

Minutes of a Regular Meeting of the City Council.
Austin, Texas March 7th 1898.

Hon. John C. McCall, Mayor, presiding.

Roll called

Present Aldermen: Crooker, Hayes, Rubin, Maddox, McLenore, Morris, Platt, Powell, Coberdeau, Gossard, Shelley, and Taylor.
Absent Aldermen: Beatty, Leitch, Fischer, Horton, Miller, Kitchner, Stump, Townsend and Zilker.

Aldermen Miller and Beatty entered the Council Chamber.

Minutes adopted as read. The minutes were adopted as recorded without being read.

Petitions, etc.

By Alderman Coberdeau. Petition of George H. MacDonnell, asking for permission to bid on newspaper printing. Received and laid over to come up with the report of the printing committee on the subject.

By Alderman Morris. Protest of Citizens against granting permission to lay a Railroad track on Colorado Street. On motion of Alderman McLenore the protest was referred to the ordinance committee.

Reports of City Officers.

The report of the water and Light Commission, for the quarter ending February 28th 1898, was read and on motion, referred to the Water and Light Committee.

The following is a synopsis of the report:

Balance on hand Dec. 31st 1897, last report	\$ 3,484.05
Receipts for the quarter	19,739.70
Total	\$ 23,223.75

Disbursed

Operating Expenses	\$ 9,450.74
Extension of Plant	8,710.79
Balance on hand	5,059.22

Aldermen Horton, Stump, Townsend, Zilker, Beatty, Belvin Fischer and Kitchner entered the Council Chamber.

The Mayor presented a report, stating that he had examined the reports of the City Assessor and Collector, Treasurer and Clerk, for the quarter ending February 28th 1898, and found them correct. On motion the report was referred to the Finance Committee.

Alderman Zilker for the Water and Light Committee, to whom was referred the petition of Citizens of the Sixth Ward, asking to be supplied with water and light, presented a report, stating that the request had been complied with. The report was adopted.

Unfinished Business.

Alderman Crooker called up an ordinance to pay extra sanitary laborers for December and January. Read first time.

Also an ordinance appropriating the sum of \$500.00 to pay Drivers Street Teams for the month of January.

The ordinance was passed under suspension of the rules by the following vote:
Yeas: Aldermen Beatty, Crooker, Hayes, Horton, Miller, Maddox, McLenore, Morris, Powell, Shelley, Townsend, Zilker.
Nays: Aldermen Coberdeau, Gossard, Kitchner, Rubin, Stump, Taylor.

Ord. Appr. \$100. to pay for
Repairs to Protection Fire Hall.

Mays. Alderman Fischer

That an ordinance appropriating the sum of \$100. for repairs to Protection Fire Hall.
The ordinance was read first time, and upon motion the rule was suspended
and the ordinance placed on second reading by the following vote:

Yeas. Aldermen Belvin, Crocker, Haynes, Horton, Kuhn, Maddox, McLenore,
Miller, Nitschke, Platt, Powell, Reed, Roberdeau, Rosengren, Stumpf, Taylor,
Townsend and Zilker 18.

Ord. amended by adding \$100.
for repairs to East Austin Fire Co.

Mays. Aldermen Beatty, Fischer and Shelley

The ordinance was read second time. Alderman Haynes moved to amend
the ordinance, by adding \$100. to repair Hall of East Austin Fire Co.

The amendment offered by Alderman Haynes, was adopted by the following vote:
Yeas. Aldermen Beatty, Lodge, Haynes, Horton, Kuhn, Maddox, McLenore,
Nitschke, Platt, Powell, Reed, Rosengren, Stumpf, and Townsend 11.

Mays Aldermen Belvin, Fischer, Miller, Roberdeau, Shelley, Taylor & Zilker

The ordinance as amended was read third time.

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

Alderman Maddox moved to reconsider the vote excusing Alderman Beatty.
Alderman Roberdeau moved to table the motion of Alderman Maddox
which motion prevailed by the following vote:

Yeas. Aldermen Belvin, Fischer, McLenore, Miller, Morris, Nitschke, Powell,
Reed, Roberdeau, Shelley, Stumpf, Taylor, Townsend and Zilker 11.

Mays. Aldermen Crocker, Haynes, Horton, Kuhn, Maddox, Platt & Rosengren.

The ordinance was then passed by the following vote:

Yeas. Aldermen Crocker, Haynes, Horton, Kuhn, Maddox, McLenore,
Platt, Powell, Reed, Rosengren, Stumpf and Townsend 12.

Mays. Aldermen Belvin, Fischer, Miller, Morris, Nitschke, Roberdeau,
Shelley, Taylor and Zilker. 9.

Geo. A. Brush, representing
South Austin Good Government Club
addressed Council in regard to work-
ing streets in South Austin.
4 of City's teams to be turned
over to County Commissioners
for 60 days, for street work.

On motion representatives of the South Austin Good Government Club
were invited to address the Council in regard to working streets in South

Austin. Hon. George A. Brush, on behalf of the Club, addressed the Council
after which Alderman Horton moved that four of the City's teams be

turned over to the County Commissioners, to be used by them for sixty
days, the County to feed and care for said teams, which motion prevailed.

The Mayor laid before the Council the following message:

Austin, Texas, March 21st. 1895.

To the Honorable City Council,
Austin, Texas.

Gentlemen:

Your attention is called to the fact that I did not approve
the ordinance appropriating \$15,500. to pay the first installment of the
judgment in favor of the Old Water Company. This installment, under the
terms of the judgment, should have been paid out of the 1896 taxes in
the month of January, the fiscal year ending in December, 1895. On account
of failure to do so, a special provision for this payment has been made
in the City's budget for the year 1896, and the same has been included
in the receipts of the year 1896. The same has been included in the budget
of the year 1896, and the same has been included in the budget of the year 1896.

Mayor's Message.

Mayor's Message

judgment is to be paid out of the 1897 taxes. I find this in the same condition as the first installment, in that no special provision is made in the tax levy for 1897 taxes to pay the second installment.

Now on account of the failure to levy, there is no special provision to pay this second installment, which must be paid this year. Such being the fact, unless provision is made for setting aside from the receipts, as they come in, a sufficient amount to pay this second installment, we will not have the money on hand to meet it when it becomes due.

Under the provisions of the Charter my opinion is, that the judgment payable out of the 1897 taxes should have been specially provided for, before the payment of the judgment due last year, and for this reason I did not approve the ordinance. I respectfully recommend that special provision be made for this payment by setting aside a sufficient amount of the receipts, as they come in to meet this second installment when due, and I hope that you gentlemen will agree with me in this.

The City's obligations should be promptly met as they become due, and it is our duty to see that they are paid.

As the situation now presents itself, which is not necessary to discuss here, it being so well known, we have a herculean task before us.

The City's expenses for this year have to be met, and in addition thereof we are expected to pay this year near \$50,000 over and above what we paid last year without deriving any additional benefits. This amount includes the first and second installment of the judgment and interest against the City, and also \$24,500 due from the City to the Water and Light Commission for Water and Light furnished the City.

To meet this additional amount, at least a part of it, I find from the retiring message of Mayor Hancock, there was a shifting of the tax levy amounting to 25 cents from the Interest and Sinking Fund to the General Fund, which he explains as follows:

"One of the items in the estimate upon which the above levy was based is the sum of \$24,500, for Water & Light for public use from April 1st 1897 to November 30th 1898. This is an extremely low price for the service rendered and should be promptly paid. It is only just that the tax-payers should contribute through the General Revenue to the support of their plant, to the extent that it furnishes water and light for public purposes. It is pertinent also to remark that this sum of \$24,500 is relied upon by the Water, Light & Power Commission as so much revenue in estimating the surplus which may be turned in by the Commission to the payment of Interest & Sinking Fund on the Dam Bonds for this year. Including this amount the Commission estimated that there would be a surplus of \$36,500 to so supply, and relying upon that estimate the Council levied a tax of 67 cents for Interest & Sinking Fund instead of the 94 cent's levied last year. It is evident that if that amount due from the General Revenue to the Commission is not promptly paid the Interest and Sinking Fund will suffer to that extent. This could be in the City, be met possibly, since we find that the tax rate for Interest & Sinking Fund was not levied in 1897 to meet the requirements as we have used, viz: \$40,000 per year."

Mayor's Message

Sinking Fund to pay Interest with. If the tax of 94 cents did not provide enough to meet the interest and sinking fund, I do not well see how a tax or levies will do it. It may be possible for the Water, Light & Power Commission to make up the deficiency from the Earnings Fund, but it is a question of great doubt in my mind, for the reason that the plant is not yet perfected. I say to you gentlemen candidly, you will have to give your attention and earnest thought to this matter. The City will bring this before us. I feel that we can pull through but to do so, we must see an appropriation of our receipts and disbursements, and above all provide such machinery as will enable us to collect all the taxes due, so the burden will fall on each and every tax-payer equally and justly alike.

Very respectfully,
Geo. D. McCall, Mayor.

Ord. setting aside 15% of General Revenue, to pay the installment of the judgment obtained by E. L. Bartholomew.

The Mayor has laid before the Council an ordinance providing for the payment of the second installment of the judgment obtained by E. L. Bartholomew, Receiver, against the City, and setting aside 15 per cent of all the receipts from general revenue, for the year 1891 for the payment of said judgment. The ordinance was read second time.

Substitute Ord. offering setting aside 20% of General Revenue.

Alderman Morris offered as a substitute for the ordinance, an ordinance setting aside 20 per cent of all the revenue receipts for 1891, now in the City Treasury, or that may hereafter be collected, for the purpose of paying said judgment.

Alderman Maddox moved that the substitute, together with the original ordinance, and an ordinance on the subject introduced by Alderman Platt, be referred to the Finance and Ordinance Committee.

Alderman Crooker moved to lay the motion of Alderman Maddox on the table, which motion was lost by the following vote:

Ayes Aldermen Belvin, Crooker, Fischer, Gulin, McSamore, Morris, Nitschke, Oberdian, Shelley and Stumpf. 10.

Nays Aldermen Haynes, Horton, Maddox, Miller, Platt, Powell, Reed, Cosengren, Taylor, Townsend and Zilker. 11.

The vote was then taken on the motion of Alderman Maddox to refer, which motion was lost by the following vote:

Ayes Aldermen Haynes, Horton, Maddox, Miller, Platt, Powell, Taylor and Townsend. 8.

Nays Aldermen Belvin, Crooker, Fischer, Gulin, McSamore, Morris, Nitschke, Platt, Oberdian, Cosengren, Shelley, Stumpf and Zilker. 12.

Alderman Maddox moved to adjourn. Lost by the following vote:

Ayes Aldermen Haynes, Horton, Maddox, Platt and Taylor. 5.

Nays Aldermen Belvin, Crooker, Fischer, Gulin, McSamore, Miller, Morris, Nitschke, Powell, Platt, Oberdian, Cosengren, Shelley, Stumpf, Townsend and Zilker. 16.

Alderman Morris moved the adoption of the substitute ordinance which motion prevailed by the following vote:

Ayes Aldermen Belvin, Crooker, Fischer, Gulin, McSamore, Morris, Nitschke, Platt, Oberdian, Cosengren, Shelley, Stumpf and Zilker. 16.

Nays Aldermen Haynes, Horton, Maddox, Miller, Platt, Powell, Taylor and Townsend. 8.

Alderman Morris moved to suspend the rule and place the ordinance on its third reading, which motion prevailed by the following vote:
Yeas: Aldermen Belvin, Crooker, Fischer, Kuhn, McLenore, Miller, Morris, Nitschke, Powell, Redd, Roberdeau, Rosengren, Shelley, Stump, Townsend and Zilker. 16.

May. Aldermen Haynes, Horton, Maddox, Platt and Taylor 5.
Alderman Maddox moved to substitute the ordinance introduced by Alderman Platt, to pay this installment out of the Sinking Fund, of the Water and Light Bonds, for the pending ordinance.

The Mayor ruled that the substituted was not now in order. Alderman Maddox appealed from the ruling of the Chair. Upon vote had on appeal, the ruling of the Chair was sustained by the following vote:

Yeas: Aldermen Belvin, Crooker, Fischer, Kuhn, Maddox, McLenore, Miller, Morris, Nitschke, Powell, Redd, Roberdeau, Rosengren, Shelley, Stump, Townsend and Zilker. 14.

May. Aldermen Haynes, Horton, Platt and Taylor 4.
Alderman Taylor moved to adjourn, which motion was lost by the following vote:

Yeas: Aldermen Haynes, Maddox, Platt and Taylor 4.
Nays: Aldermen Belvin, Crooker, Fischer, Horton, Kuhn, McLenore, Miller, Morris, Nitschke, Powell, Redd, Roberdeau, Rosengren, Shelley, Stump, Townsend and Zilker. 17.

Alderman Taylor moved, that when the Council adjourn, it be until Wednesday night, at 8 o'clock.

Alderman Belvin moved to table the motion of Alderman Taylor which motion prevailed by the following vote:
Yeas: Aldermen Belvin, Crooker, Fischer, Haynes, Horton, Kuhn, McLenore, Miller, Morris, Nitschke, Powell, Redd, Roberdeau, Rosengren, Shelley, Stump, Townsend and Zilker. 18.

May. Aldermen Maddox, Platt and Taylor 3.
Alderman Morris moved that the ordinance be now read a third time by caption, which motion prevailed.

Alderman Morris moved that the ordinance do now pass, on which Alderman Belvin moved the previous question, which was seconded.

Alderman Belvin withdrew his motion for the previous question. Alderman Roberdeau renewed the motion for the previous question which was seconded, and previous question ordered, and the ordinance passed by the following vote:

Yeas: Aldermen Belvin, Crooker, Fischer, Kuhn, McLenore, Miller, Morris, Nitschke, Platt, Powell, Redd, Roberdeau, Rosengren, Shelley, Stump and Zilker. 16.

May. Aldermen Haynes, Horton, Maddox, Taylor and Townsend 5.
Alderman Platt gave notice that he would move at the next regular meeting of the Council to reconsider the vote by which the ordinance was passed.

Alderman Belvin moved to reconsider the vote by which the ordinance was passed, and Alderman Taylor moved to table the motion.

Alderman Belvin moved to reconsider the vote by which the ordinance was passed, and Alderman Taylor moved to table the motion.

Passage of Ord. setting aside 20% of Dist. Revenue to pay 2nd installment of expenses

The motion of Alderman Belvin was adopted by the following vote:
Yeas. Aldermen Belvin, Crooker, Fischer, Horton, Kuhn, McLenore, Miller, Morris,
Mitscher, Powell, Bead, Robertson, Rosengren, Shelley, Stumpf and Zilker 16
Nays Aldermen Haynes, Maddox, Platt, Taylor and Townsend 5.

City Clerk directed to communicate with holders of Bonds for bids for \$20,000 for sinking fund.

Alderman Taylor moved that the Finance Committee be requested to advertise for bids for \$20,000, Water and Sight Bonds for the Sinking Fund. Alderman Maddox moved as a substitute, that the City Clerk be directed to communicate with holders of the bonds, and ask for bids for \$20,000, for the Sinking Fund. The substitute offered by Alderman Maddox was adopted.

Old Fischer & Mitscher excused.

Upon motion, Aldermen Fischer and Mitscher were excused from further attendance at this session of the Council.

State Convention of Epworth League invited to hold next State Convention in this City.

Alderman Haynes offered a resolution that Mr. O. L. Lomas, a delegate to the State Convention of the Epworth League, be authorized in the name of the City of Austin, to invite the League to hold their Annual Convention in this City next year. Unanimously adopted.

Ord. appropriating \$2000.00 to pay Salaries of Officers & Employees for July 1898.

By Alderman Morris: An ordinance appropriating the sum of \$2000.00 to pay Salaries of Officers & Employees of the City for the month of February 1898. Read first time and on motion the rule was suspended and the ordinance placed on its second reading by the following vote:

Yeas. Aldermen Belvin, Crooker, Haynes, Horton, Kuhn, Maddox, McLenore, Miller, Morris, Platt, Powell, Bead, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 19.
Nays None.

Ord. amended by adding \$75 to pay 2nd Clerk in the City Office.

The ordinance was read a second time.

Alderman Shelley moved to amend the ordinance, by adding the sum of \$75. to pay Salary of 2nd Assistant in the Assessor & Collector's office.

The amendment was adopted, and the ordinance as amended, was passed under suspension of the rules by the following vote:

Yeas. Aldermen Belvin, Crooker, Haynes, Horton, Kuhn, Maddox, McLenore, Miller, Morris, Platt, Powell, Bead, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 19.
Nays None.

Ord. appropriating \$160.00 to pay Drivers of Sanitary Carts for Feb. 1898.

By Alderman Morris. An ordinance appropriating the sum of \$160. to pay Drivers of Sanitary Carts for February, 1898.

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

Yeas. Aldermen Belvin, Crooker, Haynes, Horton, Kuhn, Maddox, McLenore, Miller, Morris, Platt, Powell, Bead, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 19.
Nays None.

Ord. appropriating \$208.72 to pay Approved Accounts Street Dept.

The Mayor laid before the Council an ordinance appropriating the sum of \$208.72 to pay approved accounts of Street Department.

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

Yeas. Aldermen Belvin, Crooker, Haynes, Horton, Kuhn, Maddox, McLenore, Miller, Morris, Platt, Powell, Bead, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Zilker 19.
Nays None.

Now it is proposed to communicate with the Mayor to request the return of an election list for the year 1897.

Alderman Robertson moved that the Mayor appoint a committee to request the return of an election list for the year 1897.

Officers of the Fire Department

The motion was adopted and the Mayor appointed Aldermen Robertson, Crocker and McSamore as the Committee.

Ord. Appropriating \$16,312.⁵⁰ to pay Int. due April 1st 1898 on Water & Light Bonds.
Ald. Platt excused.

By Alderman Morris. An ordinance appropriating the sum of \$16,312.⁵⁰ to pay interest due April 1st 1898 on Water and Light Bonds.

Alderman Platt was excused from further attendance at this session of the Council.

The ordinance was passed under suspension of the rules by the following vote: Yeas: Aldermen Belvin, Crocker, Haynes, Horton, Quinn, Maddox, McSamore, Miller, Morris, Powell, Padd, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Ziller. 18.

Nays: None.

Ord. Appropriating \$2175. to pay Int. due April 1st 1898 on Old Bonds.

By Alderman Morris. An ordinance appropriating the sum of \$2175. to pay interest due April 1st 1898, on Bonds issued prior to May 1st 1890.

The ordinance was passed under suspension of the rules by the following vote: Yeas: Aldermen Belvin, Crocker, Haynes, Horton, Quinn, Maddox, McSamore, Morris, Powell, Padd, Robertson, Rosengren, Shelley, Stumpf, Taylor, Townsend and Ziller. 19

Nays: None.

Ord. granting right-of-way to the S.E.R.R. to lay certain side tracks.

By Alderman Ziller. An ordinance granting the right-of-way to the Houston and Texas Central Railroad, to lay certain side tracks in this City.

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

Protest of Citizens against passage of Ord. granting right-of-way to the S.E.R.R. to lay side tracks.
Pet. of Citizens to have certain streets opened.

By Alderman Quinn. Protest of Citizens against the passage of the ordinance granting the right-of-way to the Houston and Texas Central Railroad Company, to lay tracks etc. Read and referred to the Street and Ordinance Committee.

By Alderman Ziller. Petition of Citizens to have certain streets opened. Read and referred to the Street Committee.

Special Comtee report on returns of 5 in Dept election

The Special Committee appointed to canvass the vote for Officers of the Fire Department, presented the following report, which was read and adopted:

Austin, Texas. March 21st 1898.

Hon. John D. McCall, Mayor, and Gentlemen of the City Council:

Your Special Committee appointed to canvass the returns of an election held this day, by the Fire Department, find that, for the office of Chief Engineer, Joseph Stumpf received 178 votes:

John Schultz received 116 votes:

For Assistant Chief

Frank Hierman received 110 votes:

William Achilles received 136 votes:

For Recorder

Geo. Driver received 106 votes:

Charles Woodward received 143 votes:

Respectfully,
R. D. Robertson
L. M. Crocker
Chas. McSamore

Ord. of Alderman Morris has been adjourned.

J. W. Johnson
City Clerk.

Joe Stumpf Chief

Mr. Achilles Asst. Chief

Charles Woodward Recorder