

Official Council Proceedings

Valley City, N. D., Oct. 7th, 1912. Council Chambers, 8 o'clock, p. m. Regular meeting of the council. Called to order by Mayor Platou. All aldermen were found present upon roll call. The minutes of the meetings of Sept. 5th, 19th, and 26th, 1912, were read and approved as read. The report of Police Magistrate Smith for the month of September, 1912, together with a check for \$112.50 in payment of fines collected, was presented, and on motion same was approved and ordered placed on file. The report of Superintendent Burbank for the month of August, 1912, was presented, and on motion same was accepted and ordered placed on file. The city treasurer presented a statement showing the condition of the city funds as of Oct. 7th, 1912, and on motion same was accepted and ordered placed on file. The report of Fire Chief Hesch on fires responded to by the department since his administration, was presented, and on motion same was approved and ordered placed on file. An application was received from Albert E. Crow asking for abatement of taxes on the ground of double assessment, he having been assessed in the name of both Albert E. Crow and Bert Crow. Moved by Alderman Lee, seconded by Alderman Clark, that the city council recommend to the county commissioners that the taxes assessed against Bert Crow be abated. Roll Call—Yeas: Clark, Curren, Holland, Krogh, Lee, Mackey, O'Malley, Thomson—8. Nays: None. The following bills were presented for payment: Bills Payable—General Fund. No. 1—L. S. Platou, salary for September, 1912, mayor \$ 50.00 No. 2—E. H. Swanson, salary for September, 1912, chief of police 85.00 No. 3—Thos. Gale, salary for September, 1912, police 75.00 No. 4—Geo. McCarthy, salary for September, 1912, police 75.00 No. 5—Harold Kulseth, salary for September, 1912, street commissioner 70.00 No. 6—Torrval Grothberg, salary for September, 1912, keeper dump grounds 50.00 No. 7—John Swanson, salary for September, 1912, janitor, city hall 40.00 No. 8—J. J. McIsaac, salary for September, 1912, park work 65.00 No. 9—M. J. Boyd, salary for September, 1912, and cash advanced auditor 53.61 No. 10—C. A. Myhre, salary for September, 1912, city engineer 50.00 No. 11—Eugene Dietzgen Co., supplies for city engineer 1.00 No. 12—Williamson Stamp Co., license plates for hacks and auto livery 36.00 No. 13—Mythro & Aldahl Mercantile Co., supplies for city hall, etc. 5.75 No. 14—L. W. Whitson, repair work at city hall 3.00 No. 15—Rudolf Pharmacy, office supplies, etc. 9.55 No. 16—Berg & Benson, supplies by street commissioner, etc. 3.52 No. 17—Arneson Hardware Co., supplies by street commissioner, etc. 24.35 No. 18—Peter Norgaard, hauling fire apparatus, and drayage 2.25 No. 19—Louis A. Risa, hauling fire apparatus and drayage 17.00 No. 20—J. E. Andrews, hauling fire apparatus and drayage 3.00 No. 21—Rudolph Jorgenson, street work, man and team, 24 days 96.00 No. 22—W. A. Harrison, street work, man and team, 1 day 4.00 No. 23—Halvor Kulseth, street work, 1 1/2 days 23.00 No. 24—Earl I. Best Lumber Co., lumber and cement 52.31 No. 25—Aug. G. Anderson, iron crossing plates 161.78 No. 26—W. T. Craswell, city treasurer, cash advanced for freight 9.21 No. 27—Peter Zahl, street work, two days 4.00 No. 28—Times-Record Printing Co., official printing and job work 39.99 No. 29—P. G. Davidson, railing for Third avenue bridge and repair work 137.85 Total \$1,246.97 Light and Water Fund. No. 1—Frank Burbank, salary for September, 1912, superintendent \$ 125.00 No. 2—Fred L. Stephenson, salary for September, 1912,

first engineer 80.00 No. 3—Carl Nelson, salary for September, 1912, second engineer 75.00 No. 4—A. McDonald, salary for September, 1912, fireman 65.00 No. 5—Henry A. Dybdahl, salary for September, 1912, fireman 65.00 No. 6—P. H. Erierson, salary for September, 1912, line man 65.00 No. 7—George H. Lord, salary for September, 1912, line and repair work 65.00 No. 8—M. J. Boyd, salary for September, 1912, accountant 75.00 No. 9—C. A. Myhre, salary for September, 1912, clerk 40.00 No. 10—Hans L. Hanson, salary for September, 1912, general work 65.00 No. 11—Thos. Leine, water meter and repair work 21.33 No. 12—Ole Giestra, unloading coal 53.64 No. 13—Electric Review Publishing Co., subscription to August, 1913 3.00 No. 14—Thorkelson & Peake, insurance on light plant 23.50 No. 15—N. D. Ind. Telephone Co., office expense 6.75 No. 16—Williamson Stamp Co., office expense 4.40 No. 17—Times-Record Ptg. Co., office expense 21.75 No. 18—Plant Rubber Co., operating expense 12.63 No. 19—City Drug Co., operating expense 2.25 No. 20—O. Simenson, operating expense 8.50 No. 21—Standard Oil Co., operating expense 37.95 No. 22—Minneapolis Drug Co., operating expense 21.73 No. 23—St. Anthony Iron Works, plant maintenance 12.50 No. 24—B. H. Sykes, plant maintenance 3.25 No. 25—J. W. Thoreen, plant maintenance 1.55 No. 26—Crane Company, plant maintenance 1.55 No. 27—Zetterberg Bros., plant maintenance 2.20 No. 28—Earl I. Best Lumber Co., plant maintenance 32.69 No. 29—E. M. Lavery, plant maintenance, fixing boilers 22.50 No. 30—Andrew Anderson, plant maintenance, fixing boilers 78.00 No. 31—A. Swain, plant maintenance, fixing boilers 39.60 No. 32—James Moore, plant maintenance, fixing boilers 20.30 No. 33—Berg & Benson, plant maintenance and operating expense, etc. 22.60 No. 34—Frank Flora, operating expense and improvements 19.85 No. 35—Arneson Hardware Co., operating expense and improvements 39.65 No. 36—Crane & Ordway Co., operating expense and merchandise 50.38 No. 37—General Electric Co., merchandise 2.70 No. 38—Western Electric Co., merchandise 36.50 No. 39—St. Paul Electric Co., merchandise 182.87 No. 40—Bryhn-Marsh Electric Works, merchandise 156.63 No. 41—Electrical Engineering Co., merchandise 17.28 No. 42—N. W. Electric Equip. Co., merchandise 20.70 No. 43—H. W. Johns-Manville Co., merchandise 4.20 No. 44—Thomson Meter Co., merchandise 2.52 No. 45—Louis A. Risa, drayage 10.75 No. 46—E. H. Briggs, drayage 5.65 No. 47—J. E. Andrews, drayage 1.00 No. 48—Peoples Fuel Co., coal 383.14 No. 49—Washburn Lignite Coal Co., coal 364.47 No. 50—W. T. Craswell, city treasurer, cash advanced for freight and express 593.80 Total \$3,065.45 Moved by Alderman Lee, seconded by Alderman Mackey, that all bills as listed be allowed. Roll Call—Yeas: Clark, Curren, Holland, Krogh, Lee, Mackey, O'Malley, Thomson—8. Nays: None. A bill was presented by Frank Burbank in the sum of \$35.00 for expenses incurred by him on a trip to Minneapolis, Minn., in connection with the new machinery for the electric light plant, having been called there in consultation thereto, said sum to be charged back to the Erie City Iron works on their contract. Moved by Alderman Krogh, seconded by Alderman Lee, that the bill of Frank Burbank for \$35.00 be allowed, same to be deducted from contract price with the Erie City Iron Works. Roll Call—Yeas: Clark, Curren, Holland, Krogh, Lee, Mackey, O'Mal-

ley, Thomson—8. Nays: None. The following petition was presented by the North Dakota Independent Telephone company in behalf of their application for a telephone franchise: To the Honorable Mayor and Common Council, City of valley City. We, the undersigned, having examined the franchise and statements submitted by the North Dakota Independent Telephone company, same being before your honorable body for consideration, and believing that the business and social interests of the city demand an efficient and complete telephone service, and the company furnishing the same are entitled to a fair earning on the investment, do, therefore, recommend as follows: That the City Council grant to the North Dakota Independent Telephone company an extension of this franchise for a period of twenty or twenty-five years under the following conditions: The telephone company to reconstruct their Valley City exchange, replacing open wires with cables, making all lines metallic, move all poles not in proper location as to curb lines, install equipment so as to give selective party service, remove the present poles and wires now located on Fifth avenue from the Normal school grounds to Fifth street north, and on Fourth street from Fourth to Fifth avenues and place the wires underground. Assuming that the statement of assets, earning, etc., prepared by the company and submitted to you and examined by us, is true and correct, we believe the company, as soon as this work is completed and in service, should be entitled to the following rate for a period of five years and subject to periodical adjustment by the Board of Railroad Commissioners, or such other board as may have jurisdiction over the rates of telephone companies in the state of North Dakota: Single line business telephone, \$2.75 with discount of 25 cents for prompt payment. Business extension telephone, \$1.00. Single line residence telephone, \$2.25 with discount of 25 cents for prompt payment. Party line residence telephone, \$1.75 with discount of 25 cents for prompt payment. Residence extension telephone, 54 cents. 1.—J. J. Early. 2.—John Tracy. 3.—Lee Combs. 4.—A. S. Sigurdson. 5.—C. F. Mudgett. 6.—The Northwest Nursery Co. 7.—Geo. M. Young. 8.—Chas. G. Lund. 9.—Ernest G. Wanner. 10.—James Grady. 11.—The Siegfried Pharmacy. 12.—Hugh McDonald. 13.—E. S. DeLancy. 14.—John Halverson. 15.—John D. Gray. 16.—Northern Seed Co. 17.—Valley City Mut. Fire Ins. Co. 18.—A. B. Cox. 19.—Stacy Mercantile Co. 20.—Mythro & Aldahl Merc. Co. 21.—E. A. Pray. 22.—Shenene Bottling Works. 23.—James R. McIntyre. 24.—John Holmes. 25.—G. B. Vallandigham. 26.—Peoples Fuel Co. 27.—J. E. Andrews. 28.—S. A. Zimmerman. 29.—E. R. Roberts. 30.—Frank S. Henry. 31.—Barnes County Abstract Co. 32.—Russell-Miller Milling Co. 33.—O. Simenson. 34.—Occident Elevator Co. 35.—W. F. DuVall. 36.—Herman Winterer. 37.—D. S. Ritchie. 38.—W. J. Westergaard. 39.—F. W. Heidel. 40.—C. C. Chaffee Co. 41.—Chaffee-Warley Co. 42.—W. L. Witter. 43.—A. M. Troisdale. 44.—W. L. Whitther. 45.—Valley City Grocery Co. 46.—Straus Clothing Co. 47.—F. C. Riedman. 48.—Western Union Telegraph Co. 49.—James I. Best Lumber Co. 50.—Times Record Printing Co. 51.—G. W. Bowen. 52.—Valley City Green House. 53.—James W. Nielson. 54.—Torkelson & Peake. 55.—Theodore S. Lindland. 56.—O. Knudson. 57.—Valley City Gas Co. 58.—Fritch and Co. 59.—Midwest Fire Insurance Co. 60.—W. A. Gordon. 61.—Robert Anderson. 62.—Anderson Clothing Co. 63.—O. A. Laughlin. 64.—Right Price Mercantile Co. 65.—Arneson Hardware Co. 66.—J. Van Houten. 67.—Amasa P. Peake. 68.—Thomas L. Larson. 69.—Frank Flora. 70.—James Algo. 71.—C. N. McGilvray.

72.—Towns Machinery Co. 73.—Hotel Rudolf. 74.—H. M. Mason. 75.—Valley City Auto Repair Co. 76.—Mrs. Platon and McDonald. 77.—H. K. McKay. 78.—J. F. L. Bonhoff. 79.—E. J. Pegg. 80.—Berg & Benson. 81.—Martin Sordahl. 82.—E. H. Sykes. 83.—P. G. Davidson. 84.—The Wardrobe Clothing Co. 85.—Robert Burt. 86.—Geo. A. Fridt. 87.—J. E. Jones. 88.—Valley City Furniture Co. 89.—Oscar Dahl. 90.—Geo. W. Melton. 91.—I. J. Moe. 92.—C. F. Luessen. 93.—J. W. Thoreen. 94.—A. J. Main. 95.—F. R. Schultze. 96.—The Fair Store. 97.—F. L. Wicks. 98.—Ulm-Warner Co. 99.—Hotel Kindred. 100.—S. S. Tuttle. 101.—North Dakota Mutual Fire Insurance Co. 102.—H. N. Walker. 103.—Frank White. Moved by Alderman O'Malley, seconded by Alderman Lee, that the petition be spread upon the minutes, and that same be published as part of said minutes. Motion carried. The Ordinance Committee submitted their report on the telephone franchise, recommending the following amendments, and that when so amended that the same do pass: That section 7 be amended so as to read as follows: Section 7. This franchise is granted upon the further express condition that the grantee, its successors and assigns, shall reconstruct the Valley City, N. D. exchange; replace open wires with cables; make all lines metallic; move all poles, not in proper location as to curb lines; install equipment so as to give selective party line service; remove the present poles and wires now located on Fifth avenue from the State Normal school grounds to Fifth street north, and on Fourth street from Fourth avenue to Fifth avenue and place the wires underground. As soon as this work is completed and in service the grantee, its successors and assigns, shall be entitled to the following rates: Single line business telephone, \$2.75 with discount of 25 cents for prompt payment. Business extension telephone, \$1.00. Single line residence telephone, \$2.25 with discount of 25 cents for prompt payment. Party line residence telephone, \$1.75 with discount of 25 cents for prompt payment. Residence extension telephone, 50 cents. Provided further, that said rates shall be maintained in force for a period of five years from the date they become effective, and after being in effect for said period of five years, shall be subject to periodical adjustment by the mayor and city council. That section 4 be amended by adding after the word "fixtures" in the sixth line thereof the following: "and it reserves the right to order all lines and cables to be placed underground." Also by striking out the words "of the line or lines to be so removed" in the eighth line of said section and adding the following: "Not to exceed sixty days within which to commence the work for the removal of the poles, wires, cables and fixtures." That section 6 be amended by striking out the word "four" in the fifth line thereof and substituting the word "six". That all of section 9 be stricken out. That section 10 be changed so as to become section 9. That a new section be added, to be known as section 10, as follows: "Section 10. This ordinance is granted upon the further express condition that if any part of this ordinance is violated, it shall be within the power of the mayor and city council to forfeit this entire franchise, and make the same null and void." Moved by Alderman Krogh, seconded by Alderman Clark, that the report of the ordinance committee be adopted. Motion carried. Moved by Alderman Krogh, seconded by Alderman O'Malley, that the ordinance entitled "An Ordinance Granting to the North Dakota Independent Telephone company, a corporation, its successors and assigns, the right, privilege and authority to construct, establish, maintain and operate a telephone exchange within the corporate limits of the city of Valley City, N. D." as amended be placed on its second reading. Motion carried. Moved by Alderman Clark, seconded by Alderman Curren, that the or-

dinance entitled "An ordinance granting to the North Dakota Independent Telephone company, a corporation, its successors and assigns, the right, privilege, and authority to construct, establish, maintain and operate a telephone exchange within the corporate limits of the city of Valley City, N. D." be placed on its third and final passage. Roll Call—Yeas: Clark, Curren, Holland, Krogh, Lee, Mackey, O'Malley, Thomson—8. Nays: None. Bids for the construction of a water main on Sixth avenue from Conklin avenue to Grant avenue were received as follows: Valley City Plumbing & Heating company—\$1,040.00. Haggart Construction company—\$1,000.00. Moved by Alderman Lee, seconded by Alderman Holland, that the bid of the Haggart Construction company be accepted and contract awarded to them. Amendment moved by Alderman Curren, seconded by Alderman Mackey, that all bids be rejected and that new bids be advertised for. Roll Call—Yeas: Curren, Mackey, O'Malley—3. Nays: Clark, Holland, Krogh, Lee, Thomson—5. Amendment lost. The original motion was then put and carried by the following vote: Yeas: Clark, Holland, Krogh, Lee, O'Malley, Thomson—8. Nays: Curren, Mackey—2. Moved by Alderman Lee, seconded by Alderman Krogh, that the city auditor be authorized to advertise for bids for the printing of an ordinance book containing all the city ordinances to be printed in paper book form, the bid to state the price for printing each page thereof, and that said bids be opened at the first regular meeting of the council in November, 1912. Motion carried. Moved by Alderman Thomson, seconded by Alderman Curren, that the committee on board of health investigate the complaints as to the sanitation at the Riverside Hospital and report at the next meeting of the council. Motion carried. Moved by Alderman Lee, seconded by Alderman Krogh that the superintendent of the light plant be allowed two men as additional help to install the ornamental street lighting system, work thereon to commence at once. Motion carried. The special committee appointed to select the location of the proposed trunk sewer system presented their report thereon, giving in detail a definite location thereof, and on motion of Alderman O'Malley, seconded by Alderman Lee, said report was adopted. Moved by Alderman Clark, seconded by Alderman Lee, that the city engineer forthwith prepare plans and specifications for the construction of a trunk sewer that will empty into the Sheyenne river below the rapids and all details of the work to be done in connection therewith, make an estimate of the probable cost thereof, and report thereon at the next meeting of the council. Motion carried. Moved by Alderman Lee, seconded by Alderman Krogh, that Alderman Mackey be made a committee of one to ascertain the radiation required for the rooms upstairs in the city hall and the probable cost thereof, and report thereon at the next meeting of the council. Motion carried. Moved by Alderman Krogh, seconded by Alderman Clark, that the committee on buildings and grounds ascertain the probable cost of both iron and wired glass fire shutters for the north end of the city hall, and report thereon as soon as possible. Motion carried. On motion the meeting adjourned until Monday, October 14th, 1912, at 8 o'clock, p. m. L. S. PLATOU, Mayor. Attest: M. J. BOYD, City Auditor. Valley City, N. D., Oct. 14th, 1912. Council Chambers, 8 o'clock, p. m. Adjourned regular meeting. Mayor Platou presiding. All aldermen were found present upon roll call except Alderman Lee. Alderman Clark offered the following resolution and moved its adoption: Resolution "WHEREAS, The city engineer was instructed to prepare plans and specifications for the building and constructing of a trunk sewer system for the city of Valley City, and to give the detailed estimate of the cost thereof, and the said city engineer having prepared the same and having filed the same with the city auditor of Valley City. NOW, THEREFORE, BE IT RESOLVED, that the plans and specifications prepared by the city engineer for the construction of a trunk sewer system for the city of Valley

City, together with the estimate of its probable cost, be and the same are hereby approved by the city council, and ordered filed." Motion seconded by Alderman Krogh. Roll Call—Yeas: Clark, Curren, Holland, Krogh, Mackey, O'Malley, Thomson—7. Nays: None. Alderman O'Malley offered the following resolution and moved its adoption: NOTICE OF SPECIAL ELECTION FOR ISSUING BONDS FOR CONSTRUCTION OF TRUNK SEWER. NOTICE IS HEREBY GIVEN, That at the general election to be held in the City of Valley City, Barnes County, North Dakota, on Tuesday, the 5th day of November, 1912, at the following polling places in the various wards of said city, to-wit: First Ward, City Light & Power House; Second Ward, City Hall. Third Ward, in office of Barnes County Abstract Co. in the basement of the American National Bank Building. Fourth Ward, in the County Commissioners' room at the court house of Barnes County. There will be submitted to the qualified electors of the said city the proposition of whether said city shall issue and sell its bonds in the sum of \$50,000.00 in denominations of \$1,000.00 each, to mature as follows, to-wit: \$15,000.00 thereof in ten years from date of issue; \$15,000.00 thereof in fifteen years from date of issue, and \$20,000.00 thereof in twenty years from date of issue, and to bear interest at the rate of four per cent per annum, payable semi-annually, for the sole purpose of defraying the cost of building and constructing a trunk sewer system in the said city of Valley City, that will carry all sewerage of said city to empty into the Sheyenne river below the rapids in said river, which more fully appears from the resolution adopted by the city council in said matter and which is published with this notice. Notice is further given that plans and specifications, giving minute description of the said trunk sewer, are on file in the office of the city auditor of said city. Dated this 15th day of October, 1912. M. J. BOYD, City Auditor. RESOLUTION. Resolution for the Purpose of Calling an Election and Voting upon the Issuing of Bonds for the Construction of a Trunk Sewer. WHEREAS, a committee having been appointed by the city council to investigate the necessity for constructing a trunk sewer for the city of Valley City, and said committee having made its report declaring that a trunk sewer is needed and necessary to maintain sanitary conditions in Valley City, and the same having been filed and approved by the city council; and the city council having instructed the city engineer to prepare plans and specifications for the construction of a trunk sewer for the said city, and these plans and specifications having been by resolution adopted, and the plans and specifications of the city engineer specifically describing the trunk sewerage system, and which said plans and specifications are on file in the office of the city auditor of said city of Valley City; and, WHEREAS, it is necessary in order to construct the said sewerage system to issue bonds for the payment thereof, except the cost of constructing the ten inch and twelve inch lateral sewers, that are specifically described in the plans and specifications of the city engineer on file herein, may be charged to the abutting property owners benefited thereby; NOW, THEREFORE, Be it resolved by the mayor and city council of the city of Valley City: That at the general election to be held on Tuesday, the 5th day of November, 1912, in the city of Valley City, there shall be submitted to the legal voters of said city, the question of whether or not \$50,000.00 in bonds of said city, in denominations of \$1,000.00 each to mature as follows, to-wit: \$15,000.00 thereof in ten years from the date of issue; \$15,000.00 thereof in fifteen years from the date of issue, and \$20,000.00 thereof in twenty years from the date of issue, and to bear interest at the rate of four per cent per annum, payable semi-annually, shall be issued by the said city of Valley City, for the sole purpose of defraying the cost of building and constructing a trunk sewer system in the said city of Valley City, except the ten inch and twelve inch lateral sewers heretofore mentioned, the expense of which shall be assessed to the property bene-