

Minutes of A. Regular Meeting of the City Council

Austin Texas March 7th 1892

Hon Henry A. Linn. President of the Board of
Aldermen Presiding

Present Aldermen Anderson. Cassman
Glass, Jackson, Ketchum, Linn, Miller,
Morris, Newton, North, Platt, Sutor
Wormoth, Zeller. (14)

Absent. Aldermen, Grabham, Hume, Nitschke
Schneider, Schuber, Shelley, Townsend, Myerson

Alderman Anderson moved that Mr McLaughlin
be requested to act as clerk of the Council in
order to give the City Clerk an opportunity
to complete the general Appropriation Ordinance
Adopted.

Alderman Townsend entered the Council and
answered to his name

The Minutes of the City Council which were
held on the 15th and 26th days of February 1892
were adopted as printed.

Aldermen Schuber and Nitschke entered the
Council and answered to their names.

The following Petitions, Memorials, etc were
introduced

By Alderman Glass a petition of
citizens that East Fifth Street be widened. Granted.
By Alderman Wormoth. A. Petition from a
Committee of the Butchers Association requesting
the Council to pass an ordinance to permit
said Association to establish operate and
maintain an abattoir on out lot 52, Division
O. in this City. Granted.

From John Danwell. President of the
Austin Bar Association a copy of Resolutions
adopted by said Association on the 2nd day of
March 1892. requesting the City Council and
Board of Trade to cooperate with a committee of the
Association in reference to the location of one of the
Civil Courts of Appeals at Austin.

Alderman Morris moved that a special
committee of five be appointed to meet with the
committee of the Bar Association and Board of
Trade with reference to the matter.

Glass

Abattoir
Butchers association

John Danwell
Austin Bar Association

The motion prevailed and the chair appointed Aldermen North, Kelton, Harrold, Jackson, and Schuber as such committee.

Mrs Delamont
claiming

From Wood and Greenberg, attorneys for Mrs. Delamont et al, owners of a part of lot No 20 in Division C, a claim against the City of Austin for damages alleged to have been occasioned by the City digging a ditch through said lot.

It was referred to the Street committee.

Aldermen Shelley and Schusidler entered the Council and answered to their names.

Austin Loan & Mfg Co

From the Austin Loan and Street Railway Company a petition asking permission to erect a depot at the western terminus of the road on ground owned by the City.

It was referred to a special committee of three to designate the place.

The Chair appointed Aldermen Harrold, Anderson, and Schuber as such committee.

Reports of City Officers were read and referred.

Alderman Graham entered the Council and answered to his name.

An Ordinance to
provide for sanitary
and sewage

By Alderman North for the committee an Ordinance to whom was referred an Ordinance to provide for a system of sanitary sewers for the City of Austin submitted a report thereon recommending that the same be amended as follows:

Amend the caption page 1 line 2 after the word "inhabitants" strike out "contracting with and directed by"

Page 1 strike out lines 6 and 7 and insert: Be it ordained by the City Council of the City of Austin

Page 1 at the close of section 1 add: "but the City Council shall determine under what portions of such streets and alleys said sewers may be laid"

Page 1 line 4 from bottom, strike out the word "now" and after the word "thereof" insert - "when such sewers are laid"

Page 2 at close of section 2 add: "or by reason of any failure to maintain said sewers in proper repair and sanitary condition"

Pages 2 and 3 strike out all of section 11 except the last four lines

Page 3 line 13 from bottom strike out the words "and Board of Commissioners of said City"

Page 3 line 8 from bottom add "their award to be based upon the then cash value of the said plant in its then condition."

Page 3 line 7 from bottom strike out "Mayor and Board of Councilmen of the"

Page 4 lines 6 and 7 strike out: "Mayor and Board of Councilmen" and insert "City of Austin"

Page 4 line 7 strike out "Engineer"

Page 4 line 11 strike out "Mayor and Board of Councilmen" and insert "City of Austin"

Page 4 line 12 after the word "assigns" insert "subject to the approval by the City Council of the plans and specifications of such extensions as may not be included in the original plans and specifications"

Page 4 lines 18 and 19 strike out "Board of Councilmen" and insert "City of Austin"

Page 4 line 16 from bottom strike out "Mayor and Board of Councilmen" and insert "City Council"

Page 5 line 11 add and failing to do so the City of Austin shall have the right to stop the construction of such sewers until such specifications shall have been conforming with

Page 5 line 13 strike out "Mayor and Board of Councilmen" and insert "City Council"

Page 5 line 15 strike out "Mayor and Board of Councilmen" and insert "City Council"

Page 5 strike out the whole of section 11 and insert section 11. The right hereby granted shall not be deemed exclusive of the right of the City of Austin to construct or authorize others to construct such other sewerage systems as the City Council may deem proper without the City being compelled to purchase the system contemplated herein

The report was read and laid over to be taken up with the Ordinance

Lake Park Co right
to convey & operate

By Aldermen North for the Ordinance Committee to whom was referred "an ordinance granting Lake Navigation Company the right to operate and convey all kinds of steam boats vessels and other water crafts on the reservoir or lake to be formed in the channel of the Colorado river by the construction of the Austin City water and light works dam across the Colorado river

submitted a report thereon recommending the passage of the ordinance with the following amendments

Section 1 line 11 after the word "if" insert fifteen
Section 1 line 14 add Subject to regulation by the City of Austin

Section 2 Strike out all of Section 2

Section 3 call it Section 2

The report was read and laid over to be taken up with the Ordinance

Claim of C.A.H. Co

By Alderman Schneider for the fine committee to whom was referred the claim of the East Austin House Co No 4. for the sum of \$146.75 being the sum expended by said company to complete the building now occupied by the company submitted a report thereon recommending the payment of the claim.
The report was adopted.

Report of special
com on Colorado
river bridge

Alderman Butler submitted the following
To Hon John M. Donald, Mayor and Board of
Aldermen. Gentlemen your special
committee to whom was referred the resolution of the
commissioners court of Travis County passed February
11. 1892 in reference to the control of the bridge across
the Colorado river at the foot of Congress Avenue
beg leave to report that they do not agree in the
conclusions of said resolution and recommend that
it be referred back to the commissioners court with
the expressions of the City Council that it declines to
undertake the responsibilities set forth in said resolution
and that the City Clerk furnish the commissioners
court with a certified copy of this report and of the
action of the City Council thereon Adopted

Alderman Hume and Weyerman entered the
Council and answered to their names

Guadalupe st
Encroachments

Alderman Hume for the street committee submitted
a report made to the street committee by Jno E Wallace
county surveyor, Dennis Corwin and J. R. P. McHall
city Engineer concerning encroachments on
Guadalupe street along outlets Nos 14, 63, and
66, in division D which states that there are
encroachments upon Guadalupe street on the east side

At of Jno Stumpff
Encroachments on
Guadalupe st

Alderman Hume for the street committee
to whom was referred the petition of Joseph Stumpff
and others concerning encroachments on Guadalupe
street submitted a report thereon which states
that with the assistance of a survey of said street
between the points named as made by the City Engineer
in conjunction with the County Surveyor and
Dennis Corwin we find that there is no encroach-
ment by improvements upon the west side between
the points named in said petition that the track of the
electric railway as laid along said Guadalupe street
between the points named in said petition does
not encroach upon the east side of the same it not
being laid in the center of said street but encroaches
upon the west side of the same

They further find that Guadalupe street between
the points named in said petition and as far
south of its intersection with Second Street to the
point of projection of the curbing into said street

In front of Prof. Walsted's residence property between twenty-fourth and twenty-fifth streets is encroached upon by improvements on the east side of said Guadalupe. The report was adopted.

Alderman Burns for the street committee submitted a report which states: "Your committee on streets and alleys in connection with their report at this session of your Honorable body upon the petition of Joseph Plunpp and others do most respectfully recommend that the Council by resolution do instruct the City Engineer to notify all property owners whose property abuts on the east side of Guadalupe street and encroaching upon the same to remove all improvements on said side of said street between the points designated in said report within sixty days from such notification."

Alderman North moved the adoption of the report and that the City Engineer be instructed to proceed at once to give notice. Adopted.

Act of Mrs Anna Story. Alderman Burns for the street committee to whom was referred a petition of citizens requesting the Council to permit Mrs Anna Story to reside on a part of Sabine street where her house is now situated as the street can not be used for travel on account of the creek running midway of the same submitted a report thereon recommending the granting of the petition until such time as the city may open that part of said street. Adopted.

Unfinished Business

Lewis Mercer construction company
system sanitary
sewerage for the
city of Austin

An Ordinance entitled: "An Ordinance to provide a system of sanitary sewerage for the city of Austin State of Texas and for its inhabitants contracting with the Lewis Mercer Construction Co. their associates assigns successors and assigns for sanitary sewers for public and private use and giving the said city of Austin an option to purchase said sewers" was taken up on its second reading and read.

Alderman Anderson moved that it be considered section by section.

The motion prevailed and it was so considered and all of the amendments offered by the committee as above set forth were considered and adopted separately except the one which reads as follows: "Pages 2 and 3 strike out all of section 4 except the last four lines for this amendment the following was substituted: 'Amend section 4 by striking out all relating to maximum charges and insert in lieu thereof the following'."

The right to fix reasonable maximum charges for connection with and use of said sewerage system is hereby reserved in the City Council and all charges for like service shall be uniform.

Alderman Glass offered the following amendment section 12 That all persons or property holders connecting their premises with the above sewer system shall have the privilege of furnishing all service pipes Material and labor putting same in position except actual contact with the main sewer or its branches provided said persons or property holders desire to exercise that privilege.

Adopted

Alderman Schneider presented the following amendment which was adopted: section 13 The City of Austin shall have the right to connect any of its Public buildings with said sewers free of charge for sewerage.

A motion was made to adopt the ordinance as amended.

Carried

A Motion was then made to suspend the rules and place the ordinance on its third reading which prevailed by a vote of two thirds of the whole Council.

The Ordinance was accordingly read and on motion passed.

Alderman Anderson was excused.

Lake Navigation Co.
right to operate
and convey etc

An Ordinance entitled "An Ordinance granting the Lake Navigation Company the right to operate and convey all kinds of Steamboats vessels and other water crafts on the reservoir or lake to be formed in the channel of the Colorado river by the construction of the Austin City water and Light-works dam across the Colorado river" was taken up on its second reading and read.

The amendments to the same offered by the Ordinance committee as above set forth were then taken up and considered and adopted separately.

A motion was then made to suspend the rules and place the ordinance on its third reading which was adopted by a two thirds vote of the whole Council. The Ordinance was accordingly read and on motion passed.

New Business

Resolution of
Council by which...

A Resolution entitled "A resolution accepting dedications of land made by donors and share and other parties to the City of Austin was Adopted. The land covered in the resolution is situated in South Austin and is for street purposes.

By Alderman Morris. An Ordinance appropriating the sum of five thousand for the purpose of defraying the expenses of the engineering department and other expenses incident to the construction of the proposed dam across the Colorado river. It was read the first time after which motions were made to suspend the rules and place the same on its second and third readings and that it do pass each of which was adopted by the following vote and were duly complied with:

Yeas Aldermen Asmann, Glass, Graham, Stume, Jackson, Ketchum, Linn, Miller, Morris, Nitchke, North, Platt, Schneider, Schubert, Shelley, Sutor, Townsend, Wasmuth, Weyermann, Ziller. = 21

Estimate No 16

By Alderman Morris. An Ordinance appropriating the sum of twenty thousand eight hundred and seventy six and 7/10 dollars for the purpose of paying estimate No 16 of work done and material furnished by Bernard Corrigan during the month of February 1892 under his contract with the City of Austin dated Nov 7th 1890. It was read the first time after which motions were made to suspend the rules and place the same on its second and third readings and that it do pass each of which were adopted by the following vote, and were duly complied with:

Yeas Aldermen Asmann, Glass, Graham, Stume, Jackson, Ketchum, Linn, Miller, Morris, Newton, Nitchke, North, Platt, Schneider, Schubert, Shelley, Sutor, Townsend, Wasmuth, Weyermann, Ziller. = 21

By Alderman Morris. An Ordinance appropriating the sum of \$871.19 for the purpose of paying approved accounts

It was read the first time after which a motion was made to suspend the rules and place the ordinance on its second reading which was adopted by a vote of two thirds of the whole Council

The Ordinance was accordingly read after which Alderman Nitchke moved to amend section one thereof by adding thereto the following

To reimburse East-Austin Haul Company No 4 for money expended on building \$196.75

The amendment prevailed and the caption of the ordinance was amended to conform to the amendment

Motions were then made to suspend the rules and place the ordinance on its third reading and that it do pass both of which prevailed by the following vote

Yeas Alderman Asmann, Glass, Graham, Stume, Jackson, Ketchum, Linn, Miller, Morris, Newton, Nitchke, Platt, Schubert, Shelley, Sutor, Townsend

Warrmoth, Weyerman, Zeller. - 19

Mays Aldermen North, and Schneider - 2

To repair City and
County Hospital

By Alderman Warrmoth An Ordinance to
Appropriate the sum of \$350 to the repair the City and
County Hospital, building

It was read the first time after which a motion was
made to suspend the rules and place the same on its
second reading which prevailed by a vote of two thirds
of the whole Council

The Ordinance was accordingly read after which
Alderman North moved to amend the ordinance by
adding that the work shall be performed under the
direction of the special and standing committees

The Amendment carried and motions were made
to suspend the rules and place the ordinance on
its third reading and that it do pass both of
which were adopted by the following vote

Ayas Aldermen Asmann, Glass, Graham,
Hume, Jackson, Ketchum, Linn, Miller, Morris,
Norton, Ritchie, North, Platt, Schneider, Schuchert,
Shelley, Sutor, Townsend, Warrmoth, Weyerman
Zeller. - 21

Improving 10th St

By Alderman Sutor, An Ordinance to appropriate
the sum of \$300 for the purpose of improving
and grading that portion of west fourth street
between Nueces and Rio Grande streets.

It was read and referred to Street Committee

Board of Sewer
Commissioners

By Alderman Sutor, An Ordinance providing
That this Board elect five citizens of Austin
who shall constitute a board of Street and
Sewer Commissioners, who shall hold
office until next general election

It was read and referred to Ordinance
Committee

City atty to represent
City in suit of
H H Hollowell

By Alderman Morris.

Resolved, That the City Attorney be and he is hereby
Authorized to enter the appearance of the City of Austin in
the United States Circuit Court at Austin Texas in the
suit of Henry H Hollowell vs the City of Austin
Pending in equity in said court and to take proper
steps to represent the City in resisting said suit. Carried

Claim of J. B. Taylor

By Alderman Graham, A claim from John B Taylor for
\$10.63. Alleged to be the value of his household goods destroyed
during February 1891 by the City authorities while some of his
family were sick with smallpox

It was referred to the committee on claims and accounts
The Council then adjourned