

Minutes of a Regular Meeting of the City Council, Austin Tex. Sept 17, 1894.
Hon John M^d Donald, Mayor, presiding.
Roll call.

Present. Aldermen Anderson, Assmann, Dawson, Fischer, Glass, Hunt,
Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Redd,
Roberdeau, Schneider, Shelley, Taylor, Townsends, Warmoth, 21.

Absent. Alderman Huncocks.

The minutes of the meeting of the council held Sept 1, 1894
were adopted as printed.

Time of meeting changed.

Alderman North moved that hereafter and until further
notice, all regular meetings of the council shall begin at 8 o'clock
P. M. Carried.

Petitions, Etc.

C. J. Martin

By Alderman Anderson. A petition from C. J. Martin for permission
to erect a platform wagon scale on Colorado street, corner of West Sixth
near southeast corner of block 71.

Alderman Anderson moved that the petition be granted.

Alderman Schneider moved to amend the motion by referring
the petition to the street committee, with power to act. The amend-
ment was accepted and the motion as amended carried.

M. Schlochau

By Alderman Platt. A communication from M. Schlochau stating
that Louis Smith, driver of a city team, owes him \$4.35 which he
refuses to pay and requesting the council to require him to pay
the amount.

Alderman Linn moved to refer the communication to
the committee on claims and accounts, and the motion
prevailed.

Reports of Committees.

Brown + Dabney.
Report on Ord of \$10000

Alderman Taylor, for the committee on Finance, to whom
was referred an ordinance appropriating \$10000 for the pur-
pose of paying freight and other miscellaneous accounts of
Brown + Dabney while constructing the foundation of the
power house, presented a report thereon, recommending the
passage of the same and requested that the report be laid
over to come up with the ordinance named therein, under
the head of unfinished business, and it was so ordered.

Report on Butcher
petition

Alderman Redd, for the committee on markets, to whom
was referred a petition of butchers requesting the city coun-
cil to concentrate the meat markets within certain limits
at the old market square, offered a report thereon which
states: "We respectfully recommend that the above petition
be not granted, as we are informed that it would be
a hardship to a great many citizens". The report was
adopted.

Report on changing
meeting place of
Council

Alderman Nitschke presented the following report:
Austin Tex. Sept 17, 1894.
To the Honorable Mayor and Board of Aldermen of the City of Austin.
I have the honor to acknowledge the receipt of your communication to the
committee on Finance, to whom
was referred the resolution to change the meeting place
of the city council from the present location in the
city hall to the new building, and to report that
they have given the subject careful consideration and
advising the hall proposed to be used and having

conferences with the members of the several companies occupying it. From statements made by the members of the companies we are informed that they have expended in the neighborhood of one thousand dollars (\$1000) improvements in the way of furniture, painting, decorations and numerous other fixtures to add to the comfort and convenience of the hall, all of which expense has been borne by the companies occupying it, believing they were to have the pleasure and comfort of the hall to themselves. They protest against the city occupying the hall as it will destroy their pride in the place and be the means of causing them to lose interest in the service. This hall is their social home wherein they gather for business and recreation, and to litter the room up with desks and other furniture necessary for the use of the council would exclude them entirely from all social features and pleasure.

We also want to call attention to several articles in the public press criticizing this question. In justice to the companies we wish to report that they deny any responsibility of the articles and they have no favor nor support from them. They recognize with their admirable discipline that they are servants of the city and it is their duty to obey and not to hesitate or show insubordination at any demands that may be made upon them, but they feel with all the sacrifices they are ready to make of labor, life and limb that they should have a just and fair consideration given to their claims of being left in peaceful possession of their hall. With all the facts before us your committee feel it would be an injustice and ungrateful conduct on the part of the city to enter on them when there is no great necessity for the demand and recommend that the subject be dropped by this board.

All of which is respectfully submitted.

J. B. Nitschke
P. J. Lawless
George P. Assmann.

The report was adopted.

Alderman Schneider presented the following report.

Austin, Sept 17.

To the Hon John M. Donald, Mayor, and the Board of Aldermen of the City of Austin:

Gentlemen— Your committee on police to whom was referred the resolution of Alderman Raymond authorizing the employment of special officers, and the petition of citizens of the Seventh and Eighth wards asking the park on Robertson Hill, known as Cherokee Park. We condemned and voted as a measure, but have to report that there is now before the ordinance committee an ordinance which in the opinion of your committee will, if adopted, so regulate the matters complained of us that the measure will be voted.

J. P. Schneider,
W. D. Shelly,
Committee on Police.

Police Committee on
Robertson Hill
Park report

The report was adopted.

Alderman Shelly presented the following report:

Austin, Tex. Sept 16, 1894.

John Tuttle. Report
on his claim

To the Hon John M^e Donald, Mayor and Board of Aldermen of the city
of Austin:

Gentlemen. Your committee on claims and accounts, to whom
was referred the petition of John Tuttle asking that he be allowed
the value of a horse afflicted with hydrophobia, condemned and
killed by order of Drs Rogers and Stiver, beg leave to report that
they find upon examination that a horse thus afflicted has
no value, and therefore recommend that the petition be not
granted.

W. D. Shelly.

Chas. P. Raymond.

R. Platt.

Committee on Claims and Accounts.

The report was adopted.

Unfinished Business.

Brown + Dabney
\$1600.

An ordinance to appropriate the sum of \$1000 for the
purpose of paying freight and other miscellaneous accounts
of Brown + Dabney while constructing the foundation of the
power house, was taken up on its second reading together
with the report of the committee on finance thereon.
The ordinance was read a second time and withdrawn.

New Business.

Electric Wiring
&c Resolutions

By Alderman North. A resolution regulating the con-
struction, alteration and repairs of all electric wires, the
running and maintaining of electric plants within the
City of Austin. It was referred to a special committee,
consisting of Aldermen Payton, Fischer, Ritscher, Raymond
and Lawless.

Amendment to
hay, feed &c ordinance

By Alderman North. An ordinance amending article
196, title V, chapter 3, of revised penal ordinances of the
City of Austin.

The article, if adopted, will read as follows: "Article 196.
That it shall not be lawful for any person or firm within
the fire limits of this city to keep on hand any hay, fodder,
straw, shucks, shavings or other combustible material in an
open lot, alleyway, street, or other place, but any one person
^{or firm} may keep on hand for their own use, in a building provided
for that purpose, not to exceed two thousand (2000) pounds
of hay, fodder or shucks; and provided further, that all
hay, fodder, straw, shucks or long forage, kept for sale
by any person or firm within the fire limits, shall be
baled, pressed and bound with iron ties or wire in bales
not more than four hundred pounds each; and when
kept for sale within the fire limits, it shall be kept
in a brick, stone or concrete building, covered with
metal, slate or gavel".

Alderman Powell moved to refer the ordinance
to the committee on fire department.

Alderman Anderson moved as a substitute that
the order be suspended and the ordinance be
placed on its second reading. The substitute was

adopted by the following vote:

Yeas: Aldermen Anderson, Dawson, Fischer, Glass, Humel, Jackson, Lawless, Linn, North, Platt, Powell, Raymond, Redd, Roberdeau, Schneider, Shelly, Townsend - 17.

Nays: Aldermen Asmann, Nitschke, Taylor, Warmoth - 4.

The ordinance was then read a second time, after which Alderman Raymond moved to amend the same by providing that 20,000 of loose hay may be kept on hand for sale.

Alderman Linn moved to amend the motion by providing that 2000 pounds of loose hay, fodder, straw or shucks and 20,000 pounds of baled hay may be kept for sale. The amendment was accepted, after which it was lost by a rising vote of 7 to 11.

Alderman Anderson moved to suspend the rules and place the ordinance on its third reading, which was lost by the following vote:

Yeas: Aldermen Anderson, Dawson, Glass, Jackson, Lawless, North, Powell, Redd, Roberdeau, Schneider, Taylor, Townsend, 12.

Nays: Aldermen Asmann, Fischer, Humel, Linn, Nitschke, Platt, Raymond, Shelly, Warmoth; 9.

By Alderman Anderson - An ordinance appropriating the sum of \$5601.⁰⁰ for the purpose of paying the receiver of the Austin Water, Light and Power company rental of 42 fire hydrants from Sept 16, 1893 to June 30, 1894, inclusive.

It was passed under suspension of the rules by the following vote:

Yeas: Aldermen Anderson, Asmann, Dawson, Fischer, Glass, Humel, Jackson, Lawless, Nitschke, North, Platt, Powell, ^{Schneider, Shelly, Taylor, Townsend,} Raymond, Redd, Roberdeau, Warmoth; total 20.

Nay: Alderman Linn -

The following was read:

Austin, Tex, Sept 27, 1894

To the Hon. Mayor and Board of Aldermen:

Gentlemen - I hereby respectfully tender my resignation as a member of the Board of Public Works of this city. W. M. Marley
Alderman North moved that the resignation be accepted, and the thanks of the city council tendered the gentleman for his efficient services while a member of the Board. The motion was unanimously adopted.

The mayor presented the following:

Austin, Tex. Sept 12, 1894

W. M. Marley, Resignation as member B P W.

Veto of Ord to erect bridge over Waller Creek.

Gentlemen of the City Council:

I very respectfully return to your honorable body without my approval 'An ordinance appropriating the sum of \$15,585 for the purpose of constructing a stone arch bridge over Waller creek on East First Street', passed by the city council on Sept 3, 1894.

While I am personally in sympathy with the project and consider the erection of a good bridge at that place desirable, I am compelled to object to said ordinance on financial grounds.

The estimated total available resources of the

city for general purposes during the present fiscal year was \$40,369, and the fixed charges against said sum amounted to \$71,811 which left a balance of only \$18,559 and of this amount the sum of \$15,573.97 has been expended by direction of the city council, leaving a balance of only \$2,984.03 to cover the expenses of the city other than the fixed charges, to the end of the present fiscal year, a period of nearly three months. We are now paying out \$500 per month for extra street labor, and about as much more for other extra expenses, and by the end of the year this available balance will be exhausted, and the bridge contemplated by the accompanying ordinance cannot be built without creating a debt which is prohibited by the charter.

Section 104 of the city charter reads as follows: "That the receipts of money during any fiscal year other than from special funds, provided to pay interest and sinking funds on bonds of the city, shall be applied to the payment of expenses and indebtedness incurred during such fiscal year; and no debt other than such as may be authorized by a vote of the taxpayers as is provided for in this act shall be incurred, to be paid after the end of the fiscal year in which it may be incurred."

The ordinance is therefore returned disapproved.

Very Respectfully

John M^cDonald, Mayor.

Alderman Linn moved that the vote by which the ordinance named in the veto ^{was} passed be reconsidered and the motion prevailed.

The question "shall the ordinance pass, notwithstanding the veto of the mayor?" was put and decided in the affirmative by the following vote:

Yeas - Aldermen Anderson, Armann, Dawson, Fischer, Glass, Hume, Jackson, Lawless, Nitschke, Platt, Powell, Raymond, Redd, Schneider, Taylor, Warmoth; total 16.

Nays - Aldermen Linn, North, Robertson, Shelby, Townsend; total 5.

By Alderman Linn - An ordinance appropriating the sum of \$480 for the purpose of paying the Board of Appraisers of the city of Austin for the year 1894. It was passed under suspension of the rules by the following vote:

Yeas - Aldermen Anderson, Armann, Dawson, Fischer, Glass, Hume, Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Redd, Robertson, Schneider, Shelby, Taylor, Townsend, Warmoth; total 21.

By Alderman Linn - An ordinance appropriating the sum of \$17,500 for the purpose of paying interest on the water works and electric light bonds of the city of Austin, due October 1, 1894. It was passed under suspension of the rules by the following vote: Yeas, Aldermen Anderson, Armann, Dawson, Fischer, Glass, Hume, Jackson, Lawless, Linn, Nitschke, North, Platt, Powell, Raymond, Redd, Robertson, Schneider, Shelby, Taylor, Townsend, Warmoth; total 21.

By Alderman Raymond, Resolved by the city council

\$480 Board of Appraisers.

\$17,500 int on W & E bonds

Resolution

Stuts + c.

of the City of Austin, That the city clerk be required, at the next regular meeting of the council, to furnish the amounts expended in each ward out of the general improvement fund within the last two years.

It was read and laid on the table by the following vote:

Yeas - Aldermen Anderson, Asmann, Fischer, Linn, Kitchke, North, Roberdean, Shelly, Taylor, Townsend, Warmoth - 11
Nays - Aldermen Dawson, Glass, Hume, Jackson, Lawless, Platt, Powell, Raymond, Redd, Schneider - 10.

Alderman Kitchke moved that the council stand adjourned and the motion prevailed.

Milton Morris,
City Clerk.