

Council Chamber,  
Ann Arbor, Mich.,  
Oct. 2, 1922.

### REGULAR SESSION

Meeting called to order by Ald. Sugden, Pres. pro tem.

Present: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.

Minutes of previous meeting approved.

### Communications.

#### From Board of Public Works.

Only one bid was received for construction of sewers.

Moved by Mr. Hutzel that opening of bids for construction of lateral sewers in lateral sewer districts Nos. 118 and 119, be deferred until Oct. 16 at 11 a. m., also that clerk readvertise for bids to be received by board at said time.

(Council action):

Moved by A'd. Lutz that action of Board be concurred in.

Adopted by following vote:

Yeas—Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14. Nays—None.

#### Petition to Close Alley

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

Gentlemen—We, the undersigned, freeholders of the Seventh Ward in the city of Ann Arbor, Michigan, respectfully petition your honorable body to close, discontinue and vacate the alley running north and south, south of Oakland-av., in block 2, Hill's addition, for the reason that said alley is only 132 ft. in length and is not used as a public alley.

Alan H. Paton, Alice Allen, Ida May Allen, John Stevenson, Ida L. Dunlap, John D. Forsythe, Jeanette P. Canfield, Edwin N. Brown, Nettie A. Swaney, Grover F. Burg.

Referred to Street Committee.

Petition of Fremont P. Ward et al., to open up and improve Pontiac-st. and move voting booth, received. Chair announced that Street Committee would present report relative to opening of Pontiac-st., and matter of moving building was referred to Finance Committee.

Petition of John Laughlin et al. for street light at corner of White

and Rose-sts. received and referred to Lighting Committee.

Petition of Horace H. Person for sidewalk on north side of Brooklyn-av., from Baldwin to Lincoln-avs., received and referred to Sidewalk Committee.

#### Curb and Gutter Petition

Of J. Kennedy et al., on Catherine-st., from State to Division-sts., received and referred to Street Committee.

Claim of Sam Travis for alleged damages to automobile, by reason of defective manhole cover, received and referred to City Attorney.

### Committee Reports

#### Finance Report

#### Contingent Fund

Geo. E. Lewis, salary . . . . \$	41.66
I. G. Reynolds, salary . . . .	208.33
Ross Granger, salary . . . .	208.33
Herbert W. Crippen, salary . . . .	208.33
Alfred J. Paul, salary . . . .	208.33
Geo. H. Sandenburgh, salary . . . . .	250.00
Roscoe O. Bonisteel, salary . . . . .	166.66
H. R. Scovil, salary . . . . .	166.66
John A. Wessinger, salary . . . .	150.00
C. F. Hartman, salary . . . .	160.00
Julius Lohrke, salary . . . . .	125.00
Philip O'Hara, salary . . . . .	125.00
Marcia M. Minnis, salary . . . .	100.00
Charles Stoll, salary . . . . .	100.00
Henrietta Disderide, salary . . . .	90.00
O. T. Warner, salary . . . . .	90.00
Jessie Crippen, salary . . . . .	83.33
Florence Hallen, salary . . . . .	83.33
Ned R. Smith, salary . . . . .	75.00
Frank Marz, salary . . . . .	74.64
Edwin Ganzhorn, salary . . . . .	50.00
Dorothy Wright, salary . . . . .	24.00

Contingent Fund, total  
salaries . . . . . \$2,788.60

#### Fire Fund

Chas. Andrews, salary . . . . \$	95.16
Eugene Williams, salary . . . .	81.48
Ralph Edwards, salary . . . .	81.48
Henry McLaren, salary . . . .	77.65
Jacob Gwinner, salary . . . .	77.65
Frank Markey, salary . . . .	74.64
Herman Kruse, salary . . . .	74.64
Emil Damman, salary . . . .	74.64
Mat. Heininger, salary . . . .	74.64
Floyd Naylor, salary . . . . .	74.64
Earl Arnold, salary . . . . .	74.64
Fred Nordman, salary . . . .	74.64
Benj. Zahn, salary . . . . .	74.64
Henry Nevroth, salary . . . .	74.64
Raymond Gillespie, salary . . . .	74.64
Arthur Clark, salary . . . . .	74.64

Clyde Carpenter, salary...	67.96
Chas. Carroll, salary.....	42.61
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Fire Fund, total salaries one-half month Sep- tember . . . . .	\$1,345.03

**Police Fund**

Thos. O'Brien, salary.....\$	95.16
W. J. Aprill, salary . . . . .	74.64
Ed B'umhardt, salary . . . . .	74.64
Frank Keihl, salary . . . . .	74.64
Marland Howard, salary..	74.64
Chas. Splitt, salary.....	74.64
Joseph Gast, salary.....	74.64
Geo. Randel, salary.....	74.64
Louis Fohey, salary . . . . .	74.64
Jacob Andres, salary . . . . .	74.64
Chas. Kapp, salary . . . . .	74.64
John Osborn, salary . . . . .	67.96
Carl Arnold, salary . . . . .	74.64
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Police Fund, total sal- aries one-half month September . . . . .	\$ 984.16
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**Poor Fund**

John H. Shadford, salary.\$	50.00
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**Cemetery Fund**

Herman Zulz, salary . . . . .	\$ 95.00
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**Park Fund**

E. A. Gallup, salary.....\$	208.33
Henrietta Disderide, salary	10.00
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Park Fund, total salar- ies . . . . .	\$ 218.00
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**Water Works Fund**

Geo. S. Vandawarker, sal- ary . . . . .	\$ 208.33
Leslie Bush, salary.....	192.50
Dr. H. Emerson, salary...	50.00
E. Cornell, salary . . . . .	10.00
Geo. Mann, salary . . . . .	20.00
John Lindenschmitt, sal- ary . . . . .	20.00
Wirt Cornwell, salary . . .	20.00
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Total monthly salaries..\$	520.83
Harry Willsher, salary . . .	64.62
Emanuel Sodt, salary....	77.55
Fred Linde, salary . . . . .	68.75
Robt. Rowe, salary . . . . .	51.70
Robt. Young, salary . . . . .	48.47
A. E. Hawkes, salary....	55.00
Cliff Shetterly, salary . . . .	77.55
Louise Malloy, salary . . . . .	55.00
Wm. Groves, salary . . . . .	55.00
J. C. Ledwidge, salary...	50.00
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Total semi-monthly sal- aries . . . . .	\$ 603.64
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Water Works Fund, to- tal salaries . . . . .	\$1,124.47
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**Contingent Fund**

**Municipal Garage**

The Detroit Edison Co.,	
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light . . . . .	\$ 3.05
Cummings Bros., supplies..	1.37
Standard Oil Co., supplies.	65.61
The Michigamua Oil Co., supplies . . . . .	111.51
Wm. H. Wilmot, supplies.	6.98
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Total Municipal Garage	\$188.52
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**Engineer Dept.**

Jim Acqui, services . . . . .	\$ 54.25
R. C. Baker, services . . . . .	6.00
Carl M. Berry, services...	40.00
C. W. Blashill, services...	75.00
H. J. Colyer, services.....	31.00
G. Demmink, services . . . . .	33.25
Leslie Feiner, services . . . .	75.00
M. Fitzsimmons, services..	62.50
J. W. Jantzen, services...	42.48
R. F. Kile, services.....	6.00
C. M. Lucknor, services..	7.75
V. W. McAdam, services..	78.00
R. S. McClenahan, services	6.00
W. F. Neithamer, services	8.75
M. J. Orbeck, services....	28.85
R. W. Preston, services...	32.86
R. R. Reagh, services....	2.00
E. D. Rentschler, services	26.50
W. L. Rye, services.....	63.47
H. O. Steele, services . . . . .	4.00
J. A. Thorp, services . . . . .	2.00
R. S. Tubbs, services.....	33.50
J. I. Wanzeck, services....	28.86
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Total services, Engineer Dept. . . . .	\$ 748.02
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Mich. State Tel. Co., tolls	1.20
Besch & Gutekunst, col- lecting garbage . . . . .	1,273.33
Eugene Dietzgen Co., sup- plies . . . . .	.71
Standard Oil Co., coupon books, etc. . . . .	24.95
Davis & Ohlinger, supplies	6.50
Jno. C. Fischer Co., sup- plies . . . . .	3.25
Schumacher Hardware Co. supplies . . . . .	10.55
Water Works Dept., sup- plies . . . . .	15.25
E. M. Wurster, supplies..	188.56
Carl Splitt, burial animal.	10.00
Henry Thornton, hauling ashes . . . . .	19.00
I. G. Reynolds, expenses paid . . . . .	2.10
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Total supplies, etc.....	\$1,555.40
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Contingent Fund, total including salaries . . . . .	\$5,280.54
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**Fire Fund**

Washtenaw Gas Co., light, two months, etc.....\$	16.20
Water Works Dept., water	8.02

White Swan Laundry Co., Ltd., laundry .....	22.04
The Robinson Distributing Co., supplies .....	20.80
The Artificial Ice Co., supplies .....	17.00
Chas. S. Millen, supplies..	20.10
Schumacher Hardware Co. supplies .....	8.35

Total supplies, etc. ....\$ 112.51

Fire Fund total, including salaries .....\$1,457.54

#### Police Fund

Mich. State Tel. Co., tolls..\$	13.65
The Western Union Telegraph Co., telegrams...	3.59
The Union Products Co., supplies .....	50.00
Safety Traffic Guide Co., traffic guides .....	265.00
Standard Oil Co., supplies	2.92
Irwin M. Clements, supplies .....	11.73
Eberbach & Son Co., supplies .....	3.50
Richards & Swickerath, street markings .....	79.05
Thos. O'Brien, express paid	2.88

Total supplies, etc.....\$ 432.32

Police Fund total, including salaries .....\$1,416.48

#### Poor Fund

Staebler & Son, fuel.....\$	6.00
Wm. Frey, supplies .....	6.02

Total supplies, etc.....\$ 12.02

Poor Fund total, including salary .....\$ 62.02

#### Street Lighting Fund

Wm. Gerstner, services...\$	25.00
The Detroit Edison Co., replacing post .....	11.52

Street Lighting Fund total .. ...\$ 36.52

#### Water Fund

Water Works Dept., general service, etc. ....\$	2,385.69
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#### Water Works Fund

Bingham & Taylor, supplies .....	\$ 304.44
The Buckeye Traction Ditcher Co., supplies...	10.80
Staebler & Son, supplies..	21.15
Mich. Valve & Foundry Co., supplies .....	83.90
Addressograph Co., supplies .....	9.00
N. A. Ottmar, garage rent	4.00

Mich. Central Railroad, freight .....	17.09
Ann Arbor Railroad, freight .....	16.65
City Treasurer, renewal and replacement exp...	1,500.00
Water Works Dept., expenses .....	.85

Total supplies, etc.....\$1,967.88

L. Gerrick, labor .....	59.40
J. Dean, labor .....	54.00
T. Schwab, labor .....	49.50
T. Landicina, labor .....	54.00
S. Judge, labor .....	54.00
A. Glausnapp, labor .....	54.00
C. Sauer, labor .....	43.00
W. Keed'e, labor .....	52.00
P. Harfman, labor .....	31.50
A. Gerstler, labor .....	59.40
J. Augustine, labor .....	40.50
H. Koernke, labor .....	13.50
E. Fowler, labor .....	50.00
J. Andres, labor .....	10.00

Total labor .. ...\$ 624.80

Water Works Fund, total, including salaries.\$3,717.15

#### Park Fund

Paul April, labor .....	\$ 40.95
Fred Biggs, labor .....	44.55
Walter Clark, labor .....	60.00
John Conlin, labor .....	10.35
C. C. Finley, labor .....	40.95
Del. Hammond, labor ....	26.55
John Howard, labor .....	35.00
Grafton Matthias, labor ..	26.55
Robert Matthias, labor ..	22.05
Ezra Moore, labor .....	48.60
John Morris, labor .....	53.33
Geo. Potter, labor .....	26.55
Carl Richmond, labor ....	22.50
Ed Seeger, labor .....	39.83
John Thomas, labor .....	5.00
Wm. Hodson, team .....	82.78

Total labor .. ...\$ 585.54

The Detroit Edison Co., light .. ...	\$ 1.44
John Elsifor, gravel .....	18.75

Total .. ...\$ 20.19

Park Fund total, including salaries .....\$ 824.06

#### Street Fund

L. G. Bird, labor .....	\$ 79.95
Wm. Clark, labor .....	46.80
Mike Costello, labor .....	52.00
Walter Feldkamp, labor ..	57.20
Gottlob Finkbeiner, labor.	37.80
Fred Hanselman, labor ..	59.40
John Hanselman, labor ..	59.00

Emanuel Ho zappel, labor . . . . .	45.00
Sam Horning, labor . . . . .	47.25
Carl Janke, labor . . . . .	37.95
Sam Kalmbach, labor . . . . .	28.25
Mat. Koch, labor . . . . .	48.60
Fred Make, labor . . . . .	43.20
James Mason, labor . . . . .	57.20
James Murphy, labor . . . . .	4.50
Chas. Paul, labor . . . . .	50.00
Christ Paul, labor . . . . .	42.30
Ed Roehm, labor . . . . .	58.50
Adam Schlecht, labor . . . . .	48.60
Ed Schlecht, labor . . . . .	12.15
Geo. Schmidt, labor . . . . .	54.00
Carl Seeger, labor . . . . .	48.60
Fred Ulrich, labor . . . . .	83.20
Martin Walsh, labor . . . . .	54.00
John Wendland, labor . . . . .	36.40
Joe Youngzauer, labor . . . . .	48.60
Geo. Zeifle, labor . . . . .	32.40
John Herrst, team . . . . .	96.00
John Miller, team . . . . .	96.00
Carl Rehberg, team . . . . .	96.00
Jacob Young, team . . . . .	168.00

Total labor . . . . .	\$1,728.85
Elgin Sales Corp., supplies . . . . .	70.56
Horace Moffitt, supplies . . . . .	34.24
Albert Lutz, supplies . . . . .	9.50
Ann Arbor Sand & Gravel Co., gravel . . . . .	44.64

Total supplies, etc. . . . . \$ 158.94

Street Fund, total . . . . . \$1,887.79

**Recapitulation**

Contingent . . . . .	\$5,280.54
Fire . . . . .	1,457.54
Police . . . . .	1,416.48
Poor . . . . .	62.02
Street Lighting . . . . .	36.52
Cemetery . . . . .	95.00
Water . . . . .	2,385.69
Water Works . . . . .	3,717.15
Park . . . . .	824.06
Street . . . . .	1,887.79

Total City Funds . . . . . \$17,162.79

Ann Arbor, Mich., Oct. 2, 1922.

To the Finance Committee of the Common Council:

Gentlemen—I have examined the foregoing accounts against the City of Ann Arbor, and I hereby certify that they are correct to the best of my knowledge.

ISAAC G. REYNOLDS,  
City Clerk.

To the Honorable, the Common Council:

Gentlemen—Your Finance Committee has reviewed the foregoing report. Warrants for salaries were drawn Oct. 2, 1922. We recom-

mend that same be approved, and that warrants be ordered drawn for foregoing accounts.

ALBERT D. GROVES,  
ROBERT NORRIS,  
MARK B. SUGDEN,

Finance Committee.

Ald. Groves moved the adoption of report, which was adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.  
Nays: None.

Ald. Groves presented City Engineer's estimates which were approved by Board of Public Works, Sept. 20, 1922, as follows:

Golden-av., etc., storm sewer; fourth estimate; Bartling & Dull, contractors; amount due, \$2,538.45; and for construction of curbs and gutters, as follows:

Dist. No. 33, first estimate; Patrick Ryan, jr. contractor; amount due, \$567.00. Dist. No. 37, first estimate; Patrick Ryan, jr., contractor; amount due, \$844.20. Dist. No. 43, first estimate; Patrick Ryan jr., contractor; amount due, \$1,053.00. Dist. No. 30, first estimate; Michigan Construction Co., contractor; amount due, \$765.00. Dist. No. 38, second estimate; Michigan Construction Co., contractor; amount due, \$1,530.00. Dist. No. 39, first estimate; Michigan Construction Co., contractor; amount due, \$382.50; and Dist. No. 41, first estimate, Michigan Construction Co., contractor; amount due, \$994.50.

Moved by Ald. Groves that estimates be allowed and City Clerk instructed to draw warrants for amounts due.

Adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.  
Nays: None.

Ald. Norris presented proposals from the Canton Art Metal Co. and Art Metal Construction Co. for special steel desk for City Assessor's office, and made oral report that the Finance Committee had considered the proposals and recommended the purchase of desk offered by Art Metal Construction Co. at \$390.25, and that City Clerk be instructed to order same.

Moved by Ald. Norris that rec-

ommendation of committee be adopted.

Adopted by following vote:

Yeas: A. d. Johnson, Haarer, Graf, Henderson Lucas, Groves, Markey, Moore Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.

Nays: None.

#### Ordinance Committee

Ald. Haarer presented the following ordinance, which was given its third reading:

An ordinance regulating public dances in the city of Ann Arbor. The Common Council of the city of Ann Arbor ordain:

Section 1. The term "Public Dance" as used in this ordinance shall be held to mean any dance where any of the expenses connected with such dance are borne either directly or indirectly by the people attending such dance; or where the invitation to attend such dance is not issued in person or by written invitation by the person or persons giving same; or any dance to which admission may be had by the payment of a fee or by the purchase, possession or presentation of a ticket or token obtained for money or any valuable thing; or in which a charge is made for caring for clothing or other property; or any dance to which the public generally may obtain admission with or without the payment of a fee. Provisions of this ordinance shall not apply to private dances given by families in their homes, or by any legally organized fraternal society or other organization, organized for other objects and purposes other than dancing, and where the public is not admitted.

Sec. 2. It shall be unlawful to hold any public dance or to give instruction in dancing for hire in any hall, academy or place within the city limits of the City of Ann Arbor until the hall, academy or place in which the same may be held shall have first been duly licensed for such purposes as hereinafter provided. The owner of any such hall, academy or place, shall apply to the City Clerk for a license for said hall, academy or place, which application shall be on a form to be furnished by the City Clerk and no such license shall be granted until the application shall be approved by the Mayor. Upon the approval of said application by the Mayor, such applicant shall

pay to the City Clerk an annual license fee of five (\$5.00) dollars. Any license issued under this ordinance shall expire on the first Monday of June following the issuance thereof, unless otherwise limited or revoked.

Upon the approval of said application by the city Mayor, the City Clerk shall issue a license as hereinbefore provided and the owner, lessee or person, firm or corporation in charge of said hall, academy or place, shall post said license in a conspicuous place in said hall, academy or place.

Section 3. No license for a public dance hall, academy or place shall be issued until the City Mayor or someone duly authorized by the City Mayor shall investigate said hall, academy or place and determine that such hall, academy or place complies with and conforms to the laws of the State of Michigan and the ordinances and health and fire regulations of the City of Ann Arbor and that said hall, academy or place is properly lighted and ventilated, supplied with adequate toilet conveniences for each sex and is a safe, sanitary and proper place for the purpose for which it is to be used.

Section 4. The license of any public dance hall may be suspended by the City Mayor or revoked by the Common Council for disorderly or immoral conduct therein or for violation of the provisions of this ordinance or any other ordinance of the City of Ann Arbor. Any public dance hall license under the provisions of this ordinance may be entered at any time by the City Mayor or any member of the Police Department of the City of Ann Arbor, or any person duly authorized by the City Mayor for that purpose. The City Mayor or any member of the Police Department of the City of Ann Arbor may cause any public dance to be discontinued and may cause the place where said dance is being held to be vacated during the progress of a public dance for any reason for which a license may be suspended or revoked as herein provided. In case any license granted hereunder shall be so suspended or revoked at least six (6) months shall elapse before another license shall be issued for holding a public dance in the same place

Section 5. It shall be unlawful for any person, persons, firm or corporation, to hold any public dance in any place in the City of Ann Arbor without having first obtained a permit therefor from the City Clerk for a stated time, and no person, society or corporation, failing to enforce at such dances the requirements laid by statute or ordinance upon public dance halls, shall be granted a second permit within six months from the date of such failure and any failure or neglect on the part of the manager or proprietor or person in charge, of any hall used for public dances, to secure and require the proper permit for such dance, shall subject each person, firm or corporation, to the penalty provided for a violation of this ordinance.

Upon application being filed with the City Clerk for the permit in this section specified, the City Clerk shall, when the application shall be approved by the City Mayor, issue the permit to the applicant and the applicant shall pay the City Clerk a permit fee of one (\$1.00) dollar for each permit.

Section 6. All public dance halls, academies or places in which public dances shall be held shall be closed on or before the hour of one o'clock a. m. Except when special permission for extension of the time may be granted by the City Mayor. On Saturdays said public dance shall close at 12 o'clock midnight.

Section 7. It shall be unlawful to knowingly permit any person under sixteen years of age to attend or remain at any public dance unless each person be accompanied by the parent or guardian of such person or by a responsible escort approved by parent or guardian. It shall be unlawful for any person to represent himself or herself to be sixteen years of age in order to attend or remain at any public dance when such person is less than sixteen years of age, and it shall be unlawful for any person to falsely represent himself or herself to be a parent or legal guardian of any person in order that such person may attend or remain in any public dance.

Section 8. Whenever any public dance is conducted in the City of Ann Arbor the management of said dance shall provide a capable floorman and a chaperone who

shall be a responsible woman and who shall be in the dance hall at all times and who shall see that no disorderly, familiar or objectionable conduct or dancing is allowed.

Section 9. Whenever any public dance is being conducted in any dance hall in the City of Ann Arbor, the entire dance hall and all adjoining rooms opening into said hall must be well lighted at all times.

Section 10. It shall be unlawful for any known prostitute, male or female procurer or vagrant to be present at any public dance or at any public ball room.

Section 11. It shall be unlawful for any person, persons, firm or corporation conducting or having in charge any public dances in the City of Ann Arbor, or any person participating in said dances, to sell, give away, or drink any intoxicating liquor in or about any dance hall.

Section 12. It shall be unlawful for any person under the influence of liquor or drugs to participate in or be admitted to or allowed to remain in any dance hall.

Section 13. A regular admission fee shall be charged to each individual entering the public dance hall. No free admissions to persons of either sex shall be allowed.

Section 14. Any person, persons, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof in any court of competent jurisdiction, be punished by a fine of not to exceed one hundred (\$100) Dollars or by imprisonment in the county jail of Washtenaw county for a term not exceeding ninety (90) days, or by both such fine and imprisonment in the discretion of the court.

Section 15. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 16. This ordinance shall take effect ten (10) days after the passage and publication thereof by the Common Council of the City of Ann Arbor.

Moved by Ald. Freeman that ordinance be referred back to Ordinance Committee.

Adopted by following vote:

Yeas: Ald. Johnson, Haarer Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.

Nays: None.

Ald. Haarer presented an ordinance entitled "An ordinance relative to chimney sweepers and furnace cleaners and the licensing thereof. The Common Council of the City of Ann Arbor ordain," which was given its first reading by title, passed to and given its second reading and referred to Ordinance Committee, by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.  
Nays: None.

A large number of citizens were present to protest against the proposed erection of an apartment building at the southeast corner of Washtenaw-av. and Hill-st.

By Ald. White:

Resolved, that the City Council of the City of Ann Arbor expresses its sympathy with the protest of the residents adjacent to the proposed apartment house on the corner of Hill and Washtenaw-av. and requests the Mayor to appoint a committee, from the Council and citizens, to urge upon the owner of this property that he refrain from erecting a structure which will be a detriment to the neighborhood and to the City of Ann Arbor.

Adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden.—14.  
Nays: None.

#### Street Committee Report

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

Gentlemen—Your committee, to whom was referred the matter of grading and improving Pontiac-st., from Moore-st. to Swift-st., begs leave to report that they have had the matter under consideration and recommends as follows:

That the Council hereby deems the improvement of Pontiac-st., from Moore-st. to Swift-st., a necessary public improvement and the Council hereby declares its intention to grade and otherwise improve said street during the next fiscal year.

Respectfully submitted,  
WM. L. HENDERSON,  
C. C. FREEMAN,  
A. D. GROVES,  
BENJ. H. GRAF,

ROBERT NORRIS,  
W. G. JOHNSON,  
ALFRED H. WHITE

Committee.

Ald. Henderson moved the adoption of report, which was adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.  
Nays: None.

#### Sidewalk Committee Report

To the Honorable, the Common Council:

Gentlemen—Your Sidewalk Committee respectfully recommends that the following sidewalks be ordered built and the following resolution adopted:

Resolved, that the grading and construction of the sidewalks hereinafter mentioned is deemed and declared to be a necessary public improvement.

Therefore, it is hereby ordered that stone or cement sidewalks be graded, built and constructed in the City of Ann Arbor on and along the easterly side of Pontiac-st. from Moore-st. north to the city limits.

Resolved, further, that the petition for sidewalk on Swift-st. from Broadway to Wright-st. be granted, and that the City Engineer be directed to establish lines and grades for same, and said walks are to be built at expense of owners of abutting property.

Respectfully submitted,  
C. C. FREEMAN,  
W. G. JOHNSON,  
A. D. GROVES,  
W. S. MOORE,  
BENJ. H. GRAF,  
WM. L. HENDERSON,  
GEO. LUTZ,

Committee.

Ald. Freeman moved the adoption of report, which was adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.  
Nays: None.

#### Railway Committee Report

To the Honorable, the Common Council,

Gentlemen:

Your Railway Committee begs leave to report that after a number of conferences with the officials of the Detroit, Jackson and Chicago Railway a resolution was drafted

which your Committee recommends for your approval. This agreement was accepted verbally by the officials of the D. J. & C. Railway at a conference in Detroit on September 25, at which the City Attorney and Professor H. E. Riggs represented the City and at which Mr. Martin Cavanaugh was present for the D. J. & C.

Your Committee recommends that the Mayor and City Clerk be authorized to approve the following Resolution on behalf of the City, provided that the Detroit, Jackson and Chicago Railway shall have first approved the same and shall present to the Mayor a properly executed agreement to this effect prior to noon of October 10, 1922.

**A RESOLUTION DEFINING THE TERMS AND CONDITIONS UPON WHICH THE STREET RAILWAYS ARE TO BE MAINTAINED AND OPERATED IN THE CITY OF ANN ARBOR**

Be it and it hereby is resolved by the Common Council of the City of Ann Arbor as follows:

1.—Consent, permission and authority to maintain all street railway tracks and overhead and other equipment now existing in the streets of the city of Ann Arbor and to operate the same as a street railway system including the operation of the interurban cars on the streets where now operated is hereby granted to the Detroit, Jackson and Chicago Railway, a corporation organized and existing under and by virtue of the laws of the State of Michigan and known to said laws as a street railway company hereinafter referred to as the Company, its successors and assigns. The time of operation and speed of the cars shall be regulated by the Common Council of the City of Ann Arbor.

2.—The Company shall maintain the pavement on the portions of all streets on which pavement has been heretofore maintained by the street railway and in addition.

(a) Shall reconstruct the tracks on Packard Street from, at or near Granger Avenue easterly to the city limits and pave between said tracks and for a distance of twelve inches outside of each rail.

(b) Shall pave Hill Street from East University Avenue to Washtenaw Avenue between the rails and twelve inches outside of each rail including the switches.

(c) Shall pave on Detroit Street between the rails and twelve inches

outside each rail for the distance between the lot lines of Division Street extended and the distance between the lot lines of Kingsley Street extended and the distance between the lot lines of Fifth Avenue extended.

All pavements to be maintained by the Company shall be kept and maintained in the same state of repair as the pavement laid and maintained adjacent thereto by the City. All tracks not so required to be paved by the Company and not paved by the City shall be maintained at grade by the Company with crushed stone on paved streets and either crushed stone or pebble gravel on unpaved streets substantially even with the top surface of the rail.

3.—City cars shall be operated with such frequency and of such capacity as may be requisite for reasonably adequate service. The Company shall also maintain and operate busses from the new University hospital, from the time such hospital shall be opened and put in operation, to the nearest convenient point for making connection with the cars of said street railway or such other routes as may be hereafter arranged by mutual agreement. Such cars and busses shall be maintained, heated and ventilated in such manner as may be reasonably necessary for the safety, health and convenience of the public using same. The busses shall be deemed to be a part of the street railway system and so treated for all purposes hereof.

4.—The rates of fare for the city service shall be such as are sufficient and not more than sufficient for the reasonable requirements of said city system to meet the operating costs, taxes, property rental and return upon fair value. In determining such reasonable requirements, a reasonable car mileage charge for the use of such tracks shall be made against the interurban cars operated in the city of Ann Arbor. The rate of fare on the busses shall be ten cents. Such fare shall include a transfer to the city cars. Transfers shall be given from the city cars to the busses upon additional payment of the difference between the regular fare and the bus fare.

5.—If the city of Ann Arbor shall, at any time, pursuant to lawful authority, determine to engage in the ownership and operation of street railways, the tracks and overhead and other equipment then in the streets and the cars and other



equipment then used in the operation of the city service on said tracks shall be purchased by the city of Ann Arbor at the then fair value of such physical property.

6.—The City and the Company shall agree from time to time, upon the rates of fare upon the basis aforesaid, and in the event of purchase upon the fair value; but if at any time or times the City and the Company shall fail to agree upon the rates of fare, or upon the fair value, the same shall be determined by arbitration. The basis of "Fair value" in the rates of fare to be used on such arbitration shall be the valuation made by the Michigan Public Utilities Commission, such valuation being brought to the date of the arbitration. The reference to the Michigan Public Utilities Commission shall be deemed to include the state authority at the time having the regulation of street or interurban railways by whatsoever name the same may at said time be known and howsoever constituted.

7.—No term rights are granted by the City or acquired by the Company hereunder, but the relations between the City and the Company hereunder are solely from day to day and may be terminated by the City at any time upon sixty days notice to the Company by Resolution of the legislative authority of the City.

This resolution is approved by the Street Railway Committee for presentation to the Council.

Alfred H. White, Chairman.  
Geo. Spathelf,  
W. G. Johnson.

Ald. White moved the adoption of report, which was adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey, Moore, Spathelf, White, Freeman, Lutz, Norris, Pres. Sugden—14.

Nays: None.

### Officers' Reports

#### City Attorney's Report

City Attorney's Office,  
Ann Arbor, Mich., Sept. 30, 1922.  
To the Honorable, the Common Council of the City of Ann Arbor:  
Pursuant to the terms of a resolution presented at a meeting of the Common Council, September 18, 1922, asking for a written opinion regarding the status of encroachment of store fronts, show cases, displays, etc. over the property line. I herewith submit my opinion.

Section 1 of an ordinance entitled,

"An Ordinance relative to the Use of Streets and Other Public places," passed by the Common Council November 4, 1895; approved November 5, 1895; amended June 5, 1899; amended October 20, 1913; amended September 15, 1919; provides that, whenever any sidewalk shall be obstructed or encumbered by anything, it shall be the duty of the owner or occupant of the premises adjacent to and abutting the said sidewalk to move said encumbrance or obstruction or cause the same to be removed.

Section 5 provides that it shall be the duty of the Board of Public Works to take cognizance of the provisions of this ordinance relative to the encumbrance of sidewalks, streets and alleys.

Section 7 of the ordinance, as amended September 15, 1919, does not permit the use of the sidewalks for any purpose or for display of merchandise.

It means, therefore, that in accordance with the terms of the ordinance the Board of Public Works shall enforce the violation thereof.

Roscoe O. Bonisteel,  
City Attorney.

Moved by Ald. Johnson, that copy of City Attorney's opinion be presented to each member of Board of Public Works.

Adopted.

By Ald. Freeman:

Whereas, Frederick Olmstead of Olmstead Brothers, Brookline, Mass., stated it as his opinion to a committee of the city that the City of Ann Arbor should employ a zoning expert to advise the city as to the physical feature of a zoning scheme and work incident thereto.

Therefore, be it resolved that the ordinance committee communicate with such an expert or experts and ascertain the cost of such employment and report to the Council at a later meeting.

Adopted.

By Ald. Norris:

Resolved, that the Mayor and City Clerk are hereby authorized to execute lateral sewer bonds for lateral sewer districts Nos. 114 to 119, inclusive, with interest at five per cent per annum, payable annually.

Adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey,

Moore, Spathelf, White, Freeman, Moore, Spathelf, White, Freeman,  
Lutz, Norris, Pres. Sugden—14. Lutz, Norris, Pres. Sugden.—14.

Nays: None.

Ald. Groves presented bill from League of Michigan Municipalities of \$25.00 for annual dues for year ending July 1, 1923, and moved the bill be allowed and City Clerk instructed to draw warrant in payment of same.

Adopted by following vote:

Yeas: Ald. Johnson, Haarer, Graf, Henderson, Lucas, Groves, Markey,

Nays: None.

Moved by Ald. Haarer that public hearing on proposed ordinance regulating public dances be held in Council Chamber, Oct. 13, 1922, at 7:30 o'clock p. m.

Adopted.

On motion of Ald. Lucas, Council adjourned.

ISAAC G. REYNOLDS,  
City Clerk.