

Minutes of a Regular meeting of the City Council.

Austin, May, 16, 1887.

Hon. J. W. Robertson, Mayor, presiding.

Roll Roll Call: Present - Aldermen Alexander, Brush, Caldwell, Campbell, Fisher, Graham, Jones, Platt, Phillips, Schuber, Townsend, Walker, Warren, Wellmer, Wortham - 15.

Call Absent - Aldermen Anderson, Cummings, Metz, Odell, Schneider - 5.

Alderman Walker moved a call of the Council, which was duly seconded.

Ald. Anderson: Alderman Anderson came in.

Alderman Jones moved a suspension of the Roll. *Adopted.*

Minutes The minutes of the last meeting of the City Council were adopted as printed.

Frank Brown Alderman Warren presented a protest from Frank Brown against the use of lots 9 and 11, in division E, as a dumping ground. Referred to Committee on Sanitation and Sewers.

Chas Wolf Alderman Jones, by unanimous consent of the Council, presented a resolution, which was adopted, authorizing Chas. Wolf to repair a stairway on Trinity Street, on block No. 59.

City Engineer The City Engineer submitted a report, in effect that the wagon bridges on the East Side of Congress Avenue, at its intersection with Boland Ave Street, and on the West Side of Congress Avenue at its intersection with Cedar Street are in an unsafe condition, and that an appropriation of \$120 is needed to repair them. Also that an appropriation of \$200 is required to repair the embankment at the south end of the City hall. The report was referred to the Street Committee.

City atty. A report from the City Attorneys in regard to the condition of the Claims for delinquent taxes, which were referred to him some months since, was submitted and read, and referred to the Committee on Finance and Revenue.

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Dohme By unanimous Consent Mr Dohme was permitted to address the City Council in regard to the bad condition of the streets about his property in the Fifth Ward. On motion, the Complaint was referred to the Committee, and Mr Dohme required to reduce it to writing.

Ald. Cummings Alderman Cummings Came in.

A. & N. W. R. R. right of way. The Committee on streets, alleys, bridges, etc., submitted a report on an Ordinance repealing and modifying section 3 of an Ordinance entitled "An Ordinance granting the right of way to the Austin and Northwestern Railway Company, approved November 26, 1881, and recommend that so much of section 3 of the Ordinance referred to as pertains to San Marcos street, for distance of 100 feet from Cedar street north, be repealed. No action was taken on the report.

San Marcos St. The same Committee submitted a report on a resolution instructing the City engineer to open San Marcos street, and advised that it do not pass. No action.

J. W. LaRue The street Committee also offered an adverse report, which was adopted, on account of J. W. LaRue for payment for water pipe broken by hands while working the streets.

School tax The Committee on finance and revenue submitted a report on an Ordinance fixing and levying an ad valorem tax of one-third of one per centum on all property, real and personal, within the City of Austin made taxable for State and County purposes for the year A. D. 1887, for the support of the public Schools of said City, and recommended the passage of the Ordinance, for the following reasons:

" First-Its failure to pass will result in crippling the splendid educational facilities of the City of Austin.

" Second-The additional school buildings recently erected in the City have entailed an expense which, with the proper support of the public Schools, makes the passage

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of this Ordinance) a necessity.

"Third - We believe the people of Austin favor a liberal tax for educational purposes".

The report was laid over.

Hose Cart. The Committee on fire department offered a favorable report on a resolution providing for the purchase of a hose cart for use of Colorado No. 2. Report laid over.

Capital Gaslight Co. Alderman Anderson of the Committee on water and gas presented a communication from the Capital Gaslight Company, in effect that that Company would, after June 1, 1887, charge the City \$2.50 per month per lamp for lights for either a short or a long period of time.

Current of Colorado river. The Special Committee on Sanitary matters tendered a report, recommending the passage of the Ordinance appropriating \$500 to build a dam in the Colorado river at the foot of Congress Avenue, or that some steps be taken to improve the condition of the sewers leading into the river. Laid over.

10th Ward Sanitary Condition. The Committee on Sanitation and sewers presented a report on a petition of citizens of the Tenth Ward, complaining of the Sanitary Condition of that ward, and asking relief, and recommended that the stable manure complained of be prevented from being piled near any lane or house, but be permitted to be placed at the most distant part of the fields; provided, that not more than fifty loads be put in one pile. The report was adopted.

Mayor's message. The Mayor submitted a lengthy message, reviewing the resolutions, Ordinances, etc., adopted by the City Council directing the purchase and establishment of a new Cemetery, and also those ratifying and confirming the purchase of the same, and, in substance, stated that in his opinion, the purchase, when made, was legal and binding, and is still so, and that it was not made nor intended to be made, a charge upon the general revenue of the City; that the first of the purchase money notes falls due June 1.

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1887, and the note will be presented for payment. Not a lot has been sold or offered for sale, and no fund has been created as is specially provided for in the Contract of purchase to meet this obligation; that the delay in placing lots on sale has been much longer than was contemplated at the time the purchase was made, and that he had been endeavoring for months to get a map or plat of the subdivisions of lots, so that sales of lots might begin; that if provision is at once made for the immediate sale of lots a sufficient sum would, no doubt, be soon realized, with which to meet the note, as applications are made daily for purchase of burial lots. The message asks what course the Council desires to pursue. The map or plat of the Cemetery was then placed before the Council for examination. Alderman Cummings moved to refer the Mayor's message and the map to the Cemetery Committee. Alderman Brush moved, as a substitute, that the City engineer be required to resurvey and make a new map of the Cemetery so as to make the roads that are now twenty feet wide, thirty feet wide, and those that are thirty feet wide, sixty feet wide, leaving the main avenues as they now are, and that he give the work his undivided time and attention until the same is completed, and employ the necessary assistants.

Motions about
it.

Alderman Caldwell presented the following resolution as a substitute for all other motions: That the map and plat of Greenwood Cemetery, as prepared by J. K. F. McFall, City Engineer, be approved and adopted, and that the same be recorded in the proper records of Travis County.

City Engineers
Statement

Alderman Brush asked that the City engineer be requested to give his opinion as to whether the roadways, as now established in the new Cemetery, are of sufficient width, and that his opinion be recorded. There being no objection, the City engineer gave it as his opinion that they are not wide enough.

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and that the widths proposed by Alderman Brush's motion above named, are proper and necessary. The motion made by Alderman Cummings was then put and rejected; yeas 5; nays 11.

Alderman Brush's motion then prevailed; yeas 11; nays 5.

School tax

An Ordinance, fixing and levying, an ad valorem tax of One third of One per Centum on all property, real and personal, within the City of Austin, made taxable for State and County purposes, for the year A.D. 1887, for the support of the public free schools of said City, was taken up on its second reading, and read, after which Alderman Caldwell moved to strike out One third of One per Centum and substitute in lieu thereof One fourth. Alderman Wartham moved to lay the amendment on the table. Carried; yeas, Aldermen Alexander, Anderson, Brush, Campbell, Fisher, Graham, Phillips, Townsend, Walker, Warren, and Wartham; total, 11; nays, Aldermen Caldwell, Cummings, Jones, Platt, Schuber, and Wellmer - 6. Alderman Caldwell then moved to refer the Ordinance to a special Committee of five aldermen. Alderman Wartham moved to amend the motion by making it twenty aldermen. The Chair ruled the latter motion out of order. The motion was then changed to include nineteen aldermen. The Chair decided the motion to be a dilatory one, and ruled it out of order. Alderman Fisher moved to suspend the rules and place the Ordinance on its third reading, which was lost by the following vote: Yeas - Aldermen Alexander, Anderson, Brush, Campbell, Fisher, Graham, Phillips, Townsend, Walker, Warren & Wartham - 11; nays - Aldermen Caldwell, Cummings, Jones, Platt, Schuber and Wellmer - 6.

School trustees

Alderman Caldwell introduced a resolution requiring the board of trustees of the public schools of the City to make monthly reports to the City Council.

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Ruled out of order by the chair, as the board of trustees are not within the jurisdiction of the City Council.

Pay roll

Alderman Wertham introduced an ordinance appropriating the sum of \$3.345 for the purpose of paying officers and regular employees of the City and City and County hospital, each for the month of May, 1887.

The Ordinance was read first time, after which a motion was made to suspend the rules and place the Ordinance on its second reading, which was adopted by the following Vote:

Anderson, Brush, Caldwell, Yeas. Aldermen Alexander, Campbell, Cummings, Fisher, Graham, Jones, Platts, Phillips, Schuber, Townsend, Walster, Warren, Wellmer and Wertham - 17.

Amended

The following amendments were then offered:

By Alderman Wertham, \$150 for surveying and mapping Greenwood Cemetery. Adopted.

By Alderman Graham \$77.20 to reimburse Menros Miller for money advanced as freight charges on horse Carriage. Adopted.

The Caption of the Ordinance was then changed to conform to the amendments, after which 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:

Passed.

Yeas - Aldermen Alexander, Anderson, Brush, Caldwell, Campbell, Cummings, Fisher, Graham, Jones, Platts, Phillips, Schuber, Townsend, Walster, Warren, Wellmer and Wertham - 17.

Gas Contract

Alderman Andersen introduced a resolution authorizing the mayor to make a temporary contract with the Capital Gaslight Company to light the streets at not exceeding \$2.50 per month per lamp. Adopted.

Dumping ground

Alderman Fisher presented a resolution, which was adopted, instructing the Sanitary Committee to select a suitable piece of dumping ground in some direction from the city other than

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southeasterly, and to enter into negotiations for its purchase, subject to the action of the Council at its next meeting.

A motion to adjourn was then made, which was lost by a vote of 6 to 11.

Vehicles at Cemetery Alderman Wellmer offered a resolution which was adopted, requiring the City Marshal, to exclude all Vehicles from the Cemetery on decoration day except those actually forming a funeral procession. A motion to adjourn was again made and lost. Yeas, 7; Nays, 10.

A motion was made to excuse alderman Campbell: lost, yeas, 7; Nays, 8.

On motion the Council then adjourned.
Milton Morris,
City Clerk.