

Minutes of a Regular Meeting of the City Council.

Austin, Texas, April 1, 1895.

Hon John M^c Donald, mayor, presiding.

Roll call.

Present- Aldermen Anderson, Armann, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Linn, Nitichke, Platt, Powell, Rob-
 ertson, Shelley, Taylor, Tobin, Townsend, Warrmoth - 18.

Absent- Aldermen Hume, Lawless, Redd, Schneider - 4.

Minutes of the meetings of the city council held on the 18th and 22nd days of March 1895, were adopted as printed.

Alderman Armann was excused from further attendance on the session of the council.

Petitions, Etc.

Dr H. B. Hill

A petition was received from Dr H. B. Hill requesting the city council to pay a bill of \$4.50 which he had paid on account of damages to his buggy, harness and horse, caused by the bursting of water pipe on the corner of Congress Avenue and seventh street, March 10, 1895. Referred to Board of Public Works.

Aldermen Lawless, Schneider and Redd entered the council chamber and answered to their names.

John D. Jackson.
 Petition against
 his dairy

A petition was received from citizens of Austin stating that the dairy kept by Mr John D. Jackson on the east half of block No. lying between Eighteenth and Nineteenth streets and fronting east on Red River street is a nuisance and a menace to the health of the whole neighborhood contiguous thereto, and requesting that the nuisance be abated.

University of Texas.
 furnished water
 and light.

Referred to the committee on sanitation and sewerage.

A communication was received from the Water and Light Commission recommending that water and light be furnished the University of Texas, until December 1, 1895, free of charge in accordance with enclosed request of Mr James B. Clark proctor. A communication from the secretary of the board of regents of the University of Texas, addressed to the council was read. It states that: "At a meeting of the board of regents of the University of Texas, held March 27, in this city, it was unanimously resolved that the secretary of the board be instructed in the name of the regents and the University's behalf to respectfully request the city council to make such appropriation as to take such steps through the Board of Public Works as may be necessary, and the council may be willing to generously provide, for furnishing the University buildings and grounds with water and electric lights and the proper connection therefor with the city system. The application is made on

the University's behalf, not only as a state institution, but as one whose interests are closely allied with and contribute to promote the city's welfare in a social and business sense, without any expenditure so far on the part of the city in the University's behalf since the University was put into operation.

The legislature has been applied to for an appropriation (to which the Senate has already agreed) of \$6000.00 for electrical apparatus for the University and it is expected that liberal action by the council will prompt like action by the State. An important matter to be taken into consideration is the benefit likely to be derived by the city and citizens from electrical experiments and scientific tests that can be made at the University on important subjects such as sewerage, hygiene and hydraulic and other questions requiring investigation in the public interest.

The communication and recommendations were laid over to be taken up under the head of new business.

Anna E. Pledger.

By Alderman Anderson. A petition from Mrs Anna E. Pledger by J. W. Lawrence, agent, which states that she is owner of lot 10 and east half of lot 11, part of outlot 35 division E. of the city of Austin, which was sold to the city for taxes of 1890, prior to the time she purchased same. She now requests that she be permitted to redeem said lots by paying to the city all taxes due thereon from the year 1890 to the year 1895, with six per cent interest, and that the city remit the penalty of double the amount of tax and costs for the year 1890.

Alderman Linn moved that further consideration of the petition be indefinitely postponed and that the city clerk be requested to notify Mr Lawrence that there is now an ordinance in force covering the request contained in the petition. Carried.

John B Hood
Camp Confederate
Veterans.

By Alderman Linn. A petition from a committee appointed by the John B. Hood Camp, Confederate Veterans, stating that they were appointed a committee by said John B. Hood Camp to select a site and obtain permission to erect a monument thereon within the grounds of the capital enclosure in memory of the dead soldiers of the Confederacy, it being contemplated that said monument is to be erected at a cost of not less than twenty-five thousand dollars and possibly fifty thousand dollars. The petition was laid over to be taken up with the ordinance named therein.

Highland Park
Cemetry Assocn

By Alderman Goeth. A proposal from the Highland Park Cemetery Association, per E. P. Stiles, manager, in effect that the said Association will place in control of the city and under the direction of the City Cemetery committee that part of the Highland Park Cemetery which is in use and of record in the county clerk's office upon the following terms:

The city shall conform with the plans of the association in the execution of its plates and grades, but shall exercise

complete government and control in doing so. The current expense account for improvements and the conduct of the cemetery shall be kept distinct from the accounts of other cemeteries and shall be met by the current receipts from the cemetery. The net balance, if any, shall be divided equally, semi-annually, between the city and the petitioner, the Highland Park Cemetery Association.

The price charged by the city shall not be less than two and one-half cents per square foot.

The proposal was referred to the committee on cemetery.

Reports of City Officers for the month of March, 1895 were referred to their respective committees without being read.

The following was read:

Austin, Texas, April 1, 1895.

To the Honorable Mayor and Board of Aldermen of the City of Austin

Gentlemen: In accordance with a resolution passed by your honorable body on the 26th day of March, ult., instructing me to tender Mr D. P. Kinney the sum of four hundred dollars for the right of way across his property for an extension of West Fifth street, has been complied with and he refused to take the four hundred dollars tendered him for said extension of Fifth street.

Your obedient servant.

Fred Sterging, Assessor.

No action was taken on the report.

Reports of Committees.

Alderman Robin, for the Water and Light Commission, to whom was referred a resolution allowing D. P. Kinney rent for electric light poles on his grounds, submitted a report recommending the adoption of the same as heretofore amended. Alderman Powell moved the adoption of the report and the motion carried.

Alderman Shelby, for the committee on claims and accounts, to whom was referred the proposition of Mr S. J. Drake to pay five hundred and fifteen dollars in settlement of his taxes for the years 1891, 1892 and 1893, and to immediately pay his taxes for 1894 on his property in Fairview Park, submitted a report thereon recommending that it be accepted. The report was adopted.

Alderman Redd, for the committee on markets made a verbal report to the effect that the city clock would soon be in running order.

Alderman Anderson, for the committee on purchases, reported verbally that the committee had invited and received bids for supplying the city's teams with feed during the quarter ending June 30th 1895 and that the contract had been awarded to Messrs. Martin Robinson as their bid was the lowest one received. Alderman Linn moved that the report be adopted and the mayor authorized to enter into contract with Messrs Martin Robinson in accordance with the terms of their accepted bid. Adopted.

Unfinished Business.

The proposition of Mr John Orr and others, which was read at a former meeting of the city council, to advance to the city \$250 to be used for the purpose of laying a six inch water main from the corner of Twenty second and Pearl streets to the corner of Nineteenth street, and placing a fire hydrant on the corner of Twenty second

Reports
City
Officers

Fred Sterging's
report on Kinney
proposition

D. P. Kinney

S. J. Drake

Feed for teams
amended

John Orr et al.

street, said sum to be refunded to them whenever there is available funds in the city treasury, was taken up, whereupon Alderman Taylor moved that it be accepted.

Alderman Haynes moved that consideration of the proposition be postponed until the next regular meeting of the city council and the motion prevailed by the following vote:

Yeas- Aldermen Anderson, Glass, Glascock, Haynes, Jackson, Lawless, Nitschke, Platt, Powell, Redd, Schneider, Shelley, Warmoth-13
Nays- Aldermen Fischer, Goeth, Linn, Roberdeau, Taylor, Tobin, Townsend-7.

The city attorney was, on motion, excused from attendance on the present session of the city council on account of sickness.

Alderman Taylor offered the following:

Resolved, That the Water and Light Commission is hereby authorized and directed to accept from any citizen or citizens of Austin propositions to advance money to pay for extension of pipe as per plans of the city and that they shall be reimbursed in water rent or money whenever there is sufficient funds in the treasury available.

Alderman Nitschke moved to refer it to the Water and Light Commission.

Alderman Schneider moved to lay the resolution on the table and the motion prevailed by the following vote:

Yeas- Aldermen Anderson, Fischer, Glass, Glascock, Haynes, Jackson, Lawless, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Warmoth-13.

Nays- Aldermen Goeth, Linn, Taylor, Tobin, Townsend-5.

An ordinance entitled "An ordinance to provide a method of ascertaining the class of a merchant so as to determine the amount of his occupation tax, and to provide for the collection of same, and fixing penalties for the violation of the provisions of this ordinance", was taken up on its second reading and read.

Alderman Schneider moved to amend the ordinance as to the oath prescribed by inserting therein "to the best of my knowledge and belief." Adopted.

A motion was then made to suspend the rules and place the ordinance on its third reading, which was adopted by a vote of two-thirds of the whole city council. The ordinance was then read a third time and passed.

Alderman Glass moved that until further notice regular meetings of the city council shall begin at 8.30 o'clock, p.m. Carried.

New Business

The requests of the regents and proctor of the University of Texas and recommendations of the Water and Light

W & L Com. to
accept propositions
to lay pipe or
advance money.

Occupation tax
Ord.

Commission concerning same, mentioned above, were taken up, whereupon, Alderman Linn moved that the city council concur in the recommendations of the Water and Light commission concerning said requests, and the motion prevailed.

Water Expenses

✓ By Alderman Tobin- An ordinance appropriating the sum of \$7376.66 for the purpose of paying certain expenses connected with the construction of the water works and electric light system of the city of Austin.

The items named are:

Font Wayne Electric Co., on account	\$8000.00
✓ H. L. Breneman, estimate No. 15 on account powerhouse	2703.00
✓ H. L. Breneman, extra brick work, account powerhouse	1673.66

The ordinance was passed under suspension of the rules by the following vote:

Yeas- Aldermen Anderson, Fischer, Glass, Glascock, Goeth, Haynes Jackson, Lawless, Linn, Nitschke, Platts, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend, Warmoth- 20

John B Hood Camp
Confederate Veterans

By Alderman Linn- An ordinance granting to John B Hood, Camp Confederate Veterans the right to use a portion of Eleventh street in the city of Austin as a site on which to erect a monument to the Confederate dead and to authorize the mayor of said city to execute all necessary papers to carry out and make such permission effective. It was read first time, after which Alderman Linn moved that Messrs W. Von Rosenberg and Fred Carleton, members of the committee of the John B. Hood Camp Confederate Veterans, be invited to address the council in regard to the proposed monument, and the motion prevailed. Each of the gentlemen named then addressed the council.

The rules were suspended by a two-thirds vote of the entire council and the ordinance read a second and third time and passed.

Refunding Bonds
Ordinance

By Alderman Linn- An ordinance entitled "An ordinance adopting the provisions of an act of the legislature of the state of Texas, Approved March 26, 1887 entitled 'A act to authorize any city or town in this state to compromise existing indebtedness, and to issue new bonds to be sold or exchanged for this purpose, and to provide for the efficient collection of taxes to pay the principal and interest of such new bonds, and to provide for the appointment of receivers for said municipal corporations during the pendency of negotiations for such compromise, and the amendment thereto, passed by the Twenty-second legislature of the State of Texas, Chapter 99, page 158, except in so far as said act and amendment is modified, altered or repealed by acts of the legislature of the State of Texas subsequent thereto, and authorizing the issuance

of seventy-two thousand, five hundred (\$72,500.00) dollars in 30-year bonds for the purpose of funding an existing valid bonded indebtedness of the city of Austin, Texas, and to provide for the levy and collection of a tax annually, of sufficient amount to pay the interest and create a sinking fund with which to pay such bonds at maturity."

It was read the first time, after which the rules were suspended by a two-thirds vote of the entire council and it was read a second time.

Alderman Plath was excused from further attendance on the council.

The rules were again suspended and the ordinance was read a third time, after which Alderman Goeth moved that city clerk be authorized to correct any errors in spelling that may be found in the ordinance. The motion prevailed.

The ordinance was then passed by the following vote:

Ayes - Aldermen Anderson, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend, Warmoth - 19.

Additional Bond
Or. W & L.

Alderman Linn, for the Finance Committee, to whom was referred an ordinance providing for the issuance of \$200,000.00 additional water and light bonds, asked for further time in which to prepare a report. Granted.

Alderman Anderson moved that when the council shall adjourn, adjournment be taken until next Monday night at 8.30 o'clock, and that the finance committee be requested to have a report prepared on the ordinance providing for the issuance of \$200,000.00 additional Water and Light bonds. Carried.

Supt W & L.
to prepare data
& c. as to indebtedness
& reservoir

Alderman Taylor moved that the superintendent of the Water and Light system be requested to have prepared a statement of the amount, size and cost of pipe and cost of laying same; and also the amount of labor, cost and other data concerning the reservoir. Adopted.

Means to notify
holders of 10%
bonds & c.

Alderman Linn for the Finance Committee offered the following, which was adopted:

Whereas, The City Council has passed an ordinance providing for the funding of all outstanding 10 per cent bonds of the city of Austin in bonds bearing 6 per cent interest per annum;

Therefore be it resolved, That the city treasurer of the city of Austin be and he is hereby authorized to notify the holders of the following 10 per cent bonds of the city of Austin, as follows:

\$20,000 issued under ordinance approved March 31, 1874

\$15,000 issued under ordinance approved, May 28, 1874.

\$20,000 issued under ordinance approved February 28, 1875.

\$15,000 issued under ordinance approved June 6, 1876.

X

\$2000 issued under ordinance approved May 31, 1877.

\$2000 issued under ordinance approved June 16, 1877.

Austin Dan St
Railway

By Alderman Jackson - A resolution instructing the city clerk to cancel three warrants issued to the Austin Dan Street Railway company (held by the city) and issue a warrant in favor of A. J. Tiller for the sum of \$43.20 and one for \$35.50 in favor of said railway company. The warrant issued to said A. J. Tiller to be used in satisfaction of a judgment he secured against said railway company in the justice court.

Referred to claims and accounts committee.

Wm St Co.

By Alderman Jackson - An ordinance appropriating the sum of \$400.00 for the purpose of paying extra street and sanitary laborers of the city of Austin.

It was passed under suspension of the rules by the following vote:

Yeas - Aldermen Anderson, Fischer, Glass, Glascock, ^{Goeth} Haynes, Jackson, Lawless, Linn, Nitschke, Powell, Redd, Roberdeau, Schneider, Shelby, Taylor, Tobin, Townsends, Warmoth - 19.

Approved Accounts

By Alderman Linn - An ordinance appropriating the sum of \$1265.38 for the purpose of paying approved accounts.

It was passed under suspension of the rules by the following vote:

Yeas - Aldermen Anderson, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Powell, Redd, Roberdeau, Shelby, Taylor, Tobin, Townsends, Warmoth - 18.

Nay - Alderman Schneider.

South Austin F
Co

Alderman Glascock moved that the amount allowed the South Austin Fire Company No 5 for horse feed, repairs, etc be increased from \$50 to \$75 per month.

Alderman Schneider moved to refer the matter to the committee on Fire Department.

The motion was lost.

Alderman Fischer was excused from further attendance on the session of the council.

The motion made by Alderman Glascock was then adopted.

Milk Ordinance

By Alderman Glass - An ordinance entitled "An ordinance regulating the sale of milk, establishing a standard providing for inspection and providing penalties for violations thereof" It was referred to the committee on ordinances without being read.

Milk Inspection

By Alderman Glass - An ordinance entitled "An ordinance creating the office of milk inspector, fixing his compensation and duties." It was referred to the committee on ordinances without being read.

On motion, the council then adjourned

Milton Morris,

City Clerk.

Minutes of An Adjourned Regular Meeting of the City Council.

Austin, Texas, April 8, 1895.

Hon John M^c Donald, mayor, presiding.

Roll call.

Present- Aldermen Anderson, Asmann, Glass, Glascock, Goeth, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Roberdeau, Shelley, Taylor, and Warmoth- 15.

Absent- Aldermen Fischer, Haynes, Hume, Redd, Schneider, Robin, Townsend- 7.

On motion of Alderman Linn, Milton Morris, City Clerk, was excused from attendance on the session of the council.

Alderman Linn, for the Finance committee, to whom was referred an ordinance asking consent of the taxpaying citizens to an extension of the bonded indebtedness of this city in the sum of two hundred thousand dollars, for the completion of the Water and Light system, made a report which states:

"That, under the law of 1893, which reads as follows:

"Sec 2. That hereafter no bonds executed by any county, city or town shall bear a higher rate of interest than 6 per cent per annum, and shall not be sold at less than its par value and accumulated interest, exclusive of commissions,

"Bonds of a municipal corporation cannot be sold for less than par, with accrued interest. Therefore, in the opinion of your committee, it is wise to postpone further action in this matter until a contract can be made with a reliable party to take bonds at par when issued".

The report was on motion adopted.

The following report was presented and read:

Austin, Texas, April 8, 1895.

Hon Mayor and City Council:

Gentlemen. In accordance with a resolution adopted by the council I have the honor to submit the following estimate:

To put in 25 miles of 6-inch pipe, 2200 tons will be required, which can be bought, delivered in Austin, at \$22²⁵ per ton, and 44 tons of special castings, which will cost, \$45 per ton delivered.

For this number of miles of pipe there should be 50 valves and at least 100 fire hydrants. The valves will cost \$11⁶⁵ each and the fire hydrants without the independent cut-offs will cost \$23.25 delivered.

The price paid the contractor for laying 6-inch pipe was 15 cents per foot; the price for setting the valves was \$1.00 each, and the hydrants \$2.00 each.

The total approximate cost of this extension will be as follows:

2200 tons of 6-inch pipe, at \$22 ²⁵ per ton	\$48950.00
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Additional W & L
Bond Co.

Report Supt
W & L System.

44 tons of special castings at \$— per ton	1980.00
100 fire hydrants at \$23.50 each	2350.00
50 valves (6-inch) at \$11.45 each	572.50
Laying 25 miles of pipe, 132,000 feet at 15c per foot	19800.00
Setting 100 hydrants at \$2.00 each	200.00
Setting 50 valves at \$1.00 each	50.00
To which should be added wrought iron pipe of from 1 to 2 inch diameter for short runs, say	5000.00
Making a total of	\$78,912.50

Mr Fanning estimated a reservoir with a capacity of one hundred millions gallons to cost \$50,000.00, and it would require 1000 feet or 750 tons, of 24-inch pipe to reach the reservoir beyond the river, which can be delivered in Austin at \$22.25 per ton, and the contract for laying the pipe from the pumping station to the reservoir was \$1.00 per foot. The estimated cost of the reservoir complete would then be:

Fanning's estimate to construct	\$50,000.00
750 tons of 24 inch pipe at \$22.25 per ton	16,875.00
Laying 1000 feet of 24 inch pipe at \$1.00 per foot	1000.00
Total	\$72,875.00

The engineers have not yet had time to determine the elevation and cost of a reservoir back of the lunatic asylum. If this locality has sufficient elevation it would have the advantage that consumers would be built up all along the main, which would not be the case beyond the river. There would be no question as to leaks, which might be feared in the three natural sides of the other site, and the main could be readily laid and repaired while the lake would have to be drawn both to lay and repair the main across the river.

Very respectfully submitted

John W. Maddox, Superintendent

On motion of Alderman Taylor, the report was referred to the Finance Committee.

Aldermen Haynes, Townsend, Redd and Fischer entered the council chamber and answered to their names.

Alderman Asmann presented a communication from Mr John D. Jackson endorsed by certain citizens in the vicinity of his dairy, denying the statements made in a petition presented at last meeting of the city council, that the dairy operated by him is a nuisance and menace to the health of the neighborhood.

Referred to the committee on sanitation and sewerage.

Alderman Thascock presented a proposition from the agents of the Alta Vista Cemetery Association, which was referred, on motion, to the committee on cemetery without being read. The proposition contains an offer to establish a cemetery outside the city limits, but as near Congress avenue and Sixth

John D. Jackson.

Alta Vista Cemetery
Association

street as the present cemetery; to equip and prepare in a proper manner; to sell lots at a price not to exceed \$30 each for the first year and, as far as practicable, only to persons who buy for their own use and not to sell again for profit; they propose to donate to the city for the burial of its white poor dead as much as 40000 square of ground to be used under the regulations of the city. These propositions are made on condition that the city shall not extend the grounds of the present cemetery or open new cemeteries.

Bull Creek Road
Proposition from
Travis Co.

Alderman Jackson presented a proposition from the County of Travis to the city of Austin. The proposition states that if the city of Austin will agree to pay one half of the amount for the construction of 1650 feet of road around Mount Barker, according to plans submitted, the county will agree to let the work and superintend same and release all claims for damage to said Bull Creek road against the city.

Alderman Taylor moved that the proposition be referred to a special committee of five, including the mayor. The motion prevailed and the chair appointed Aldermen Taylor, Linn, Anderson and Jackson.

Res. as to reducing
limits so as to
make over
Southern boundary.

Alderman Shelley presented the following:
Whereas, there is a bill now pending before the legislature proposing to amend the charter of the city of Austin, changing the limits so as to make the Colorado river the south boundary line, and

Whereas, the present issue of dam bonds was based upon the territory and valuation of property embraced within the present limits; therefore be it

Resolved by the city council of the city of Austin that our representatives and senators be and they are hereby requested to oppose and use all honorable means to defeat the passage of said proposed amendment.

Alderman Shelley moved that the resolution be adopted.

Alderman Redd moved as an amendment that it be referred to the Finance Committee (Not acted upon)

On motion of Alderman Linn, Alderman Glascock was excused from voting.

The motion to adopt prevailed by the following vote:
Yeas- Aldermen Goeth, Haynes, Jackson, Lawless, Linn, Powell, Roberdeau, Shelley, Taylor, Townsend, Warmoth-11
Nays- Aldermen Anderson, Asmann, Fischer, Glass, Nitschke, Platt, Redd-7.

Excused- Alderman Glascock.

Alderman Linn moved to reconsider the vote by which the resolution was adopted and to lay that motion on the table. Carried by a rising vote.

D. P. Kinney

Alderman Roberdeau moved that the council adjourn. Lost.

On motion of Alderman Powell, a resolution allowing D. P. Kinney rent for electric poles on his ground, presented and unamended at a meeting of the city council, March 18, 1895, was read and adopted.

Austin City Cemetery.

By Alderman Fischer. An ordinance amending section 3 of an ordinance entitled "An ordinance authorizing the Austin City Cemetery Association to establish a cemetery in the city of Austin;" passed March 18, 1895. It was read the first time, after which a motion to refer it to the Cemetery Committee was lost.

Alderman Fischer moved that the rules be suspended and the ordinance be placed on its second reading. Lost by the following vote:

Yeas- Aldermen Anderson, Asmann, Fischer, Glass, Glascock, Jackson, Lawless, Nitschke, Platts, Powell, Shelley, Warmoth-12.

Nays- Aldermen Gaeth, Haynes, Linn, Reddy, Roberdeau, Paylor, Townsend-7.

The amendment offered allows the Association to charge from \$50 to \$100 per block of 25 feet by 30 feet in size.

Alderman Fischer offered the following:

R. B. Dickson

"Be it resolved by the City Council, that the mayor is hereby authorized and instructed to contract with R. B. Dickson for making necessary excavations and plumbing in connection with the water mains, as per contract awarded him by the Water and Light Commission."

Alderman Paylor moved to refer to the Water and Light Commission with power to act.

Alderman Powell moved that the resolution be adopted. The motion to adopt prevailed, and the council then adjourned.

Milton Morris,

City Clerk.