

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 28, 1941

The City Council convened in regular session at the regular meeting place in the Council Room at the Municipal Building, on Thursday, August 28, 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 August 21, 1941, and of the special meeting of August 22, 1941, were read, and upon motion of Councilman Alford, were adopted as read by the following vote; Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; nays, none.

A committee from the Junior Chamber of Commerce appeared before the Council. Mr. Joe King, Chairman, stated that the Junior Chamber of Commerce, at a recent meeting, had voted unanimously to suggest to the City Council that the proposed baseball field to be built on the Butler tract recently purchased by the City be called "Disch Field" in honor of Mr. Billy Disch, who has done so much for baseball in Austin, and in Texas.

The Mayor asked for a vote on this suggestion, and the following vote prevailed; Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A committee from the Senior Chamber of Commerce appeared before the Council. Mr. E. B. Moody, Chairman, presented a sketch of the proposed new bathhouse and pavillion for Barton Springs, drawn by the firm of Driscoll and Groos, architects, and asked that the Council give their recommendations serious consideration in the budget for 1942, if it is not possible to do this work during the present year. The approximate cost of the bathhouse and pavillion is estimated at \$70,000. Mr. Moody stated that his committee would suggest that this work be started at the end of the bathing season so that it would be ready for the season of 1942. The Mayor thanked the committee for their work and their suggestions but stated that it would be impossible to undertake such a project this year due to the lack of funds; however, the Council would take it under advisement for future consideration.

Mr. S. Ferris appeared before the Council and presented petitions asking for the improvement of East 6th street, from the point where it crosses the railroad tracks east to the interesection of East 1st street, near the Montopolis Bridge. This matter was referred to the City Manager to have an estimate made of the cost of such improvement and to see if a plan could be worked out with the County and State as a part of the street is in the County and is considered a project which should be built by the City, County and State.

Councilman Wolf introduced the following resolution:

WHEREAS, heretofore by dedication of a plat as recorded in Book 4, pages 146-147, of the Plat Records of Travis County, Texas, an easement for a sanitary sewer was dedicted and granted to the City of Austin across the property hereinafter described; and

WHEREAS, it has become apparent that the City of Austin does not now need or desire said easement as hereinafter described; therefore,

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

THAT the City Manager be and he is hereby authorized and directed, in the name of the City of Austin, to release and quitclaim unto Enfield Realty & Home Building Company, the owner of Lots 28 and 47, in Tarry Town Oaks Addition to the City of Austin, its successors and assigns, all the right, title, interest, claim, and demand of the City of Austin in and to the easement described in the dedication hereinbefore mentioned, insofar as the same pertains to the north five feet (N.5') of Lots 28 and 47, in Tarry Town Oaks Addition to the City of Austin, Travis County, Texas, according to the map or plat thereof of record in said Book 4, pages 146-147, of the Plat Records of Travis County, Texas.

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

The following resolution was introduced by Councilman Gillis:

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 materials; and

WHEREAS, Standard Lambert, owner of Lot 57 and part of Lot 58, of Tarry Town 6, a subdivision within the City of Austin, Travis County, Texas, which property is situated on the south side of Copo Avenue at a location west of Winsted Lane, and being locally known as 2105 Copo Avenue, has made application to the City Council of the City of Austin for permission to construct a flagstone walk across the south sidewalk area of Copo Avenue adjacent to the above described property; and

WHEREAS, said request 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 Standard Lambert, owner of Lot 57 and part of Lot 58, of Tarry Town 6, a subdivision within the City of Austin, Travis County, Texas, which property is situated on the south side of Copo Avenue at a location west of Winsted Lane, and being locally known as 2105 Copo Avenue, is hereby granted permission to construct a flagstone walk across the south sidewalk area of Copo Avenue adjacent to the above described property 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 and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

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

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, Frank Barron is the Contractor for the front of a building located at 311 Congress Avenue and desires a portion of the sidewalk space abutting Lot 2, Block 30, of the Original City of Austin, Texas, during the alteration 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 Frank Barron, the boundary of which is described as follows:

Sidewalk Working Space

BEGINNING at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue to a point 5 feet east of the east curb line; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 30 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the west property line of the above described property.

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

(1) That the Contractor shall construct a guard rail within the boundary line along the north, west, and south lines of the above described 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 barricades.

(3) That provisions 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 water.

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

(5) 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 15, 1941.

(6) 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.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), 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 or abuse 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.

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 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 WINDSOR ROAD from Winsted Lane easterly to the west property line of the I&GN Railroad Right-of-way, the centerline of which gas main shall be  $13\frac{1}{2}$  feet south of, and parallel to, the north line of said Windsor Road.

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

(2) A gas main in WINDSOR ROAD from Hartford Road westerly to the east property line of the I&GN Railroad Right-of-way, the centerline of which gas main shall be  $13\frac{1}{2}$  feet south of, and parallel to, the north line of said Windsor Road.

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

(3) A gas main in EAST NINTH STREET from a point 219 feet east of Chicon Street easterly 30 feet, the centerline of which gas main shall be 7 feet north of, and parallel to, the south line of said East 9th Street.

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

(4) A gas main in EAST LIVE OAK STREET, from a point 175 feet east of Glendale Avenue, easterly 1010 feet, the centerline of which gas main shall be 14 feet south of, and parallel to the north line of said East Live Oak Street.

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

- (5) A gas regulator pit in WEST MARY STREET at South 1st Street intersection, the center of which regulator pit shall be 5½ feet south of the north line of said West Mary Street.

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

- (6) A gas regulator pit in SOUTH FIRST STREET at West Mary Street intersection, the center of which regulator pit shall be 25 feet east of the east line of said South 1st Street.

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

- (7) A gas main in WEST TENTH STREET from Patterson Avenue westerly 122 feet, the centerline of which gas main shall be 15 feet north of, and parallel to, the south line of said West 10th Street.

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

- (8) A gas main in WINDSOR ROAD, from Hillview Road easterly 350 feet, the centerline of which gas main shall be 42½ 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 2½ feet.

- (9) A gas main in WINDSOR ROAD, from Hopi Trail to Mountainview Road, the centerline of which gas main shall be 42½ feet north of, and south of the south property line of said Windsor Road.

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

- (10) A gas main in WINDSOR ROAD from McCall Road to Sharon Lane, the centerline of which gas main shall be 13½ feet south of, and parallel to, the north line of said Windsor Road.

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

- (11) A gas main in DORMARION LANE, from Windsor Road north 50 feet, the centerline of which gas main shall be 7½ feet west of, and parallel to, the east line of said Dormarion Lane.

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

- (12) A gas main in WHITIS AVENUE from a point 231 feet south of West 29th Street northerly 84 feet, the centerline of which gas main shall be 7½ feet west of, and parallel to, the east line of said Whitis Avenue.

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

- (13) A gas main in MAUFRAIS STREET from a point 275 feet south of West 12th Street southerly 66 feet, the centerline of which gas main shall be 15 feet west of, and parallel to, the east line of said Maufrais Street.

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

- (14) A gas main in COMAL STREET from a point 129 feet south of East 21st Street southerly 164 feet, the centerline of which gas main shall be 27 feet east of, and parallel to, the west line of said Comal Street.

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

- (15) A gas main in SHARON LANE from a point 150 feet south of Indian Trail southerly 53 feet, the centerline of which gas main shall be 7½ feet west of, and parallel to, the east line of said Sharon 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.

Councilman Alford moved that the application of Hiram Woodruff, 2810 Wooldridge Street, for a taxicab driver's permit be granted. 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 Ira C. Smith, 600 Davis Street, for a taxicab driver's permit be granted, conditioned upon a six months' probation approved by the Chief of Police and the City Attorney. 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 11:20 A. M., subject to call of the Mayor.

Approved: Tom Miller  
Mayor

Attest:

Hellie M. Keller  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 4, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, September 4, 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 August 28, 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 resolution was introduced by Councilman Gillis:

WHEREAS, Charles J. Armstrong, Jr., is the Contractor for the repair of an awning located at 300-08 Colorado Street, and desires a portion of the sidewalk and street space abutting Lot 6, Block 28, of the Original City of Austin, Travis County, Texas, during the repair of an awning, 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 Charles J. Armstrong, Jr., the boundary of which is described as follows: