

Regular Meeting of the City Council

Austin Texas June 4th 1902

Hon Geo. D. McCall Mayor presiding

Roll called

Present Aldermen Dunham Fischer Glass Morris
Mortimer Nolan and Stumpff

7

Absent None

Minutes

approved

On motion of Alderman Morris the minutes were
approved as recorded by the clerk without reading

Petitions Memorials, etc.

Pet Ag Mayo

to have pound fees

reverted

Pet Shipe to

refund amt for

st work

Pet Chas A. S.

to provide place

for fire engine

Steamer placed

in Washington

Hose Co & Co

Pet Edizens

Market Square

By Alderman Nolan. Petition of A. J. Mayo asking to have
\$3.50 pound fees reverted. On motion the amount of \$1.00
was allowed and ordered refunded.By Alderman Fischer - Petition of W. M. Shipe asking that the
Council refund him certain amounts paid out for repairing
bridges and streets in Hyde Park. On motion the petition was
referred to the street committee and City EngineerBy Alderman Mortimer - Petition of J. J. Macken Chief of the
Austin Fire Dept, asking that the Council provide a place
and provide for care of the steam fire engine lately repaired.
Alderman Mortimer moved that the engine be placed in
the Hall of Washington Hose Co No. 1. and that the driver of that
company be employed to keep said engine in good condition
under the direction of the Chief of the Austin Fire Department
and that he be paid a sum not exceeding \$15.00 per month for
his services, which motion prevailed.By Alderman Mortimer - Petition of Edizens asking that the
public square known as the Alliance Cotton Yard, be designated
and set apart as a Market square. The petition was read and
on motion was laid over to come up with an ordinance on the
subject

Reports of City Officers

Reports City

Officers May 1902

The Mayor laid before the Council the reports of the various City
Officers for the month of May 1902, which were on motion
referred to their appropriate Committees without reading
The following is a synopsis of the reportsBy the Assessor and Collector
So Collections as follows.

From Junk Revenue	\$ 2345.00
" License Fee	405.75
" Fines in Mayors Court	165.50
" Pound fees & Sales	63.00
" Penalty Interest & Costs (a/c of fare)	120.21
" Int Building fund W. L. bonds	2492.40
" " " " " " " "	173.15
" School Taxes	710.39
Total	6675.70

Referred to Finance Committee

By the City Clerk

Total amount of Warrants drawn against the Gen fund. \$6236.85

" " " " " " Street " 532.13

Referred to Finance Committee

By the City Treasurer

General fund. Balance May 5th

\$ 29,879.06

" " Receipts during the month

Ad valorem

2345.00

License

405.75

Fines in Mayors Court

165.50

Miscellaneous

183.21

Disbursements

Paid Warrants during the month \$4843.44

1/4 of Gen Revenue Collected to Street fund 446.64

Balance

27,688.44

\$ 32,978.52

\$ 32,978.52

Street fund

Balance May 5th

\$ 10,375.84

1/4 Gen Rev Collected during May.

446.64

Disbursements

Paid Warrants during the month \$ 378.30

Balance

10,449.18

\$ 10,822.48

\$ 10,822.48

Earnings fund

Bal May 1st

\$ 25,120.07

Recd from Supt during the month

1,355.56

Disbursements

Paid Warrants during the month \$ 10,774.80

Balance

15,700.83

\$ 26,475.63

\$ 26,475.63

Interest on Bonds issued prior to May 1st 1890

Balance

In Cash

\$ 2,189.03

" Bonds

9,000.00

Recd during month

" Cash

173.45

Balance.

" Cash \$ 2,362.48

" Bonds 9,000.00

\$ 11,362.48

\$ 11,362.48

Interest fund Water Light bonds

Balance May 5th

\$ 45,636.47

Recd during month

1,780.30Balance June 1st

\$ 47,416.77

Sinking fund Water Light bonds

Balance May 5th

In Cash

\$ 18,248.33

" Bonds

10,000.00

Recd during the month

712.10

Balance.

June 1st

In Cash \$ 18,960.43

" Bonds 10,000.00

\$ 28,960.43

\$ 28,960.43

Referred to Finance Committee
By the City Marshal

Total fines assessed in Mayor's Court

\$ 400.00

Paid in cash \$228.00

Worked out 138.50

Carried forward 3350

\$ 400.00

\$ 400.00

Collected on back fines

\$ 20.50

Pound fees collected

116.00

Referred to Police Committee

By the City Physician

Number of patients in Hospital May 1st

21

" " " admitted in "

17

" " " dismissed " "

13

" " deaths " "

4

" " patients remaining " 21st

21

" " Visits to paupers "

138

" " Prescriptions " "

339

" Cases Small pox reported "

4

" " Scarlet fever " "

6

" " Diphtheria " "

2

Referred to Cemetery Committee
By the City Sexton

Total number of deaths during the month

17

White

12

Mexican

2

Colored

3

Male

7

Female

10

Referred to Cemetery Committee

Reports of Standing Committees

Report on Alderman Dunham for the Ordinance Committee to whom was referred an ordinance granting to H. M. Aubrey the right to build and operate a system of telephones etc, presented a report recommending that the ordinance do not pass.

Report laid over Alderman Dunham moved that the report lie over to be considered under the head of unfinished business which motion prevailed.

Ordinance referred Alderman Dunham for the Ordinance Committee to whom was referred an ordinance regulating the running at large of dogs etc presented a report recommending that the ordinance do not pass. The report of the Committee was adopted.

Leave Mrs Alderman Fisher moved that Mrs Hamilton's application of the City and County Hospital be granted a leave of absence for 10 days which motion prevailed.

Referring Com Alderman Elmer for the Sanitary Committee to whom was referred a petition from S. J. Jones asking that the City Pound be removed from its present location presented a report recommending that the petition be granted.

The reports of the Committee was adopted

After finished business

Telephone ord Alderman Durham moved to take from the Table the report of the Ordinance Committee on the Telephone Ordinance which motion prevailed

Alderman Fischer moved that Judge B. Eickman Attorney for the Telephone Co be allowed to address the Council which motion prevailed. After remarks of Judge Eickman

Alderman M. J. Voss addressed the Council and asked that the following as his reasons for opposing the ordinance be spread upon the minutes of the Council which request was granted

Austin Texas June 24th 1900

Yours truly J. D. McCall Mayor and the
Board of Aldermen City of Austin
Gentlemen:

Red Morris

reasons for opposing
Ordinance

I desire to file the following reasons to be recorded in the minutes, for signing the adverse report on the Telephone Ordinance. The said Ordinance has received the most careful and exhaustive consideration at the hands of your Committee, some twelve or fifteen persons interested in the subject having been heard. No testimony or argument germane to the subject was excluded, but on the contrary all information calculated to guide your Committee in reaching a correct conclusion concerning the matter, was invited.

As a result of the investigation I beg leave to respectfully submit the following: It was found that the principal expense of constructing such a system as the one proposed, consists in the cost of material, such as wire, poles, cross arms, pins, insulators, switchboards and telephones, none of which are produced or manufactured in this City.

All material necessary for this purpose would naturally have to be contracted and paid for where it is manufactured or produced. It is therefore patent that not a dollar of such expense will even be paid out in Austin, or even in this State.

Consequently the amount to be expended in Austin will be quite small, and the greater portion of it will have to be paid to men, commonly called linemen, who are skilled in this class of work, and who would have to be brought from distant points to remain in Austin only long enough to do the work. This would leave practically nothing for unskilled labor to do, and consequently the matter would be of little benefit to our citizens from the very beginning.

While this feature of the matter is unpleasant to contemplate, there is still another far more serious, and one that in the opinion of the undersigned will appeal directly to the judgment of every business, professional, and thinking man in our City.

It was found that it is an indisputable fact that where

two systems of telephones have been erected in a community a patron of one system must necessarily be a patron of the other, if he would receive all the benefits of telephone service. To illustrate - Suppose there were two telephone systems in operation in Austin, and a who is a competitor of B. C. D. and others, should rent a telephone from each of the telephone companies, what would B. C. D. and others have to do, in order to retain their customers who chanced to be patrons of the telephone company whose telephones they did not have? The answer is plain they would have to rent another telephone at an additional expense, and so the matter would spread to every branch of business where the telephone is used.

The rate named for business telephones by the proposed company is \$3. per month, while the present rate is \$4. per month. But, granting that the present company should meet this rate of the proposed company, the difference against each taken of two business telephones would be \$2. per month.

There are now about one thousand telephone users in Austin and if only two thirds of these, say 665, should be forced to rent telephones from both companies, it would make an additional monthly expense to our citizens, of \$1330.00 or an additional annual expense of \$15,960.00. And for whose benefit? Non-resident Capitalists. This is self evident, and therefore I am unwilling to place this additional burden upon our people.

Yours Very Truly
Wilton Morris

The following reasons of Alderman Mortimer for voting adversely upon the passage of the telephone ordinance were presented and at his request, were ordered spread upon the minutes.

Alderman Mortimer
recommends for
of the ordinance

I vote to report adversely on the Independent Telephone franchise for the following reasons.

1st The franchise asked for does not bear good faith as there is no guarantee filed with application for same but only a promise to make a bond in guarantee. 90 days after said franchise is granted which is not validated unless made before the proposed franchise is granted.

2nd While I recognize that all legitimate enterprises must of course receive proper encouragement & consideration at the hands of the legislative body entrusted with the general welfare of its people to the end that all shall participate in the general welfare thus made possible by such action, I am unalterably opposed to granting by legislation the valuable rights and franchises of Austin gratis - as has been done in so many cases with no beneficial results, but a detriment to the general prosperity of our town.

3rd I desire to go on record as not opposing anything I believe will be to our mutual interest - but we should decide we are right before we make any more mistakes. W. Mortimer

The report of the Committee was then adopted by the following Vice-
 Yeas Alderman Blunham Claw. Morris & Mortimer 7
 Nays Aldermen Fischer Nolan & Sturupf 3

Leibnaker &
 Fiegel for
 water & light
 Commission

The Mayor then laid before the Council the special message, presented at the May Meeting and which was laid over until this meeting, nominating A. H. Leibnaker & Geo. Fiegel as water and light Commissioners. Alderman Fischer moved that the Council now proceed to ballot on the nomination, which motion prevailed, and the Mayor appointed Aldermen Nolan Fischer & Mortimer as Tellers.

Now laid on
 Table as to
 Ball

Alderman Blunham moved that the nominations lie on the Table subject to call. Alderman Fischer moved as a substitute that action on the nominations be postponed until next call, which motion prevailed.

Alderman Blunham moved that the report of the Majority of the special Committee on appeals which was presented at a former meeting of the Council and laid on the Table subject to call be now taken up which motion prevailed.

Alderman Sturupf presented a minority report from the Sturupf minority Committee which was read, and both reports were in motion laid over to be considered at an adjourned meeting to be held on Wednesday June 6th 1900 at 8 o'clock P.M.

Alderman Sturupf moved to take from the Table an Ordinance appropriating the sum of \$22,187.50 to pay interest due June 1st 1900 on the water & light bonds of the City of Austin which motion prevailed. The ordinance was read the third time.

In response to an inquiry of the Alderman as to whether the Mayor had received any response to his notice to bond holders - the Mayor laid before the Council and had read the following Communication

New York May 25th 1900
 Hon. Geo. D. McCall
 Mayor, Austin Texas

Dear Sir

I beg to say that as Counsel for the bondholders Committee of the water works and electric light bonds of the City of Austin your favors of the 15th instant, addressed respectively to Hon. Charles S. Fairchild and Mr. Edward N. Gibbs, with enclosures as therein stated, have been referred to us for reply.

We regret exceedingly that you were not able to secure the adoption of your proposed resolution of May 15th appropriating sufficient funds for the payment of January and April Coupons. We had hoped that you would succeed in your efforts in that direction.

Mr. Thondridge was mistaken in thinking that some representative of the bondholders would, under the circumstances, be sent to Austin for the purpose of conferring with the City Authorities respecting some change

Letter from
 Atty of bond
 holders

in the reduction of either interest or principal or both. While the January and April Coupons are in default, the Committee are not inclined to negotiate respecting any such change, especially as the money requisite for the payment of both coupons in full has been collected from the taxpayers of the City, is now in the treasury, and can be appropriated for no other purpose whatever. The bondholders insist upon the payment of these defaulted coupons. The regret that the efforts of Messrs. Baker, Walls, Baker & Lovett, our Texas representatives in connection with this matter, have been unsuccessful. They have accordingly been requested by us to take all legal proceedings to enforce the collection of the coupons.

Replying especially to your letter to Mr Gibbs, we beg to say that the bondholders, represented by our Committee, have not made any arrangement with the old Water Company to sell their bonds at 50 cents on the dollar or for any other price.

Respectfully,

Horace Brown, Byrne, Miller & Patten

Shike
addressed
Council
ord passed

Cal W. W. Shike asked permission to address the Council which was granted. After remarks of Cal Shike the ordinance was passed by the following Vote

Yeas Aldermen Fischer Morris Nolan & Stumpf 4

Nays Aldermen Dunham Glass & Mortimer 3

Ord to pay
all interest
passed

By Alderman Stumpf An Ordinance appropriating the sum of \$16,150.00 to pay interest due April 1st 1900 on the Water Light-bonds of the City. The Ordinance was read the first time and on

Motion the rules were suspended and the ordinance read the second and third times by the following Vote

Yeas Aldermen Dunham Fischer Morris Nolan & Stumpf 5

Nays Aldermen Glass & Mortimer 2

The ordinance was then passed by the following Vote

Yeas Aldermen Fischer Morris Nolan & Stumpf 4

Nays Aldermen Dunham Glass & Mortimer 3

Alderman Nolan offered the following resolution

Resolution

Resolved that

Be it resolved by the City Council of the City of Austin:

Section 1. That it is the opinion of the Council that the money, at present in the City Treasury to the credit of the interest fund of the Water Light-bonds of the City, should be appropriated for the purpose of paying all interest which accrued on said bonds prior to April 1st 1900, and the Council hereby pledges itself that such appropriation shall be promptly made.

Section 2nd That it is further the opinion of the Council that the disaster which occurred to the Water Light & Power Plant of the City on April 7th 1900, will render it impracticable to pay interest to accrue on its Water Light-bonds after the date of said disaster, according to the present legal bond and effect said obligation, because the present taxable values of the City are not sufficient to enable it to raise

the necessary annual revenue by an exercise of its full Charter and Constitutional taxing powers.

Section 3. The holders of said bonds are again invited to come to Austin, or to send duly accredited representatives, to confer with the City Government and to view the situation generally, to the end that they, may by investigation satisfy themselves of the correctness of the opinion above expressed.

Section 4. That the Mayor is hereby authorized and instructed to appoint a Committee consisting of himself ~~three~~ Aldermen and the City Attorney to confer with such bondholders as may come or send representatives to Austin for the purpose above named; and said Committee is instructed to assist said bondholders and their representatives in any investigation or inquiry that they see fit to make in the premises and is also instructed to report back to this body the results of its labors.

Res amended Alderman Glass moved to amend the resolution by striking out the word "three" and inserting in lieu thereof the word "seven" which motion prevailed and the ordinance as amended was then passed.

Alderman Fischer offered the following resolution which was read and adopted

Mayor authorized To advertise for bonds for sinking fund. Be it resolved by the City Council of the City of Austin: That the Mayor is hereby instructed to advertise that the City of Austin requests bids for eighteen thousand dollars of Austin Water Light Plant bonds.

Res to turn over Resolution which was read and adopted

Ball Protection To N Austin Resolved that the Chief of the Fire Dept be instructed to turn over the old Ball at Protection Hose Co. to North Austin N Co.

On Motion the Council adjourned until 8 o'clock P.M. Wednesday June 6th 1900

Jos. Johnson
City Clerk

Adjourned Regular meeting of the City Council
Austin Texas June 6th 1901
Hon Geo. McVall Mayor presiding
Roll Called

Present Aldermen Dunham Glass Morris Mortimer
and Stumpp

Absent Aldermen Fischer & Nolen

Alderman Glass moved that the Council proceed with the regular order of business, beginning where the Council left off at time of adjournment which motion prevailed

The Mayor laid before the Council the following Veto message
Austin Texas May 22nd 1901

To the Honorable City Council:

Gentlemen:

Mayor's Veto
Principally
on 6th St

I herewith return without my approval an ordinance appropriating the sum of \$491.²⁰ for the purpose of putting in place the necessary Culvert pipe and widening the approaches to the bridge over Shoal Creek on West 6th Street, passed May 1st 1901 for the following reason: This appropriation is made from the general fund, when the Charter provides that it should be appropriated out of the Street and Bridge fund.

Respectfully

Geo. McVall

Mayor

Message
Laid on Table
Subject To Call

On motion of Alderman Morris the message was laid on the table subject to call. Alderman Dunham moved that the other Veto Messages from the Mayor on the Clerk's desk be laid on the table subject to call, without reading which motion prevailed

Alderman Nolen entered the Council Chamber

Rep. Sp.
Comm on appeals
majority rep
ad. of Council

Alderman Dunham called up the reports of the Special Committee on appeals, and moved to adopt the majority report, which motion prevailed by the following Vote
Yeas Aldermen Dunham Glass Morris Mortimer & Nolen
Nays Alderman Stumpp

On motion of Alderman Dunham the City Clerk was directed to furnish the Assessor & Collector with a certified copy of the majority report of the Special Committee on appeals and the action of the Council thereon and to turn over to him all papers in his possession relating to the appeals.

No business

\$1000 for
extra street work

By Alderman Nolen an ordinance appropriating the sum of \$1000 to pay for extra street work. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer Nolen
Nays None

Waynes Veto
Sustained

Alderman Morris moved to take from the Table the Veto Message of the Mayor, Vetoing the ordinance appropriating the sum of \$419.22 for putting in place the necessary Culvert-pipe and widening the approaches to the bridge across Shoal Creek on West, which motion prevailed.

Alderman Morris then moved that the ordinance do now pass notwithstanding the Mayor's objection which motion was lost by the following Vote

Yeas None

Nays Aldermen Dunham Glass Morris Mortimer Nolan & Stumpf 6.

Appeal 1884
Not Bank
Sustained

Alderman Glass moved to take up and consider the appeal of the First National Bank from the action of the Board of Equalization which motion prevailed. On Motion of R. J. Brackensridge was given permission to address the Council on behalf of the Bank. After which the appeal of the Bank was sustained, and the City Clerk was directed to notify the Mayor & Collector of the action of the Council. The Mayor laid before the Council a communication from H. B. Marks Esq. notifying them that he had a Photograph of Ex Mayor Hancock which would be turned over to the Council to be placed in the Council Chamber, upon the payment of \$5.00. The City Clerk was directed to secure the photo and place in the Council Chamber.

H. B. Marks
Photo Ex Mayor
Hancock
City Clerk
instructed to
purchase

\$300. to buy
St. Graden

By Alderman Fischer An Ordinance appropriating the sum of \$300. for the purpose of purchasing a Graden. The ordinance was read the first time and on motion was referred to the Street Committee.

\$100. to repair
Five Cisterns

By Alderman Glass An ordinance appropriating the sum of \$100. to repair Five Cisterns. The ordinance was passed under suspension of the rules by the following Vote
Yeas Aldermen Dunham Glass Morris Mortimer
Nolan & Stumpf 6
Nays None

Ord to regulate
width of streets
& sidewalks

By Alderman Glass An ordinance regulating the width of streets and side walks in the City of Austin. The ordinance was read the first time and on motion was referred to the Street Committee & City Engineer.

Market Square

By Alderman Mortimer An ordinance designating certain territory within the City of Austin as a Market-Square. The ordinance was read the first time and on motion was referred to the Market Committee and City Attorney.

\$419.22 to put
in place the necessary
Culvert-pipe

By Alderman Morris An ordinance appropriating the sum of \$419.22 to put in place the necessary Culvert-pipe and widening the approaches to the bridge across Shoal Creek on West Street.

The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer

Nolen and Stumpf

6

ways none.

\$106. to pay E
County labor

By Alderman Glass An Ordinance appropriating the sum of \$106⁰⁰ for the purpose of paying for extra sanitary labor. The ordinance was passed under suspension of the rules by the following Vote

Aldermen Dunham Glass Morris Mortimer

Nolen and Stumpf

6

ways none

\$18,900 to purchase
bonds sinking
fund water

By Alderman Stumpf An Ordinance appropriating the sum of \$18,900. to purchase bonds for the sinking fund of the Water & Light bonds of the City. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer

Nolen and Stumpf

6

ways none

Pay the Police

By Alderman Stumpf An Ordinance appropriating the sum of \$543⁴¹ to pay the salaries of ^{sixteen} Police men for the month of May 1900. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer Nolen

and Stumpf

6

ways none

Pay & labor

By Alderman Stumpf An Ordinance appropriating the sum of \$342.70 for the purpose of paying for extra street labor & teams. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer Nolen

and Stumpf

6

ways none

app'd of st
seph

By Alderman Stumpf An Ordinance appropriating the sum of \$549.58 for the purpose paying approved accounts Street Dept. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer Nolen

and Stumpf

6

ways none

app'd of c

By Alderman Stumpf An Ordinance appropriating the sum of \$1702.54 to pay approved accounts. The ordinance was passed under suspension of the rules by the following Vote

Yeas Aldermen Dunham Glass Morris Mortimer Nolen 5

and Stumpf

ways Alderman Stumpf

Alderman Mortimer

Petition of the Austin Ice and Cold Storage Co. for permission to lay a water pipe from the Artesian well to their factory on Red River street. On Motion the petition was granted, the work to be done under the supervision of the Street Committee & City Engineer

Los Evans & Alderman Mortimer moved that the Council now proceed to the election of a Dog Catcher and Assistant Dog Catcher, which motion prevailed. Alderman Mortimer nominated Los Evans for Dog Catcher and Hal Mason for Assistant. There being no other nominations the City Clerk was directed to cast the ballot of the Council for Los Evans for Dog Catcher and Hal Mason for Assistant. The Mayor declared Los Evans elected Dog Catcher and Hal Mason Assistant Dog Catcher for the ensuing term.

Alderman Morris moved to reconsider the vote by which the Council passed the ordinance appropriating the sum of \$1703.54 for dollars to pay approved accounts which motion prevailed.

Alderman Glass moved to amend the ordinance by adding to pay W. E. Warner for services rendered \$1.00 which motion prevailed and the ordinance as amended was then passed by the following vote:

Yeas Aldermen Dunham Glass Morris Mortimer Nolan
and Strumpf

Nays None

On Motion the Council adjourned

Jno. Johnson
City Clerk