

Minutes of a Regular Meeting of the City Council

Austin, Texas, February 20. 1893.

Hon. John McDonald, Mayor, presiding.

Roll call

Roll call.

Present - Aldermen Anderson, Dawson, Glass, Linn, Vitschke, North, Platt, Porcell, Raymond, Shelley, Taylor, - 11

Absent - Aldermen Asmann, Fischer, Hancock, Hume, Jackson, Ketchum, Miller, Schneider, Schubert, Townsend, Warrmoth - 11

Call

Alderman Platt moved a call of the Council which was duly seconded and adopted. Alderman Anderson moved that the Council take a recess of ten minutes.

Carried

After expiration of recess the call of the Council was suspended.

2nd Roll call

The roll was again called and resulted as follows: Present - Aldermen Anderson, Dawson, Fischer, Glass, Hancock, Jackson, Linn, Vitschke, North, Platt, Porcell, Raymond, Schneider, Shelley, Taylor, Townsend, Warrmoth - 17.

Absent - Aldermen Asmann, Hume, Ketchum, Miller, Schubert - 5.

The minutes of the meeting of the City Council which was held on the 6th day of February, 1893 were adopted as printed.

Petitions re.

Petitions, Memorials etc.

Wm. Breunger & Co.
for
Krohn Estate.
rebate on assessment

By Alderman Linn - A petition from Wm. Breunger & Co., agent of the Krohn estate, stating that the Board of Appraisers of the City of Austin for the year 1893, raised the valuation of lot No 1. and south 1/2 of lot No 2, in block 124 from \$10,000 to 13,000. which he claims is unjust in view of the fact that adjoining property is assessed at a much lower rate. He asks the Council to grant a rebate on the amount of raised assessment and to make an order granting his petition to leave the assessment at \$10,000.

Referred to the Committee on Claims and Accounts. Alderman Schubert entered the Council and answered to his name.

By Alderman Miller - A petition of citizens asking the Council to have the street north of the Blind Institute, known as the extension of East Avenue, properly graded and improved.

Referred to the Street Committee.

City Engineer

Reports of City Officers
By the City Engineer

A report showing the following encroachments on Congress

Encroachments on Cong. Avenue in the Eleventh ward
Ave.
The improvements of W. H. Schneider, who owns lot No 4 in block No 30 of the original Swisher addition, encroaches on the Avenue 42 feet and 6 inches on his south line, and 43 feet and 8 inches on his north line.
W. H. Schneider
H. Turner who owns lot No. 1 in block No 3, encroaches on the Avenue 42 feet and 9 inches on his south line and 42 feet and 3 inches on his north line. The property of Maj J. D. Braekuridge on the west side of Congress Avenue and north of Bouldin creek encroaches on the Avenue with a frame house 23 feet and with the frame building used as a blacksmith shop on the Avenue 23 feet and 2 inches. A fence in front of a small frame building encroaches on the Avenue 26 feet and 2 inches.
J. D. Braekuridge
The rock building at the intersection of the Barton creek road owned by J. D. Braekuridge encroaches on the Avenue 8 feet and 4 inches and the gallery of the same encroaches on said avenue 20 feet and 6 inches.

Alderman Linn moved that the report be received and filed.
The report was adopted.
Alderman Anderson moved that the city engineer be instructed to notify the above named persons of the said encroachments and to show them their corner lines.
Carried
Alderman Hume entered the Council and answered to his name.

Reports of Committees.

Finance Committee
Alderman Linn, for the finance committee to whom was referred the following: "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 roll of 1897.		\$ 82,600.00
" License Tax		11,000.00
" Pound fees		500.00
" Ground rents		300.00
" Hospital		1,750.00
" Recorder's court		2,500.00
" Miscellaneous		300.00
" Taxes of 1891 and prior years		10,000.00
Total		\$ 103,000.00

Expenses

Expenses.

Salaries of officers	\$13.600.00
Salaries of Policemen	14.230.00
City Cemetery	275.00
Fire department	7.300.00
Sanitary department	3.665.00
Meals for city prisoners	750.00
Street lights	6.200.00
Printing stationery and postage	2.040.00
City and county hospital	4.396.00
Incumbents etc.	4.360.00
Reeds for drains	1.409.00
Water	13.257.00
Charity	1.238.00
Assistant for assessment and collection	900.00
Attorneys fees per contract	3.333.36
Miscellaneous	8.000.00
Total	\$85.353.36

Balance

\$17,646.64

submitted a report thereon, recommending the adoption of the same.

Alderman North moved the adoption of the report of the committee and the estimate.

Carried
Alderman Linn for the Finance committee, to whom was referred an ordinance appropriating the sum of \$2500 to reimburse Travis County one-half of the cost of the bridge built by said county across Boundary Creek offered a report thereon, recommending the passage of the same. The report was adopted.

Alderman Miller entered the council and answered to his name.

Alderman Nunn for the street committee, to whom was referred a petition of citizens asking the council to drain and grade that portion of Trinity - Fourth street which is between Chase creek and Waller creek, presented a report thereon which recommends the immediate draining of said street, and the grading of the same, so that it may at some future time, when the finances of the city shall justify the expenditure, be gravelled. A motion was made to accept the report, which was lost, by the following vote:

Yeas - Alderman Anderson, Lawson, Nunn, Jackson, Linn, Kitchko, North, Raymond, Taylor, Townsend 10.
Nays - Alderman, Bishop, Glass, McNeal, Miller, Platt, Porree, Schneider, Schuler, Shiley, Wamash

Mayon - 11.
Alderman Linn, for the Finance committee to whom was referred, an ordinance appropriating \$2,500, to build a bridge over Waller creek on East Boundary street presented a report thereon recommending that the ordinance do not pass "For the finances of the city were not justify the expenditure of the amount necessary to

\$2500 to reimburse Travis Co 1/2 cost of bridge

24th Street to grade & drain lost.

2500 to build bridge E. 1st str.

construct the bridge"

Alderman Ketchum
present.

Alderman Ketchum entered the council and answered to his name.

E. J. H. sh...
concerning bridge

Alderman Nune for a minority of the street committee to whom the last above named ordinance was re-committed offered a report thereon opposing the passage of the same for the following reasons: The cost of a stone structure across said stream at the place designated that will be at all adequate to the demands of the traffic across the same, on good economy to construct, will be not less than \$2,500. while the approaches to the same will cost from \$600 to \$800. During the last fiscal year the city expended for maintaining streets and bridges the sum of \$20,769.37. The appropriation for such purposes, including extras of all kinds for the present year, is \$17,646.64, of which amount there has been expended for work done and to be done about \$4,000 leaving a balance of \$13,646.64 for the remainder of this year. Under the circumstances we do not believe the necessity for said bridge to be so urgent as to demand the expenditure.

Alderman Nitschke for a majority of the street committee, submitted a report recommending the passage of the ordinance.

Alderman Linn moved to substitute the minority report of the street committee for the majority report, which was lost by the following vote:

Yeas - Alderman Anderson, Nune, Linn, North, Powell, Raymonds, Schneider, Shelley, Taylor, Townsend - 10.
Nays - Alderman Dawson, Fischer, Glass, Hanesack, Jackson, Ketchum, Miller, Nitschke, Platt, Schuler, Warmath - 11.

Alderman Platt then moved the adoption of the majority report, which was agreed to by the following vote:

Yeas - Alderman Dawson, Fischer, Glass, Hanesack, Jackson, Ketchum, Miller, Nitschke, Platt, Schuler, Warmath - 11.
Nays - Alderman Anderson, Nune, Linn, North, Powell, Raymonds, Schneider, Shelley, Taylor, Townsend - 10.

\$300 for bridge over
Boulder branch

Alderman Nune, for the street committee, to whom was referred an ordinance appropriating \$300 for the purpose of building a bridge across Boulder branch, at the southwest corner of the deaf and dumb institution, offered a report thereon recommending the passage of the same.

The report was adopted.
Alderman Nune, for the street committee, to whom was referred a petition of citizens relative to the grade and dusty condition of East avenue between North and Sixth streets presented a report thereon which states:

While we concede the condition of the street is unamiable

E. Avenue
bet. 4th & 6th sts.

and inconvenience to people living on that portion of it yet such result is largely due to the natural formation of that part of the city, and in the condition of city finances we do not believe the city would, at present, be justified in expending an amount in relieving the cause of complaint, as would result in any permanent on material relief to the petitioners. We therefore recommend that the petition be not granted.

The report was adopted.

Alderman Davis, for the finance committee, to whom was referred a resolution reading, as follows:

Congress Ave
Bridge E. span to

"That the Mayor is hereby authorized to advertise for plans and bids for the erection of a new span on the east side of the present bridge at Congress Avenue of at least the same capacity and strength of the present span thereby making said bridge of double present strength and capacity," offered a report thereon which states: Your committee appreciates the necessity for additional bridge facilities across the Colorado river, but in view of the fact that the city has not sufficient funds to construct the bridge contemplated in the foregoing resolution, and the further fact that to advertise for plans and bids would occasion considerable expense without any corresponding benefit, we recommend that the resolution be not adopted. The further recommends that so much of the resolution relating to the laying of water mains, etc., in the Elmer ward, be referred to the committee on water and light.

Marshals reports
no action taken

The report was adopted.

Alderman Schneider, for the police committee, to whom was referred the City Marshal's reports for the month of December, 1892, presented a report thereon which states that said reports were examined and found correct. No action was taken on the report.

H. Tubbock
breach fine
tabled in

Alderman Shelley, for the committee on claims and accounts, to whom was referred a petition from H. Tubbock, requesting the Council to remit a fine which was assessed against him by the yeoman, submitted a report thereon recommending that the petition be granted.

Alderman Stitschke moved to lay the report on the table, which was agreed to by a rising vote of 11 to 8.

Dural property
to H. B. M. Doree
cost of opening
street

Alderman Doree moved that the finance committee be requested to ascertain the cost of land necessary to open a street through the Dural property to the property of H. B. M. Doree and others, who reside on the south side of the International and Great Northern railroad, west of the water tank, carried.

Unfinished Business
An Ordinance appropriating the sum of \$300.00

#300, for bridge over Bouldin branch - for the purpose of building a bridge across Bouldin branch at the southwest corner of the Asylum grounds was taken up on its second reading and read, after which motions were made to suspend the rules and place the ordinance on its third reading and that it do pass, each of which were adopted by the following vote:
 Yeas - Alderman, Anderson, Dawson, Fischer, Glass, Hancock, Nune, Jackson, Ketchum, Linn, Miller, Nitschke, North, Platt, Porcell, Raymond, Schneider, Schubert, Shelley, Taylor, Townsend, Marmoth. - 21.
 An ordinance appropriating \$2500.00 to build a bridge over Waller creek on East Seventh street, was taken up on the second reading and read, after which a motion was made to suspend the rules and place the ordinance on its third reading, which was lost by the following vote:
 Yeas - Alderman, Dawson, Fischer, Glass, Hancock, Jackson, Ketchum, Miller, Nitschke, Platt, Schubert, Marmoth - 11.
 Nays - Alderman, Anderson, Nune, Linn, North, Porcell, Raymond, Schneider, Shelley, Taylor, Townsend - 10.
 An ordinance appropriating the sum of \$2,500.00 to reimburse Davis County one-half of the cost of the bridge built by said county across Bouldin creek, was taken up on its second reading and read, after which motions were made to suspend the rules and place the ordinance on its third reading and that it do pass, each of which were adopted by the following vote:
 Yeas - Alderman, Anderson, Dawson, Fischer, Glass, Hancock, Nune, Jackson, Ketchum, Linn, Miller, Nitschke, North, Platt, Porcell, Raymond, Schneider, Schubert, Shelley, Taylor, Townsend, Marmoth - 21.

New Business

#11,250 for interest 7th & E Bonds. By Alderman Anderson - An ordinance appropriating the sum of \$11,250. for the purpose of paying interest on the water works and electric light bonds of the city of Austin.
 It was read the first time after which motions were made to suspend the rules and place the ordinance on its second and third readings and that it do pass, each of which were adopted by the following vote:
 Yeas - Alderman, Anderson, Dawson, Fischer, Glass, Nune, Hancock, Jackson, Ketchum, Linn, Miller, Nitschke, North, Platt, Porcell, Raymond, Schneider, Schubert, Shelley, Taylor, Townsend, Marmoth - 21.
 By Alderman Anderson - An ordinance appropriating the sum of \$10,000, for the purpose of paying

Ret. & Conley
\$10,000 to pay freight
charges

Freight charges on iron work shipped by Ret. & Conley, contractors for saw stocks, etc and other charges connected with their contract.

It was read the first time after which motions were made to suspend the rules and place the ordinance on its second and third readings and that it do pass, each of which were adopted by the following vote:

Yeas - Aldermen Anderson, Dawson, Fisher, Glass, Hancock, Nunez, Jackson, Kelchum, Linn, Miller, Mitchell, North, Platt, Ponce, Raymond, Schneider, Schuler, Shelley, Taylor, Townsend, Warmuth. - 21

A. J. Hill vs P. B. Taylor
on
damages to lands to
be submerged

P. V. Davis
arbitrator on pt
of ex. P. B. Taylor

Frank M. Maddox
arbitrator for City

A communication was received from the secretary of the board of public works which states that Mr. A. J. Hill assigned of the estate of P. B. Taylor, has proposed to the board of public works that the claims against the city for damages to lands belonging to said estate on account of the construction of the dam be adjusted by arbitration, and he has appointed Mr. Soane

W. Davis as the arbitrator on the part of said estate. That the board of public works by a motion which prevailed at a meeting held on the 20th day of February, 1893, recommended that the City Council accept Mr. Hill's proposition to arbitrate, and the board further recommended by a unanimous vote to the Council the appointment of Mr. Frank M. Maddox as the arbitrator on the part of the city.

Alderman Linn moved that the Council concur in the recommendations of the board and that the city attorney be directed to prepare the necessary agreement and that it be duly executed.

Alderman Shelley moved to amend the motion by providing that in the event the arbitrators named fail to agree the judges of the Tenth Judicial District of Texas be authorized to appoint an umpire, the amendment was accepted and the motion as amended prevailed.

A communication was received from the Recorder of the Austin fire department, requesting the City Council to pay a bill of \$36 for services of the Capital City band rendered as stated below for the following reasons: At the time of his death, Captain Ed. Greary was not an active fireman, but in former years he had been an active and honored member of the department, and was at one time its assistant chief. The services of the band was called into requisition for his funeral by the fire commissioners, the band leading the funeral cortege followed by the firemen on foot and the members of your honorable body in carriages. Premiums considered and in view of the further fact that your honorable body has paid for the carriages used by you on that occasion from the funds of the city, it is authorized by the fire commissioners to request the payment of this claim from funds taken from

Capital City Band
\$36. for Creamy funeral
not approved

Judge. 26th dist
Dawson & Conley

the same source:

Alderman North moved that the bill and communication be referred to the Committee on Claims and Accounts Carried

By Alderman Raymond by request - An ordinance to amend section 1, of an ordinance entitled "An Ordinance to amend Article 127, and to repeal Article 137 of the Revised Penal Ordinances of the City of Austin".

Article 127, amended -
Repealed Art 137

It was read the 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:

Yeas - Aldermen Anderson, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Ketchum, Linn, Miller, Mitschke, North, Platt, Porcell, Raymond, Schubert, Shelley, Taylor, Townsend, Warmoth. - 20.

Nay - Alderman Schneider

The ordinance was accordingly read after which Alderman Shelley offered the following amendment as section 2.

Section 2. That there be and is hereby added to the Revised Penal Code of the City of Austin an article to read as follows:

Article 127a last

Article 127a That if the owner, Keeper or person in charge of any hog or animal of the swine species shall suffer or permit any such animal to run at large within the present corporate limits of the City of Austin, he shall be deemed guilty of a misdemeanor, and on conviction thereof be fined in a sum not less than five nor more than one hundred dollars for each animal so running at large.

The amendment was lost by a rising vote of 10 to 11.

A motion was then made to suspend the rules and place the ordinance on its third reading, which was adopted by the following vote:

Yeas - Aldermen Anderson, Dawson, Fischer, Glass, Hancock, Hume, Jackson, Ketchum, Linn, Miller, Mitschke, North, Platt, Porcell, Raymond, Schneider, Schubert, Shelley, Taylor, Townsend, Warmoth. - 21.

The ordinance was accordingly read, after which it was duly passed.

By Alderman Schubert - Resolved that the City Engineer be instructed to have the crossing of Thirtieth and Rio Grande streets put in such condition as to give the drainage free flow and to avoid a damming back against the city.

Adopted.

By Alderman Linn - An ordinance appropriating the sum of \$5,000 for the purpose of paying interest on bonds of the City of Austin, issued January to May 1. 1890.

18th Rio Grande st -
Crossings on same -
to be repaired.

It was read the first time after which motions were made to suspend the rules and place the ordinance on its second and third reading and that it do pass, each of which were adopted by the following vote:

Yeas - Aldermen Anderson, Dawson, Fischer, Glass, Hancock, Hunter, Jackson, Ketchum, Linn, Miller, Mitschke, North, Platt, Poyce, Raymond, Schneider, Schuler, Shelley, Taylor, Townsend, Warrick - 21.

Alderman Mitschke moved to increase the salary of the Foreman of the Street Force to \$60.00 per month beginning with the month of February, 1893. Carried.

The City Council then adjourned.

Milton Marris,
City Clerk

Foreman of Street
Force salary increased