

Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

It was the sense of the meeting that, next Thursday being Thanksgiving Day, the regular meeting of the City Council be held on Wednesday preceding.

Upon motion, seconded and carried, the meeting was recessed at 10:30 A. M., subject to call of the Mayor.

Approved Rowell S. Hall
Mayor Pro Tem.

Attest:

Harriet McCallan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 26, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Wednesday, November 26, 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 November 20, 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.

Councilman Bartholomew offered the following resolution:

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southeast corner of Lamar Boulevard and West 10th Street, which property is owned by W. L. Stark, and is designated as being portions of Lots No. 1 and No. 2, Block 9, Silliman Addition in the Original City of Austin, Travis County, Texas, and hereby authorizes the said W. L. Stark, acting by and through H. F. Kuehne, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right

of revocation is retained if, after hearing, it is found by the City Council that the said W. L. Stark has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations Attached)

" Austin, Texas
November 20, 1941

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the request of W. L. Stark, acting by and through H.F.Kuehne, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, sidewalks and driveways in conjunction therewith, upon property owned by the said W. L. Stark, being portions of Lots No. 1 and No. 2, Block 9, Silliman Addition, within the City of Austin, Travis County, Texas, which property is situated at the southeast corner of Lamar Boulevard and West 10th Street, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial District, as shown upon the zoning maps of the City of Austin.

Storm water drainage facilities do exist adjacent to the above described property.

We recommend that W. L. Stark, acting by and through H. F. Kuehne, be granted permission to construct, maintain and operate a drive-in gasoline filling station and to build curbs, sidewalks and driveways in conjunction therewith, upon the above described property subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-146, and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley, and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant, as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-755.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2-H-755, and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted

(Sgd) J. E. Motheral
City Engineer

" J. C. Eckert
Building Inspector. "

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.

Councilman Gillis offered the following resolution:

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 behalf of the City of Austin to execute a quitclaim deed to Mamie Broderick to the following described property:

The south 72½ feet by 92 feet of Lots 7 and 8, in Block 146, in the Original City of Austin, Travis County, Texas,

in consideration of the payment of all taxes and court costs involved in tax suit No. 27684, City of Austin vs. M. Broderick, in the District Court of Travis County, Texas, in which judgment was rendered

in favor of the City of Austin, and the said property sold to said City of Austin.

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.

It was moved by Councilman Wolf that the following application for a private boat license 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>
Lasseter, A. J. - 308 East 16th St.	Wilson Boat Co., Inboard, 1937 Model, "Silver Spray", Chrysler, 10-passenger

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

It was the sense of the meeting that the appeals of taxpayers from the action of the Board of Equalization for the year 1941 be heard as follows: on Thursday, December 18, at 7:30 P. M., appeal of International Business Machines Corporation; and on Friday, December 19, at 7:30 P. M., all other appeals.

The Mayor offered the following resolution:

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

THAT the City will rent to any Texas League team that wishes to sponsor a Texas League team in Austin the new baseball park on the Butler tract for Two Thousand Dollars (\$2000.00) per annum, based on a cost of Thirty-two Thousand Dollars (\$32,000.00). Lessee is to have all concessions, but the City is to have the use of the park when the team is not in Austin and to be responsible for the grounds during that time. Lessee is to keep the grandstand, dressing rooms, grounds, and all physical property enclosed by the baseball fence in good condition, subject to natural wear and tear, for a period of five (5) years, at Two Thousand Dollars (\$2000.00) per year, a proportionate increase in rental to be paid if the stand and field cost more than Thirty-two Thousand Dollars (\$32,000.00). It is understood further that lessee will pay for water and electricity.

Upon motion, 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:

WHEREAS, City of Austin taxes were assessed in the name of Mt. Zion Baptist Church for the years 1920 and 1922 through 1940, on Lot 7, Block 5, Outlet 57, Division "B", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$93.84; and for non-payment of same at maturity, penalty in the sum of \$4.69 has been assessed, and interest in the sum of \$56.26; and

WHEREAS, suits were brought by the City of Austin against Mt. Zion Baptist Church for the payment of taxes due the City of Austin, said tax suits being Nos. 43336, 44616, and 48868; and court costs have accrued in said suits in the amount of \$9.50; making the total amount of taxes, penalty, interest and court costs the sum of \$164.29; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.69 and said court costs in the sum of \$9.50; therefore,

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

THAT the aforesaid penalty in the sum of \$4.69 and said court costs in the sum of \$9.50 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty and said court costs off his rolls, and to issue to the party entitled to receive the same a receipt in full, upon the payment of said taxes and said interest, as aforesaid.

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:

WHEREAS, City of Austin taxes were assessed in the name of G. W. Norman Estate for the years 1932 through 1940 on the south 90 feet of Lots 7 and 8, Block 4, Outlot 6, Division "B", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$34.95; and for non-payment of same at maturity, penalty in the sum of \$1.73 has been assessed, and interest in the sum of \$10.72 has accrued, making the total amount of taxes, penalty and interest the sum of \$47.40; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.73 and one-half of the interest in the sum of \$5.25; therefore,

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

THAT the aforesaid penalty in the sum of \$1.73 and one-half of the interest in the sum of \$5.25 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$1.73 and one-half of the interest in the sum of \$5.25 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

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:

WHEREAS, City of Austin taxes were assessed in the name of E. N. Jourdan for the years 1927 through 1940, on Lots 9 and 10, East half of Block 2, Outlot 21, Division "C", Plainview Heights, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$689.69; and for non-payment of same at maturity, penalty in the sum of \$34.48 has been assessed, and interest in the sum of \$261.56, has accrued, making the total amount of taxes, penalty and interest \$985.73; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$34.48 and a portion of the interest in the sum of \$153.57; therefore,

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

THAT the aforesaid penalty in the sum of \$34.48 and a portion of the interest in the sum of \$153.57 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$34.48 and a portion of the interest in the sum of \$153.57 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and a portion of the interest, as aforesaid.

The foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf

Upon motion, seconded and carried, the meeting was recessed at 11:10 A. M., subject to call of the Mayor.

Attest:

Hallie M. Miller
City Clerk

Approved

Tom Miller
Mayor