

Regular meeting of the City Council Austin, Texas, August 3rd 1908 :

Hen F M Maddey, Mayor, presiding : Roll called :

Present Aldermen Creeker, Cuneo, Haynes, Meredith, Miller, Moore, Moreland, Petri, Redd, Smith, Sutor & Wilhelm 12

Absent Aldermen Armstrong & Scott 2

On motion the minutes were approved as recorded by the Clerk, without reading .

*Petitions  
Consumers Fuel & Ice Co.  
to lay pipe*

Petitions, memorials, etc :

By Alderman Moore petition of consumers Fuel & Ice Co for permission to lay pipe line through the streets to to the Colorado River , from their Factory . Read and on motion referred to the Ordinance Committee and City Attorney with instructions to report at the next meetin of the Council . Alderman Scott entered the Council Chamber .

*Alizer first work  
W 30th St  
Citizens Assoc  
Guadalupe*

By the Mayor petition of Citizens for street work on w 30th street Read and on motion referred to the Street Committee .

By Alderman Meredith petition of Citizens to have work done on Guadalupe street; Read and referred to the Street Committee .

*S L Costley building  
Permit*

By the Mayor petition of S L Costley for permission to erect a place for moving pictures , within the Fire limits . The petition was granted by the following vote :

Yeas Aldermen Creeker, Haynes, Meredith, Miller, Moore, Petri, Redd, Scott, Smith, Sutor & Wilhelm 11

Nays Aldermen Cuneo & Moreland 2

*E B Walker  
building permit*

By the Mayor pretition of E B Walker to put in a moving picture show on Congress Avenue , The petition was granted by the following vote :

Yeas Aldermen Creeker, Haynes, Meredith, Miller, Moore, Petri, Redd, Scott, Smith, Sutor & Wilhelm 11

Nays Aldermen Cuneo & Moreland 2

*G C Grand  
building permit*

By the Mayor petition of G C Grand for permission to erect a shed within the Fire limits The permission was refused by the following vote :

Yeas Aldermen Redd, Scott, Smith & Sutor 4

Nays Aldermen Creeker , Cuneo, Haynes, Miller, Moore , Moreland , Petri and Wilhelm 5

*Mrs Buchner  
Pound fee*

By Alderman Meredith petition of Mrs Buchner to refund Pound Fees .

On motion the petition was granted .

The Mayor laid before the Council an application of W E Russell, Sanitary Inspector for leave of absence for 10 days from August 3th 1908 . Which was granted .

*Leave absence  
City Atty Hart*

On motion of Alderman Haynes an indefinite leave of absence was granted City Attorney Hart on account of sickness in his family .

Alderman Miller moved to reconsider the vote by which the Council refused to grant the petition of G C Grand to erect a shed within the Fire limits, which motion prevailed by the following vote :

Yeas Aldermen Cuneo, Miller, Moreland, Redd, Scott, Smith & Sutor 7

Nays Aldermen Creeker, Haynes, Meredith, Moore, Petri & Wilhelm 5

*W. Smith & Eiden Graham  
fines remitted*

The Mayor announced that he had remitted fines assessed in the Recorders Court against the following parties, viz :

The Smith & Eiden Graham. On motion the action of the Mayor was approved .

Alderman Scott moved that the petition of G C Grand for building permit be granted, which motion was lost by the following vote :

Yeas Aldermen Miller, Reid, Scott, Smith & Suter ,.

5

Nays Aldermen Creeker, Cunee, Haynes, Meredith, Moore, Moreland, Petri & Wilhelm

Reports of City Officers :

The Mayor laid before the Council the reports of the Assessor & Collector, the Clerk & the Marshal which were referred to their respective Committees without reading .

Reports of Standing Committees :

Alderman Redd for the Fire Committee to whom was referred the proposition of West Austin Hose Co for an exchange of lots, presented a report recommending that the proposition be accepted and that the Mayor be authorized to make a deed to said Company of the Cities property, after the Company had made proper transfer to the City of the property proposed to be given in exchange .

On motion the report was adopted .

Alderman Moore for the City Hall Committee presented the following report .

Austin, Texas, Aug 3rd 1908

To the Hon F M Maddex, Mayor and Board of Aldermen . of the City of Austin:

Gentlemen : Your Committee on City Hall to whom was referred the cement

walks and curbing City Hall grounds beg leave to report that we adver-

tised for bids on same and received two bids.

Mr R A Flume	\$1358,00
Mr J A Bruggemann	795,00
Work around 5th St fire Hall	228,50

Mr Bruggemann having submitted the lowest bid, we recommend that same be awarded to him and that the Mayor be instructed to enter into contract with him for same

C W Moore, A E Cunee, Henry Petri, Tom D Smith

Alderman Scott moved that the matter be re-referred to the City Hall and Finance Committees , which motion prevailed .

Alderman Suter for the special Garbage Committee , presented the following report, which was read and adopted .

Austin Aug 3rd 08

Hon F M Maddex, Mayor and City Council  
Gentlemen :

We the undersigned Committee, beg leave to say that we have advertised for bids to build a Garbage Crematory according to plans and specifications furnished and received the bids as follows.

Richard Flume , \$ 2000,00 , St John & Rex \$ 1112,00 .

We now recommend that the contract be awarded Mess St John & Rex , they being the lowest bidder and that the Mayor be instructed to enter into contract for same

W J Suter Chairman  
C W Moore A E Cunee .

Unfinished business :

Alderman Haynes, President of the Council in the Chair ;

The Chairman laid before the Council the following vote message from the Mayor:

Austin, Texas, July 25 1908

The Honorable City Council,

*Reports City Officers*

*Reports Standing Coms.*

*Fire exchange of lots W Austin*

*City Hall  
Cement walk*

*Special Garbage*

I beg to return disapproved your ordinance "providing for the appointment of a permanent Committee from the City Council to be known as the City Hall Committee and proscribing their duties and authorities" for the following reasons.

*Mayors Veto  
Ordinance making  
City Hall Committee  
a Standing Com*

First: Your ordinance vest said City Hall Committee with full power, at any time, to change the office of any Officer from one room to another, I think this entirely unnecessary for the reason that all the offices are as now designated and occupied and especially fitted for the use and purposes of the present occupants, hence should not be changed except for good reasons shown and changed then only by an act of the City Council

Second .. This ordinance gives the Committee "exclusive charge of the grounds surrounding said building and the STORE ROOM" thereon. While it is right and proper that some of some Committee should have general supervision and control over the grounds and buildings belonging to the City, this duty has been invested in the City Engineer by Art 222, page 238, Title v, Chapter 9, Revised Civil and Criminal ordinances, which reads:

"The City Engineer shall have supervisory control of all streets, alleys, Public grounds, and buildings of the City and shall superintend all changes, repairs, and improvements thereof and work thereon." Still they should not be vested with exclusive control and especially should said power be not be given or exercised over the buildings or storeroom, belonging to the City, but built by funds belonging to another branch of the City Government of the City Government, as this ordinance would give over the Storeroom built by the Water, Light and Power Commission, with the consent of the City Council, on the north-east corner of said block.

Third: Section 103, page 45, City Charter says "The Board and their successors shall take and hold possession of and have and receive exclusive supervision, management and control of the system of Water-Works, Electric Lights, and Power Plants of the City of Austin, and all property, funds and business belonging or appertaining thereto." From the reading of said section of our charter, it is evident that your ordinance attempts to place the control and power in the hands of a Committee, the control and power now vested by the charter in another branch of the City government, hence I must disapprove your ordinance.

Respectfully submitted  
F. M. Maddox, Mayor.

Alderman Crocker moved to reconsider the vote by which the ordinance was passed, which motion prevailed. Alderman Smith moved that the ordinance do now pass notwithstanding the Mayors objections, which motion was lost by the following vote:

Yeas Aldermen Cunniff, Scott, Smith & Wilhelm 4  
Nays Aldermen Crocker, Haynes, Meredith, Miller, Moore, Mereland, Petri & Suter 5

On motion of Alderman Crocker the ordinance was re-referred to the City Hall Committee.

On motion Alderman Moore was excused from further attendance at this session of the Council.

*Approved a/c*

By Alderman Haynes an ordinance appropriating the sum of \$157.17 for the purpose of paying approved accounts; The ordinance was read the first time and a motion made to suspend the rule and place it on its second reading, ~~and passed under suspension of the rules by the following vote:~~ which motion prevailed by the following vote:  
Yeas Aldermen Crocker, Cuneo, Haynes, Meredith, Miller, Moreland, Petri, Redd, Scott,

Smith, Sutor & Wilhelm 12

Nays none.

The ordinance was read the second time, Alderman Cuneo moved to amend by adding

"Albert Friske for extra work on sweeper for July 1908	15,00
M Hernandez do do do do do	7,50
C Spencer do do do do	7,50

The amendments were adopted.

Alderman Smith moved to amend by adding "Salary of Park Keeper for July 1908, \$ 40,00. The amendment was adopted and the ordinance passed under suspension of the rule by the following vote:

Yeas Aldermen Crocker, Cuneo, Haynes, Meredith, Miller, Moreland, Petri, Redd, Scott, Sutor & Wilhelm .Smith 12

Nays none.

On motion the Council adjourned

*Jno. G. Johnson*  
City Clerk.