

250,000 gallons per month to be billed net on the regular rate.

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

It was moved by Councilman Gillis that the questionnaire submitted by the City Manager, requiring the oath of allegiance to the Constitution of the United States by every city employee, be formally approved. The motion prevailed 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 11:45 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attests

Harris M. Kellan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 22, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, May 22, 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 recessed meeting of May 9 and the regular meeting of May 15, 1941, 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.

It was moved by Councilman Wolf that the application of Manuel Ramirez, 1912 Riverview Street, for a license to operate a taxicab be granted, in accordance with the recommendations of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that the application of Oscar Charles Vinoyard, 400 $\frac{1}{2}$ East First 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.

It was moved by Councilman Alford that the following applications for private boat licenses be granted, subject to the approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Anderson, Robert - 601 East 43rd Street	Home-made, Flat-bottom, Row, three years old; 3-passenger
Baldwin, Walter J.-2105 Kinney Avenue Barton, Earl	Home-made, Outboard, two years old, Johnson, 4-passenger
Beck, Henry - 607 Texas Avenue	Acme, Folding-Outboard, 1935 Model, Johnson, 4-passenger
Belk, B. L. - 410 $\frac{1}{2}$ West 17th Street	Home-made, Outboard, 1936 Model, Evinrude, 6-passenger
Cooke, Joseph- 217 Littlefield Building	Clark, Rowboat, Outboard, eight years old, "Jus Fishing", 4-passenger
Cook, Joe Edward - 645 Tillery Street	Motor Boat, 1941 Model, Outboard, Water Witch, 6-passenger
Gustafson, Quenton F.- 911 West 30th Street	Home-made, Flat-bottom, Outboard, New, 4-passenger
Harper, Murray M. - Martindale, Texas	Metal, Outboard, four years old, Elto, 3-passenger
Haynes, J. W. - 3808 Alice Avenue	Home-made, Outboard, 1936 Model, Sea King, 4-passenger
Hendrickson, Ben W. - 406 Sterzing Street	Home-made, Row Boat, one year old, 2-passenger
Jones, James C. - 3109 Grandview Street	Century, Outboard, 1938 Model, Evinrude, 4-passenger
Kullenberg, H. H. - 916 West Monroe Street	Home-made, Outboard, 1941 Model, Elto, 4-passenger
Mast, A. T., Jr. - 214 Archway	Shelton, Outboard, Clipper, one year old, Evinrude, 4-passenger
Piland, Herman - 518 East Live Oak Street	Thompson, Outboard, 1941 Model, Evinrude, 4-passenger
Purcell, A. L. - 902 Robertson Avenue	Thompson, Outboard, 1940 Model, "Satan", 2-passenger
Robinson, E. E. - 308 West 14th Street	W.M.Harrison, Flat-bottom, 1941 Model, Sea King, Outboard, 4-passenger
Rundberg, O. F. Rundberg, Route 3, Box 376	Montgomery-Ward, Inboard, three years old, Lawson, 5-passenger
Schriber, Fred W. - 1804 Polo Road	Dixie, 1940 Model, Evinrude, 4-passenger
Smith, Chas. E. - 717 West Monroe Street	Home-made, Row Boat, New, 2-passenger
Stern, Julian - 706 Highland Avenue	New, Home-made, 4-passenger
Terry, Wm. M. - 1502 Brasos Street	Home-made, Row Boat, one year old, 4-passenger
Texas Game, Fish and Oyster Commission	Skiff, Home-made, Outboard, 2-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 following applications for commercial boat licenses be granted, subject to the approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Lawrence, LeRoy - 2500 South 1st Street	Home-made, Row Boat, New, 4-passenger
Lawrence, LeRoy - 2500 South 1st Street	Home-made, Row Boat, New, 4-passenger
Lawrence, LeRoy - 2500 South 1st Street	Home-made, Row Boat, New, 4-passenger
McRoberts, A. L.- 2709 River View Street	Home-made, Inboard, Cruiser, 1940 Model, 8-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 A. L. McRoberts, 2709 Riverside View, for a commercial pilot's license be granted, subject to the approval of the Lake Austin Navigation Board.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, the Southland Ice Company, acting by and through H. F. McCormick, Manager, owner of Lot 1, Block 115, of the Original City of Austin, Travis County, Texas, which property is situated on the east side of Red River Street north of East 9th Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the east side of Red River Street and to build a commercial driveway in conjunction therewith; and

WHEREAS, a plan has been prepared showing the layout of said curb setback and commercial driveway, which plan is hereto attached marked 2-H-740, and made a part hereof; and

WHEREAS, said request and plan have 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 the Southland Ice Company, acting by and through H. F. McCormick, Manager, owner of Lot 1, Block 115, of the Original City of Austin, Travis County, Texas, which property is situated on the east side of Red River Street north of East 9th Street, is hereby granted permission to set the curb back from the established curb line on the east side of Red River Street and to build a commercial driveway across the east sidewalk area of Red River Street.

Permission to construct the above described curb setbacks and commercial driveways is granted subject to the same's being constructed in accordance with the plans approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-H-740 and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback areas on Red River Street shall be carried out in accordance with the accompanying plan marked 2-H-740 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.
- (3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-740.
- (4) That all such expansion joints shall be of the pre-moulded type.
- (5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.
- (7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

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

The following resolution was introduced by Councilman Alford:

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 BRYKER DRIVE, from a point 95 feet north of West 33rd Street northerly 200 feet, the centerline of which gas main is 7½ feet west of, and parallel to, the east property line of said Bryker Drive.

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

- (2) A gas main in WEST 36TH STREET from a point 259 feet west of Lawton Avenue westerly 62 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of, and parallel to, the north property line of said West 36th Street.

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 from Harmon Avenue easterly 185 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 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 AVENUE F from East 51st Street northerly 192 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.

- (5) A gas main in CONCORDIA AVENUE from a point 114 feet east of Lafayette Avenue easterly 243 feet, the centerline of which gas main shall be $12\frac{1}{2}$ feet south of, and parallel to, the north property line of said Concordia Avenue.

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

- (6) A gas main in ALTA VISTA AVENUE from a point 73 feet south of Rutherford Place northerly 220 feet, the centerline of which gas main shall be 20 feet west of, and parallel to, the east property line of said Alta Vista Avenue.

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

- (7) A gas main in WINDSOR ROAD from Exposition Boulevard westerly 433 feet, the centerline of which gas main shall be $42\frac{1}{2}$ feet north of, and parallel to, the south property line of said Windsor Road.

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

The following resolution was introduced by Councilman Alford:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

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

THAT the Southwestern Bell Telephone Company be, and the same is hereby, permitted to construct its pole line in the following street:

A telephone pole line in ALLEY west of Avenue F, from West 51st Street to West 52nd Street, the centerline of which pole line shall be 1 foot east of, and parallel to, the west property line of said Alley west of Avenue F.

THAT the work and construction of said pole line, including the excavation of the streets and the restoration and maintenance of said streets after said pole line has been constructed, shall be under the supervision and direction of the City Manager, and in accordance with the ordinances and

regulations of the City of Austin governing such construction.

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

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, electric power line poles and electric vents are now located adjacent to the west line of and within the alley running from Sixth Street to Seventh Street through the block lying between Congress Avenue and Colorado Street; and

WHEREAS, such objects prevent the free use for travel of a part of such alley about two feet in width, bounded on the west by the west line of said alley and extending from Sixth Street northward beyond the premises adjoining such alley on the west now occupied by Loan Star Shoe Service, Inc.; and

WHEREAS, the use for travel of such portion of said alley is not necessary, the remaining portion thereof being amply sufficient to accommodate present travel; and

WHEREAS, dust emitted from a dust-chute on the premises occupied by said Loan Star Shoe Service, Inc., now enters the electric vents of the City and it is to the interest of the City to encourage the construction of a dust collector in the part of said alley so barred to travel to collect such dust; now, therefore,

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

THAT Loan Star Shoe Service, Inc., and Curtis M. Barfield, its president, be and they are hereby granted permission to construct, under the direction and supervision of the City Engineer, within said part of said alley over which travel is now prevented and at a location to be designated by the City Engineer, a dust collector to collect the dust from said dust-chute; conditioned upon the execution by the said Loan Star Shoe Service, Inc., and Curtis M. Barfield of an agreement to indemnify and release the City of Austin from liability for any damages growing out of said structure and to remove such structure within sixty (60) days after written notice to said Barfield by the City of Austin to vacate said property.

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

The Mayor submitted to the Council the recommendations of the Park Board and the Junior Chamber of Commerce that negotiations be entered into with the I&GN Railroad Company and the Board of Regents of the University of Texas for acquisition by the City of the old Zoo Park at the Dam, located just west of the Golf Course, on which to construct the new base ball park, in lieu of the Zilker Park location. It was the sense of the meeting that the matter be approved.

The City Manager submitted to the Council for approval, the plan approved by the Commissioners Court of Travis County whereby the County would pay the City a flat charge of \$1250 per month for the remainder of the year 1941 for County patients received at the Brackenridge Hospital, and at the end of that time, the amount for next year to be determined after a check of the records.

It was the sense of the meeting that this plan be approved, subject to the following stipulations: that in case of a serious epidemic this setup to be subject to an equitable adjustment; that if the County's patronage increases 15%, the City is to receive more money, and if same falls off 15%, County is to benefit accordingly; and that, in no case, shall County patients be received at the Hospital to the exclusion of City patients.

The City Manager submitted to the Council a request of the Browning Aerial Service for permission to remove its flying school to the Municipal Airport.

It was the sense of the meeting that this request be denied in so far as same relates to the construction of buildings on City property; but that no objection be made to the said Browning Aerial Service' working out an arrangement with Harry Hammill, lessee, for use of the Airport

for some flying, subject, however, to removal at short notice should same interfere with the operations of the United States Government there.

The following resolution was introduced by Councilman Wolf:

WHEREAS, Hal James and his wife, Caroline James, were formerly the owners of the hereinafter described property; and

WHEREAS, heretofore the City of Austin purchased the property hereinafter described at Sheriff's sales made by virtue of orders of sale issued under judgments entered in suits for the foreclosure of the City's tax liens against such property; now, therefore,

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

THAT the City Manager be, and he is hereby, authorized, in consideration of the payment to the City of Austin of the sum of Two Hundred and Forty Dollars (\$240.00), to execute a release and quitclaim deed, releasing and quitclaiming to Milton C. Tears, administrator of the estates of Hal James and Caroline James, both deceased, all of the right, title, interest, claims, liens and demands now held or owned by the City of Austin in, to, or against the hereinafter described property by reason of such tax sales and all delinquent taxes and costs now owing to the City of Austin on the following described property situated in the City of Austin, in Travis County, Texas, viz:

Lot No. Six (6) in Block Two (2), Outlot Fifty-eight (58) of the Government Outlots adjoining the Original City of Austin.

Upon motion of Councilman 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 11:30 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Dale M. Keenan
City Clerk

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, May 26, 1941.

The City Council and the Board of Adjustment met in joint session for a round table discussion of the various proposed amendments to the Zoning Ordinance as prepared by the Board of Adjustment and the City Attorney.

The meeting was called to order by Mayor Tom Miller at 4:00 P. M. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

There were present, also, Messrs. Kuehne, Blendermann, Fannell, Pruett, and Ward, Members of the Board of Adjustment; and the City Manager, the City Attorney, the City Engineer, and the Building Inspector.

A discussion of said proposed amendments was then entered into, with the following results:

All amendments shown in red on Page 2 of the printed copy of the Zoning Ordinance were approved.

All amendments shown in red on Page 4 of said printed copy were approved.

All amendments shown in red on Page 5 of said printed copy were approved.

Amendment (d), under Section 4, Page 6, of said printed copy was approved by adding after the word, "horses", the words, "where no commercial use is contemplated," and defining the size of lot, requiring that same must contain a given number of square feet and be a certain distance from the neighbors' doors and windows. The City Attorney was instructed to make this latter requirement as great as could be enforceable, and if it is found that the size of the lot cannot be controlled, then to regulate the distance from the neighbors, but to include both regulations if possible.

All other amendments shown on Page 6 were approved.

Amendment (6), under Section 6, Page 7, of said printed copy was left pending until after the Zoning hearing pertaining to the matter, to be held Thursday, May 29th.

All other amendments shown in red on Page 7 were approved.

Amendments (37), (38), and (39), under Section 6, Page 8, of said printed copy were approved by adding the words, "that such establishments be given six months either to conform to the requirements of this section, or be discontinued"; and the following amendments were added: (40) Trailer Camps, and (41) Tourist Camps.

Under Section 6-B, "C-1" COMMERCIAL DISTRICT, Page 8 of said printed copy, the first paragraph was amended by adding after the word, "prohibited" in the second line, the words, "or permitted".

All other amendments shown in red on Page 8 were approved.

It was agreed that the "C-1" Commercial District along the River bank on the east side of Congress Avenue and along Willow Street, as shown on the revised map, be stricken out.

The amendment under Section 8, "E" HEAVY INDUSTRIAL DISTRICT, as shown in red on Page 9 of said printed copy, was approved.

Amendment (5), under Section 9, as shown in red on Page 10 of said printed copy was approved.

The amendment under Section 10, as shown in red on Page 11 of said printed copy, was approved by adding to the second paragraph after the words, "'C-1' COMMERCIAL DISTRICT", the words, "and 'C'-COMMERCIAL DISTRICT."

The amendment under Section 12, as shown in red on Page 12 of said printed copy, was approved.

The amendment under Section 13, as shown in red on Page 13 of said printed copy, was approved.

The amendment under Section 14, as shown in red on Page 14 of said printed copy, was approved.

The amendments under Section 16, as shown in red on Page 17 of said printed copy, was approved.

The amendment under Section 23, as shown in red on Page 20 of said printed copy, was approved.

The amendments under Section 25(2), as shown in red on Page 21 of said printed copy, were approved.

The amendment under Section 26, as shown in red on Page 22 of said printed copy, was approved.

The amendment under Section 30, as shown in red on Page 23 of said printed copy, was approved.

The foregoing constituting all of the proposed amendments, the Mayor then expressed the thanks of the City Council to the Board of Adjustment and the City Attorney for their efforts in the matter.

The meeting was then recessed at 6:30 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie M. Kellan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 29, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, May 29, 1941, at 10:55 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 May 22, 1941, 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.

The following report of the Board of Adjustment was received:

"Austin, Texas
May 13, 1941

The Honorable Mayor and City Council
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on May 13, 1941, which is hereby respectfully submitted for your consideration:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of T. J. Caldwell requesting a change in the Use designation of the following property:

Lots Nos. 1, 2, 3, and 4, and the north half of Lots 13 and 14, in Block 3, Subdivision of Outlet No. 11, Division "Z", known as the Caldwell Homestead at the corner of West Sixth and Crockett Streets, and fronting 208 feet on West Sixth Street and 208.7 feet on Crockett, Or Baylor Street,

from "C" Commercial District and Third Height and Area District to "D" Industrial District and Third