

Regular meeting of the City Council

389

Austin Tex (April 5, 1886.

Hon J. W. Robertson, Mayor, presiding.

Roll Call - Present Aldermen Schneider, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wartham, Crooker, Odell, Corwin, Halman, Sessress, Walker and Jones - 17.

Absent Aldermen Metz, Cummings, Erwin - 3.

The minutes of a regular meeting of the Council which was held on March 15th, were read and at the request of Alderman Pillow, changed so as to show that Alderman Schuber instead of himself made the motion to table the ordinance relating to the purchase of the Brush Sewer.

Alderman Cummings came in.

The minutes were then adopted.

Minutes of called meetings of the Council which were held March 22nd and 24th were on motion, adopted as prepared by the clerk.

The treasurers report for the month of March was read and referred to the Committee on finance and revenue. It shows total collection for the month \$15,671.11; Expenditures; \$8,897.79 Unappropriated balances, \$1,339 market funds; \$10,282.72 general fund.

The City marshals report for the month of March was read and referred to the Committee on police.

The report shows: fines assessed during the month, \$814.55 Cash Collected, \$410.25; number of arrests, 85.

The City Physician's report for the month of March was presented. It shows that eleven patients were in the City hospital March the 1st, and that seven were discharged during the month, six admitted, and that eight remain.

A statement of warrants issued by the City Clerk during the month of March was read and referred to the Committee on finance and revenue. Total amount of warrants issued, \$8,858.45.

The City Sexton's report for the month of March was read. It shows that there were twenty six deaths in the City during March.

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Alderman Metz Come in.

Mayor Robertson laid before the Council a statement regarding the case of small-pox which was recently discovered in the city. He states "that the party was a colored man, and several other colored persons had been in contact with him, or so near him as to render the spread of the disease dangerous. As soon as the fact was discovered. I ordered the removal of the colored man, and all of all others to whom there was any probability of the disease having been communicated, to the grounds south of the river belonging to the city. The parties are being guarded by a colored man employed for that purpose.

I did not call ^{the Council} together to act in this matter because the removal could be effected with less publicity, and the consequent excitement could in a measure be avoided.

The premises where the disease originated have been thoroughly disinfected, and no further danger is apprehended," etc.

His Honor also laid before the Council a statement relative to Washington Fire Company and the property they now occupy. The communication states that E. J. L. Driskill, to whom the property was sold by order of the City Council, is demanding possession, but no provision has yet been made for the company. Alderman DeGress moved that a special committee of five aldermen be appointed to confer with Washington Fire Company and make a report at the next regular or special meeting of the Council.

The motion was adopted, and the following named aldermen appointed as such special committee: DeGress, Aldwell, Cerwin, Warren, and Walker.

His Honor, Mayor Robertson, also laid before the Council an estimate of receipts and expenditures of the City of

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Austin for the next ensuing year. From it the following was taken:

The taxes assessed for 1885, now being Collected	72,084.42
Amount to	
Up to April 1st there was Collected	36,894.69
Leaving balance to be Collected	35,189.73
License tax to be Collected from now	
until March 1st, 1887 - estimated	\$12,000.00
Estimated receipts from recorders Court	5,000.00
Estimated Collections on taxes of 1886,	
before March 1st, 1887.	6,000.00
Due from Travis County on hospital Contract	1,500.00
Amount of Existing appropriations not likely to be used	1,500.00
Cash in treasury unappropriated April 1st, 1886.	10,232.72
Total revenue	\$71,422.45

Alderman DeGress moved to refer the statement to a Committee of the whole at the next meeting of the Council and that the Committee on finance and revenue present to the Council at its next meeting a full statement of all appropriations for this year, and that the assessor and collector furnish the Council with an estimate of income as far as his office is concerned.

The motion was adopted.

Alderman Campbell moved to reconsider the vote by which an Ordinance was passed, entitled, "An Ordinance to authorize the purchase of certain land for the City Cemetery, and making an appropriation therefor". Adopted.

Alderman Corwin then moved to restore to the general funds of the City \$500, appropriated by the Ordinance named. Adopted.

A Communication from George F. Pendexter, endorsed by his honor, was read, recommending that J. M. Odell and other sureties on the bond of one Cox, which was forfeited at the last term of the County Court, be relieved from paying the principal of said forfeited judgment. The reason assigned for asking the release is, that the sureties were misled at the time they signed the bonds as to

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The nature of the obligation.

Alderman DeGress moved that the recommendation of the mayor be concurred in. Adopted.

A petition from the pastor and members of the Colored Baptist Church (second) requesting that a lamp be erected in front of said church was read and granted.

A petition from citizens of the sixth ward was presented requesting that the boundary line of Orange street be clearly defined. The Aldermen of the ward recommended that the City Marshal be authorized to notify property holders on said street to conform to the survey made by the City Surveyor.

On motion the recommendation of the aldermen was adopted.

A petition of citizens of Austin was read stating that Red River street has been placed in a very bad condition for travel by the Austin City railroad Company and requesting the Council to have the same fixed.

Alderman DeGress moved to refer the petition to the street Committee, with authority to place the street in such condition that the water will be carried off. The work to be performed at the expense of said railroad Company, if within the purview of an ordinance on this subject.

If not, then by the teams belonging to the city. Adopted.

A petition from citizens of Austin was read, asking that a survey of Smal street be made and designated on the ground.

On motion the petition was referred to the City engineer.

A petition from owners and drivers of licensed hacks was read. The petitioners ask that an ordinance designating "stands" for hacks be reconsidered, because it is injurious to their business etc. Referred to the Ordinance Committee.

A petition from Charles Johnson was

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presented and read. He requests that he be relieved from paying the amount of taxes assessed against lots 2 3 and 4 in block 135, for the reason that they are used for public travel.

Referred to the Ordinance Committee.

Alderman Schuber, for the street Committee, reported, recommending that the petition of owners, etc., of property in block No. 49, asking that an alley be opened through said block, be granted, and that the city engineer be instructed to notify parties interested. Adopted.

Alderman Schuber for the street Committee reported favorably on a petition of Citizens requesting that a bridge be built over Waller Creek at the Crossing of Mulberry street.

Action on the report was deferred.

Alderman Schuber, for the street Committee, also reported favorably on an ordinance appropriating \$500 for the purpose of building a wooden bridge over Waller Creek, where Willow street crosses the same. The report was laid over.

The fire Committee reported favorably on an ordinance fixing the penalty for violating the ordinances regulating the fire limits in the city of Austin. The report was not acted upon.

The finance Committee reported favorably on a petition from L. W. Simpson requesting to be relieved from paying certain taxes erroneously assessed. No action was taken on the report.

Alderman Odell offered a resolution authorizing the city assessor and collector to take credit on his books for the amount of taxes erroneously assessed against the improvements on lot No. 5 Block No. 3 division 0 sub-division block No. 7 for the year 1885.

The resolution was adopted.

The Committee on police reported adversely on the bill of Jaess Goodman for pay for services as a detective. Adopted.

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The Committee on Cemetery reported favorably on a proposition from Thos. H. Wheelers to sell forty acres of land in division C, No. 50, outlots of the City, for a City Cemetery.

Action on the report was deferred.

A proposition from the City Water Company to construct water mains to the proposed Cemetery accompanied the report.

The Committee on Ordinances to whom was referred "An Ordinance regulating dance houses and exhibitions in the City of Austin," reported recommending as a substitute "An Ordinance regulating theatres, Circuses, public balls and public dance houses, etc." Laid over.

The same Committee, to whom was referred an Ordinance entitled "An Ordinance prohibiting the running at large of animals within the City of Austin, and providing for the sale of the same," reported favorably, provided an amendment excepting milch cows in use, and suckling calves at night, be inserted. The report was laid over.

The same Committee, to whom was referred an ordinance entitled "An ordinance regulating the building, repairing and removal of wooden buildings in the City of Austin," reported favorably. Action on the report was postponed.

Alderman Cummings presented the ordinance passed March 15th, 1886, ordering the City Water Company to extend mains and locate hydrants thereon, and requested permission to change an error in the same. Consent was given and section 8 changed to read as follows after the words "extended south on Red River Street": "From Live Oak St 528 feet and one hydrant be located thereon and continued south on Red River St and thence east on Davis St. in all 528 feet and one hydrant be located thereon".

Alderman Brush presented a report from the Special Committee appointed to name streets in the City not already named, which was read

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and postponed till next meeting of the Council. An ordinance entitled "An ordinance appropriating the sum of \$6,000 for the purpose of purchasing the sewer now owned by G. A. Brush" which was on its second reading subject to call was called up, and also an ordinance which was offered as a substitute, entitled "An ordinance for the lease by the city of Austin" from Geo A Brush, of the underground sewer in the city, and the rights, privileges and franchises thereof, and to appropriate the sum of three thousand dollars therefor".

Alderman Campbell moved that both the original and substitute be laid on the table.

An estimate prepared by the city engineer was read, showing the cost of a 24-inch vitrified sewer from the Colorado river along Congress avenue to the north line of Mesquite street. The cost is placed at \$10,052.68.

Alderman Cummings presented estimate made by several civil engineers relative to the cost of constructing the sewer owned by Alderman Brush.

The estimates showed the cost to be about \$5,500. The motion which was made by Alderman Campbell to table the ordinance was adopted by a vote of 11 to 7.

An ordinance entitled "An ordinance fixing the penalty for violating the ordinances regulating the fire limits in the city of Austin", was taken up on its second reading, read and laid over.

An ordinance entitled "An ordinance regulating the building, repairing and removal of wooden buildings in the city of Austin", was taken up on its second reading and read, and the Committee's amendment to the same adopted.

An ordinance entitled "An ordinance prohibiting the running at large of animals within the city of Austin, and providing for the sale of the same" was taken up on its second reading and read, and the Committee's amendment thereto adopted.

Sewer

Sewer

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Alderman Caldwell moved to strike out of section 3 the words "one dollar". Defeated.
 Alderman Walker moved to amend Section 1, by inserting the words, "except east of East Avenue".
 Alderman Odell moved to ^{the} amendment offered by Alderman Walker, by adding the words, "and East of Waller Creek and West of Shoal Creek".

An amendment to Except north of Orange st was also offered. All of the amendments offered were adopted by a vote of 10 to 9.

Alderman DeGress moved to reconsider the vote by which an ordinance, entitled "an ordinance requiring railroads within the City of Austin to keep their tracks in good order, and fixing a penalty for a violation thereof".

Alderman Cummings moved to table the motion. Defeated by a vote of 9 to 10.

The motion to reconsider was adopted by a vote of 10 to 9, and Alderman DeGress moved to refer the ordinance to the Street Committee.

Alderman Campbell moved to amend by adding "and City attorney".

Alderman Caldwell moved to amend by including "City engineer".

Alderman DeGress accepted both amendments. A motion to table the amendments was defeated and a motion to refer was adopted.

An ordinance, entitled "An Ordinance regulating dance houses and exhibitions in the City of Austin", was taken up on its second reading.

The ordinance Committee offered as a substitute an ordinance entitled "An ~~of~~ ordinance regulating theatres, Circuses, public balls and public dance houses", etc. The substitute was adopted and read. Alderman Picow moved to insert the words "two dollars and fifty cents" in the blank spaces in the ordinance. Adopted.

Alderman Crooker moved to amend the ordinance by striking out "2" and inserting

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"4 a m" . Adopted.

Alderman DeGress moved to reconsider the vote by which an ordinance was passed, entitled "an Ordinance prohibiting the sale of unwholesome food in the City of Austin".

The motion was adopted, and a motion by Alderman DeGress to strike out "five" and insert "twenty" in Sec. 2, was carried. The ordinance was then passed.

Alderman Odell introduced an ordinance entitled "an ordinance appropriating the sum of 2357.77 to pay approved accounts." The ordinance was read and a motion made to suspend the rules and place the ordinance on its second reading which was adopted by the following vote: Yeas Aldermen Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wartham, Crocker, Odell, Corwin, Helman, DeGress, Cummings, Walker and Jones - 19.

Alderman Crocker moved to amend Sec. 1 by adding \$27.00 to pay Frank Hamilton for rent of Hase Carriage House to Protection H & L Fire Co. No. 3 from July 1st 1885 to April 1st 1886. Adopted.

Alderman Odell moved to amend Section 1 by adding \$46.00 to pay Jack Goodman for services as secret officer, rendered during January 1886. Adopted.

Alderman Crocker moved to amend Sec. 1 by adding \$4.85 to pay Patrick Scott for work which he had performed on water pipes. Adopted.

Motions were then made to further suspend the rules and place the ordinance on its third reading, and that the ordinance now pass, both of which were adopted by the following vote: Yeas Aldermen Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wartham, Crocker, Odell, Corwin

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Holman, DeGress, Cummings, Walker and Jones - 19.

Alderman Wartham introduced an ordinance entitled "An ordinance making an appropriation for payment of the City Water Company for the year 1885."

A motion to suspend the rules and place the ordinance on its second reading was adopted by the following vote: Yeas Aldermen Schneider, Metz, Pillow, Anderson, Brush, Campbell, Schuber, Caldwell, Giesen, Warren, Wartham, Crocker, Odell, Corwin, Holman, DeGress, Cummings, Walker and Jones - 19.

Alderman DeGress moved to amend section 1 by striking out "\$1847.50" and inserting "\$2463.33." The vote cast by the Council on the amendment stood 9 to 9. His Honor, the Mayor, voted in the negative, thereby rejecting the amendment.

Alderman DeGress moved to amend section 1 by adding "\$307.91" to "\$1847.50," that amount being one half of the school tax assessed against the City Water Company. The amendment was rejected as before. He then moved to amend Section One by adding "\$307.90." The vote on the amendment was the same as that cast on the amendments previously offered.

Alderman DeGress presented a resolution requesting the Mayor to notify the foreman of Washington fire Company that he has appointed a special committee of the Council to confer with that Company relative to locating quarters for said Company; Adopted.

Alderman Jones introduced an ordinance entitled "an ordinance prohibiting the placing and stacking barb wire upon the sidewalks and streets in the City of Austin." Referred to the Committee on Streets, alleys, etc.

Alderman Cummings introduced the following resolution, which was read: Resolved etc; that articles of medicine or other drugs necessary for domestic purposes are not included under

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the definition of poisons referred to in ordinance passed by the City Council relating to the sale of poisons.

The Council then adjourned.

Milton Morris
City Clerk