

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 11, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, December 11, 1941, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

The Minutes of the regular meeting of December 4, 1941, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; nays, none; Councilman Wolf absent.

The following resolution was offered by Councilman Bartholomew:

WHEREAS, the Coca Cola Bottling Company, acting by and through H. A. Butcher, Manager of Lots 1, 2, 3, 4, 13, and 14, Block 2, Raymond's Plateau, a subdivision within the City of Austin, Travis County, Texas, which property is situated at the southeast corner of West 6th Street and Baylor Street within the City of Austin, Travis County, Texas, 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 Baylor Street adjacent to the above described property; and

WHEREAS, a plan has been prepared showing the layout of said driveway, which plan is hereto attached marked 2-H-757 and made a part hereof, and said plan 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 the Coca Cola Bottling Company, acting by and through H. A. Butcher, Manager, owner of Lots 1, 2, 3, 4, 13, and 14, Block 2, Raymond's Plateau, a subdivision within the City of Austin, Travis County, Texas, which property is situated at the southeast corner of West 6th Street and Baylor Street within the City of Austin, Travis County, Texas, is hereby permitted to construct a commercial driveway across the east sidewalk area of Baylor Street adjacent to the above described property, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-H-757, which plan is hereby attached and 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.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, Oliver Street is the contractor for the alteration of a building located at 111 East Sixth Street and desires a portion of the sidewalk and street space abutting the east part of Lot D, Block 56, of the Original City of Austin, Travis County, 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:

THAT space for the uses hereinabove enumerated be granted to said Oliver Street, the boundary of which is described as follows:

Sidewalk and Street Working Space

BEGINNING at the northeast corner of the above described property; Thence in a northerly direction and at right angles to the centerline of East 6th Street approximately 6 feet to a point; thence in a westerly direction and parallel with the centerline of East 6th Street approximately 20 feet to a point; thence in a southerly direction and at right angles to the centerline of East 6th Street to the west property line of the above described property.

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

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one inch material and at least 8 feet in height, substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricade and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

(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 January 10, 1942.

(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 One Thousand Dollars (\$1,000.00), 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 Gillis, the foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; nays, none; Councilman Wolf absent.

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:

A gas main in WEST 3RD STREET ALLEY from Bruce Street westerly 138 feet, the center-line of which gas main shall be 15 feet south of, and parallel to, the north property line of said West 3rd Street Alley.

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.

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

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

Name and Address of Applicant

Description of Boat

Moldano, John Q. - 1807 Bruce Street

**Wolverine, Outboard, 1941 Model,
Johnson, 5-passenger**

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

The Fire Works Committee of the Chamber of Commerce came before the Council and offered their services in the matter of fire prevention, especially during the National emergency. The Committee were referred to the Fire Chief for further cooperation.

Ed Hill, colored, submitted a request that the City purchase his property, known as Hill's Tavern, located at 2702 East 7th Street. It was the sense of the meeting that the request be declined.

Received protest of Mrs. Peck, et al., as submitted by telephone, against the Beer Companies being allowed to display the picture of Santa Clause on their beer signs.

A public hearing on the proposal to change the zoning of the property at 1311-1313 West 34th Street, Roland E. Froust, owner, from "A" Residence District and First Height and Area District, to "C" Commercial District and First Height and Area District, was called for Thursday, January 5, 1942, at 11:00 A. M.

Upon motion, seconded and carried, the meeting was recessed at 11:15 A. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attests:

Walter M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 15, 1941.

The City Council convened in regular session at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, December 15, 1941, at 10:25 A. M., with Mayor Pro Tem. Wolf presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; absent, Mayor Miller.

The Minutes of the regular meeting of December 11, 1941, were read and upon motion of Councilman Alford were adopted as read by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The following resolution was introduced by Councilman Gillis:

WHEREAS, Johnson and Johnson, owners of Lot 10, Outlot 33, Division "O", in the Canterbury Square Subdivision within the City of Austin, Travis County, Texas, which property is situated at the southwest corner of East 1st Street and Navasota 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 west side of Navasota Street adjacent to the above described property; and

WHEREAS, a plan has been prepared showing said curb setback, which plan is hereto attached marked 2-C-936 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 Johnson and Johnson, owners of Lot 10, Outlot 33, Division "O" in the Canterbury Square Subdivision within the City of Austin, Travis County, Texas, which property is situated at the southwest corner of East 1st Street and Navasota Street, is hereby granted permission to set the curb back from the established curb line on the west side of Navasota Street adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which