

Minutes of a Regular Meeting of the City Council. Austin Texas June 7th 1897.

Hon Lewis Hancock, Mayor, presiding.

Roll called.

Present Aldermen Beatty, Fischer, Haynes, Kuhn, Sawless, Maddox, Miller, Platt, Powell, Reed, Robydean, Shelley, Stumpf, Taylor and Townsend. 15.

Absent Aldermen Gelvin, Horton, Linn, Kitcher, Rosenborn, Schneider & Zilmer.

Minutes approved as recorded without reading. On motion of Alderman Maddox, the minutes of the last meeting were approved as recorded, without reading.

Alderman Kitcher entered the Council Chamber.

City Attorney Penderfer excused. On motion of Alderman Maddox, City Attorney Penderfer was excused from attendance at this session of the Council.

Petitions

By Alderman Kuhn. Petition of E. J. B. Alley asking the Council to refund to him the amount of four dollars paid by him on account of stock which had been impounded.

Read and referred to the Committee on Claims and Accounts.

By Alderman Townsend. Petition of Citizens of the 5th Ward asking that Mr. Sam Ward be appointed a Policeman, and assigned to duty in said ward.

Read, and on motion referred to the Police Committee.

Alderman Rosenborn entered the Council Chamber.

Alderman Fischer was excused from further attendance at this session.

By Alderman Kitcher. Petition of Citizens to have Congress Avenue between 15th and 17th streets cut to grade and graded.

Read, and on motion referred to the Street Committee.

By Alderman Beatty. Petition of J. Shapiro, to have line assessed in the Recorder's Court remitted. The petition was recommended by the Mayor and on motion same was granted.

Alderman Zilmer entered the Council Chamber.

The reports of the City Officers for the month of May 1897. were then laid before the Council.

Alderman Horton entered the Council Chamber.

Alderman Maddox moved that the reports of the City Treasurer, City Auditor and Street Superintendent be read, and that the balance of the reports be referred to their appropriate Committees without reading, which motion prevailed.

A synopsis of the reports is as follows:

By the City Treasurer.

Balance on hand	General Fund May 3 1897	\$ 1267.99
" " "	Int. & sinking Fund old Bonds " " "	2414.90
Received from Assessors Collector to June 7th 1897 on		
Account of General Fund		4070.80
" " Int. on Old Bonds		327.68
Total		\$ 8081.37
Disbursements Paid Warrants against General Fund		4655.95
Balance on hand	General Fund June 11 1897	\$ 647.84
" " Int. on Old Bonds		2742.56
Account Int. & sinking Fund Notes & Sinking Bonds		

City Treasurer

City Officers Reports.

Minutes approved as recorded without reading.

By Alderman Kuhn. Petition of E. J. B. Alley asking the Council to refund to him the amount of four dollars paid by him on account of stock which had been impounded.

By Alderman Townsend. Petition of Citizens of the 5th Ward asking that Mr. Sam Ward be appointed a Policeman, and assigned to duty in said ward.

By Alderman Beatty. Petition of J. Shapiro, to have line assessed in the Recorder's Court remitted. The petition was recommended by the Mayor and on motion same was granted.

Balance on hand May 3 1897	Account Interest Fund	\$ 6679.85
" " " " " "	Sinking " "	11000.00
Received from Assessor & Collector to June 7 1897.		<u>3667.55</u>
		\$ 71347.40
Balance on hand June 7 1897	Account Interest Fund	\$ 10347.40
" " " " " "	Sinking " "	<u>11000.00</u>
		\$ 71347.40

Referred to Finance Committee.
By the City Auditor.

City Auditor

Austin Texas June 7th 1897.

To Hon. Lewis Hancock, Mayor,
and the Board of Aldermen of the City of Austin:
Gentlemen:

I have carefully examined the books, and reports of the City Clerk, and of the City Assessor & Collector, for the Quarter ending May 31st 1897, and find the same to be correct.
I have also examined the reports of the City Treasurer, for the fiscal year ending Nov. 30th 1896, and for the months of December 1896, January, February, March, and April 1897, and find the same correct.

Respectfully submitted,
G. J. Wheatley,
City Auditor.

Referred to the Finance Committee.

Sup't. of Streets

The report of the Street Sup't. shows \$147³⁸/₁₀₀ as the expenses for the month.

Referred to Street Committee.

Assessor & Collector

By the Assessor & Collector.

Collections as follows:	From General Revenue	\$ 3471.74
	" Int. & Sinking Fund W & S Bonds.	3667.55
	" " on Old Bonds	327.68
	" School Tax.	<u>1299.69</u>
	Total.	\$ 8716.66

Referred to Finance Committee.

City Clerk

By the City Clerk.

Total amount of Warrants drawn against the General Fund	\$ 4105.49
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Referred to Finance Committee.

By the City Marshal.

Total amount of fines assessed in Recorder's Court	\$ 795.00
Paid in Cash	128.00
Worked out	99.00
Escaped	29.00
Carried forward.	39.00
Collected on back fines	
Bond fees	
Total, number of arrests for the month	44

Referred to Police Committee.

City Physician

By the City Physician.

Number of Patients in Hospital, May 1897:	14
" " " admitted during the month	11
" " " dismissed	16

Number of deaths during the month. 2
 " " Patients remaining in Hospital June 1 1897 7
 " " Visits to Paupers during the month 113
 " " Prescriptions to " " " 223.

No contagious or infectious diseases reported during the month.

Referred to Hospital Committee.
 By the City Sexton.

Total interments 16
 " Deaths 13
 White 12
 Colored 4
 Male 6
 Female 10
 Still born 2
 Premature 1

Referred to Cemetery Committee.

Reports of Standing Committees

Street Com. report on Ord. appropriating \$40.00 to build Culvert on W. 17th & San Antonio St.

Alderman Zilker for the Street Committee, to whom was referred an ordinance appropriating the sum of \$40.00 for the purpose of placing a culvert on North side of San Antonio Street, at the intersection of 17th Street, presented their report recommending the passage of the ordinance.

On motion the report of the Committee was adopted.

The Mayor laid before the Council the following veto message:

Mayoral Office,
 Austin Texas, May 26th 1897.

Mayor's Veto message of Ord. amending Art. 327 of Revised Civil Ordinances regarding the increase of Police force.

To the Hon. City Council:

Gentlemen: I herewith return to you an ordinance passed by you at your last regular meeting, on May 17th last, entitled "An ordinance amending Art. 327 of the Revised Civil Ordinances of the City of Austin", with my veto of same and my reasons therefor, as follows:

In my message to you of October 28th 1896, recommending to your favorable consideration the ordinance levying taxes for the present fiscal year, I stated to you that economy could and should be exercised in the General Revenue, and that the proposed tax levy was based upon a material reduction of expenses. These ordinances were passed, thus committing the City government to such reduction. In my message to you at your first meeting of the present fiscal year, I suggested certain changes to you, among others the reduction of the Police force to its present number, as necessary to bring the expenditures within the revenue. These suggestions were considered by you during many weeks and all rejected, except that in regard to the Police force, in accordance with which you so amended the Revised Ordinances as to reduce the force to its present numbers.

After this change had been made, and based upon it, the annual budget was adopted as required by the Charter. As you are aware, the budget undertook to balance expenditures, thus fixed, almost exactly with revenue, leaving practically no margin for increased expenditures. In my opinion the budget underestimated the necessary miscellaneous advances of the City government and thus from the first made a deficit probable, which we may not be able to avoid, even if

with the strictest adherence to the budget as adopted and the most rigid economy in miscellaneous expenditures.

It certainly leaves no margin for an increase of the budget of expenses. The ordinance under consideration seems to undo your action in reducing the Police force to its present number, thereby practically amending the budget on the side of disbursement without providing corresponding revenue, and making a deficit inevitable. For that reason I feel it my duty to veto the ordinance. The fact that the change is proposed at the request of many citizens entitles it to careful consideration. This it has had at my hands, reinforced by an earnest desire to comply with the wishes of the petitioners, if possible. I am convinced, however, that these petitioners do not wish to bring about a deficit in the administration of their City government, and that they would not desire the increased expenditure at the cost of such deficit.

A further reason for objecting to the ordinance is in the fact that the proposed increase in the Police force is not necessary. The force as at present constituted is ample for the enforcement of the law and the protection of the lives and property of our citizens. The present Police force is a most excellent one, amply able to satisfy all demands upon it. That it does so is the remark of all observant strangers who visit the City, and a matter of pride to our own people.

To add to the force is therefore needless.

Respectfully

Lewis Hancock, Mayor.

Aldermen Belvin and Linn entered the Council Chamber.

The vote was then had on the question to pass the ordinance notwithstanding the objections of the Mayor, and the motion was lost by the following vote:

Aye, Aldermen Haynes, Maddox, Cowell, Robeydson and Townsend 5.

Nay, Aldermen Beatty, Belvin, Horton, Kuhn, Lawless, Linn, Miller, Kitcher, Platt, Reed, Rosengren, Shelley, Stumpf, Taylor and Ziller 15.

On motion, Alderman Robeydson was excused from further attendance at this session of the Council.

The following veto message of the Mayor was then read.

Mayor's Office.

Austin, Texas, May 26th 1897.

To the Hon. City Council:

Gentlemen: I herewith return to you a resolution passed by you at your last regular meeting on May 24th 1897, providing that one additional City wagon and pair of Mules be placed at the disposal of the City Engineer, with my vote of same and my reasons therefor, as follows: In the present condition of the City finances there is no money to make street improvements. If necessary repairs are kept up it is all the City can do. For this purpose the Street Commissioner is provided with two teams and drivers, and has been instructed by the Council to take charge of and work the City prisoners in connection therewith.

These two teams are at the disposal of the City Engineer under the present ordinance, and are all that can properly be worked with advantage in conjunction with the City prisoners. The use of the third wagon would vitiate the leasing of the teams and the pay of the driver, and could not be

Mayor's Veto sustained

Mayor's Veto message of Resolution providing for one extra team, for use of City Engineer.

used to advantage for lack of prisoners.

Respectfully,

Lewis Hancock, Mayor.

The vote was then taken on the question to pass the resolution notwithstanding the Mayor's objection, and the motion was lost by the following vote:

Yeas Aldermen Gelvin, Haynes, Horton, Linn, Miller, Platt, and Townsend 7.
Nays Aldermen Beatty, Kuhn, Lawless, Maddox, Nitschke, Powell, Redd, Rosengren, Shelley, Stumpf, Taylor and Zilker 17.

Unfinished Business.

The Mayor laid before the Council on its 3rd reading, an ordinance appropriating the sum of \$700.00 to pay extra street labor for the month of May 1897. The ordinance was read 3rd time, and on motion of Alderman Taylor was laid on the table.

The Mayor then laid before the Council on its second reading an ordinance appropriating the sum of \$132.00 to pay claim of E. F. B. Alley for rent of ground on which to bury dead animals for the year 1896.

The ordinance was passed under suspension of the rule by the following vote: Yeas Aldermen Beatty, Gelvin, Haynes, Horton, Kuhn, Lawless, Linn, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Shelley, Stumpf, Taylor, Townsend & Zilker 19. Nays, None.

On motion Alderman Beatty was excused from further attendance at this session of the Council.

The Mayor then laid before the Council the amendment to the rules offered by Alderman Linn, at the regular session of the Council held May 3rd 1897.

The amendment was read, and a vote taken on its adoption, and the same was lost, by the following vote, 4th not voting in the affirmative:

Yeas Aldermen Gelvin, Haynes, Horton, Maddox, Platt, Powell, Rosengren, Shelley, Stumpf, Townsend and Zilker 11.

Nays Aldermen Kuhn, Lawless, Linn, Miller, Nitschke, Redd and Taylor 7.

Alderman Linn gave notice of a motion to reconsider the vote by which the amendment was lost, and asked to have the notice recorded in the minutes. On motion, the regular order of business was suspended, to allow the Cemetery Committee, to make a report.

Alderman Horton, for the Cemetery Committee, to whom was referred a petition of Citizens and Lot owners, to have water mains placed in the Austin City Cemetery, Association's Addition to the City Cemetery, presented their report recommending that the matter be referred to the Water Light Commission.

On motion the report was adopted.

By Alderman Oberbauer, An ordinance appropriating the sum of \$83.00 to repair roof of Hall of South Austin Fire Co. No. 5.

The ordinance was passed under suspension of the rule by the following vote: Yeas Aldermen Gelvin, Haynes, Horton, Kuhn, Lawless, Linn, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Shelley, Stumpf, Townsend and Zilker 19. Nays, Alderman Taylor 1.

On motion Alderman Linn was excused from further attendance at this session of the Council.

By Aldermen Powell and Haynes, An ordinance amending Article 207 of the Revised Civil Ordinances of the City of Austin.

Mayor's veto message sustained.

Ord. on 3rd reading appropriating \$700.00 for extra street labor.

Ord. on 2nd reading appropriating \$132.00 to pay E. F. B. Alley for ground rent.

Similar passage of Ord.

Amendment to rule 8 of rules of City Council, read, and on vote had amendment was lost.

Cemetery Committee report on petition of Citizens and Lot owners asking that water mains be laid in Addition to Austin City Cemetery Association's Addition.

Ord. appropriating \$83.00 to repair roof of Hall of South Austin Fire Co. No. 5.

By Aldermen Powell and Haynes, An ordinance amending Article 207 of the Revised Civil Ordinances of the City of Austin.

The ordinance was read first time, and a motion made to suspend the rule and place it on its second reading.

Alderman Maddox moved as a substitute that the ordinance be referred to the Police Committee, which motion was lost by the following vote:

Yeas, Aldermen Horton, Maddox, Miller, Platt, Redd, Shelley, Taylor & Townsend 8
Nays, Aldermen Belvin, Haynes, Kuhn, Lawless, Nitschke, Powell, Rosengren, Stumpf & Zilker 9
The motion to suspend the rule and place the ordinance on its second reading was then lost by the following vote:

Yeas Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Nitschke, Powell, Rosengren, Stumpf and Townsend 10

Nays, Aldermen Maddox, Miller, Platt, Redd, Shelley, Taylor & Zilker 7.

The Mayor then gave notice that under the rules of the Council the ordinance would be referred to the Police Committee, and so ordered.

By Alderman Townsend. An ordinance appropriating the sum of \$1894.⁰⁰ to pay approved accounts.

The ordinance was read first time, and a motion made to suspend the rule and place the ordinance on its second reading, which motion prevailed by the following vote:

Yeas, Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 17.

Nays None.

The ordinance was read the second time.

Alderman Shelley moved to amend both the caption and the body of the ordinance by inserting in the caption the sum of \$1901.⁰⁰ and adding in the body of the ordinance, for R. B. Kieck for Mrs. Brownrigg the sum of \$7.50. which motion prevailed.

The ordinance was then passed under suspension of the rule, by the following vote:

Yeas Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 17.

Nays None.

By Alderman Townsend, An ordinance appropriating the sum of \$337.⁵⁷ to pay approved accounts of Street Department.

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

Yeas, Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 17.

Nays None.

By Alderman Maddox, An ordinance to amend Article 149 Title IV Chapter 1. of the Revised Penal Ordinances of the City of Austin. and to repeal Article 150 of the same title and Chapter 2, said Penal Ordinances.

The ordinance was read first time, and on motion was referred to the Police Committee.

By Alderman Zilker. An ordinance appropriating the sum of \$78.⁰⁰

Ord. appropriating \$1894.⁰⁰ to pay approved Accts.

Ord. amended by adding to the caption & body the sum of \$7.50 for R. B. Kieck for Mrs. Brownrigg.

Ord. as amended passed.

Ord. appropriating \$337.⁵⁷ to pay approved Accts for Street Dept.

Ord. to amend Art. 149 Title IV Chapter 1 of Revised Penal Ordinances

Drivers of Street Teams.

To pay Drivers of City Teams.

Read first time and a motion made to suspend the rule and place the ordinance on its second reading, which motion prevailed by the following vote: Yeas, Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Shelley, Stumpf, Taylor, Townsend & Zilker 17. Nays None.

Read second time. Alderman Nitschke moved to amend by striking out \$78.00 and inserting \$92.00 which motion was lost.

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

Yeas Aldermen Belvin, Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Platt, Powell, Redd, Shelley, Stumpf, Taylor, Townsend and Zilker 15. Nays Aldermen Nitschke and Rosengren 2.

Committee of 3 appointed to investigate certain charges against the Supt. of Streets in regard to working City Prisoners

Alderman Taylor moved that a Committee of three be appointed, to investigate certain charges against the Supt. of Streets, in regard to working City Prisoners, which motion prevailed, and the Mayor appointed Alderman Taylor, Haynes and Lawless as the Committee.

Alderman Maddox offered the following resolution, which was read and adopted:

Resolution instructing the Mayor to appoint a Committee of three to visit upon the Co. Commissioners Court & have them re-floor & repair colored Prison Bridge

Be it resolved by the City Council, that the Mayor be instructed to appoint a Committee of three to wait upon the Commissioners Court for the purpose of inducing said Court to at once re-floor, and repair the Bridge across the Colorado River, at the foot of the Avenue, and further that the City Clerk, and City Engineer, be directed to furnish said Committee, all the data they may have, touching the present condition of said bridge. On motion the Mayor was added to the above Committee.

Alderman Horton offered the following resolution, which was read & adopted.

Resolution granting Austin Rapid Transit Co. the right to erect a covered seat at Corner of E 12th & San Bernard Streets

Be it resolved, by the City Council of the City of Austin Texas. That the Austin Rapid Transit Co. be granted the right to erect a covered seat on outside of sidewalk, at the corner of East 12th and San Bernard Streets, and at east gate of City Cemetery, said seat to accommodate passengers waiting for cars from rain and heat, said work to be approved by City Engineer.

On motion of Alderman Taylor the Council adjourned.

Jno. C. Johnson
City Clerk.