8.

Nays—Ald. Manwaring, Sherk, Abbott, Fischer and Gilmore—5.

COMMITTEE REPORTS

Finance Report

Ann Arbor, Mich., Mar. 4, 1907

To the Honorable the Common Council:

Gentlemen—Your committee on finance have had the following bills under consideration and would recommend their approval and that warrants be drawn for the following amounts:

E. B. MANWARING
WM. GOODYEAR,
C. W. GILL,

Finance Committeee

Contingent Fund.

George W. Sample, salary.	\$	8.33
M. E. Easterly, salary.		20.00
Marvin Davenport, salary.		6.25
Frank Stivers, salary.		50.00
S. W. Beakes, salary.		125.00
Ross Granger, salary.		125.00
E. W. Groves, salary.		125.00
John Wisner, salary.		83.00
Napolian Brough, salary.		35.00
Mrs. C. A. Green, rent.		37.50
F. M. Dyer, salary.		49.00
T. P. Manwaring, salary.		33.23
Ann Arbor Argus, printing.		27.60
Ann Arbor Times Co., printing.		8.45
Ann Arbor News, printing.		36.15
E. W. Groves, Am. Ex. Co.		1.25
Christine Iversone, milk examination.		28.00
James E. Harkins, entry fee.		3.00
G. I. Iverson, services in water case.		30.00
Homer R. Mallow, services and exp's.		17.50
F. A. Stivers, extra office expense.		22.25
E. McMahon, services.		3.00
Chas. F. Meyers, printing.		8.00
American Steam Gauge Manufacturing Co., water gauge.		37.50
Athens Press, printing.		12.50
Mich. State Tel. Co., services.45
Frank I. Cornwell, coal.		40.80
R. W. G. Owen, services.		5.00
K. E. Gauss, blank book.		1.15
George W. Weeks, coal.		16.50
Polhemus Transfer Line, hack hire.		3.00
Luick Bros., lumber.		7.12
McOmber & Miner, insurance.		2.00

Sid Millard, printing.....	19.00
Ed Hiscock, wood.....	2.50
Geo. Wahr, supplies.....	7.90
H. J. Brown, supplies.....	15.00
Lawrence, Brown and Cavanaugh, court fees.....	40.00
Washtenaw L. & P. Co., court house clock and supplies.....	7.55
Total.....	\$ 1100.48

Fire Fund.

C. A. Edwards, salary.....	\$ 37.50
Eugene Williams, salary.....	33.00
Charles Andrews, salary.....	32.50
Herman Kirn, salary.....	30.00
Fred Nordman, salary.....	30.00
Ralph Edwards, salary.....	30.00
William Rettich, salary.....	27.50
Dean Seabolt, salary.....	27.50
Tom O'Brien, salary.....	27.50
George Hoelze, salary.....	27.50
Fred Jolly, salary.....	27.50
Rex Burnett, salary.....	27.50
John Flynn, salary.....	27.50
Fred Steyn, salary.....	27.50
Carl Kuehn, salary.....	25.00
William Bernick, salary.....	25.00
John Keefe, salary.....	25.00
Jacob Gwinner, salary.....	25.00
Charles Carroll, salary.....	20.00
Frank Kapp, salary.....	20.00
Hutzel & Co., supplies.....	16.88
Frank I. Cornwell, coal.....	15.00
Michigan Milling Co., oats.....	15.30
Ed Hiscock, wood.....	45.00
Geo. W. Weeks, coal.....	15.00
Schumacher Hdw. Co., supplies.....	2.68
C. W. Gill Lumber Co., lumber.....	1.76
Jacob Lutz, supplies.....	1.50
A. Rauschenberger, oats.....	33.60
George Blaich, supplies.....	2.00
Schairer & Millen, supplies.....	.89
H. D. Edwards (Detroit) supplies.....	18.71
Ann Arbor Gas Co., gas, etc.....	25.86
Washtenaw L. & P. Co., light.....	6.42
Seybold & Esslinger, supplies.....	22.40
Mrs. Ream, washing.....	11.00
Total.....	\$ 787.00

Poor Fund.

M. J. Martin, salary.....	\$ 10.00
M. Conley, wood.....	63.00
W. I. Clark, wood.....	75.00
C. J. Mowerson, wood.....	122.50
F. C. Fiegle, wood.....	150.00
Matilda Brown, care of old lady.....	6.00
C. H. Overbeck, supplies.....	5.09
Wm. Goetz, supplies.....	8.83
Shadford & Ziegler, supplies.....	7.03
M. M. Seabolt, supplies.....	20.89
Gruner & Co., shoes.....	1.50
Ed Hiscock, coal.....	5.50
D. C. Prochnow, supplies.....	5.17
Haas & Heibin, supplies.....	4.36
John Wahr, shoes.....	1.75
John Hohelsel, supplies.....	10.16
Herrick & Bohnet, supplies.....	7.37
Casper Rinsey, supplies.....	5.23
Rinsey & Keyer, supplies.....	12.00
W. H. L. Rohde, coal.....	3.00
Miller & Pray, supplies.....	8.96
M. Staebler & Son, coal.....	23.25
W. Henderson, livery.....	1.00
M. C. R. R., ticket to Detroit.....	.75
Frank Cornwell, coal.....	7.50
F. J. Muehlig, coffin.....	10.00
Fischer & Finnell, supplies.....	11.72
Total.....	\$ 587.56

Police Fund.

Chas. B. Masten, salary.....	\$ 41.66
Harris Ball, salary.....	37.50
John O'Mara, salary.....	30.00
David Collins, salary.....	30.00
William Walsh, salary.....	30.00
William Eldert, salary.....	30.00
William Clark, salary.....	30.00
Schumacher Hdw. Co., supplies.....	3.20
Hoag's Supply Store, supplies.....	.35
Ann Arbor Gas Co., fuel gas.....	3.40
Total.....	\$ 236.11

Dog License Fund.

Paul Gabler, burying two cats.....	\$ 1.00
James Green, burying one dog.....	.50
Total.....	\$ 1.50

Park Fund.

T. W. O'Brien, salary.....	\$ 10.88
W. J. Randall, labor.....	1.65
Geo. Randall, labor.....	1.65
Total.....	\$ 14.18

Street Lighting Fund.

Washtenaw Light & Power Co.....	\$ 852.67
Welsbach Street Lighting Co.....	163.17
Total.....	\$ 1015.84

Bridge, Culvert and Crosswalk Fund.

Mrs. S. E. Plunket, repair sewer and cellar.....	\$ 19.60
Koch Bros., cement and sewer pipe.....	10.04
J. Loehrke, labor (flush tanks, etc.).....	10.45
Wm. Bury, labor.....	8.07
John Weiman, labor.....	4.40
Wm. Kuehn, labor.....	.74
Total.....	\$ 53.30

Street Fund.

John Herrest, scraping snow.....	\$ 4.50
Bennett French, scraping snow.....	4.50
Wm. Stark, scraping snow.....	4.50
James Mason, scraping snow.....	4.50
Wm. Hudson, scraping snow.....	4.50
Harvey Robinson, scraping snow.....	4.50
George Weeks, scraping snow.....	3.50
Chas. Niethammer, team work.....	7.78
George Collins, team work.....	7.35
Frank Hogan, team work.....	4.28
Adolph Christman, hand labor.....	2.39
Chas. Niethammer, hand labor.....	2.75
Nicholas Hendlong, hand labor.....	1.65
John Holke, hand labor.....	5.87
Wm. Keuhn, hand labor.....	2.39
Wm. Burry, hand labor.....	4.04
Schumacher Hdw. Co., supplies.....	1.68
Total.....	\$ 70.68

Cemetery Fund.

E. D. Gross, salary.....	\$ 29.16
--------------------------	----------

Recapitulation.

Contingent fund.....	\$ 1100.48
Fire fund.....	787.00
Poor fund.....	587.56
Police fund.....	236.11
Dog license fund.....	1.50
Park fund.....	14.18
Bridge, culvert and crosswalk fund.....	33.30
Street fund.....	70.68
Cemetery fund.....	29.16
Total.....	\$ 2859.97

Adopted as follows:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—13.

Nays—none.

By Ald. Manwaring:

Resolved, that the city treasurer be and is hereby authorized to borrow for the city such money from the Ann Arbor Savings bank as is necessary to meet the running expenses of the city during times when over-draft is necessary, interest on same not to exceed 5 per cent.

Adopted as follows:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—13.

Nays —none.

Oodinance Committee

To the Honorable the Common Council of the City of Ann Arbor.

Gentlemen—Your committee having under consideration changes in the city charter would respectfully report and recommend that in addition to the changes already determined upon by your honorable body, the charter be amended so as to give the city assessor the right to represent the city on the board of supervisors of the county. To this end we recommend that section 58 of the charter be amended so as to read as follows.

Sec. 58. The assessor shall annually estimate the value of all the taxable real and personal property in the city, and make the several ward assessment rolls at the time and the manner as hereinafter in this act provided: he shall spread upon the rolls any and all taxes duly certified to him by order of the common council, by the board of supervisors of the county of Washtenaw or by other proper authority; and his warrant attached to said rolls, directing the collection of the taxes so levied and spread

thereon, shall have the same power and effect as the warrant of a supervisor made in accordance with the state law. The assessor, together with the supervisors, shall represent the city on the board of supervisors of the county of Washtenaw and shall have all the rights, privileges and powers of the several members of such board.

Your committee is of the opinion that provision should be made in the charter so that the council may, in its discretion, allow extra compensation to the city attorney, when it appears just, for services in court proceedings. We therefore recommend that the provision with reference to the salary of the city attorney, as set forth in section 69 of the charter, be amended so as to read as follows:

The city attorney shall be entitled to receive such sum as the common council shall allow, not exceeding six hundred dollars per annum, which shall be in full for all services except for services rendered in suits and proceedings in courts of record; the common council may allow, in addition to the salary aforesaid, such additional compensation as the council shall deem just, not exceeding four hundred dollars per annum.

Respectfully submitted this 4th day of March, A. D. 1907.

GEO. H. FISCHER,
E. B. MANWARING,
HORATIO J. ABBOTT
Committee

Adopted as follows on motion of Ald. Fischer:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—13.

Nays—none.

Ald. Fischer presented an ordinance entitled "An Ordinance to amend section two of an ordinance for the construction of a system of lateral and

connecting sewers in the city of Ann Arbor," which was given its first reading by title and passed and given its second reading by the following vote:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—13.

Nays—none.

Moved by Ald. Fischer, that the ordinance relative to sewers be referred to ordinance committee. Carried by unanimous vote.

Report of city attorney relative to change of charter providing a police commission presented. Moved by Ald. Fischer, supported by Ald. Sweet, that report be adopted.

Lost by the following vote:

Yeas—Ald. Schneider, Sweet, Markey, Fischer—4.

Nays—Ald. Gill, Snaubel, Kurtz, St. James, Manwaring, Sherk, Goodyear, Abbott, Pres. Gilmore—9.

Report of city attorney relative to bill providing for additional loan for city hall.

Moved by Ald. Fischer that the report be adopted. Supported and lost as follows:

Yeas—Ald. Snaubel, Manwaring, Sherk, Abbott, Fischer, Pres. Gilmore—6.

Nays—Ald. Gill, Kurtz, Schneider, Sweet, St. James, Markey, Goodyear,—7.

Moved by Ald. Goodyear that the matter of amendment of charter relative to municipal court be reconsidered.

Adopted as follows:

Yeas—Ald. Gill, Snaubel, Kurtz, Sweet, St. James, Markey, Goodyear, Abbott, Pres. Gilmore—9.

Nays—Ald. Schneider, Manwaring, Sherk and Fischer—4.

Moved by Ald. Goodyear that proposed amendment to charter relative to justice court be stricken out.

Adopted as follows:

Yeas—Ald. Gill, Kurtz, St. James, Markey, Goodyear, Abbott, Pres. Gilmore—7.

Nays—Ald. Snaubel, Schneider, Sweet, Manwaring, Sherk, Fischer—6.

OFFICERS' REPORTS

To the Honorable the Common Council of the City of Ann Arbor.

Gentlemen—The deed of John P. Judson, conveying land for a street and his contract and agreement to grade the said street and in reference to the storm sewer therein, were referred to me by the sewer committee with the request that I report hereon to your honorable body. I have examined said deed and contract and recommend that the same be accepted by this council.

Respectfully submitted this 4th day of March, A. D. 1907.

FRANK A. STIVERS,

City Attorney

Moved by Ald. Abbott that the report be adopted and concurred in.

Supported and adopted as follows:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—13.

Nays—none.

City clerk's report received, accepted and ordered on file.

The city clerk reported the service of proper notices on persons interested in the matter of closing alley in Olivia B. Hall's second subdivision, showing affidavit of Charles B. Masten relative to same, and the following resolution was offered.

By Ald. St. James.

Whereas, more than ten freeholders, residents of the city of Ann Arbor, having petitioned this council praying for the closing of a certain alley within the corporate limits of the city of Ann Arbor, and hereafter particularly described; due notice of the

hearing thereof having been given to the persons interested therein, and all such persons having been heard it appearing to this common council that the closing of said alley is a necessary public improvement, therefore, be it

Resolved, and it is hereby ordered, that a certain public alley within the corporate limits of the city of Ann Arbor, in Olivia B. Hall's second subdivision to the said city of Ann Arbor, which alley begins on the east line of Martin avenue, between lots number sixteen and eighteen, and runs east to the west line of lot number fifteen in the said subdivision, running thence south through the center of the said subdivision, to the land owned by said Charles R. Sedgwick, where said alley stops, be closed.

Resolved, that the mayor and city clerk be and are hereby ordered and directed to execute in behalf of the said city of Ann Arbor, quit claim deeds of said alley as above described to Henry W. Douglas, Carl Malcolm, Arthur M. Smith and Olivia B. Hall according to their respective rights and interests in said alley, as owners of the lands abutting thereon.

Resolutions

By Ald. Fischer:

Resolved, that the city clerk make all necessary arrangements for registration and election. Adopted.

By Ald. Sherk:

Resolved, that the matter of repairing the culvert on Mill street be referred to the street committee and street commissioner with power to act.

Adopted by unanimous vote.

Miscellaneous Business

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

Gentlemen—Your committee to whom was referred the matter of a new compilation of the city ordinances and charter and to have printed a new edition of the same, would respectfully report that your committee finds that the former edition is now exhausted and recommends that the city attorney be instructed to prepare such revision and to have the same printed as soon as it can conveniently be done.

The committee further recommends that the city attorney be authorized to employ such clerical help and assistance as may be necessary for the purpose of completing said revisions as soon as possible.

Respectfully submitted this 4th day of March A. D. 1907.

GEO. H. FISCHER,
E. B. MANWARING,
HORATIO J. ABBOTT

Moved by Ald. Fischer that the report be adopted and concurred in—Supported and adopted as follows:

Yeas—Ald. Gill, Snaubel, Kurtz, Schneider, Sweet, St. James, Markey, Manwaring, Sherk, Goodyear, Abbott, Fischer, Pres. Gilmore—13.

Nays—none.

Mr. G. W. Hurrell petitioned the council to look up the matter of charges by the Gas Co. calling attention to charges where no gas is used. Referred to city attorney and ordinance committee.

The council adjourned.

ROSS GRANGER, Clerk.