

construction of the pavement between the rails of the Co. Tracks on Main st., in paving district No. 1 and 2, was also instructed to advise the council whether or not it had the right to accept any other than the lowest bid for brick pavement in district No. 3.

On motion the council adjourns until Thursday evening June 8, 1899.

J. E. Harkins,
City Clerk.

COUNCIL CHAMBER }
Thursday, June 8, 1899. }

Adjourned session.

Called to order by President Seabolt.
Roll call. Quorum present.

Absent: Ald. Exinger and Howell.

Ald. Brown moved the petition of property holders be recorded and printed.

PETITIONS.

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

We the undersigned respectfully ask that your honorable body give the contract for paving Washington street to William J. Clansy, he being the lowest bidder. We the taxpayers in said district would be pleased to have the above request granted.

Signed by Eberabch Hdw. Co., P. Fred Reimold, William Herz, John Heinzman, John Schneider, sr., F. W. Belser, L. W. Weinmann, B. B. Sudworth, G. Rettich, Anna B. Bach, J. D. Ryan, H. Lutz, Mrs. Herman, F. W. Bigalke, August G. Koch, Mrs. W. C. Steeb, J. W. Knight, J. W. Morton, O. M. Martin, M. Goodale.

Received, placed on record and ordered printed.

Adopted.

Petition of C. E. Hiscock and several others for an electric light on N. Main st. at the intersection of Felch referred to Lighting Committee. A petition from the Board of Public Works asking for an appropriation of \$150.00 to purchase bricks for the brick cross-walks already ordered and \$100.00 for two Wheel Scrapers and two Bowls, allowed.

Resolution by Ald. Brown:

That C. A. Cady be permitted to construct out of tar a sidewalk, on the north side of Dewey Ave., 4ft. and 4 in. wide.

Adopted. Ald. Koch voting no.

Ald. Richards offered a resolution asking the Board of Public Works to

secure an estimate for painting the Firemen's Hall and report same to the Council at next regular meeting.

Ald. Dieterle offered the following ordinance:

AN ORDINANCE.

Providing for the permanent removal of telephone poles and wires within a certain district, and for the laying of underground conduits and placing wires therein, in the City of Ann Arbor, Michigan.

1. It is hereby ordained, that on and after January 1st, 1900, it shall be unlawful for any person, persons, company or corporation to erect or maintain poles and wires for telephone purpose in the city of Ann Arbor, within the district area herein described to wit:

In Washington Street, between Ashley and Fifth Streets except as hereinafter provided; and on and after said date any person, persons, company or corporation owning, controlling, operating or maintaining such poles or wires in said city shall cause said poles and wires within said district to be taken down and permanently removed; provided that said section shall not be construed to prevent the erection and maintenance of the necessary poles within said district for the distribution of wires from the underground conduits to reach the subscribers of such person, persons, company or corporation, and provided further that said distributing poles shall be set in alleys when practicable, and in any and all cases in such a manner as to not unreasonably obstruct or interfere with other proper uses of the streets and alleys.

2 In case of failure on the part of any person, persons, company or corporation so owning, controlling, operating and maintaining such poles and wires, to take down and remove the same within the time above limited, the Board of Public Works or other proper agent of the city, shall have the power and it shall be their duty, under the direction of the legislative authority of the city, to take down and remove said poles and wires; Provided, The actual and necessary expenses of the city or of the Board of Public Works, in the employment of an agent to carry out the provisions of the preceding sections, shall be a proper charge against said person, persons, company or corporation, and such expense shall be paid by said person,

persons, company or corporation, on a voucher or bill duly certified by said Board

3. The said person, persons, company or corporation shall do no injury to any street, avenue, alley, land, park, or public square, nor in any manner disturb or interfere with any water or gas pipes, nor with any public or private or public sewer, now or hereafter laid or constructed by any authorized person or corporation, and shall fully indemnify and save harmless the City of Ann Arbor from any and all claims or damages for which said city might be made or become liable to pay by reason of the construction, making or operating of said pipes, mains or conductors.

4. The main pipes or conduits of said person, persons, company or corporation shall be laid in streets and avenues in a line parallel with the curb line thereon, and in all cases to a depth of not less than two feet.

At least twentyfour hours before opening any street, alley or public place the said person, persons, company or corporation shall notify the Board of Public Works in writing of such intentions, stating the place where and the objects for which said opening is to be made, and in the opening or refilling of all the openings made as aforesaid, the relaying of pavements and all other work necessary to the complete restoration of the streets, pavements, side walks or ground to an equally good condition as when disturbed, the said person, persons, company or corporation or its servants or employes shall be under the supervision of the Board of Public Works or its authorized agent, or of the Common Council in reference thereto. Nor shall any street, avenue or public place be allowed to remain open or incumbered for a longer period than shall be necessary to execute the work for which the same has been opened. And the Board of Public Works or Common Council may determine the question of such necessity. It is especially provided that in all cases where work requires the exercise of skill, as in the laying or relaying of pavements or sidewalks, the said person, persons, company or corporation shall employ none but skilled workmen, familiar with the execution of such work. It shall be optional with the city authorities to restore the earth and relay the pavements in streets and other public places when so taken up by said per-

son, persons, company or corporation, at the expense of such person, persons, company or corporation, but the expense of such work shall not exceed the actual cost thereof,

5. The expense of the city or of the Board of Public Works, for the employment of an agent to carry out the provisions of the preceding sections shall be a proper charge against said person, persons, company or corporation, and such expense shall be paid by said person, persons, company or corporation on a voucher or bill duly certified by said Board.

6. Said person, persons, company or corporation shall at all times be subject to the city ordinances now in existence relative to the use of the public streets or other public places, especially as to the putting up of lights and barriers at and around excavations.

Referred to Ordinance committee.

Ald. Weeks moved that the New State Telephone Co. be ordered to place a telephone in Ald. Grose residence, on the north side, at once.

Ald. Hamilton moved that the matter of poles be reconsidered.

Ald. Brown moved that the whole matter concerning poles, wires, etc. be reconsidered.

Adopted.

Ald. Brown moved that the matter of poles, etc. be referred to a special committee of five and that the City Attorney be included.

Adopted.

Pres. Seabolt appointed the following committee: Ald. Brown, Dieterle, Richards, Coon, Grose and City Attorney, Norris.

Alderman Hamilton moved that the Contractors of the Storm Sewers be requested to lay the gravel to one side, and that the City scrape the streets and put such scrapings into the ditch and the gravel be used as top dressing.

Alderman Richards moved that the Board of Public Works make some arrangements with the contractors in regards to placing this gravel on top.

Adopted.

Alderman Koch moved that the contract for paving Washington St. be awarded to Wm. J. Clancy and that the cement used must be from Akron or Buffalo.

Adopted.

On motion the Council adjourned.

JAMES E. HARKINS

City Clerk.