

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 10, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, April 10, 1941, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The Minutes of the regular meeting of April 3, 1941, morning and afternoon sessions, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A committee from the First Baptist Church, composed of Dr. Frederick Eby, Messrs. Lon Smith and L. B. Burnette, came before the Council and asked that angle parking on West 11th Street from Congress Avenue to Colorado Street be permitted on Sundays in order to accommodate their congregations.

Following the discussion, it was the sense of the meeting that angle parking on said street be allowed on Easter Sunday, and that the Police Department be instructed to have two policemen stationed there on said date to handle the traffic.

A committee from the Anglers Club, with B. J. Rupert as spokesman, came before the Council and submitted a request for the construction of a casting pond on the State of Texas old fish hatchery tract near the mouth of Barton Creek.

After considerable discussion, in which the committee agreed to the proposal that a ten-cent admission charge be made to help defray the cost, the Mayor declaring that the only justification for the expenditure of funds for this purpose being the fact that Austin is the center of lake activities and that same would provide a practice target for fishermen, it was moved by Councilman Wolf that the construction of said casting pond be authorized provided the cost of same does not exceed Two Thousand Dollars (\$2000.00), and that an admission charge of 10 cents be made. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf then offered the following resolution:

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

THAT the sum of \$2000 be, and the same is hereby, appropriated out of the General Fund not otherwise appropriated for the purpose of constructing a casting pond on the State of Texas old fish hatchery tract near the mouth of Barton Creek.

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

The City Attorney was instructed to prepare a resolution, for adoption at the next regular meeting, authorizing the City Manager to execute a quitclaim deed to H. D. Pruett and the Hillcrest Baptist Church, conveying the wedge-shaped tract in front of their property at the intersection of East 19 $\frac{1}{2}$ Street and East Avenue.

A general hearing on the proposal to amend the Electrical Ordinance relative to the provision requiring bond of Master Electricians, was called for Thursday, April 17, at 3:00 P. M., and the City Manager was instructed to notify the Electrical Board to be present.

By rising vote, the City Council unanimously adopted the following Easter Proclamation prepared by the Reverend Patrick Duffy, Pastor of St. Ignatius Church, South Austin, at the request of Mayor Miller:

WHEREAS, God, in His goodness created man to His image and likeness and, after the fall of man into sin, He, in His mercy promised man a Redeemer who would buy back for fallen man the right to eternal bliss; and

WHEREAS, Jesus Christ, fulfilling the prophecies and proving His Divinity, took into His sacred hands the sword of the Cross and carried on His head the crown of thorns, and on this day scaled the heights of Calvary to win the victory of virtue over vice, of life over death, of love over hate; and

WHEREAS, This is the day when we contemplate Him with His arms flung wide on the Cross to embrace every race and every nationality, and not merely the members of one race or of one nationality; and

WHEREAS, we see racism rampant, hate prevailing, brutality riding high;

BE IT RESOLVED: That we proclaim this day a day of sorrow for our own sins and for the sins of the world; and

BE IT RESOLVED: That we urge our citizens to ponder and pray today at the foot of the Cross, beseeching His clemency on us and upon our city and begging once more for a victory of generosity over selfishness, of love over hate, of life over death.

Upon motion of Mayor Miller, all city employees, except those whose duties are of vital importance, were granted the hours from 12 o'clock Noon to 3:00 P. M., off on Good Friday in order that they might attend religious services.

The City Manager submitted to the Council the following tabulation of bids received on the East Avenue Swimming Pool:

" Austin, Texas,
April 10, 1941

Memorandum to Mr. Morgan:

The bids on the East Avenue Swimming Pool which were received and opened April 8th, have been tabulated and the totals are as follows:

National Swimming Pool Company (Swimming Pool Sales Co) - - -	\$11,932.60
Cage Bros. & F. M. Reeves - - - - -	12,899.00
L. L. McCandless - - - - -	15,166.76

In addition to the above cost, a 12-inch drain line, at a cost of \$1600, will be required and a change in the fences around the new pool will be necessary, costing \$400.00. In other words, to the above bid, we will have to add \$2000 for work to be done by the City outside of the contract price.

I recommend that the contract be awarded to the low bidder, which was the National Swimming Pool Company (Swimming Pool Sales Co.)

Yours very truly

/s/ J. E. Motheral
City Engineer

Mayor Miller moved that the recommendations of the City Engineer be approved, and contract be awarded to National Swimming Pool Company (Swimming Pool Sales Company). The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis offered the following resolution:

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

THAT the sum of \$1608.32 be, and the same is hereby, appropriated out of the General Fund not otherwise appropriated for the purpose of asphalt-topping 30 feet wide on Waller Street from the south side of East 1st Street to the south side of Haskell Street (at entrance to Fish Hatchery).

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

Councilman Bartholomew moved that the following applications to operate private boats on Lake Austin be approved, subject to the approval of same by the Lake Austin Navigation Board;

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Mills, Huron W. - 2603 Wooldridge Drive	Home-built, Outboard, 1941 Model, Detroit, 4-passenger
Noyland, Owen - 101 East 44th Street	Montgomery-Ward, Outboard, 1941 Model, Johnson, 6-passenger
Queen, R. O. - 4203 Marathon Boulevard	Outboard, "Patsy", Waterwitch, 4-passenger
Steger, Raymond - 1016 West 6th Street	Old Towne, Canoe, 1937 Model, 2-passenger
Williams, J. E. - Lytton Springs, Texas	Outboard, Home-made, 4-passenger

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

Councilman Alford moved that the application of Otto Emil Zieger, 1125 West 5th Street, for a Taxicab Driver's Permit be granted, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford moved that the application of Lloyd C. Ellis, 504 East 1st Street, for a Taxicab Driver's Permit be granted, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

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:

- (1) A gas main in WEST 29TH STREET from Kerbey Lane westerly 60 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said West 29th Street.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (2) A gas main in AVENUE F from East 51st Street northerly 23 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of, and parallel to, the east property line of said Avenue F.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (3) A gas main in EAST 51ST STREET across Avenue F intersection, the centerline of which gas main shall be 7 feet north of, and parallel to, the south property line of said East 51st Street.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (4) A gas main in OXFORD AVENUE from a point 125 feet north of Ashby Avenue southerly 90 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of, and parallel to, the east property line of said Oxford Avenue.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (5) A gas main in EAST 32ND STREET across Robinson Avenue intersection, the centerline of which gas main shall be 8 feet north of, and parallel to, the south property line of said East 32nd Street.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (6) A gas main in DANCY STREET from East 32nd Street southerly 46 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet east of, and parallel to, the west property line of said Dancy Street.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (7) A gas main in RIVERSIDE DRIVE, from South Congress Avenue easterly 150 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said Riverside Drive.
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (8) A gas main in RIVERSIDE DRIVE across Travis Heights Boulevard intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said Riverside Drive.

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

- (9) A gas main in EAST 49TH STREET from a point 146 feet west of Harmon Avenue westerly 104 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said East 49th Street.

Said gas main described above shall have a covering 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 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.

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

The Mayor offered the following resolution:

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

THAT Councilman Bartholomew and Councilman Wolf be, and they are hereby, appointed as a committee to canvass the returns of the election held in the City of Austin, Texas, on April 7, 1941, and they are hereby instructed to report to the City Council the result of such canvass.

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

The above named committee then canvassed the returns of said election, following which the Mayor offered the following resolution:

WHEREAS, by virtue of an election held in the City of Austin, Texas, on the 7th day of April, 1941, for the purpose of electing five Councilmen, the official returns from the election officials certify and show, and thereafter a canvass of said returns by the Committee appointed by the City Council to canvass said returns also show, that there were cast at said election a total of 3121 votes; and

WHEREAS, said returns, and the canvass thereof, also show that the following named persons severally received the total votes set opposite their names, respectively, to-wit:

Chas. F. Alford	received	2706 votes
E. C. Bartholomew	received	2797 votes
Simon Gillis	received	2796 votes
Tom Miller	received	2711 votes
O. R. Stephens	received	389 votes
Ben White	received	583 votes
Oswald G. Wolf	received	2627 votes

H. P. Becker	received	1 vote
C. W. White	received	1 vote
Jack Miller	received	1 vote
R. L. Vinson	received	1 vote
Abe Bull	received	1 vote
A. Kamrath	received	1 vote
K. R. Meyers	received	1 vote
W. T. Johnson	received	4 votes

Total vote cast at election 3121 ; and

WHEREAS, it appears that Chas. F. Alford, E. C. Bartholomew, Simon Gillis, Tom Miller, and Oswald G. Wolf have received the highest number of votes cast for councilmen at said election; now, therefore,

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

THAT, in accordance with said returns, as received and canvassed, the following named persons are hereby declared duly elected and authorized to qualify for the positions of councilmen for the City of Austin, for the term of two years, beginning May 1, 1941; Chas. F. Alford, E. C. Bartholomew, Simon Gillis, Tom Miller and Oswald G. Wolf.

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

Upon motion, seconded and carried, the meeting was recessed at 12:50 P. M., subject to call of the Mayor.

Approved

Tom Miller
Mayor

Attest:

Hallie M. Kellan
City Clerk