

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 16, 1939.

The City Council convened in regular session, at its regular meeting place in the City Hall, on Thursday, February 16, 1939, at 11:25 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, G. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

The following members of the recently elected Boy Scout City Council were present and tendered their services to the City at any time that same may be needed: Ralph Frede, Mayor; George Baker, Horace Shelton, Councilmen; and Alfred Miller, City Manager.

Councilman Alford introduced the following resolution:

WHEREAS, E. L. Steck, owner of Lots 4, 5, and 6, Block 1, of Fruth Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Guadalupe Street at a location north of West 29th Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the east sidewalk area of Guadalupe Street at the above described location, as shown upon the plan hereto attached marked 2-H-624, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore,

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

THAT E. L. Steck, owner of Lots 4, 5, and 6, Block 1, of Fruth Addition; a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Guadalupe Street at a location north of West 29th Street, is hereby permitted to construct a commercial driveway across the east sidewalk area of Guadalupe Street at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-H-624, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision 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.

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

Councilman Gillis introduced the following resolution:

WHEREAS, in Volume 365, at page 415, of the Deed Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as the Faulk Subdivision; and

WHEREAS, upon said map or plat there appears various streets and alleys, one of which alleys is north of and contiguous to Lots 1, 2, 3, 4, 5, 6, 7, and 8 of said subdivision; and

WHEREAS, the owners of all the property abutting said alley on both sides thereof have petitioned the City Council of the City of Austin to permanently vacate this alley; and

WHEREAS, said petition has been reviewed and considered by the City Council of

the City of Austin; therefore

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

THAT that certain alley of the said Faulk's Subdivision referred to above be permanently closed and vacated but the right is hereby reserved to construct, maintain and operate any or all public utilities that might be necessary in, upon, and across this alley space.

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

Councilman Alford introduced the following resolution:

WHEREAS, John D. Cofer, owner of the west 61 feet of Lot 6 and the east 32 feet of Lot 5, Block 22, Section 8, of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property is situated on the south side of Ethridge Avenue at a location east of Harris Boulevard, and being within the City of Austin, Travis County, Texas; and

WHEREAS, the said John D. Cofer has made application to the City Council of the City of Austin for permission to construct a flagstone walk from the property line to the curb line at the above described location and to construct a stone curb along the front of the above described property; and

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, sidewalks and ramps of other material; and

WHEREAS, the City Council has investigated and approved the construction of a flagstone walk and a stone curb at the above described location; therefore,

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

THAT John D. Cofer, owner of the west 61 feet of Lot 6 and the east 32 feet of Lot 5, Block 22, Section 8, of Pemberton Heights, which property is situated on the south side of Ethridge Avenue and east of Harris Boulevard and being within the City of Austin, Travis County, Texas, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and to construct a stone curb along the front of that property; provided, that all work within the City street area shall be done by a bonded curb and sidewalk contractor and further subject to the following conditions:

That all stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that the same will not create a hazard to pedestrians.

That the stone for the sidewalk shall be placed upon a 4-inch concrete base.

That the stone for the curb shall be placed upon a concrete base in conformity with the standard design of the City of Austin as shown upon the plan hereto attached marked 2-C-501, which plan is hereby made a part of this resolution; and

That all construction shall be carried out under the supervision and direction of the City Engineer of the City of Austin and in accordance with the lines and grades furnished by the Engineering Department of the City of Austin.

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

Councilman Alford introduced 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 AVONDALE ROAD from Travis Heights Boulevard easterly 319 feet, the centerline of which gas main shall be 21 feet south of and parallel to the north line of said Avondale Road.

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

(2) A gas main in RED RIVER STREET ALLEY southerly 50 feet from a point 85 feet north of the north line of 21½ Street, the centerline of which gas main shall be 5 feet east of and parallel to the west line of said Red River Street Alley.

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

(3) A gas main in JUNIPER STREET easterly 104 feet from a point 100 feet east of the east line of Waller Street, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Juniper Street.

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

(4) A gas main in WINSTED LANE southerly 324 feet from a point 183 feet south of the south line of Enfield Road, the centerline of which gas main shall be 12 feet west of and parallel to the east line of said Winsted Lane.

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

(5) A gas main in AVENUE H northerly 455 feet from a point 103 feet north of the north line of East 52nd Street, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Avenue H.

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

(6) A gas main in WEST 47TH STREET from Shoalwood Avenue to Sinclair Avenue, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West 47th Street.

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

(7) A gas main in SHOALWOOD AVENUE from West 47th Street to West 49th Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Shoalwood Avenue.

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

(8) A gas main in WEST 49TH STREET from Woodview Avenue to Shoalwood Avenue, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West 49th Street.

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

(9) A gas main in WOODVIEW AVENUE from West 49th Street northerly to one block north of Hancock Drive, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Woodview Avenue.

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

(10) A gas main in HANCOCK DRIVE across Woodview Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Hancock Drive.

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

(11) A gas main in ELTON LANE across Windsor Road intersection, the centerline of which gas main shall be 7½ feet west of the east line of Elton Lane.

Said gas main described above shall have a covering 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mayor Miller nominated the following persons as members of the Board of Adjustment for terms expiring as follows: H. F. Kuehne and J. T. Ward, term expiring January 1, 1940, retroactive January 1, 1938; Louis H. Blendermann, W. A. Harper, and V.H. Pannell, term expiring January 1, 1941, retroactive January 1, 1939. The nominations were confirmed by the following vote: Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Bartholomew offered the following resolution:

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

THAT the sum of \$700.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of constructing a fence around the baseball park at Zaragoza Park.

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

Upon motion of Councilman Bartholomew, the following matter was referred to the City Manager for consideration: the advisability of having a particular truck assigned to the job of separating the combustible material that could be used as fuel from the rest of the trash and have it hauled to a common dump where the indigent Mexicans of the City may obtain some for fuel.

A communication from O. W. Roberts and R. L. Roberts, asking that the City advertise for sale, at public auction, Lots 4 and 5, Block 3, Outlot 34, Division "B", located at the corner of East 12th and Coleta Streets, was received. The matter was referred to the City Attorney to have such notice of sale advertised in accordance with law.

The Mayor announced that the public hearing called for this day on the proposal of the City Council to amend the Zoning Ordinance in the following particulars would now be opened:

To amend the USE and Height and Area designation of the following described property so as to change same from "A" Residence District to "C" Commercial District, and from First Height and Area District to Second Height and Area District: the property on the west side of Chestnut Avenue north of Rosewood Avenue and opposite Rosewood Park, legally described as Lots 6 and 7, in Block 4; Lots 4, 5, 6, and 7, in Block 5, all in Outlot 58, Division "B", City of Austin, Travis County, Texas.

To amend the USE District designation of the following described property so as to change same from "A" Residence District to "C" Commercial District: the four corners at the intersection of Ash Street and Robin Hood Trail, legally described as Lot 1, in Block 5; Lot 8, in Block 6; Lot 9, in Block 1; Lot 16, in Block 2; all in Walsh Place Addition, in the City of Austin, Travis County, Texas.

Nobody appearing to protest the proposed changes, the City Attorney was instructed to prepare the necessary ordinance.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, the City Council is in receipt of a resolution adopted by the Board of Trustees of the Austin Independent School District under date of February 13, 1939, advising that Contract No. 14 between the Cyclone Fence Company and the City of Austin, acting for the Austin Independent School District, for the construction of Fencing for the Physical Training Field of the Anderson High School, has been completed, and that necessary final inspection has been made by the Supervising Architect, accompanied by representatives of the Board of Trustees and of the Public Works Administration; and

WHEREAS, the above resolution recommends to the City Council acceptance of the Contract; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, does hereby accept Contract No. 14 as having been finally completed and so recommends to the Public Works Administration.

(Resolution of School Board)

WHEREAS, the Supervising Architect's office advises that a final inspection has been made of the work included under Contract No. 14, covering fencing for the Physical Training Field of the Anderson High School, under the Construction Program covered by PWA Docket Tex-2134-F, at which inspection the following official representatives were present:

J. V. Curnutte, representing the Public Works Administration;  
A. H. McCallum, Superintendent of Schools;  
T. N. Porter, Assistant to the Superintendent;  
L. H. Blendermann, Chairman of the Building Committee;  
H. B. Iglehart, Supervising Engineer for the Owner; and  
B. E. Giesecke, representing the Supervising Architect's Office; and

WHEREAS, the Supervising Architect further advises that the contract has been satisfactorily completed and recommends final acceptance of the same; now, therefore,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE AUSTIN INDEPENDENT SCHOOL DISTRICT:

THAT final acceptance of the contract between the City of Austin, acting for and in behalf of the Austin Independent School District and the Cyclone Fence Company, being Contract No. 14 under PWA Docket Tex-2134-F, be recommended to the City Council of the City of Austin.

The above resolution was unanimously adopted at the regular meeting of the Board of Trustees of the Austin Independent School District held February 13, 1939, at which the following members were present:

Eleanor H. Wells, Secretary

Councilman Bartholomew introduced the following resolution, which was unanimously adopted by a rising vote of the City Council:

## R E S O L U T I O N .

## BE IT RESOLVED:

THAT we, the undersigned members of the City Council, acting solely in our individual capacities, desiring to express to the citizens of Austin our deep and sincere appreciation of the courtesy extended to us upon the occasion of the testimonial dinner on February 15, 1939, request the newspapers of Austin, as our only means of reaching each of you, to say that we thank you from the very "bottom of our hearts" for the wonderful expression of your approval of our efforts to serve you; and that a copy of this resolution be transcribed to a separate page in the minutes of the City Council as of this date, subscribing our names thereto, not as councilmen but as most grateful representatives of the "Friendly City."

W. B. [Signature]  
C. F. [Signature]  
Simon Gillis  
Arwaes & Kelly

Upon motion, seconded and carried, the meeting was recessed to 7:30 P. M., of this date.

Approved: Tom Miller  
Mayor

Attest:

Hallie McKee  
City Clerk

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, February 16, 1939.

The meeting was called to order at 7:30 P. M., with Mayor Miller presiding. Roll call showed the following members present: Councilman Gillis, Mayor Miller, and Councilman Wolf; absent, Councilmen Alford and Bartholomew.

There were also present the following: W. E. Seaholm, Superintendent of the Electric Division, A. E. Hancock, Electrical Inspector, Judge A. L. Love, and a large group of electricians and other interested citizens.

The Mayor stated that the meeting was called for the purpose of a public hearing on the proposed electrical ordinance.

The ordinance was then read in full and discussed at length, all present being given an opportunity to be heard.

Following the discussion, it was the sense of the meeting that the ordinance should be amended in certain particulars, in compliance with the requests of the electricians as presented.

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

Approved: Tom Miller  
Mayor

Attest:

Hallie McKee  
City Clerk