

\* There being no further business, Councilman Gillis moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed at 12:15 P. M.

\* Councilman Bartholomew nominated John B. Pearson as a member of the Board of Equalization, to fill the unexpired term of Otto Ebeling, deceased. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Attest:

Hallie McKeel  
City Clerk

Approved:

Tom Miller  
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 5, 1935.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes of the last regular meeting was dispensed with.

Dr. T. U. Taylor appeared before the Council and requested that a marker showing the flood stages of the Colorado River in 1869 and 1935 be placed in Lamar Park and offered his services in the matter, without charge.

Councilman Alford moved that the City Manager and City Engineer be directed to cooperate with Dr. Taylor in having this work done, the City to pay all expenses incident thereto. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

A committee from the Southside Development Association, composed of B. E. Howell, Chas. H. Berg, and others, submitted a written request that the City Council put forth every effort to have the State Highway Department apply some form of topping on West Mary Street before said street is made the official detour while the Fredericksburg and Barton Springs Roads are being rebuilt. The matter was taken under advisement.

The hearing on the proposal to prohibit the use of loud speakers on the streets for advertising purposes was opened, a committee of merchants and other interested persons being present. After considerable discussion for and against the proposed measure, the matter was referred to the City Attorney for investigation, to determine what can be done in the premises.

The matter of regulating the throwing of circulars in automobiles was also referred to the City Attorney for attention.

The complaint of Miss Effie Whitehand relative to the storm sewer ditch in front of her place at 506 East 14th Street was referred to the City Engineer.

The following report of the Board of Adjustment was read:

"Hon. Mayor and City Council  
Austin, Texas.

Gentlemen:

The Board of Adjustment, at a meeting held April 18, 1935, passed the following

resolution, which is hereby respectfully submitted for your consideration:

"WHEREAS, the City Council recently incorporated within the city limits certain territories adjacent to the existing city limits, consisting of the tracts indicated on the accompanying map prepared by the Engineering Department of the City of Austin, and more specifically described in the Ordinance incorporating these tracts, reference to which is hereby made; and

WHEREAS, such territories were lying outside the existing city limits and therefore were not covered by the Zoning Ordinance of the City of Austin; and

WHEREAS, on account of the rapid development of the City of Austin and the likelihood of the immediate use of such tracts for various purposes, it is deemed desirable that the same be at once zoned in accordance with the procedure set out in the Zoning Ordinance; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is recommended to the City Council that all of such tracts, exclusive of the land owned by the State of Texas, be zoned as "A" Residence District and First Height and Area District, subject to the precedence of any more restrictive deed covenants and restrictions and to future amendment as may be deemed desirable owing to the trend of development in these respective tracts.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne,  
Chairman. "

Mayor Miller moved that a public hearing be held on the proposed amendment on Thursday, July 25, 1935, at 11:00 A. M., and that notice of such hearing be completed by publication, as required by the terms of said Zoning Ordinance. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following report of Tom E. Neal, Captain of Police, Traffic Division, was read:

"Austin, Texas  
July 5, 1935

Mr. R. D. Thorp  
Chief of Police  
Austin, Texas.

Dear Sir:

Eldia Reed Haire, 209 East 13th Street, has made application for a taxicab driver's permit.

I am recommending that this permit be granted.

Boyce Hall, 1966 East Avenue, has made application for a taxicab driver's permit. Due to his traffic record, I am asking that this applicant be given a conditional permit.

Respectfully submitted,

(Sgd) Tom E. Neal,  
Captain of Police, Traffic Division."

Councilman Alford moved that the recommendations of Captain Neal be approved. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

A gas main in SPEEDWAY, beginning at a point 217 feet north of and 31 feet west of the intersection of the north line of 44th Street and the east line of Speedway;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 31 feet west of and parallel to the east line of Speedway, for a distance of 85 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mayor Miller moved that the City Manager and the Finance Director be instructed to analyze the reports of the Texas Public Service Company for the purpose of making an evaluation of their business and property within the City and submit their report to the Council. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

There being no further business, Councilman Gillis moved to recess subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The Council then recessed at 12:10 P. M.

Approved:

Tom Miller.  
M a y o r.

Attest:

Halie McEllen  
City Clerk