

Regular Meeting of the City Council
Austin Texas Oct 1, 1883.

Adjourned Meeting of the City Council
Austin Tex Oct 1, 1883.

Hon W A Taylor Mayor Presiding

Roll call present aldermen Kinney
Lawrence Schuber Kaune Kucke Driskill Kuppertz
Pined and Plath absent aldermen Metz Wilson

On motion of alderman Plath the Council was
called and the marshal sent after the absentees
alderman Wilson came in and answered to
his name

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

Case of the Council suspended

Minutes of Sept 17 1883 read and approved.

The report of the City Treasurer for the
month of Sept 1883 read and referred to the
Finance Committee

The report of the City Physician for Sept
1883 was read and referred to the Charity
Committee

The report of the City Sexton for the month
of Sept 1883 shows total deaths 71 white 15 Colored 6
Male 13 Female 8 Referred to the Cemetery Committee

The report of the City Marshal for Sept 1883 shows
total arrests 159 amount of fines collected in Cash \$506⁰⁰
fines worked out \$86⁰⁰ collected from market stalls \$19⁰⁰
referred to Police Committee

The report of the City Marshal in regard to the Condition of the water troughs of the City was read and referred to the street committee.

Alderman Kinney offered an ordinance appropriating the sum of \$1703⁴⁰/₁₀₀ for Sept 1888 payroll and for approved the ordinance was read second and third times under suspension of the rules and passed by the following vote yeas Aldermen Kinney Lawrence Schuber Rannekuche Driskill Huppertz O'neel Plack and Wilson.

The following report of the street committee on the petition of the Austin athletic association was read and adopted.

To the honorable Mayor and Board of Aldermen.

Your committee to whom was referred the petition of the Austin athletic association asking the privilege to moor their float or structure at the place designated in said petition would recommend that the petition be granted provided however that this grant does not give it the right to convert it to any other purpose than that mentioned in the petition and the association shall be subject to all the City regulations.

R Plack Chairman

To R Kinney

The street committee submitted ~~submitted~~ the following which was adopted.

Whereas the recent rains have shown that the culverts on the street crossings on the line of the international and Great Northern Rail Road between Congress Avenue and Waller creek and on the line of the Houston and Texas Central railroad between Congress Avenue and Shoal creek are totally insufficient to carry off the water to the river to the great damage and injury of Citizens living and doing business on said lines of railroads.

Therefore be it resolved by the City Council of the City of Austin That the Mayor be and is hereby instructed to notify the said

rail road Companies to construct at once; under the supervision of the street committee, a sewer from Congress avenue along the north side of Cypress to Shoal creek and at least one culvert at each of the crossings of the International and Great Northern railroad between Congress avenue and Shoal creek and at least one crossing culvert at the crossings of the Houston and Texas Central railroad between Congress avenue and Waller creek. The sewer to be of a size of not less than three feet and each of the culverts to be of the size of not less than two feet and the material to be used to be of rock or Brick.

A. Blath Chairman

E. Huppertz

H. McKinney

The fire committee submitted the following report which was adopted and ordered filed.

We the undersigned Fire Committee to whom was referred the matter of building a shed or addition to the engine house for the protection of reserve hose and cart would respectfully recommend that the same is necessary and should be built and we submit the following bids for the same. For stone foundation brick wall 37 x 16. 5.15. for building 24 x 16. 3.75.

Respectfully submitted

Henry Gannkecke

J. W. Lawrence

Fire Committee

The Market house Committee submitted the following report on an ordinance referred to them leasing south half of Block 59 for a general market.

We the undersigned Committee to whom was referred and ordinance leasing E. W. Shands and associates the south half of Block 59 for market house purposes have had the same under consideration and would respectfully recommend that it do not pass.

J. Schubert

James Dinkell

Henry Gannkecke

Committee

The report of the Committee was adopted by the following vote yeas aldermen Kinnery Lawrence Schubert Pfannekuche Driskill Kuppertz and Reed nays aldermen Black and Wilson

The special committee to whom was referred the matter of the City Charter submitted the following report. on motion of alderman Reed action on the report of the committee was postponed

To the Mayor and Board of aldermen of the City of Austin

Your committee to whom was referred the resolution therewith to take into consideration the present city charter and the general laws of the state of Texas permitting Cities of 10,000 inhabitants and more, and whether it would not be to the interest of the City to incorporate under said laws would respectfully report that we have only considered the same and find nothing in the new Charter worthy of commendation

We believe that the people are capable and should elect all the officers of the City because they are directly interested in the selection of good and true men to administer the affairs of the City. We believe it detrimental to the honest administration of the City government that the mayor and aldermen appoint the salaried officers of the City and it naturally follows that corrupt rings and combinations will control the ballot box and all imaginable evils be the result. The salary of the mayor we think insufficient to insure a good and competent officer. The aldermen to serve without a reasonable compensation is equally objectionable all labor is worthy of some pay and few men can afford to serve the people for nothing losing valuable time neglecting thereby their own business for the benefit of others we fear that under the provisions of the new charter good and competent men will not seek the position that will involve upon them much labor and vexation without hope of fee or reward all the chances stand in favor of incompetent dishonest selfish and designing men controlling our public affairs

we further believe that the office of recorder at this time is unnecessary with our present population it is even better in many respects at present as well as in the near future that the mayor attend to the duties of both offices which one person can easily and for the reason that he can the better inform himself of the needs and wants of the citizens and thus be in a better condition to report these needs and wants to the City Council from time to time as he should find necessary for their action

The new amendment was passed by the last legislature without the wish of the majority of our people and in direct opposition to a protest of the City Council of the City of Austin and to operate under the same without submitting the same to the people at an election held in the City we believe to be contrary to every principle of popular or democratic government and a direct insult to the intelligence of the People of the City of Austin

We therefore recommend that the Mayor appoint a select committee of three who in conjunction with the City attorney draw up an ordinance in conformity with the resolution and report herein referred to and that they report the same at our next regular meeting

R. Platt Chairman
Jno W Driskill

The special committee to whom was referred the petition of the ~~Austine~~ Capital Gaslight Co made the following report which was adopted

Leon W Taylor President of the City Council
your committee to whom was referred the petition of the Capital Gaslight Company asking for an extension of ^{the} time specified in the contract for lighting the street lamps and the resolution declaring said contract null and void and no longer binding on the City of Austin together with the proposition of the Austin Gaslight and Coal Company having carefully considered the whole matter beg leave to submit the following as our views and conclusions

when the question of making a contract with the Capital Gaslight Company was under consideration the Committee to whom the matter had been referred were to report January 1, 1884 as the limit of time in which the gas works &c completed mains laid and lamps erected and put in proper condition for lighting the streets. But the Capital Gaslight Co represented by Mr Von Steenberg desired that Sept 1, 1883 should be the limit of time and according the latter date was named in the Contract coupled with a provision of forfeiture under which now the Council has the legal right to declare said contract null and void. But in as much as unforeseen obstacles have hindered the progress of the Capital Gaslight Company as their failure to be ready to light the street lamps on the first of September ultans has resulted in no detriment to the City we think equity and common justice requires that the extension of time asked for by said company should be granted with such modifications as their Contract with the City as the circumstances now surrounding the Council seem to require. The Austin Gaslight and Coal Company offer to enter into a contract with the City to furnish and light the street lamps for five years at a less cost per lamp and leave the number of lamps to be lighted entirely to the option of the City Council which would give a great advantage in the distribution of lamps other advantages of less importance are also offered.

In our opinion the City Council as the representatives of the people of this City cannot ignore these more favorable terms of Contract for lighting the streets and while we admit the moral obligation resting on the Council to exercise fair and honorable dealing toward the Capital Gaslight Company we think our duty to the public interest requires that we insist on such modifications of their contract as will place the City more nearly on a footing with the terms of contract offered by the other Company wherefore we recommend the passage of the accompanying ordinance

Blair Kinney & Guppert
Committee

The special committee submitted an ordinance amending an ordinance granting to the Capitol Gaslight company the right to erect and operate gas works and contracting for street lamps. The amendment provided that the gas works shall be completed on the first day of January 1884 and amends section 4 from 3 miles of mains to 6 miles of mains and that said company shall lay 60 feet of new mains for every additional lamp ordered by the City. Section 6 is amended by changing the length of the Contract from 20 years to 5 years.

The ordinance was read second time under suspension of the rules.

Alderman Schuppert offered the following amendment which was adopted.

Strike out one hundred and seventy five street gas lights wherever it appears in the old or new ordinance and insert one hundred and fifty street lamps.

Alderman Kenney offered the following amendment which was adopted.

Section 3 shall be amended so as to read as follows

all the rights and privileges contained in this ordinance and the original ordinance that is amended shall extend and be in full force and effect for a period of twenty years from the date of the completion of said gas works mains and street lamps subject to the conditions mentioned in this ordinance provided that the Contract of the said City of Austin with said gas ~~works~~ company to take gas as a consumer shall be in force for only the time of five years and at the expiration of that time the said City is released from its said contract.

Alderman Orin offered the following amendment which was adopted.

Amend after the word street committee at the end of the fourth line in section two the following and that all additional mains laid by said gas Company other than the principal mains on Congress Avenue and Pecan Street shall be laid at such points as may be directed by the street committee.

The ordinance as amended was read third time under suspension of the rules and passed by the following vote yeas Aldermen Kinney Lawrence Schubert Gammekuche Driekell Huppertz and Platt and Wilson, reconsidered.

The special Committee to whom was referred the petition of H. W. Erwin made the following report which was adopted

Now we a Mayor President of the City Council

The undersigned committee to whom was referred the petition of H. W. Erwin in relation to water for sprinkling the streets have had the same under consideration and beg leave to report as follows.

We find that by the terms of a contract duly made and executed on the 30 day of January 1882. under authority of the City Council the City of Austin agreed for the consideration of \$100. per year. to be paid quarterly in advance to furnish H. W. Erwin for the space of two years from any of the hydrants erected for such use water for the purpose of sprinkling the streets of the City under the former contract with the water company the City had the right to use water for street sprinkling purposes free of charge. But this privilege seems to have been strangely omitted in the recent contract with the water company for what reason we cannot conceive. However said Erwin having fully complied with his part of the Contract by promptly making the payment to the City as required it becomes the duty of the City to protect said Erwin against the demands made upon him by the Company of payment for water used by him by virtue of his contract with the City. We therefore recommend that all the money which has been received by since the 30 of March ultimo and shall hereafter be received by the City from said Erwin for the use of water as aforesaid shall be paid to the City water Company which we understand the water company is willing to accept as a settlement in full of their demands.

H. B. Kinney
J. W. Lawrence

Alderman Schubert introduced an ordinance appropriating the sum of \$50⁰⁰ to drain the surplus water from the water trough at the head of Congress Avenue. The ordinance was read second and third times under suspension of the rules and passed by the following vote yeas Aldermen Rinney Lawrence Schubert Harnacke Driskill Huppertz Reed Clark and Wilson.

Alderman Rinney offered an ordinance making it a misdemeanor not to comply with the provisions of any ordinance compelling property owners to grade and pave sidewalks. The ordinance was read first time and then referred to the ordinance Committee.

On recommendation of Alderman Metz the Mayor appointed Barney Cunningham as a Special Police Officer. The Council confirmed the appointment.

A Petition of F B Foster asking the Council to grant him the right of way through the streets of Austin for a street railway was referred to the ordinance Committee.

J L Purcell
City Clerk