

The minutes of a regular meeting of the City Council.
Austin, September 2, 1889.

Hon. Joseph Valle, Mayor, presiding.

Roll

Roll Call - present, Aldermen -

Assmann, Boland, Graham, Jones, Lawrence, Linn, Morris, Newton, Kitschke, North, Pillow, Platt, Schneider, Townsend, Wilson, Wertham, Zeller - 17.

Call.

Absent, Aldermen -

DeBress, Haigler, Metz, 3.

Minutes.

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

W. M. Johnson.

Water.

Alderman Wertham presented a communication from Mr. W. M. Johnson, engineer to Capitol Board, suggesting that the city relieve Congress Avenue of a large amount of surface water coming from Nineteenth street down Lavaca street to Colorado street, by putting in a drain and culvert across Lavaca street, on the south line of Sixteenth street, and turning the water west into Shoal Creek. Referred to Street Committee.

Officers Reports.

marshal.

The city marshal's report for the month of Aug. 1889:

Total amount of fines and costs assessed in the recorder's Court \$741.60

Collected in Cash \$400.65

Worked out 69.60

Escaped 40.30

Remitted by Council 9.70

Acquitted or new trial 17.70

Turned over to Travis County 18.45

Appealed 51.95

Carried forward 133.25

\$741.60

Back fines and costs collected 36.60

\$778.20

Total number of arrests made 76.

- City Phys. (Referred to the police Committee.
The report of the City Physician for the month of Aug. 1889:
Number of patients in hospital Aug. 1, 12
" " admitted to " in " 11
" " discharged from " " " 13
Deaths " " " " None.
Patients remaining September 1 10
No Case of Scarlet fever or diphtheria reported.
Visits made 126
Prescriptions written 231
Health of the City good
- City Tre. (Referred to the hospital Committee:
Report of the City treasurer from August 5, 1889,
to September 2, 1889:
Balances August 5:
Account general fund \$ 2,143.16
" City Cemetery 339.50
Receipts 7595.46
\$ 11,078.12
Disbursements:
Paid Warrants \$ 5,049.09
Balances September 2:
Acct. general fund 5,684.53
" City Cemetery 344.50
\$ 11,078.12
- City Clk. (Referred to finance Committee:
Report of City Clerk for August 1889, places amount
of warrants issued during August 1889, at \$8626.29
- City Sexton. (Referred to finance Committee:
Report of City Sexton for the month of August 1889,
was read and referred to the Cemetery Committee.
- St. Comtee. Further time was given to the Street Committee
on matters heretofore referred.
- Younger & Son The fire Committee reported favorably on the bill of
H. Younger & Son, for reflooring engine-house, and
the report was adopted.
- A.S. Roberts, fire Eng. Further time was given the fire Committee to
investigate the damaged condition of the fire engine
recently loaned Capt. A. S. Roberts.
- Marshals. Alderman Graham, for the police Committee, presented
a report on the marshals reports for the months
of June and July, 1889, which states the reports

- were examined and found correct.
- License tax The Ordinance Committee presented a report on "An Ordinance regulating licenses and occupation taxes in the City of Austin". The report recommends various changes in the ordinance, in order to make it conform to the state law.
- Light Report laid over to come up with the ordinance. Alderman Boland introduced a resolution providing that a committee of three aldermen be appointed to see Capt. Mather and arrange for a brush electric light in the Cotton yard blocks during the months of October, November and December, 1889, on the cheapest possible terms, and report the result at next meeting. Adopted.
- Water rates The special Committee appointed on procuring lower water rates for the city submitted a report, stating a conference on the subject had not yet been had with officers of the water company who are authorized to make or accept proposals on behalf of the company, the president of the company not yet having arrived in the city.
- The report recommends that an appropriation of \$800 be made for the purpose of repairing the fire engines belonging to the city, to the end that they may be ready for use in case of fire in the event of the failure of the machinery of the water company, as has occurred in the past, and for the further reason that if satisfactory rates cannot be obtained from the water company, the city will be, to some extent, able to extinguish fires without the aid of the water company, and would require less time in which to equip so as to act independently of the water company.
- The report was laid over and the committee continued and given further time in which to fulfill its mission.
- Fire Cisterns. Alderman Jones moved that the city marshal be directed to examine the fire cisterns, and report their condition and the probable cost of repairs, if any are needed, to the next meeting of the Council. Carried.

License Tax "An Ordinance, regulating licenses and occupation taxes in the City of Austin," was taken up on its third reading together with the report of the Ordinance Committee thereon.

On motion the reading of the Ordinance, except those sections which the Committee recommended to be amended, was dispensed with.

On the recommendation of the Committee, the following amendments were adopted:

1. Section No. 44, was amended so as to read as follows:
"Section 44. For every hack, buggy or other vehicle let for hire in this City not connected with a livery, feed or sale stable, one dollar."
2. Section 45 was stricken out.
3. Section 53 was amended by adding the words "and fifty cents" after the word "dollars".
4. Sections 59, 60, 61, 62 were stricken out.

The Ordinance was read by Caption a third time, and an motion passed by the following vote.

Yeas - Aldermen - Asmann, Boland, Graham, Jones, Lawrence, Linn, Morris, Newton, Nitschke, Pillow, Platt, Schneider, Townsend, Wilson, Wortham, Ziller - 17.

W. M. Magill

W. Bratton

On the recommendation of Aldermen and the Mayor, the Council remitted fines and costs assessed in the recorder's Court against W. M. Magill and Willis Bratton.

Veto.

The Mayor presented the following Veto message, which was read:

Austin, August 31, 1889.
To Honorable Board of Aldermen:

Gentlemen - I return without my approval, the resolution passed by your Honorable body, requiring the Street Commissioner to work the city teams and the force under his control, for thirty days on Colorado street, and the streets intersecting therewith; I can see no necessity for the passage of such a resolution, or any wisdom in it at the time the resolution passed the Council, the Street Commissioner, acting under orders from the Street Committee, 11100

using the entire street force opening and grading Colorado street, and almost constantly since that time, the force has been engaged on that work. Should the resolution be carried into effect, it would leave no discretion with the Commissioner to stop work should it be completed in less time than is named in the resolution, but would be compelled to keep working at that point for thirty days and no longer, and should the work require a longer time, the force would have to be withdrawn and the streets left in an unfinished condition. The enforcement of this resolution would take out of the hands of the Street Committee, the control of the street force, and by so doing the Council would take upon itself the duties of the Street Committee and in that case it would be necessary for it to be perpetually in session, in order to give the necessary instructions, from time to time, to the street Commissioner. I am satisfied it is the purpose of the street Committee to use its best efforts to put Colorado street in as good condition as is possible with the force at its command, as they fully appreciate the importance of this thoroughfare to the public.

Believing the resolution passed without the Council. Considering the precedent it would establish, as well as its impracticability, I therefore recommend the vote upon which the resolution passed be reconsidered.

Respectfully,
Joseph Malle, Mayor.

Alderman Linn moved to reconsider the vote by which the resolution was adopted. Carried.

On motion, further action on the vote was indefinitely postponed.

Hospital.

The Mayor presented a formal proposal from the Commissioners' Court of Travis County, offering to operate the city and county hospital provided the city

will pay to Travis County \$2000 per annum.

On motion of Alderman Linn, the proposal was rejected.

Alderman Morris moved that the Mayor appoint a special Committee to confer with the County Commissioners Paul relative to the hospital carried, and the Mayor appointed Aldermen

Elections

Graham, North and Beland as such Committee. Alderman Morris offered an Ordinance to amend Article 251, Chapter 1, Title 6, of the Revised Civil Ordinances of the City of Austin. The object of the amendment is to make the Ordinance on the subject of elections conform to the Charter.

The Ordinance was read, after which motions were made to suspend the rules and place it on its second and third readings, both of which were adopted by a two-thirds vote of the whole Council, and the Ordinance passed.

Approp. accts.

Alderman Wertham introduced An Ordinance appropriating the sum of \$1591.35 for the purpose of paying approved accounts. It was read first time, after which motions were made to suspend the rules and place it on its second and third readings and that it do pass, all of which were adopted by the following vote:

Yeas, Aldermen -

Assmann, Beland, Graham, Jones, Lawrence, Linn, Morris, Newton, Kitchke, North, Pillow, Platt, Schneider, Townsend, Wilson, Wertham, Ziehl - 17.

City Cem. map.

Alderman Newton presented a resolution which was adopted, directing the City engineer to make two maps of the City Cemetery, including all additions thereto, said maps to show the numbers of the lots and size of each.

The maps to be filed in the City assessor and Collectors office.

Salaries \$3100

Alderman Wertham introduced An Ordinance, appropriating the sum of \$3100 for the purpose of paying officers and regular employees of the City for

the month of September, 1859. It was read first time after which a motion was made to suspend the rules and place it on its second reading, which was adopted by a two-thirds vote of the whole Council. It was then read a second time by the Caption, after which an amendment was offered adding \$29.40 to pay Jno. Davis for moving Cemetery fence. Adopted.

The Caption and section one were then changed to read "\$3129.40" to conform to the amendment, and 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:

Ayes, Aldermen -

Graham, Jones, Lawrence, Linn, Morris, Newton, Kitchick, North, Pillow, Platt, Schneider, Townsend, Wilson, Wartham, Zeller-17.

Cem. lots for immig use Alderman Zeller presented a resolution, directing the City Sexton to see that no body for interment in the City Cemetery is allowed unless paid for in advance (excepting where burials are made on Sunday and must be paid on the day following) to the assessor and Collector, and the Sexton is instructed, where parties have selected lot, or part of lots, to see that they are only used for immediate interments.

Referred to the Cemetery Committee, with instruction to prepare an Ordinance covering the subject and present it at the next meeting of the Council.

Wm. J. Allen. Alderman Lawrence offered a resolution which was unanimously adopted, directing the City Sexton to keep in proper condition the grave of the late Jno. J. Allen, deceased, who devised to the City so munificent a donation for the purpose of establishing and maintaining a manual training school.

Fire Eng. Alderman Morris introduced An Ordinance, to provide for repairing the fire engines owned by the City of Austin, and to make an appropriation

therefor. It was read first time, after which a motion was made to suspend the rules and place it on its second reading, which was lost by the following vote:

Yeas, Aldermen -
 Lawrence, Linn, Morris, Newton, Kitschke,
 North, Pillow, Schneider, Townsend,
 Northam, Giller. 13.

Nays, Aldermen -
 Assmann, Baland, Platt,
 Wilson - 4.

Aldermen

Alderman Newton introduced An Ordinance affecting the eligibility of members of the City Council to city offices. It was read first time, after which motions were made to suspend the rules and place it on its second and third readings, both of which were adopted by a vote of two-thirds of the whole Council, and on motion the ordinance was passed by a rising vote of 13 to 4.

Bridge.

Alderman Kitschke presented An Ordinance, appropriating the sum of \$100 for the purpose of building a wooden bridge over a drain on Curue street, between 11th and 12th streets. It was read first time, after which motions were made to suspend the rules and place it on its second and third readings; both were adopted by a two-thirds vote of the whole Council, and on motion the ordinance was passed.

Light.

Alderman North introduced a resolution, which was adopted, instructing the street Commissioner to forthwith cause the incandescent lamp, now located on Bois d'arc Street, west of San Antonio street, to be removed to the top of the bluff, at the intersection of said Bois d'arc and San Antonio streets, with as little expense to the city as possible.

On motion the Council then adjourned.

Milton Morris,
 City Clerk