

Regular Meeting of the City Council  
Austin Texas Sept 18 1883

Hon W A Rayless Mayor Presiding

Roll call present aldermen Kinney Lawrence  
Schuber Hannekuche Driskill, Gussertz Enred  
Black and Wilson absent aldermen. Metz

a fine of one dollar was entered against  
alderman Metz for non attendance at this meeting

Minutes of council meeting of Aug 6. 11<sup>th</sup> & 18<sup>th</sup> 1883  
read and approved.

The report of the City Marshal for the month  
of July 1883 was referred back to the City Mar  
shal for correction in regard to the amount of  
fines collected out on the street

On motion of alderman Black the fines  
entered against aldermen Gussertz Wilson and  
Schuber. for non attendance at former council  
meetings was remitted

Alderman Kinney offered the following  
Resolution

Whereas the recent conduct of alderman  
Hannekuche representing the 1<sup>st</sup> ward of this  
City has been so notoriously disgraceful. that  
it is a duty which the members of this council  
owe to themselves as well as to the citizens whom  
they represent to no longer tolerate his member  
ship of this body therefore be it

Resolved by the City Council of the City of  
Austin That alderman Hannekuche is hereby  
expelled from this Council

Alderman Enred moved that the Mayor  
appoint a committee of the aldermen and  
that the resolution be referred to their  
motion adopted His Honor appointed as the  
Committee aldermen Enred Gussertz & Kinney

A Petition was received from the Capital  
Gas Light Company asking the Council to expend

the Contract to begin the service of lighting the streets to January, 1884. On motion the petition was referred to the street committee.

On recommendation of Marshal Kirk a fine of five dollars entered against Neil MacBaker in the Mayor's Court was remitted by the Council.

The report of the City Physician for the month of August 1883, was received read and ordered filed.

The report of the City Sexton for the month of August 1883 shows Total deaths 48 white 23 white male 16. Female 17. Referred to the Cemetery committee.

The report of the City Marshal for the month of August 1883 shows fines collected in cash \$64.00 fines awarded and \$59.00 sent from market stall \$3. Referred to the Police Committee.

The report of the City Treasurer for the month of August 1883 was referred to the Finance Committee.

The Finance Committee offered an ordinance appropriating the sum of \$3040.00 to pay approved accounts. To that amount the ordinance was read second and third under suspension of the rules and passed by the following vote: Yeas Aldermen Kinney Lawrence Schubert Hannaford Driskie Kussner and Clark. Wilson.

The Finance committee submitted the following report on the petition of the City Water Company. The report of the Committee was adopted.

Hon W. A. Baylor President of the City Council

The undersigned committee to whom was referred the question of taxing the property of the City Water Company for the year 1883, beg leave to report as follows. It was expected



By both the City Council and the City Water Co that the system of mains, hydrants &c. provided for under contract would be completed and ready for acceptance on the first day of January 1883 in which case there would have been no claim for damages by the City against said company. But in consequence of delays produced by bad weather &c. said works were not completed till about the first of March since which time the Company has furnished or been ready to furnish the water privileges which under the contract exempt the property of the Company from taxation by the City we therefore think that as a matter of justice and equity the City water company should be required to pay only one sixth of the amount levied on their property for the year 1883 and we so recommend.

H B Kinney J W Dickie E. Cuppertz.  
Finance Committee

Further time was granted the street committee to report on petitions referred to them

The Printing committee submitted the following report on a resolution referred to them the report of the committee was adopted.

Hon W A Saylor President of the City Council

The undersigned committee on printing to whom the accompanying resolution was referred beg leave to report that we have had the same under consideration and recommend its adoption

H B Kinney Ed Cuppertz Thos E. Ornel  
Printing Committee

The special committee to whom was referred an ordinance in regard to issuing \$50000.00 6 per cent interest bearing bonds of the city of Austin submitted the following report and accompanying ordinance the ordinance was read first time

Austin Sept 1 1883

To the Honorable W A Saylor Mayor and President of the City Council of Austin  
The select committee to whom was referred

an ordinance providing for the issuance and sale by the City of Austin of \$5,000 of City Bonds have considered the same and big leave to report adversely to the passage of said ordinance.

In making this report we consider it not out of place to state some of our reasons. Therefore the proposed ordinance provides for the issuance of \$5,000 of interest bearing bonds of this City to be redeemed in twenty years or in ten years at the option of the City. The bonds to be sold at not less than par value and to bear 6 per cent interest the interest to be paid semi-annually. The sale to be made in the City of Austin if that can be done but if not the sale to be made in the City of New York in which latter event the principal and interest on the bonds are to be paid at such banking house in the City of New York as the holders of the bonds shall designate. The purpose of the issuance of the bonds is declared by the ordinance to be for the payment of the 6 per cent warrants outstanding against the City after the payment of these warrants the balance is directed to be placed to the credit of the general fund. revenue of the City. The ordinance also provides that as soon as the sale of the bonds is completed and ever twelve months thereafter the City Treasurer shall set apart two per cent of the bonds as a sinking fund. for the redemption of the bonds. and on the first day of January and July 1884 and of each year thereafter he shall set apart the semi-annual interest to be paid on the bonds.

The issuance and sale of the bonds would entail on the City an annual expenditure of \$500<sup>00</sup> for the payment of the interest which would amount to in twenty years to \$10,000<sup>00</sup> at the end of the twenty years the two per cent sinking fund taken from the revenue to pay principal of the bonds would amount to \$40,000<sup>00</sup> so at the end of twenty years the City would have expended in payment of interest and towards payment of the principal \$40,000<sup>00</sup> and there would be still left unpaid of principal of the bonds \$15,000<sup>00</sup> this last stated amount would be subject



to be varied by increase or diminution in proportion as the City might be fortunate or unfortunate in securing safe and advantageous investments of the sinking fund annually set apart.

The warrants for the redemption of which it is proposed to sell the Bonds draw interest at the same rate as the proposed Bonds 6 per cent. The warrants are held by our own people or banks in the City and can be paid in the City while the Bonds if sold will be sold in all probability in New York and will be payable in New York principal and interest thus entailing the additional expense of the exchange on New York beside the cost of printing the Bonds which will be a large item.

But it is the opinion of this Committee that there is no necessity of the issuance and sale of these Bonds at the time of the last general election of City officials in November 1881 (beside the bonded debt that amounts to \$99400.) There were outstanding 6 per cent warrants to the amount of about \$9459. and other unaudited claims to the amount of \$5678<sup>7</sup>/<sub>100</sub> making \$44887<sup>7</sup>/<sub>100</sub>.

This administration has paid off all of said sum except \$1344<sup>1</sup>/<sub>2</sub> of the warrants on which there is now due interest to the amount of \$780<sup>5</sup>/<sub>100</sub> making the present warrant debt and interest aggregate \$15674<sup>7</sup>/<sub>100</sub>. The ordinance in question proposes in order to meet this issue to sell the \$20000 of Bonds and pay off this warrant debt and place the balance of \$14375<sup>1</sup>/<sub>100</sub> in the City Treasury to the credit of the general revenue. There is now in the Treasury in cash as follows.

|                                  |           |
|----------------------------------|-----------|
| General revenue                  | \$513.49  |
| what is called market house fund | 1104.50   |
| what is called Hospital fund     | 5000.95   |
| making in the Treasury           | \$6678.95 |

These Market and Hospital funds are not sufficient to justify the City in undertaking to construct other market houses or a hospital commensurate with the demands of the City and they have been arbitrarily created by the City Council out of the general revenue without any liability having been incurred by the City on their faith and credit and there is no impediment in the way of these funds.

being transferred to the general revenues and used in any way the City Council may determine. There are now against the City which should be paid at once paid the following demands.

|                                                                           |         |
|---------------------------------------------------------------------------|---------|
| Balance appropriated for Cemetery purposes.                               | 3331    |
| " " for Fire Department                                                   | 79500   |
| Audited bills for which no warrant can be drawn under our amended Charter | 583466  |
| Pay roll for August 1883                                                  | 1475.49 |
| unaudited claims about                                                    | 200.00  |
| Making                                                                    |         |

There is therefore in the Treasury a sufficient amount to pay off these claims and leave a balance in the Treasury of \$1773<sup>49</sup>. This sum with the revenues which will be collected before the end of this fiscal year will be sufficient in all probability to meet all claims demanding payment and necessary expenses during this fiscal year ending on the second day of December next.

Under the assessment of the ad valorem Tax for the year 1883 of one per centum which has just been made and at the present rate of ~~an~~ accumulation tax there will be collected during the next fiscal year after making allowances for delinquents, about the sum of \$71,615. The expenses of the City government for the next fiscal year including on public debt and for water and gas and for support of the fire department and every other expense except improvement and repairs on the streets and bridges by close estimate will not exceed \$5175. This will leave a surplus in the Treasury at the end of the next fiscal year of \$15,500 to be applied to the payment of the interest bearing warrant debt of \$113,444<sup>12</sup> and interest on the same. Before referred to and still leave a balance in the Treasury at the end of the year should it be deemed wise to undertake to pay off that debt during the next fiscal year.

Your committee however do not deem it for the best interest of the City to undertake to pay off the entire warrant debt during the next fiscal year as a result of paying so large



amount of the public debt of the City since the last general election the City has been in a great measure compelled to neglect the repair and improvements of the streets and bridges until many of them have become unsafe and almost impassable for the want of means the streets and bridges cannot with reason be longer neglected it is therefore the judgment of your committee that not exceeding one tenth of the gross receipts of the next fiscal year should be set apart for the payment of the interest bearing warrants debt and the remainder of the surplus should be applied to the improvements and repairs on the streets and bridges

In addition to the foregoing reasons for reporting adversely to the passage of the ordinance in question we are satisfied that the tax paying people of this City are opposed to the increase of our bonded debt under the Charter of the City as it was before amended by the Eighteenth Legislature the bonded debt was limited to one hundred thousand dollars except that the bonded debt might be increased by order that sum by consent of a majority of the voters of the City expressed at an election held for that purpose soon after the present City administration came into office and when the City was greatly embarrassed financially and when it seemed almost impossible to bridge over her then difficulties with out increasing her bonded debt by over the \$100,000 there was a public election held to determine if the bonded debt should be increased over the Charter limit and at that election the proposition to increase the bonded debt was overwhelmingly voted down. We have no reason to believe that the popular opinion as expressed at an election to increase the bonded debt to \$175,000 we do not believe that this power should be exercised by the Council except in the case of the most imperative and absolute necessity we believe there is no such necessity for the exercise of the power and that the only excuse for its exercise would be simply that the power exists

In view of the foregoing reasons we recommend that the council do not pass the ordinance in question but to meet the existing emergency for any action looking to the early payment of the interest bearing warrants debt of the City and in view of the fact that by the terms of the amendments of our City charter the Mayor is prohibited under penalty, from drawing a warrant on the treasury unless money be in the treasury to meet the warrant in order that payment may be made of the debt against the City for which warrants have not been drawn we submit the accompanying ordinance as a substitute for the one referred to us and recommend the passage of the substitute

Respectfully submitted

Metz

Bread

Platt

Fannin Kuebel

The ordinance submitted with the report of the special committee provides that one tenth of the revenue of the City collected for the fiscal year beginning Dec 8 1883 shall be set apart and applied to the payment of the outstanding interest bearing warrants, and that the same proportion of all revenues of the City for each succeeding fiscal year is hereby set apart and shall be applied for the same purpose until said warrants are all paid off. The ordinance provides that the Market and Hospital fund shall be transferred to the account of the general revenue and that said transfer shall be considered as a loan to the general revenue and the amount of said funds to be restored at such time as the City Council shall determine

The ordinance was read first time Alderman Huppertz moved that the report of the Committee and the ordinance submitted by them be published in full and that action on the ordinance be postponed

Motion adopted

Alderman Platt introduced an ordinance relating to E. W. Shands south half of Block 39 for a general market. The ordinance was read



first time and then referred to the market house  
Committee

Alderman Quincy introduced an ordinance  
which provides that the City Engineer shall at  
the end of each month make a report to the  
City Council of all work performed by him for the  
City with a list of all employees, specifying in  
details the work done by each and whether said  
work was done by City Prisoners or by hired hands  
The ordinance was read second and third time  
under suspension of the rules and passed by  
the following vote yeas Aldermen Quincy Sawrance  
Schuber Hanshaker Priskie Guppert Reed  
Platt and Wilson

An ordinance amending an ordinance Passed  
February 27 1882. in regard to the salary of the  
City Clerk was read first time and then referred  
to the Finance Committee

J. B. Dunnell

City Clerk

Read and approved Sept 17<sup>th</sup> 1883.