

The minutes of a regular meeting of the City Council.

Austin Tex. Feb. 5. 1894.

Now. John McDonald Mayor Presiding.

Roll Call

Present. Aldermen Andrews, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt Parrell, Raymond, Redd, Robertshaw, Schneider, Shelly, Taylor, Townsend, Wammoth - 20.

Absent. Aldermen Assmann - Sins - 2.

Alderman North moved that the reading of the minutes of the meetings of the City Council, which were held on the 15th, 20th, 24th and 25th days of January 1894, be dispensed with, and that they be adopted as printed, and the motion prevailed.

Petitions - Memorials, &c.

Petition of A. Washington to have fine remitted. Referred.

From Andrew Washington, a petition for remission of fine. It was referred to the Committee on Police.

Petition to have road from E. Ave. to City limits widened. Referred.

By Alderman Nitschke. A petition from citizens requesting that the road known as the Mason Road, be placed in good condition for travel from the East line of the City to East Avenue. It was referred to the Committee on Streets and Alleys.

Petition of Citizens of Clarksville to have street opened. Referred.

By Alderman North. A petition from citizens of Clarksville, asking that a street be opened from Clarksville to Pease Street. Referred to the Committee on Streets and Alleys.

Petition of M. Schlochauer to make certain employees pay him. Referred.

Alderman Assmann entered the Council and answered in his name. By Alderman Jackson. A petition from M. Schlochauer requesting the Council to require certain employees of the City to pay him the amounts claimed to be due him by them. It was referred to the Committee on Ordinances.

Petition of Managers of Alliance Col yard for removal of lease. Granted.

By Alderman Andrews. A petition from a Committee appointed by the managers of the Alliance Cotton Yard, requesting the Council to again lease said yard to the Alliance for a period of five years on same terms as last lease. It was moved and adopted that the Mayor be authorized to execute a lease as requested.

Petition of Citizens of 11th Ward to organize fire Co. Referred.

By Alderman Redd. A petition from citizens of the Eleventh Ward requesting permission to form a Fire Company, to be known as the South Austin Fire Company No. 5, and asking the Council to appropriate \$600. to assist in successfully carrying out the undertaking.

Recommendation of Fire Commissioners to grant above.

A communication from the Board of Fire Commissioners, recommending the organization of the proposed Company was presented and together with the petition referred to the Committee on Fire Department.

Remitting fine of \$15.00 against Ben Chappell.

On the recommendation of the Mayor, the Council remitted a fine of \$15.00 that was assessed in the Recorder's Court against Ben Chappell.

Claim of W.M. Platt for damages to stock in Lake. Referred.

A claim amounting to \$327.00 for stock alleged to have been killed and damaged along the Lake on account of the soft banks, was received from Pacey & Pacey, Attorneys for W.M. Platt. Referred to the Committee on Claims and accounts.

Reports of City Officers -

Report of City Engineer

City Engineer - The Mayor presented a report from the City Engineer, which he had requested him to prepare concerning the extension of the Mail Carrier system in this City. It was referred to the Committee on Ordinances with instructions to draft a suitable resolution concerning the matter to be presented to the Council at its next regular meeting.

Monthly Reports.

Report of J. Kefford, Eng. in charge

By Joseph Kefford, Engineer in charge of the work at the

San. A report of the progress made with work during the month of January, 1894. It was referred to the Committee on Water and Light.

Report of Assessor & Collector
Referred

By the City Assessor and Collector - Collections

Account of General Revenue	\$5,773.52
Account Interest on old Bonds	587.23
Account Interest and Sinking Fund (Water Works)	5,129.80
Account School Tax	<u>19,728.44</u>
Total	\$13,412.89

It was referred to the Committee of Finance -

Report of City Clerk

By the City Clerk - Statement of Warrants issued against the General Fund -

Account Salaries of Officers	\$1,094.17
Account Salaries of Policemen	1,267.85
Account City Cemetery	22.92
Account Sanitary Department	394.45
Account Fire Department	840.00
Account Streets, Bridges etc	1,527.14
Account Feeding City Prisoners	58.25
Account City and County Hospital	484.27
Account Printing Stationery and Postage	43.00
Account Charity	119.89
Account Street Lights	185.00
Account Pound Master	73.00
Account Porter	40.00
Account Teamsters etc	465.00
Account Feeding for Teams	214.40
Pay of Aldermen	215.00
Miscellaneous	<u>98.41</u>
Total	\$6,987.71

Referred to the Finance Committee

Report of City Sexton

By the City Sexton -

Total number of Deaths	24
White	18
Colored	7
Male	16
Female	9

Referred to the Committee on Cemetery -

Report of City Marshal -

By the City Marshal -

Total amount of fines assessed in the Recorder's Court	\$500.00
Collected in Cash	\$146.00
Worked out	258.00
Escaped	17.00
Carried Forward	<u>79.00</u>
Total	<u>500.00</u>
Arrests made	93

Referred to the Police Committee

Report of City Treasurer

By the City Treasurer -

Balances on hand - Feb. 5, 1894 - Account General Fund	\$2,109.48
Account Water and Light Interest fund	810.87
Account Water and Light Sinking Fund	25,000.00
Account Water and Light General Fund	888.70

Referred to the Finance Committee

Report of City Attorney in
reference to assessment of
Mrs. Adams & Co

By the City Attorney - " Do the City Council of Austin -
Gentlemen - After consideration of the report of the Special
Committee on the communication of S. L. Wren regarding the action

of the Board of Equalization in ordering a reduction of the assessment of John Bremond & Co, I beg to say that I fully agree with the Committee in the opinion that the action of the Board was unauthorized and illegal". Alderman North moved that the opinion be received and the report of the Committee adopted - Carried.

Report of City Physician

By the City Physician -

Number of Patients in Hospital Jan 1 1894	18
Number of Patients admitted to Hospital during January, 1894	16.
Number of Patients discharged from Hospital during January 1894.	13.
Number of Deaths in Hospital during January, 1894	1
Number of Patients remaining in Hospital February 1894	20
Number of Visits made Paupers in the City during January 1894.	116
Number of Prescriptions written for Paupers in the City during January 1894.	199.

Referred to the Committee on Hospitals -

Reports of Committees -

Report of Committee Streets & Alleys in regard to removal of fence on Brown Ave. Adopted

Alderman Jackson, for the Committee of Streets and Alleys, to whom was referred a petition of Citizens asking the removal of a certain high plank fence on Brown Avenue, presented a report which states: "After careful examination and investigation we find that the fence in question does encroach on said street from 12 to 24 feet, and would recommend the removal of same to the proper line, and have instructed the City Engineer to run the same" The report was adopted -

Report of Committee on Streets & Alleys in regard to Bridge near Buddington place Refused

Alderman Jackson for the Street Committee, to whom was referred a petition from Citizens of the Sixth Ward asking that a bridge be erected over a branch near the Buddington place, on State Street, offered a report which states: "After examination we do not think it necessary just now to build a bridge over said branch, and would recommend that the petition be not granted, but would recommend cutting down the banks of said branch, and making a good crossing, which can be done at a small cost: The report was adopted.

Report of Committee on Streets & Alleys in regard to foot Bridge over Waller Creek on E 12th St. Appropriation therefor of \$125⁰⁰

Alderman Jackson for the Committee on Streets and Alleys, to whom was referred an Ordinance appropriating the sum of \$85 for the purpose of constructing a foot bridge on East 12th Street over Waller Creek, presented a report thereon, which states: "After a careful examination, we find a bridge is needed at that point, and we further find that \$85 is not sufficient to build said bridge, and we therefore recommend the Ordinance be amended to read \$125 instead of \$85 and the passage of the same." Carried -

Report of Ordinance Committee recommending passage of Amended Ordinance in regard to the displaying of Meats, Fish, Oysters &c within certain limits

Alderman North for the Committee on Ordinances to whom was referred an Ordinance entitled, "An Ordinance to prevent any person or persons in this City from displaying on or over the side walks and Conques Avenue, from Third Street to Eleventh Street, on an Sixth Street from Red River Street to San Antonio Street, any vegetables, fruits, meats, game, fish or oysters; and to prevent any person or persons from depositing on said side walks within said limits any pellets or manure of any kind, and declaring it unlawful for any person or persons to carry over said side walks between certain hours any fresh slaughtered meats or pellets, and to provide a penalty for the violation thereof," offered the following report thereon:

Your Ordinance Committee beg leave to recommend the

passage of the accompanying ordinance, with a provision limiting its provisions to fresh meats, oysters, shell fish and fresh fish, as we believe it to be too sweeping, and in part covered by article 74 of the revised penal ordinances, and we recommend that it be amended as follows:

Caption, line 5. strike out "Vegetables, fruits", line 7. strike out "or merchandise". Section 1. line 5 strike out "Vegetables, fruits", line 7. Strike out "or merchandise". Section 2. line 4 insert 9 in the place of 5 and "6" in the place of "9". The report was adopted -

Report of Sewerage Committee on Petition of Austin City Sewerage Co for Extension of time

Alderman Dawson, for the Committee on Sanitation and Sewerage presented the following -
 Hon John McDonald - Mayor:

"Your Committee to whom was referred the petition of Austin Sewerage Company, asking for extensions of time in the construction of Sewer System on West side of Shoal Creek, have carefully examined the question, and beg leave to recommend that an extension of one year be granted, and your Committee have found that such an extension will be satisfactory to the large part of the citizens on line of proposed sewer. Your Committee also recommend, inasmuch as it is deemed impracticable, that the sewer be built crossing Shoal Creek on Third Street as contemplated, that when built main line be located to cross said Shoal Creek on Sixth Street."

Alderman Lawless moved to lay the report on the table, and it was carried by the following vote: Yeas - Aldermen Assmann, Hancock, Hume, Jackson, Lawless, Nitschke, Platt, Raymond, Robertson, Schneider, Warrmath. - 11.

Nays - Aldermen - Anderson, Dawson, Fischer, Glass, North, Powell, Redd, Shelly, Taylor, Townsend - 10.

Alderman North presented the following which was adopted.

An Estimate of the probable income from all sources which will be collected for the general fund during the present fiscal year and of the expenditures to pay salaries and wages of officers and regular employees, and of the amount required to meet the other ordinary expenses of the City Government, not including work on streets and bridges, or other public improvements:

- Income -

From Assessment Rolls of 1893.	\$68,819.
From License Tax	11,000
From Pound Fee	500
From Ground Rents	300
From Hospital	1,750
From Recorder's Office	3,700
From Miscellaneous	600
From Taxes of 1892 and prior years.	5,700
	90,369

- Expenses -

Salaries of Officers \$13,600.	Printing Stationery & Postage \$1,600.
Salaries of Policemen 14,200	City & County Hospital 4,800
City Cemetery 275	Teamsters etc 5,200
Fire Department 7,300	Fuel for City Teams 1,400
Sanitary Department 3,600	Water 8,500
Meals for Prisoners 700	Charity 1,200
Street Lights 2,000	Assistant for Assessor & Collector 750

Estimate of Income for the fiscal year

Estimate of Expenses

Miscellaneous	11,000	90,369
Salary of Court Master	876	
Salary of Porter	480	
Attorneys fees	1,000	
Assistant for City Clerk	250	<u>71,814</u>
Balance		\$18,558

Report of Special Committee on Dam RR. Leave. Asking for further time granted

Alderman Raymond, for the special committee appointed to consider the proposal of the Lessees of the Austin Dam Railroad, asked for further time in which to prepare a report - Granted -

- Unfinished Business -

Ordinance appropriating \$125 for foot bridge over Waller Creek on E 12th St. Passed.

An Ordinance appropriating the sum of \$85 for the purchase of constructing a foot bridge on East Twelfth Street over Waller Creek, was taken up on its second reading and read, after which Alderman Raymond moved to amend the Caption and Section 1 of the Ordinance by striking out \$85 and inserting in lieu thereof \$125 - Carried.

Ordinance to furnish parties for displaying Meats - Fish Game - Oysters & Pelts on Side Walks on Congress Avenue 3rd & 11th Sts. and on 6th St between Red River & San Antonio Sts. Passed.

The ordinance was then passed under suspension of the rules by the following vote - Yeas - Aldermen - Anderson, Assmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Nitochko, North, Platt, Powell, Raymond, Redd, Roberdeau, Schneider, Shelly, Taylor Townsend, Warrmoth. Total 20.

An Ordinance, "Entitled an Ordinance to prevent any person or persons in this City from displaying on or over the Side Walks on Congress Avenue, from Third Street to Eleventh Street, on on Sixth Street from Red River Street to San Antonio Street, any vegetables, fruits, meats, game, fish or Oysters, and to prevent any person or persons from depositing on said Side Walks within said limits, any pelts or merchandise of any kind, and declaring it unlawful for any person or persons to carry over said Side Walk between certain hours any fresh slaughtered meats on pelts, and to provide a penalty for the violation thereof", was taken up on its second reading and read, after which Alderman Roberdeau moved the adoption of amendments offered by the Committee as above set forth, and the motion Carried.

Alderman Anderson moved to Amend Section 2 of the ordinance, which is in regard to carrying over side walks, any fresh slaughtered meats on pelts, by making it read "from Oct 1, to March 1. between 9. Am and 4. P.M. and from March 1 to Oct 1. between 9. Am. and 6. P.M." The amendment was adopted.

Alderman Schneider offered the following as Section 3^a. Section 3^a

That this Ordinance shall not be in effect between the hours of 9. o'clock P.M. and 6 o'clock Am. The amendment was adopted by the following vote: Yeas. Aldermen Dawson, Fischer, Glass, Hancock, Hume, Jackson, Platt, Powell, Raymond, Redd, Schneider, Warrmoth: 12 Nays: Anderson, Assmann, Lawless, Nitochko, North, Roberdeau, Shelly, Taylor Townsend - 9 -

A motion was made to suspend the rules and place the Ordinance on its third reading, which was adopted by the following vote; Yeas - Aldermen Anderson, Assmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitochko, North, Platt, Powell, Raymond - Roberdeau, Schneider, Shelly, Taylor, Townsend, Warrmoth. Total 20. Nay Alderman Redd.

The ordinance was accordingly read and on motion passed by the following vote: Yeas: Aldermen - Anderson, Assmann, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Lawless, Nitochko, North, Platt, Powell, Roberdeau, Schneider, Shelly, Taylor, Townsend, Warrmoth. Total 19. Nays. Aldermen. (Raymond - Redd - Total 2. (The ordinance will be published in a few days)

- New Business -

The following communication was read and referred to the Committee on Finance

Communication of Fire Com^{rs}
recommending purchase
of new Truck for No 2 Com^{rs}
Referred to Finance Committee

To the Honorable Mayor and City Council: The Board of Fire Commissioners to whom was referred a petition from the Austin Hook and Ladder Company - No 1. in regard to the purchase of a new Truck, beg leave to report that it is the sense of the Board, that the request should receive your favorable consideration, and the Board would recommend the appropriation of \$2500. or as much thereof as necessary for the purchase of a new Truck -

Frank O Babcock Chief

Attest - W P Ford Recorder Austin Fire Department -

Resolution to remove obstructions
from Alley East of Land
office Adapted

By Alderman Assmann - Be it resolved by the City Council of the City of Austin, that the Street Committee shall at once take necessary steps to remove all obstructions from the Alley on the East of the General Land Office between Eleventh and twelfth Streets, and put the same in condition for use - Adopted -

Ordinance Appropriating
\$1649.⁰⁰ to Build Bridge over
Little Shoal Creek on Nueces St.

By Alderman Powell. An Ordinance appropriating the sum of \$1649.⁰⁰ for the purpose of building an Arch Culvert on West Fifth Street at the intersection of Nueces Street over Little Shoal Creek. It was read and referred to the Committee on Streets and Alleys -

Resolution instructing City
Engineer to Notify H. & T. C.
& A. & N. R. R. to level
tracks to level of main line
Adapted

By Alderman Glass. Be it resolved by the City Council of the City of Austin, the Houston and Texas Central Railway Company be requested by the City Engineer to raise the level of the switch from their main line to the New Oil Mill, to level of said main line of road, so that the street occupied by said switch can be improved and kept in passable condition - Alderman Fischer moved to amend the resolution by inserting therein after "Central" the words "and Austin and North Western". The amendment prevailed and the resolution as amended was adopted -

Ordinance making
Appropriation of \$66,710.⁰⁰
to pay Salaries &c from
Feb. 1. to Nov 30. 1894

By Alderman North - An Ordinance appropriating the sum of \$66,710 for the purpose paying officers and employees of the City of Austin from Feb. 1. to Nov 30, 1894. It was read first time and a second and third time under suspension of the rules and passed by the following vote; Yeas. Aldermen Anderson, Assmann, Dawson, Fischer, Glass Hancock, Hunt, Jackson, Lawrence, Nitschke, North, Platt, Powell, Redd - Raymond, Robichaux, Schneider, Shulley Taylor Townsend, Warmoth. 21

Communication from J. V. Davis
in regard to Sewerage
Construction

By Alderman Taylor - To the Honorable Mayor and Aldermen of the City of Austin I beg leave to call your attention to the location of the Denver System through Alley between fourteenth and fifteenth Street from Rio Grande to West Avenue and Alleys between tenth and Eleventh eighth and ninth and fifth and sixth Streets, ^{between Rio Grande and Nueces Streets.} and would state that the several alleys are fenced and the owners of adjoining lots are unwilling that the said sewers be located therein - I submit herewith letters from many of such owners stating their objections. The Denver System, with exception of above and across and west of Shoal Creek, will be completed in a short time and I stand ready to complete system through the alleys as heretofore stated, as soon as your Honorable Board provides the right of way through same and respectfully ask for relief from said constructions, until such right of way is provided - J. V. Davis, ^{City} Engineer, Austin Sewerage Co.

It was moved that relief be granted - Alderman Raymond moved to amend the motion by referring

the matter to the Committee on Streets and Alleys, which was lost by the following vote: Yeas. Aldermen Hume Lawless, Platt, Raymond, 4 Nays. Aldermen Anderson, Assmann, Dawson, Fischer, Glass, Hancock Jackson, Nitschke, North, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warrnath - 17.

The motion to grant relief was then adapted - Alderman Taylor moved that an extension of one year's time be granted the Austin City Sewerage Company for the laying of sewer pipes across and west of ^{at Third Street} Shual Creek - Alderman Powell moved to amend the motion by adding thereto: "Provided the said Company will give bond to construct said sewer immediately after the expiration of one year - The Amendment was lost and the original motion adopted by the following vote - Yeas. Aldermen Anderson, Dawson, Fischer, Glass, Nitschke, North, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor Townsend - Total 13 -

Nays. Aldermen - Assmann, Hancock, Hume, Jackson, Lawless Platt, Raymond, Warrnath - Total - 8 -

Ordinance defining & prescribing duties of City Engineer & Street Superintendent - Passed to 2nd Reading

By Alderman Jackson - An Ordinance further defining and prescribing the duties of the City Engineer and Superintendent of the Streets of the City of Austin and repealing an Ordinance entitled "An Ordinance creating the office of Street Commissioner of the City of Austin and prescribing the salary and duties of that officer" approved Dec 19, 1887. It was read first time after which Alderman Townsend moved to refer it to the Committee on Ordinances, which was lost by the following vote - Yeas: Aldermen Anderson Assmann - Fischer Roberdeau, Shelley Taylor Townsend - Total 7.

Nays. Aldermen Dawson, Glass, Hancock, Hume, Jackson, Lawless, Nitschke, North, Platt, Powell, Raymond, Redd, Schneider, Warrnath - Total 14.

A motion was then made to suspend the rules and place the ordinance on its second reading, which was adopted by the following vote: Yeas Aldermen Anderson, Assmann, Dawson, Glass Hancock, Hume, Jackson, Lawless, Nitschke Platt, Powell, Raymond Redd, Schneider, Warrnath; 15.

Nays - Aldermen Fischer, North, Roberdeau, Shelley Taylor Townsend; 6 -

The ordinance was accordingly read, after which a motion was made to suspend the rules and place it on its third reading, which was lost by the following vote:

Yeas: Aldermen Dawson, Glass, Hancock, Hume, Jackson, Lawless, Nitschke Platt Powell, Raymond, Redd, Schneider, Warrnath - 13. Nays: Aldermen Anderson, Assmann Fischer, North, Roberdeau, Shelley, Taylor, Townsend; 8 -

Appointment of Special Committee to Examine Time Books &c -

Alderman Anderson moved that a special Committee of three be appointed to examine the time books and pay rolls of the street forces, and investigate the issuance and sale of time checks - Alderman Schneider moved to amend the motion by including "and any other supposed irregularities in regard to working the street hands". The amendment was accepted, and the motion as amended carried by the following vote: Yeas - Aldermen Anderson, Assmann, Fischer Glass, Hancock, Jackson Lawless, Nitschke North, Powell, Redd Roberdeau, Schneider Shelley, Taylor, Townsend, Warrnath. Total 17

Yeas - Aldermen. Dawson, Hurme, Platt, Raymond. Total 4
The Chair then appointed Aldermen, Anderson, Lawless and Taylor, as
the Committee.

Ordinance Appropriating \$2500-
to build Rock bridge over Waller Creek
on 7th St. Referred.

By Alderman Platt. An Ordinance appropriating \$2500- to
build a rock Culvert bridge over Waller Creek at the Crossing of Seventh
Street - It was read and referred to the Committee on Streets and Alleys.

Ordinance Appropriating
\$2670¹² to pay App^l Acs.

By Alderman North. An Ordinance appropriating the sum of
\$2670¹² for the purpose of paying approved accounts - It was
read first time and a second and third time under suspension of the
rules and passed by the following vote:

Yeas - Aldermen - Anderson, Asmann, Dawson, Fischer, Glass, Hancock,
Jackson, Lawless, Nichols, North, Platt, Powell, Raymond, Reddy, Robertshaw,
Shelley, Taylor, Townsend and Warrath - 19.

Nays - Aldermen Schneider and Hurme. The Council then adjourned until 5 o'clock
P.M. Tuesday Feb. 6. 1894.

Milton Morris, City Clerk

The minutes of an adjourned Regular Meeting of the City Council - 5 - P. M.
Austin Tex Feb 6. 1894.

Now: John McDonald. Mayor. Proceeding
Roll Call, Present. Anderson, Dawson, Fischer, Glass, Hancock, Hume, Jackson
Nitschke, Platt, Powell, Raymond, Robertshaw Shelley, Townsend and Warmoth - 15
Absent. Aldermen. Asmann, Lawless, Linn, North, Redd, Schmidt, Taylor.
Total 7.

Ordinance defining & prescribing duties of City Engineer + Repealing Ordinance Creating office of Street Commissioner

Unfinished Business -
An Ordinance further defining and prescribing the duties of the City Engineer and Superintendent of Streets of the City of Austin, and repealing an Ordinance entitled "An Ordinance, Creating the office of Street Commissioner of the City of Austin and prescribing the salary and duties of that Officer" approved December 19th 1887, was taken up on its third reading, and read and on motion passed by the following vote:

Yeas. Aldermen. Dawson, Glass, Hancock, Hume, Jackson, Nitschke, Platt, Powell, Raymond, Warmoth - 10.

Nays - Aldermen. Anderson, Fischer, Robertshaw Shelley - Townsend - 5.

Alderman Asmann and Redd, entered the Council and answered to their names -
- New Business -

Resolution Reinstating certain Employees, discharged by Street Superintendent -
Adapted

By Alderman Glass - Resolved by the City Council of the City of Austin that the City Engineer be requested to reinstate the following old employees of this City, same having been discharged by Street Superintendent as follows - Jno Cook, foreman; Ben Franklin, Teamster; Jack Kern, laborer; Jno Todd, laborer.

Sec. 2.

That said Employees be ~~allowed~~ full pay from the time of their discharge to time of their reinstatement - The resolutions were then adopted by the following vote: Yeas: Aldermen Dawson, Glass, Hancock, Hume, Jackson Nitschke, Platt, Powell, Raymond, Redd, Warmoth - 11

Nays - Aldermen. Anderson, Asmann, Fischer, Robertshaw, Shelley - Townsends. 6
Alderman Taylor entered the Council and answered to his name -

On the recommendation of the Mayor the Council remitted a fine of \$10. that was assessed in the Recorder's Court against Walter Durham -

The Council then adjourned -

Milton Morris,

City Clerk