

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

plan is hereto attached marked 2-0-936 and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on Navasota Street shall be carried out in accordance with the accompanying plan marked 2-0-936 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicants.
- (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 2-0-936.
- (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 applicants shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at their 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The following resolution was offered 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 HARRIS AVENUE from Woodrow Avenue easterly 122 feet, the centerline of which gas main shall be 1½ feet north of, and parallel to, the south property line of said Harris Avenue.

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

- (2) A gas main in HARRIS AVENUE from Harris Park Avenue westerly ½ block, the centerline of which gas main shall be 1½ feet north of, and parallel to, the south property line of said Harris Avenue.

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

- (3) A gas main in HARRIS AVENUE from Harris Park Avenue easterly 48 feet, the centerline of which gas main shall be 13 feet south of, and parallel to, the north property line of said Harris Avenue.

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

- (4) A gas main in HARRIS PARK AVENUE across Harris Avenue intersection, the centerline of which gas main shall be 2 feet east of, and parallel to, the east property line of said Harris Park Avenue.

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

- (5) A gas main in WEST 10TH STREET from a point 125 feet east of Lamar Boulevard easterly 95.5 feet, the centerline of which gas main shall be 10 feet south of, and parallel to, the north property line of said West 10th Street.

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

That portion of this line that crosses the bridge may be laid on the surface of the sidewalk provided same is constructed in such manner as not to create a traffic hazard either for vehicles or pedestrians.

- (6) A gas main in WEST 10TH STREET from a point 220.5 feet east of Lamar Boulevard easterly 78 feet, the centerline of which gas main shall be 15 feet south of, and parallel to, the north property line of said West 10th Street.

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

- (7) A gas main in GUADALUPE STREET from a point 15 feet north of the north property line of West 6th Street northerly ½ block, the centerline of which gas main shall be 7½ feet west of, and parallel to, the east property line of said Guadalupe Street.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, A. J. Woehl is the Contractor for the remodeling of a building located at 400 East 6th Street and desires a portion of the sidewalk space abutting a part of Lot 1, Block 66, of the Original City of Austin, Travis County, Texas, during the remodeling 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 A. J. Woehl, the boundary of which is described as follows:

Sidewalk Working Space

BEGINNING at the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of East 6th Street to a point 6 feet north of the north curb line; thence in an easterly direction and parallel to the centerline of East 6th Street approximately 23 feet to a point; thence in a northerly direction and at right angles to the centerline of East 6th Street to the outline of the above described property.

2. THAT the above privileges and allotment of space are granted to the said A. J. Woehl, 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 1 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. The Contractor will also be permitted to use two (2) parking meter spaces immediately in front of the entrance in the barricade, for the delivery or removal of materials during construction work.

(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 February 1, 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 (\$1000.00), 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 Pro Tem. Wolf; nays, none; Mayor Miller absent.

Councilman Alford moved that the application of Guy Zoll Stalnaker, Route 2, Box 169, 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Councilman Alford moved that the application of Andy Knapp, 2015 Holly 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Councilman Alford moved that the application of Jimmie Lee Basey, Route 1, Box 623-A, 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Councilman Alford moved that the application of Ben Harrison Childress, 611 West Mary 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Councilman Alford moved that the application of Frank William Walenta, 1903 Canterbury 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Councilman Alford moved that the application of Hubert Hamilton McKenzie, Route 4, Box 139, 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

A group of insurance agents, composed of Elgin Williams, et al., came before the Council and alleged discrimination in the distribution of the City's insurance policies. Following the discussion, in which the City Manager explained more fully to the group the City's method of distributing such policies, no further action was had by the Council.

Louis Cherico came before the Council to find out when the proposed paving of West Fifth Street from the car sheds of the Austin Transit Company west two blocks would be started. He was advised that the work would be done if and when all of the property owners deposit their pro rata part of the cost of same.

Louis Cherico also registered a complaint against an unsightly dump in front of his property. The matter was referred to the Legal Department and the Fire Marshal for attention.

The following resolution was introduced by Councilman Bartholomew:

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

THAT the sum of \$1,700.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of constructing the following improvements at the Stockyards: hog spray (using old materials); 1710 square yards gravel driveways; shrubbery around office building; and fence around all of leased acreage.

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

Mayor Pro Tem. Wolf laid before the Council the following resolution:

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

THAT the sum of \$9,282.00 be, and the same is hereby, appropriated out of the Water and Light and General Funds, not otherwise appropriated, for the purpose of paying, in lieu of salary increases, which are not possible at this time, a salary bonus for the month of December to all employees making less than \$200 per month, as follows: 10% of one month's salary, the minimum amount of such bonus to be \$5 and the maximum amount to be \$10.

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

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE REGULATING THE STORAGE, SELLING, TRANSPORTATION, TRANSFERRING, AND HANDLING OF EXPLOSIVES WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND WITHIN THE AREA LYING 5000 FEET OUTSIDE SUCH CORPORATE LIMITS; PRESCRIBING LICENSES FOR PERSONS SELLING, HANDLING, TRANSPORTING OR EXCHANGING EXPLOSIVES, AND PRESCRIBING REGULATIONS FOR THE PROTECTION OF PUBLIC WORKS, BUILDINGS, HIGHWAYS, RAILROADS, AND UTILITY FACILITIES AND SERVICES WITHIN THE CITY OF AUSTIN AND WITHIN ITS POLICE JURISDICTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, BUT MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES OR PARTS OF ORDINANCES NOT IN CONFLICT; PROVIDING A SAVING SECTION; PRESCRIBING PENALTIES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Gillis moved that the ordinance be passed to its second reading. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The ordinance was then laid over.

It was the sense of the meeting that, Christmas Day falling on Thursday, the next regular meeting be held on Wednesday preceding.

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:

Hallie McMiller
City Clerk

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, December 19, 1941.

The City Council convened in special session in the Council Chamber at the Municipal Building on Friday, December 19, 1941, at 7:30 P. M., with the following members present: Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Alford.

The meeting was called for the purpose of hearing the appeals of taxpayers from the action of the Board of Equalization for the year 1941.

The following appeals were then heard and considered as follows:

Effie Guinn asked that her property at 1102 Blanco Street, known as Lot 4, Block 1, Outlet 4, Division "2", be resurveyed for the year 1942 to show a frontage of 51 feet instead of 61 feet, occasioned by a change in the property line. The matter was referred to the Tax Department for investigation and correction on the assessment rolls for 1942.

H. J. H. Melin protested the valuation placed on his homestead, consisting of 1.48 acres of land in the unplatted part of Hill Survey, being \$670 for the land and \$3170 for the improvements; and also 104x136 feet of the northeast corner of Outlet 18, Division "E", corner of 19th Street and West Avenue, being \$4465 for the land. The matter was taken under advisement for an inspection on the ground by the City Council.

J. C. Barnes and wife protested the valuation of \$4300 placed on the improvements at 500 East Tenth Street. It was the sense of the Council that the action of the Board of Equalization be sustained and that no reduction be made.