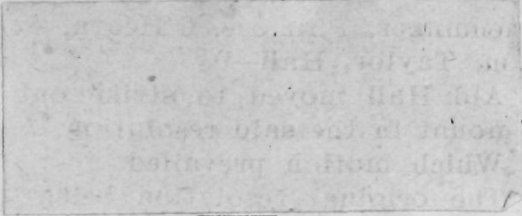


COUNCIL PROCEEDINGS.

[OFFICIAL]



Council Chamber.

Ann Arbor, Mar. 1st, 1892.

Special meeting.

President Cooley being absent, the council was called to order by City Clerk Miller.

Roll called. A quorum present.

Absent Aids. Wines, Hall, Pres. Cooley—3.

A quorum being present, on motion of Ald. Kitson, Ald. Taylor was elected president pro. tem.

The call of special meeting having been read by the clerk, the following business was transacted:

Chairman Fillmore, of the special committee on the Kemper case, made a verbal report of the said case.

By Ald. Fillmore:

Resolved, That the sum of (\$500) five hundred dollars be appropriated from the Contingent Fund, and a warrant drawn in the name of John F. Lawrence to be delivered on dismissal of suit and release of all claim against the city for damage on account of North Fifth Avenue grading.

Thereupon the yeas and nays being called, the vote was as follows:

Yeas—Aids. Martin, Allmendinger, Fillmore, O'Hearn, Ferguson, Rehberg, Kitson—7.

Nays—Aids. Mann, Herz, Taylor—3.

The chair declared the motion lost, two-thirds of the members elect not having voted therefor.

On motion the council adjourned.
WM. J. MILLER, Clerk.

COUNCIL CHAMBER,
ANN ARBOR, March 4, 1892. }

Special meeting. Called to order by President Cooley. Roll call. A quorum present.

Absent—Ald. Mann, Wines, Herz, Fillmore, O'Hearn, Taylor.—6.

President Cooley stated the call of special meeting was to consider mat-

ters relating to bridge No. 3, and ordering payment on the same.

To the Common Council:

The Board of Public Works would recommend the payment of \$1,400 to the Smith Bridge Co., of Toledo, Ohio, and the balance of \$122 be held back until contract is satisfactorily fulfilled.

By order of the Board of Public Works. W. J. MILLER, Clerk.

Received and filed.

By Ald. Hall:

Resolved, That a warrant for the sum of (\$1,400), fourteen hundred dollars be drawn upon the Bridge Fund, payable to the order of the Smith Bridge Co., the same to operate as a payment on account of the contract of said company to construct the bridge at bridge No. 3.

Resolved, further, That such payment shall not operate or be construed as an acceptance of such bridge or a discharge in any manner of the said Smith Bridge Company from its liability on its contract to construct such bridge.

Which resolution prevailed by a yeas and nays vote, as follows:

Yeas.—Ald. Martin, Allmendinger, Ferguson, Rehberg, Hall, Kitson and President Cooley.—7.

Nays—None.

On motion the Council adjourned.

W. J. MILLER,
City Clerk.

Council Chamber.

Ann Arbor, March 7th, 1892.

Regular meeting.

President Cooley being absent the council was called to order by City Clerk Miller.

Roll called. A quorum present.

Absent Pres. Cooley—1.

Minutes of previous meetings approved.

On motion of Ald. Martin, Ald. Taylor was elected president pro. tem.

REPORTS OF STANDING COMMITTEES.

FINANCE.

To the Common Council:

Your committee on Finance respect-

fully report that they have had the following bills under consideration and would recommend their allowance at sums stated.

CONTINGENT FUND.

| | |
|--|-----------|
| W. J. Miller, salary..... | 66 66 |
| E. B. Norris, "..... | 25 00 |
| J. H. Stark, salary..... | 8 33 |
| Dr. E. A. Clark, salary..... | 25 00 |
| E. H. Robertson, typewriting..... | 40 |
| Telephone & Telegraph Construction Company..... | 5 00 |
| Glen V. Mills, City Directory..... | 15 00 |
| S. B. McCracken, copies election laws..... | 3 75 |
| G. W. Snow, horse hire..... | 1 00 |
| Howlett & Robison, use of hacks..... | 6 00 |
| Sid W. Millard, printing ballots..... | 12 00 |
| Cook House, dinners for officers of election..... | 3 50 |
| Geo. R. Endicott, engraving..... | 25 00 |
| Estate of Rice A. Beal, council printing..... | 22 67 |
| Ann Arbor T.-H. Electric Co., street lighting..... | 509 75 |
| Ann Arbor T.-H. Electric Co., office lighting..... | 2 00 |
| Ann Arbor Argus, council proceedings printing..... | 22 67 |
| Jos. A. Polhemus, hacks..... | 5 00 |
| S. W. Beakes, printing..... | 19 25 |
| W. J. Miller, stamps and express ch'g's..... | 3 30 |
| W. G. Snow, hacks..... | 6 00 |
| C. Martin, inspector..... | 5 00 |
| L. P. Hall, "..... | 5 00 |
| W. L. Taylor "..... | 5 00 |
| Jas R. Bach, Clerk..... | 5 00 |
| Willis Clark, gate keeper..... | 1 50 |
| Total..... | \$ 808 78 |

STREET FUND.

| | |
|--|-----------|
| Nelson Sutherland, salary..... | 66 66 |
| Michael Heary, snow ploughing..... | 6 00 |
| Henry Waldron, "..... | 4 50 |
| R. Marsh, "..... | 4 50 |
| J. Bessinger, "..... | 9 00 |
| Geo. Weeks, "..... | 4 50 |
| Patrick McCabe, "..... | 6 00 |
| Frank Sutherland, "..... | 3 00 |
| John McHugh, "..... | 9 00 |
| Geo. Schlimmer, "..... | 6 50 |
| Nelson Sutherland, horse and cart..... | 7 25 |
| Wagner & Biermann, repairs..... | 50 |
| P. L. Bodmer, lumber..... | 16 02 |
| John Haupt, repairs..... | 7 33 |
| Wurster & Kirn, repairs..... | 13 85 |
| Caspar Rinsey, salt..... | 6 00 |
| Wm. H. McIntyre, salt..... | 3 09 |
| Julius Bethke, labor..... | 68 |
| Frank Schultz, labor..... | 75 |
| Michael Kenny, labor..... | 1 65 |
| Michael Williams, labor..... | 1 50 |
| J. Drake, labor..... | 5 93 |
| Thomas Archer,..... | 68 |
| Geo. Marsden, labor..... | 85 |
| Willis Clark, labor..... | 13 95 |
| Charles Radke, labor..... | 7 20 |
| Total..... | \$ 208 41 |

BRIDGE FUND.

| | |
|---|-------|
| E. H. Robertson, type writing..... | 1 00 |
| Mortimer E. Cooley, expenses, railroad fare, hotel bill and telegraphing..... | 14 02 |
| Total..... | 15 02 |

FIRE DEPARTMENT FUND.

| | |
|--------------------------|-------|
| Fred Sibley, salary..... | 60 00 |
|--------------------------|-------|

| | |
|------------------------------------|-----------|
| C. A. Edwards, salary..... | 50 00 |
| Louis Hoelzle, salary..... | 45 00 |
| Henry McLaren, salary..... | 45 00 |
| Charles Carroll, salary..... | 40 00 |
| Max Wittlinger, salary..... | 40 09 |
| Alexander D. Imus, salary..... | 40 00 |
| Robert Ross, salary..... | 40 00 |
| Herman Kirn, salary..... | 8 00 |
| Louis Weinmann, salary..... | 8 00 |
| John Kinney, salary..... | 8 00 |
| Sam McLaren, salary..... | 8 00 |
| Morgan Williams, salary..... | 8 00 |
| Mrs. B. Ream, washing..... | 4 00 |
| Heinzmann & Laubengayer, oats..... | 6 00 |
| Geo. Jedele, hay..... | 14 70 |
| Daniel Hiscock, coal..... | 18 00 |
| Alfred Paul, oats..... | 85 86 |
| H. C. Clark, oats and bran..... | 6 00 |
| Total..... | \$ 534 38 |

POLICE FUND.

| | |
|---|-----------|
| James R. Murray, salary..... | 65 00 |
| David Collins, salary..... | 50 00 |
| Noble C. Tice, salary..... | 50 00 |
| S. W. Beakes, railroad fares for four Detroit detectives..... | 9 20 |
| Cook House, 8 meals for detectives..... | 4 00 |
| Paul Schall, special police..... | 2 00 |
| John Kenny, "..... | 4 00 |
| Charles Burnham, "..... | 2 00 |
| Morgan Williams, "..... | 2 00 |
| Fred Lutz, "..... | 2 00 |
| Charles Schott, "..... | 4 00 |
| Patrick Mulligan, burying dog..... | 50 |
| G. W. Snow, horse hire..... | 1 00 |
| G. H. Wild, box..... | 35 |
| Michigan Bell Telephone Co..... | 25 |
| Total..... | \$ 196 30 |

POOR FUND.

| | |
|---|-----------|
| Fred Sibley, salary..... | 10 00 |
| Mrs. Evans, aid..... | 6 00 |
| Miss Shaw, aid..... | 3 00 |
| J. Kapp, sawing wood..... | 11 00 |
| Myron Collum, nursing W. B. Fisher..... | 17 00 |
| Ed. Duffy, groceries..... | 2 69 |
| John Goetz & Son, groceries..... | 3 74 |
| W. F. Lodholz, groceries..... | 13 05 |
| William H. McIntyre, groceries..... | 9 80 |
| O'Hara & Boyle..... | 7 73 |
| C. Rinsey, "..... | 10 44 |
| Rinsey & Seabolt..... | 8 49 |
| W. G. Dieterle, bedding..... | 3 00 |
| O. M. Martin, coffin..... | 10 00 |
| Mann Bros., supplies..... | 60 |
| L. Rohde, coal..... | 3 25 |
| W. G. Snow, hack to county house..... | 1 50 |
| Wm. Salyer, groceries..... | 2 00 |
| C. W. Vogel, meat..... | 4 58 |
| Dr. E. A. Clark, medical counsel..... | 15 02 |
| Total..... | \$ 142 78 |

RECAPITULATION.

| | |
|----------------------|------------|
| Contingent Fund..... | \$ 808 78 |
| Street Fund..... | 208 41 |
| Fire Fund..... | 534 38 |
| Police Fund..... | 196 20 |
| Poor Fund..... | 142 87 |
| Bridge..... | 15 02 |
| Total..... | \$1,905 66 |

Respectfully submitted.

E. G. MANN,
LOUIS P. HALL,
WILLIAM HERZ,
Finance Com.

Ald Mann moved that the report be accepted and adopted and warrants ordered drawn for the several sums stated, except for Mrs. Evans and Miss Shaw, as aid from the poor fund.

Which motion prevailed by a yeas and nays vote as follows:

Yeas—Alds. Mann, Wines, Herz, Martin, Allmendinger, Fillmore, O'Hearn, Ferguson, Taylor, Rehberg, Hall, Kitson—12.

Nays—None.

SPECIAL ORDER.

The time having arrived at which the matter of straightening and widening Summit st., (lately called High st.) was set for hearing, and such special order having been announced by the president,

Thereupon the city clerk stated that he had caused to be served, notice of this hearing on all persons interested therein, and due proof of such service was on file in the city clerk's office.

No objections being made at this time, on motion of Ald. Wines this hearing was continued for one week.

Which motion prevailed.

ORDINANCES.

The third reading by sections of an ordinance entitled "An Ordinance Relative to Sidewalks."

On motion of Ald. Wines, the following amendments were made thereto: First Amendment:

Section two, line three, after the word "on," strike out the balance of the line, and insert, "Fourth ave., between Catharine and Liberty."

Second Amendment:

Section six, line six, strike out the word "ten" and insert in place thereof, the word "thirty."

Third Amendment:

Section thirteen, line seven, strike out the word "ten" and insert in lieu thereof, the word "five."

Fourth Amendment:

Add a new section to stand as section twenty in words as follows:

All sidewalks within the limits of the city shall be graded, constructed and repaired in the manner and of the

material provided for in this ordinance and on the grade established or to be established by the common council, and not otherwise.

No sidewalk shall be graded and constructed except by leave of the board of public works. All sidewalks shall be graded, laid and constructed in the street and on a line parallel with the property line of the adjacent property and distant therefrom as follows, to wit:

All sidewalks of greater width than six feet on and along such property line. All sidewalks six feet in width, one foot therefrom. All sidewalks five feet in width, one and one-half feet therefrom. All sidewalks less than five feet in width, two feet from such property line.

Fifth Amendment:

Sections twenty and twenty-one to be renumbered twenty-one and twenty-two respectively.

After which the chair having stated the question to be "Shall this Ordinance pass as amended?"

Therefore the yeas and nays being called, the ordinance, as amended, passed as follows:

Yeas—Alds. Mann, Wines, Herz, Martin, Allmendinger, Fillmore, O'Hearn, Ferguson, Taylor, Rehberg, Hall, Kitson—12.

Nays—None.

REPORTS OF SPECIAL COMMITTEES.

To the Common Council:

Your special committee appointed Dec. 7th, 1891, charged with the duty of investigating the claim of Mr. Kemper to damage for the grading of Fifth ave., in front of his property, would respectfully report that they have had the matter under consideration and find that the board of public works graded down the said street in front of Mr. Kemper's home, to his damage, we further find that the council when they made the appropriation for such grading, neglected to establish a grade or to give to the board of public works and street commissioner any definite instructions as to the manner and extent of the work or

grading which they, the common council, desired to be done.

Your committee have been to great pains to learn and to be advised of the law of the case under such circumstances and have employed Mr. J. C. Knowlton who has submitted to us a report in writing, which is hereto attached, and made a part of this report, we are all agreed that the city is liable to pay Mr. Kemper for his actual damage on account of the lowering the grade of the street in front of his property without an express order of this council.

Mr. Kemper, some months ago, brought suit in the circuit court to recover his damages and the question presents itself to this council, how can the city best dispose of the question of damages? Mr. Kemper offers through his counsel Mr. John F. Lawrence, to compromise all claim for damage for the sum of five hundred dollars, while your committee feel that such a sum of money is more than his actual damage, we are not sure but that it is a less sum than he is likely to be awarded by a jury. In view of the fact that the board of public works not only cut down the street without any definite direction of the council, but actually invaded Mr. Kemper's land, we have reached the conclusion that it would be for the best interests of the city to pay Mr. Kemper the sum of five hundred dollars and would recommend a disposition of the matter at that sum.

This committee wish to add that the cutting of this street and all things pertaining to the same was done before this council had a legal existence, and that this matter has come down to us from our predecessors in office.

All of which is respectfully submitted and your committee beg to be discharged from the further consideration of the subject.

A. H. FILLMORE,
C. FRANK O'HEARN,
LOUIS P. HALL,
C. MARTIN,
LEVI D. WINES,

Committee.

By Alderman Allmendinger:

Resolved, That a warrant in favor of John F. Lawrence, Att'y, for the sum of five hundred dollars be drawn, for the purpose of compromising the case of Adolph Kemper vs. The City of Ann Arbor, that such warrant be delivered on a release of all damage and a discontinuance of the suit vs. The City, without costs.

Which resolution prevailed by a yeas and nays vote as follows:

Yeas—Alds. Mann, Wines, Martin, Allmendinger, Fillmore, O'Hearn, Ferguson, Rehberg, Hall, Kitson—10.

Nays—Alds. Herz, Taylor—2.

To the Common Council:

We, the undersigned duly appointed inspectors of the special election, ordered to be held by the common council of the city of Ann Arbor, at Fireman's hall in said city on the twenty-ninth day of February, A. D. 1892, to determine what sum and whether the sum of twenty-five thousand dollars should be levied by the common council, on and against the taxable property of the said city, on the general tax roll of the city for the year 1892, to be expended for the purpose of constructing a main sewer according to the determination of the council heretofore had, do hereby certify that such special election was held at the said place, and on the day appointed, as aforesaid, and that at such special election, there was cast by ballot pursuant to law on such question, one thousand four hundred ballots and they were given on the said question as follows:

For sewerage tax, No, eight hundred and three votes.

For sewerage tax, Yes, five hundred and ninety-seven votes.

All of which is respectfully submitted.

In witness whereof we have hereunto set our hands at the city of Ann Arbor on this 29th day of February, A. D. 1892.

CHRISTIAN MARTIN,
WALTER L. TAYLOR,
LOUIS P. HALL,

Inspectors.

Ald. Kitson moved that the report be received and filed and spread on the journal.

Which motion prevailed.

Ald. Hall, chairman of the special committee on free beds for the city at University Hospital, asked for further time, which was granted.

REPORTS OF CITY OFFICERS.

The reports of the city clerk, city treasurer, marshal and poor superintendent were read and placed on file.

CITY TREASURER'S REPORT FOR THE MONTH ENDING FEBRUARY 29, 1892.

To the Common Council of the City of Ann Arbor:

Balance overdrawn as per last report..... \$ 15,582.75

MONEY RECEIVED.

| | | |
|--|-------------|---------------------|
| Contingent Fund— | | |
| Appropriation..... | \$ 5,000.00 | |
| Street Fund— | | |
| Appropriation \$9,000.00, | | |
| sidewalks \$290 60..... | 9,290 60 | |
| Commissioner Sutherland, from Earl Ware .. | 10.00 | |
| Fire Fund— | | |
| Appropriation..... | 7,000.00 | |
| Police Fund— | | |
| Appropriation..... | 2,250 30 | |
| Murray, officer's fees.. | 2 90 | |
| Poor Fund— | | |
| Appropriation..... | 1,250.00 | |
| Water Fund— | | |
| Appropriation..... | 5,500.00 | |
| Cemetery Fund— | | |
| Appropriation..... | 50.00 | |
| University Hospital Aid Bond Fund— | | |
| Appropriation..... | 3,840.00 | |
| Bridge, Culvert and Crosswalk Fund— | | |
| Appropriation..... | 4,000 00 | |
| Soldiers' Relief Fund— | | |
| Appropriation..... | 600.00 | |
| Delinquent Tax Fund - Rejected tax..... | 15.78 | |
| Total | | \$ 39,709 28 |
| Net receipts, less overdrafts | | \$ 24,126 53 |

MONEY DISBURSED.

| | |
|-------------------------------|-------------------|
| Contingent Fund..... | \$ 951.49 |
| Street Fund..... | 220.58 |
| Firemen's Fund..... | 466.37 |
| Police Fund..... | 175.25 |
| Poor Fund..... | 101.84 |
| Water Fund..... | |
| Cemetery Fund..... | 1.00 |
| Soldiers' Relief Fund..... | 38.00 |
| University Aid Bond Fund..... | 3,840.00 |
| Total | \$5,794 53 |

BALANCE ON HAND.

| | |
|----------------------|---------|
| Contingent Fund..... | \$ 2.53 |
| Street Fund..... | 581.93 |

| | | |
|---|--------------------|--------------------|
| Firemen's Fund..... | 4,675.53 | |
| Police Fund..... | 1,697.48 | |
| Poor Fund..... | 1,799.59 | |
| Water Fund..... | 3,789.71 | |
| Cemetery Fund..... | 131.93 | |
| Soldiers' Relief Fund..... | 1,065.40 | |
| University Hospital Aid Bond Fund..... | 840.00 | |
| Delinquent Tax Fund..... | | 352.10 |
| Dog Tax Fund..... | 100.00 | |
| Bridge, Culvert and Crosswalk Fund,.... | 4,000.00 | |
| Total | \$18,684.10 | \$352.10 |
| Total Balance on hand | | \$18,332.00 |

Respectfully submitted,

S. W. BEAKES,

City Treasurer.

Ann Arbor City, March 1, 1892.

ANN ARBOR SAVINGS BANK,
ANN ARBOR, MICH., March 1, 1892. }

To the Common Council of the City of Ann Arbor:

This will certify that S. W. Beakes, has on deposit to his credit as City Treasurer, the sum of eighteen thousand and three hundred eight and forty-two one-hundredths dollars (\$18,308.42).

CHAS. E. HISCOCK, Cashier.

The city clerk read communication of the Ann Arbor & Ypsilanti Street Railway, accepting the franchise granted them Feb. 17th, 1892.

Received and filed.

MOTIONS AND RESOLUTIONS.

Ald Martin moved that the board of public works and street commissioner at once make their annual report to this council.

Which motion prevailed.

By Ald. Wines:

Whereas, A culvert on Hill st., to carry the water of Allen's creek, is deemed a necessary public improvement, therefore,

Resolved, That the board of public works do report to this council suitable plan therefore, the cost of the same not to exceed four hundred and fifty dollars.

Which resolution prevailed.

By Ald. Wines:

Resolved, That the sewer committee be discharged.

Which resolution prevailed.

Ald. Kitson moved that when we adjourn, we adjourn to meet Monday, March 14th, 1892, at 7.30 o'clock, p. m.

Which motion prevailed.

Ald. Hall moved that the vote upon the resolution asking the board of public works for plans and cost of culvert on Hill st., be reconsidered.

Which motion prevailed by a yea and nay vote as follows:

Yeas—Alds. Mann, Wines, Herz, Martin, Allmendinger, Fillmore, O'Hearn, Ferguson, Taylor, Rehberg, Hall, Kitson—12.

Nays—None.

Ald. Martin moved that the resolution be laid on the table.

Which motion was lost by a yea and nay vote as follows:

Yeas—Alds. Martin, Rehberg, Kitson—3.

Nays—Alds. Mann, Wines, Herz, Allmendinger, Fillmore, O'Hearn, Ferguson, Taylor, Hall—9.

Ald Hall moved to strike out the amount in the said resolution.

Which motion prevailed.

The original resolution being now put, prevailed by a yea and nay vote as follows:

Yeas—Alds. Mann, Wines, Herz, Allmendinger, Fillmore, O'Hearn, Ferguson, Rehberg, Hall, Kitson—10.

Nays—Alds. Martin, Taylor—2.

On motion the council adjourned.

WM. J. MILLER, Clerk.