

John Harris
asking a reduction of assessment for taxes

The Mayor laid before the Council a petition from John Harris asking a reduction of assessment for taxes, which was read and on motion referred to the Committee on Claims & accounts.

Reports of City Officers

Report of City Treasurer for the month of July 1905

The Mayor laid before the Council the report of the City Treasurer for the month of July 1905, which was on motion referred to the Finance Committee without reading.

Police & Marshal reports

Reports of Standing Committees

Alderman Powell for the Police Committee to whom was referred the reports of the City Marshal for the month of July 1905, presented a report stating that same had been examined and found correct. The report was adopted. Alderman Cuneo for the ordinance Committee to whom was referred the petition of Citizens asking the repeal of the Crowing Ordinance, presented a report with an Ordinance amending the Crowing ordinance. The report of the Committee was adopted.

Finance on Crowing ordinance

Claims & accounts
petition of Harris

Alderman Petri for the Claims & accounts Committee to whom was referred the petition of M. A. & A. Kaas asking remission of taxes, presented a report stating that the Council had no authority to remit taxes and recommending that the petition be not granted. On motion the report was adopted.

Cemetery and Sewer report

Alderman Wilhelm for the Cemetery Committee to whom was referred the report of the Sexton for the month July 1905, presented a report stating that same had been examined and found correct. The report was adopted.

Unfinished business

Unfinished business

The Mayor laid before the Council the ordinance offered by the ordinance Committee, Amending the Crowing ordinance.

Crowing ordinance

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

Yeas Aldermen Armstrong, Crockett, Cuneo, Haynes, Macken, Miller, Moore, Petri, Powell, Redd, Van Rosenberg, Wilhelm

12

Nays Aldermen Shumate & Smith

2

New Business

Mayor's statement forged bonds

The Mayor made a statement to the Council regarding the bonds of the City alleged to be forged.

Alderman Powell Chairman of the Police Committee stated that he was informed that there was a vacancy in the Police force, and moved that the Marshal be requested to submit a name or names to fill the vacancy, which motion prevailed.

The Marshal submitted the name of Frank Indio. Aldermen Jones & ... were appointed to ...

The tellers announced the following, as the result of the ballot. For Confirmation 5.

E. N. Austin
nominated +
confirmed as
Policeman

The Marshal then submitted the name of E. N. Austin and he was confirmed by a vote of 14-

The Mayor announced that E. N. Austin having received a majority of all votes cast had been elected a Policeman to serve for the unexpired term, to fill the vacancy caused by the resignation of R. Robinson Jr.

Resolution to
appoint Committee
to settle matter
between Council
and Commission

Alderman Macken offered the following resolution
Whereas the pending litigation between the City of Austin and the Water and Light Commission of the City is greatly detrimental to the interest and welfare of the City, and it is desirable that such differences be settled and amicably arranged; therefore.

Be it resolved by the City Council of the City of Austin that a Committee composed of three members of the City Council, and three Citizens of Austin, be appointed by the Mayor, whose duty it shall be to meet and confer with the Water, Light & Power Commission, with a view of arranging terms for a peaceable, definite and final settlement of all matters of difference existing between said agencies of the City Government

It shall be the duty of said Committee to make report to the City Council, within a reasonable time of such action as may be taken by said Committee and the Water, Light & Power Commission for action thereon by the Council

Alderman Moore moved to lay the resolution on the table, which motion was lost by the following vote
Yeas Aldermen Burns Hayes Miller Moore Petri Smith
O Wilhelm

Nays Aldermen Armstrong Crocker Macken Powell Redd Shumate Von Rosenberg

The resolution was then adopted by the following vote
Yeas Aldermen Armstrong Crocker Macken Powell Redd Shumate Von Rosenberg & the Mayor

Nays Aldermen Burns Hayes Miller Moore Petri Smith & Wilhelm

Alderman Hayes offered the following resolution which was read and adopted

Resolution
demanding
investigation
concerning
certain bonds

Whereas it has come to the knowledge of the City Council of the City of Austin that certain of the City's bonds have been fraudulently issued or forged by certain parties to us at this time unknown and whereas the Mayor and certain other officials have already made investigation at their own expense and where as it may be necessary to require investigation said matter and to take legal action in the matter

Therefore be it resolved that the City Council appoint

Special Committee to
investigate bonds

\$350.00 for expenses
Special Committee
investigate bonds

\$350. for foot bridge
on walkway from
City Avenue

Aldermen Macken
Armstrong & Shumate
Came to confer with
W&L Commission

Resolution on the
matter of differences
between W&L Com &
the Council -
demanding cessation
of operation of plant
at once

A Special Committee composed of the Mayor, Chairman
of the Finance Committee and City Attorney whose duty
it shall be to make any and all investigations deemed
necessary, and report same to this Council -
The resolution was adopted.

By Alderman Haynes An ordinance appropriating the sum
of \$350.00 for the purpose of paying expenses of special
Committee to investigate fraudulent bond issue.
The ordinance was read the first time and a motion
made to suspend the rule and place it on its second reading
which was lost by the following vote
Yeas Aldermen Armstrong Haynes Macken Peter Smith and
Van Rosenberg 6

Nays Aldermen Crocker Cuneo, Miller Moore Powell Redd
Shumate & Wilhelm 8

By Aldermen Miller & Redd An ordinance appropriating
the sum of \$350.00 for the purpose of building a footway
from the Colorado River bridge to a point near Boulders
bridge on Congress Avenue.

The ordinance was read the first time and on motion
of Alderman Haynes was referred to the Street & Finance
Committees with instructions to report at an adjourned
regular meeting of the Council to be held Monday Aug 28th
1905, at 8⁰⁰ o'clock P.M.

The Mayor appointed Aldermen Macken Armstrong
& Shumate as the Committee on the part of the
Council to meet with the Water & Light Commission
to adjust differences between the Commission and the
Council

Alderman Miller offered the following resolution
Whereas, the members of the City Council are elected by
the people of Austin to act for the people at all times in
matters affecting their collective interests; and
Whereas, it is of vital importance to every citizen of
Austin that the City's water and light plant be
materially improved to the end that water and light
service to all parts of the City, and at all times may
be had; And,

Whereas, the citizens of Austin are paying emergency
rates for water and light service because they recognize
the necessity of immediately placing their pumping
plant out of imminent danger of a breakdown, and
in a condition to furnish water to all parts of the City at
rates much less than the present confiscatory rates; and
Whereas though the citizens of Austin are making every
effort to furnish the necessary money, it does not seem
that the broken, broken is being made towards
remedying the expensive operation of the plant, or towards

strengthening its unsatisfactory parts; and, whereas, it is our belief that the Superintendent of the water and light plant, because of his many erroneous recommendations to the Commission, is responsible for the unsatisfactory progress made towards bettering the plant, as well as for the discord existing between the Commission on one side and the Council and the people on the other; and,

Whereas, it is generally admitted that his efforts to have the Commission erect a standpipe in Hyde Park before bettering the pumping plant, came near being responsible for the commission of a vital error, and his further recommendation for the selling of pumping machinery at the dam and at the old water plant, worth from \$60,000. to \$75,000. as old junk, without investigating the condition of said machinery, came near sacrificing the City's interests. Now therefore

Be it resolved by the City Council that Mr. Bachman received entirely too much for the services rendered when he was paid at the rate of \$5,000.00 per year, and that he is receiving entirely too much now in getting \$3,600.00 a year with the privilege of spending such time as he may choose in attending to his private business

Be it further resolved that the Council strongly urges in the interest of the people of Austin, in the interest of harmony that would result, and the interest of the betterment of the water and light plant, that Mr. Bachman's tendered resignation be immediately accepted by the water & light Commission

\$300. for extra
labor & teams.

By Alderman Smith An ordinance appropriating the sum of \$300.00 for the purpose of paying for extra street labor & teams. The ordinance was read the first time and passed under suspension of the rules by the following vote

Aye Aldermen Armstrong Proctor Cuneo Karpner
Macken Miller Moore Petri Powell Redd Shumate
Smith Von Rosenberg & Wilhelm
Nays None

Hog ordinance

By Alderman Armstrong An ordinance preventing the keeping of hogs within the limits of the City of Austin. The ordinance was read the first time, and on motion was referred to the Police Committee.

Screening ordinance

By Alderman Shumate An ordinance providing for the screening and disinfecting of raw-bone systems and standing water

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

By Alderman Shumate An ordinance appropriating the sum of \$32.00 for the purpose of paying for extra Sanitary labor.

The ordinance was read the first time and passed under suspension of the rules by the following vote
Yeas Aldermen Armstrong Crooker Clinea Haynes Macken Miller Moore Petri Powell Redd Thumate Smith Von Rosenberg & Wilhelm 14
Nays None

State Sewer
State Health Officer
Notification

Aldermen Smith & Moore offered the following resolution which was read and adopted
Whereas it has come to the knowledge of the Sanitary departments of the City of Austin that the State Sewer which empties into the Colorado River near the foot of East Avenue is in a very unsanitary condition, and
Whereas the Superintendent of Public Buildings and Grounds has been asked to remedy same but has failed
Therefore Be it resolved by the City Council of the City of Austin that the State Health Officer be and he is hereby requested to have same remedied at as early a date as possible

Labor Day Celebration
Invitation To

The Mayor laid before the Council a communication inviting the Council to participate in the Labor Day Celebration to be had on Sept 4th 1905. On motion the invitation was accepted

Street Car Co to
put streets in condition

Alderman Crooker offered the following resolution which was read and adopted.
Resolved that the City Engineer be authorized to Notify the Street Car Company that they must put each 6th street in good condition from the west side of Red River Street to Waller Creek

Salaries of Dog Catcher

Alderman Haynes offered the following resolution which was read and adopted
Be it resolved by the City Council of the City of Austin that the City Engineer be and is hereby instructed to Notify the Austin Electric Car Company to at once have the rocks raked up and removed from the streets which said Company have recently worked in placing their tracks

By Alderman Macken an ordinance appropriating the sum of \$250.00 for the purpose of paying the salaries of the Dog Catcher and his Assistant for the months of Aug, Sept & Oct 1905

The Ordinance was read the first time and on motion the rule was suspended and the ordinance placed on its second reading by the following vote

Yeas Aldermen Armstrong Crooker Clinea Haynes Macken Miller Moore Clinea Powell Redd Thumate Smith Von Rosenberg & Wilhelm 14
Nays None

The ordinance was read the second time

Alderman Von Rosenberg moved to amend the ordinance by striking out "October" also by striking out \$240.⁰⁰ and inserting, in lieu thereof \$160.⁰⁰

The amendments were adopted by the following Vote
Yeas Alderman Armstrong Crocker Clinebaughes Petri
Shumate Von Rosenberg & Wilhelm 8

Nays Alderman Wacker Miller Moore Powell Redd
& Smith 6

The ordinance as amended was then passed
under suspension of the rule by the following Vote
Alderman Armstrong Crocker Clinebaughes Wacker
Miller Moore Petri Powell Redd Shumate Smith
Von Rosenberg & Wilhelm 14

Nays None.

\$80.⁰⁰ To pay salary
Wm Goette
Cleaning Street

By Alderman Shumate An ordinance appropriating
the sum of \$80.⁰⁰ for the purpose of paying of Wm Goette
for 2 months services cleaning street

The ordinance was read the first time and passed
under suspension of the rules by the following Vote
Yeas Alderman Armstrong Crocker Clinebaughes Wacker
Miller Moore Petri Powell Redd Shumate Smith
Von Rosenberg & Wilhelm 14

Nays None.

Old Moore excused

An Motion Alderman Moore was excused
from further attendance at this session of the Council
By Alderman Clinebaughes An ordinance appropriating
the sum of \$1111.⁰² for the purpose of paying approved
accounts. The Ordinance was read the first time and
passed under suspension of the rules by the following Vote
Yeas Alderman Armstrong Crocker Clinebaughes
Wacker Miller Petri Powell Redd Shumate Smith
Von Rosenberg & Wilhelm 13

Approved yes

Nays None.

Approved yes,
Street Dept

By Alderman Clinebaughes An ordinance appropriating
the sum of \$700.⁰⁰ for the purpose paying approved
accounts Street Dept.

The ordinance was read the first time and passed
under suspension of the rules by the following Vote
Yeas Alderman Armstrong Crocker Clinebaughes Wacker
Miller Petri Powell Redd Shumate Smith Von Rosenberg
& Wilhelm 14

Nays None

On Motion the Council adjourned until
Monday Aug 29th 1905, at 8 o'clock P.M.

Geo. F. Hudson
City Clerk

Adjourned Regular Meeting of the City Council
Austin, Texas, Aug 28th 1905

Hon W. S. Kelley Mayor, presiding

Roll Called

Present Aldermen Armstrong Crocker Cunniff Haynes
Wackan Miller Gilmore Petri Powell Redd Shubert
Smith & Wilhelm 13

Absent Alderman Von Rosenberg 1

Petitions, Memorials etc

Petition & proposition
of Ramsey to improve
Park.

The Mayor laid before the Council a proposition of
S. M. Ramsey Esq. to improve the Park between 4th &
5th Streets on the west side of the City, which was read
and on motion referred to the Park Committee
Alderman Von Rosenberg, entered the Council Chamber
Alderman Smith offered the following resolution
which was read and adopted

Resolution to close
crossing, and turn RR
on West 6th Street

Be it resolved by the City Council of the City of Austin
that, Whereas, the crossing of West Sixth Street
over the main line track of the International and Great
Northern Railroad immediately south of the cut in
the right of way of said Railroad known as the
"White Rock Cut" is dangerous to persons walking, riding
or driving across same on account of the short distance
for which trains approaching said crossing from the North
can be seen by persons on or near said crossing, and on
account of the curve and cut north of said crossing and
the heavy down grade of said railroad track from the
North to said crossing the operatives of trains approaching
said crossing from the North cannot see persons on or
near said crossing, and could not, after seeing such
persons, on account of said grade, stop a train before
reaching and passing said crossing;

And Whereas the bridge on Culvert in said West
Sixth Street a short distance west of said crossing
is and for a long time has been in a defective,
dangerous and unsafe condition, so that it cannot
safely be passed by any one on horseback or driving;

And Whereas there is an open, safe and convenient
street extending from the branch of said West Sixth
Street which passes under the track of said International
Great Northern Railroad to the south of said crossing
above referred to, to all points reached by said street
and crossing above referred to;

Now therefore be it resolved that said crossing of said
West Sixth Street above described be and the same is
ordered closed, and the City Engineer is hereby authorized
and required to close and fence said West Sixth Street
on each side of said crossing with good and substantial

fences to run between and connect the right of way fences of said railroad Company, where the same are now interrupted by said crossing.

Reports of special Committees

Reports special
Committees

Street Finance
on appropriation
for footway
South Cong Ave

Alderman Haynes for Finance and Street Committees whom was referred an ordinance appropriating the sum of \$350⁰⁰ for the purpose of building a footway from the bridge across the Colorado River to a point near Woodin's bridge on South Congress Avenue presented a report stating that they had carefully considered the ordinance in connection with the condition of the street fund in the City Treasury and were of the opinion that the sum of \$285⁰⁰ was the most that could be spared for this improvement and submitting an ordinance appropriating that amount for the purpose indicated. In relation the report of the Committees was adopted.

special to confer
with Water Light
Commission

Alderman Macken for the special Committee on the part of the Council, who were appointed to meet with a Citizens Committee appointed by the Mayor, were to meet with the Hon Water, Light & Power Commission to devise a settlement of the matters existing between the City Council and the Water Light Commission presented the following report

August 28th 1905

To the Hon Mayor and City Council of the City of Austin:

The Committee appointed by the Mayor, pursuant to resolution of the Council for the purpose of acting in conjunction with the Austin Water, Light and Power Commission of the City of Austin and the Committee of Citizens also appointed by the Mayor pursuant to said resolution, for the purpose of trying to adjust the differences between the Council and the Commission, beg leave to report that, after various conferences, the Committee on behalf of the Council have agreed to recommend to the Council, the Commission have agreed to accept, and the Committee of Citizens have endorsed the plan of settlement set forth in the paper attached hereto which is asked to be considered a part of this report.

Respectfully Submitted

Joe Macken Chairman

Austin Texas, August 28th 1905

To the Austin Water, Light and Power Commission
of the City of Austin

Gentlemen:

The undersigned members of the City Council of the City of Austin, who were appointed by

the Mayor as a Committee, on behalf of the Council, to act in conjunction with your Honorable Body, and the Committee of Citizens appointed by the Mayor for the purpose of trying to arrange an adjustment satisfactory to both the Council and the Commission of the differences now existing between them, - beg leave to say that, Subject to your approval, we will recommend to the Council that such differences be adjusted and arranged for the time covered by this agreement in the following manner, to-wit:

1. The present suit by the City against the Commission, now pending in the District Court of the 5th Judicial District, to Compel the Commission to furnish light to the City, and the Cross-action brought in said suit by the Commission against the City, to Compel payment by the City of certain sums claimed by the Commission to be due it by the City for furnishing water and light to the City, shall be dismissed at the equal cost of the plaintiff, and without prejudice to the rights of either party to ultimately have the question raised in said case adjudicated. The question as to the right of the Commission, under the Charter provisions of the City of Austin, to collect from the City for water and light furnished to the City, and the question of the right of the City to offset the amount claimed by the Commission for such water and light with the sums now being paid annually by the City on the purchase of the said water and light system, shall both remain unsettled and undetermined, but the Commission shall not institute any suit against the City for the purpose of trying to collect the sums claimed by it to be due by the City, under Charter provisions, for water and light furnished, for the period of two years.
- 2 - The City, for the purpose of assisting the Commission to repair the water and ^{light} plant, or to make such additions thereto or betterments therein, as to the Commission may seem best so as to furnish an adequate supply of water and light to the City and the public, and to lessen the expense of operating said plant, shall lend to the Commission for the term ending April 1st 1907, without interest, the sum of \$12,000.00 now on hand and known as "the City Hall Fund", and the Commission shall bind itself to repay said sum to the City on or before April 1st 1907, without undertaking to offset the same with any claim against the City of any character whatsoever. The City shall also, for the purpose of assisting the Commission in bettering said water and light plant, lend year up to April 1st 1907, beginning with

1906, pay over to the Commission, if in the judgment of the Commission the same is needed the sum of \$5000.⁰⁰ To be provided for in the budget; and, the event that it should finally be determined that the Commission is entitled to collect from the City for water and light furnished under the Charter provisions of the City, then the amount so furnished each year shall be an offset against the amount claimed by the Commission for such water and light for such year.

3 - The Commission shall agree to furnish water and light to the City for the period of two years without at the time demanding any compensation therefor, further than is herein provided, but the Commission shall not be precluded, after the expiration of such two years, from claiming compensation from the City for water and light furnished during such two years, nor shall the City be precluded from denying such claim.

Joe Macken

Chas J Armstrong

Committee on behalf of the Council

Austin, Texas, August 28, 1905

To the Honorable The Austin Water, Light and Power Commission of the City of Austin, and the Honorable City Council of the City of Austin

Gentlemen:

We, the undersigned Citizens appointed by the Mayor to confer with the Commission and the Committee appointed on behalf of the Council to try to bring about an adjustment of the differences between the City and the Commission, - beg leave to say that we believe it to be recognized by all persons at all familiar with the subject, that our water and light system, on account of ill-adjusted machinery and an insufficient amount of proper machinery, is being now operated at a great loss in the way of operating expenses, and that it is a matter of prime importance to the Commission, the City, and every citizen thereof, that the water and light plant should be put in a condition for economic operation at the earliest moment possible, and having great confidence in the ability of the present water and light Commission to do this, if provided with sufficient funds for that purpose, and believing that it is best for all parties that any money belonging to the City or the Commission should be used for that purpose, we most cordially and earnestly recommend to both the Council and the Commission the adoption of the foregoing recommendations.

Edna May

Edna May Committee of Citizens

To Mr Joe Macken and others, Comprising the Committee
on behalf of the City Council
Gentlemen:

We beg to say that we have Carefully Considered
the above suggestions made by you with reference to an
adjustment of the differences between the Commission
and the Council, and to say that your suggestions are
entirely satisfactory to us

Wm Robinson Jr
A J Zieker

W H Caswell

L. M. Openheimer

Comprising the Austin Water, Light and
Power Commission of the City of Austin

Alderman Powell moved that the report of the
Committee be received, which motion prevailed

Alderman Macken offered a resolution setting out
the recommendations of the Committee and agreeing to
the plan of settlement proposed in the report and
authorizing the Mayor to enter into such Contract with the
Commission as may be necessary to carry out the
plan of settlement.

City Attorney Hart was invited to address the Council on
the resolution which he did, stating that in all probability
that the suit of certain bondholders on overdue Coupons
would soon be determined by the Court, and stating
that if said suit was decided against the City that she
would have to pay something \$100,000.00 at once, that the
\$12,000.00 in the "City Hall fund" might be needed to pay
such judgment.

Judge C. J. Perry being present, was invited to address
the Council, which he did advocating the passage of
the resolution

Alderman Armstrong offered the following ^{amendment} ~~resolution~~
"Amend by adding the following provision, that if the
Water and Light Commission will agree to Cancel all
claims of Indebtedness against the City to date for
Water and Light and withdraw pending suit the \$12,000.
dollars will then be loaned the Commission until
January 1st 1907, without interest, further amended
that the City Cancel all claims against the Water
and Light Commission to date."

Alderman Burnside offered the following amendment
"to amend the provisions providing, that the City shall
not agree to pay a stipulated amount of \$5000.00 per
annum beginning with the year 1906 but that the City
Council shall put aside each year an amount as can be
 spared from the General fund each year out of the

Budget, such amount not to exceed \$5000.⁰⁰ for any year
Alderman Moore moved to strike out the amount \$5000.⁰⁰
The amendment of Alderman Armstrong was adopted
by the following Vote

Yeas Aldermen Armstrong Crocker Cuneo Haynes Miller
Moore Petri Redd Shumate Smith & Wilhelm 11

Nays Aldermen Macken Powell & Von Rosenberg 3

On motion further consideration of the resolution was
postponed until the next regular meeting of the Council
~~where~~

Appropriation
for footway from
Congress Avenue

By Alderman Smith An ordinance appropriating the
sum of \$285.⁰⁰ for the purpose of building a footway from
the Colorado bridge to a point near building bridge
on South Congress Avenue.

The ordinance was passed under suspension of the
rule by the following Vote,

Yeas Aldermen Armstrong Crocker Cuneo Haynes Macken
Miller Moore Petri Powell Redd Shumate Smith
Von Rosenberg & Wilhelm 14

Nays none

\$50. for top to
Patrol wagon

On Motion Alderman Crocker was excused
from further attendance at this session of the Council
Alderman Powell for the Police Committee to whom
was referred an ordinance appropriating the sum of
Fifty dollars for the purpose of putting a cover on the
Patrol Wagon, presented a report recommending that
the ordinance do not pass. The Committee report was adopted

\$20. to Pay for
guarding prisoners

By Alderman Smith an ordinance appropriating
the sum of \$20.⁰⁰ for the purpose of paying Ed Payton
for services guarding prisoners for the month of Aug 1905

The ordinance was read the first time and passed
under suspension of the rules by the following Vote

Yeas Aldermen Armstrong Cuneo Haynes Macken
Miller Moore Petri Powell Redd Shumate Smith
Von Rosenberg & Wilhelm 13

Nays none.

Sunday law.

By Alderman Petri An ordinance providing for the
closing of places of business on Sundays, etc

The ordinance was read the first time and on motion
was referred to the Cemetery Committee

\$1750 to pay asst
to Engineer

By Alderman Shumate An Ordinance appropriating
the sum of \$1750 for the purpose of paying salary of
Asst to City Engineer. The ordinance was read the first
time and passed under suspension of the rules by the
following Vote

Yeas Aldermen Armstrong Cuneo Haynes Macken Miller Moore
Petri Powell Redd Shumate Smith Von Rosenberg & Wilhelm 13

Nays none
On motion the Council adjourned Jno. Johnson City Clerk