

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 19, 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 C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the regular meetings of November 27, December 6, the special meeting of December 6, and the regular meeting of December 12 were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN, TEXAS, FOR SCHOOL PURPOSES ONLY TO INCLUDE THAT CERTAIN TERRITORY OUT OF PECAN SPRINGS SCHOOL DISTRICT NO. 61, HEREINAFTER DESCRIBED IN SECTION 1, AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF SCHOOL TAXES WITHIN THE TERRITORY SO ADDED.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that upon the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the following named persons be granted Taxicab Driver's Permits: Shelton E. Ayers, 1907 West 10th Street; Maurice Ledesma, 1508 East 5th Street; Faustino Rodriguez, 816 East 6th Street; Otto Franklin Schlueder, 73 Rainey Street; Joe Wilburn Strickland, 1203 Holly Street; J. B. Thielepape, 2114 Leona Street; Delmar Walsh, 303 Crockett Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that upon the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, D. H. Hogan be reinstated as a taxicab driver. 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 introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE LEVY AND ISSUANCE OF LICENSES BY THE CITY OF AUSTIN TO PERSONS ENGAGED IN THE MANUFACTURE, DISTRIBUTION AND SALE OF BEER IN THE CITY OF AUSTIN, AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by

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

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The petition of citizens asking that Clermont Street and adjacent streets be gravelled was referred to the City Manager and City Engineer.

Councilman Alford 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:

(1) A gas main in WEST THIRTY-SEVENTH STREET, beginning at a point on the west line of Oakmont Boulevard at a location $13\frac{1}{2}$ feet south of the north line of said West 37th Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be $13\frac{1}{2}$ feet south of and parallel to the north line of said West 37th Street, for a distance of 158 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ 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 out 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.

Councilman Gillis offered the following resolution:

WHEREAS, Algernon Blair is the Contractor for the construction of a building located at 204 West 8th Street and desires a portion of the sidewalk space abutting the South half of Block 99 of the Original City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. That space for the uses hereinabove enumerated be granted to said Algernon Blair, the boundary of which is described as follows:

SIDEWALK WORKING SPACE

Beginning at the southeast corner of the above described block; thence in a northerly direction along the east line of said block, 128 feet to the south line of the alley traversing said block; thence in an easterly direction and at right angles to the centerline of Colorado Street a distance to a point 4 feet west of the west curb line of Colorado Street; thence in a southerly direction and parallel with the center line of Colorado Street, 128 feet to a point in the north line of West 8th Street; thence in a southwesterly direction and at a 45° angle to the centerline of Colorado Street a distance to a point 4 feet north of the north curb line of West 8th Street; thence in a westerly direction and parallel with the centerline of West 8th Street a distance to the east line of Lavaca Street; thence in a northwesterly direction and at a 45° angle to the centerline of West 8th Street a distance to a point 4 feet east of the east curb line of Lavaca Street; thence in a northerly direction and parallel with the centerline of Lavaca Street a distance to a point in the south line of the alley traversing said Block 99; thence in an easterly direction and at right angles to the centerline of Lavaca Street a distance to the east line of Lavaca Street; thence in a southerly direction along the east line of Lavaca Street a distance to the north line of West 8th Street; thence in an easterly direction along the north line of West 8th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Algernon Blair, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail around the outer boundaries of the above described working space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space, provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than September 30, 1936.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted 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, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs and sidewalks of other materials; and

WHEREAS, Mrs. James T. Robison, owner of a tract of land facing approximately 100 feet on Gaston Avenue and being located on the south side thereof at a location east of and contiguous to the east line of the George W. Spear League, and which property is situated approximately one block west of the intersection of Claire Avenue and Gaston Avenue, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line on the south side of said Gaston Avenue at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT Mrs. James T. Robison, owner of a tract of land facing approximately 100 feet on Gaston Avenue and being located on the south side thereof at a location east of and contiguous to the east line of the George W. Spear League, and which property is situated approximately one block west of the intersection of Claire Avenue and Gaston Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line on the south side of said Gaston Avenue at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades as furnished by the Engineering Department of the City of Austin in order that said flagstone walk will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work done within the City street area shall be done by a bonded sidewalk contractor.

The resolution was adopted 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:

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

THAT the sum of \$2,095.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the "Merry Christmas" checks for the employees.

The resolution was adopted 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:

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

THAT the sum of \$900.00 be and the same is hereby appropriated out of the Water and Light Fund, not otherwise appropriated, for the purpose of paying the "Merry Christmas" checks for the employees.

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

Councilman Gillis reported that in company with the Board of Equalization an inspection was made of the improvements belonging to M. Irving Smith at 2019 Sabine Street and it was found that same were equalized with similar property. It was then moved by

Councilman Gillis that the valuation as placed by the Board of Equalization be sustained and no change be made. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Upon motion duly made and seconded, the meeting was recessed, subject to call of the Mayor.

Approved:

Tom Miller
M a y o r .

Attest:

Patricia McKeel
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 2, 1936.

The meeting was called to order at 11:35 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The minutes of the regular meeting of December 19 were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that upon the recommendation of Roy J. Smith, Captain of Police, Traffic Division, the following named persons be granted Taxicab Driver's Permits: Walter Alvin Lewis, 408 East 11th Street; Robert Edgar Lamb, 610 Driskill Street; Charley Clay McGowan, 305 East 8th Street; Milton Ray Parten, 1811 Holley Street; Andrew W. Hewitt, 1008 West 6th Street; John Bruno Dzierzanowski, 309 Crockett Street; and Jesse Casarez, 1707 East 19th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford 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:

(1) A gas main in WOODROW STREET, beginning at a point 9 feet west of the east line of Woodrow Street and 13 feet south of the north line of East 34th Street;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 9 feet west of and parallel to the east line of Woodrow Street, for a distance of one-half block to an alley.