

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 8, 1942.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, January 8, 1942, 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 December 24, 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 Alford:

WHEREAS, W. A. Alff, owner of Lot 11, Block 4, of Gammel and Taylor Subdivision, in Outlot 44, Division "B", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the northeast corner of East Avenue and Kalmar Street within the said City of Austin, 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 East Avenue 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-940, 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 W. A. Alff, owner of Lot 11, Block 4, of Gammel and Taylor Subdivision, in Outlot 44, Division "B", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the east side of East Avenue adjacent to the above described property, is hereby granted permission to set the curb back from the established curb line on East Avenue 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-C-940, and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on East Avenue shall be carried out in accordance with the accompanying plan marked 2-C-940, 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-C-940.
- (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 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, 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 street:

A gas main in MEREDITH STREET from Matthews Drive easterly 64 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 Meredith Street.

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.

It was moved by Councilman Alford that the application of Lee Hanson Killgore, 3303 Werner Avenue, for a taxicab license 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 application of Lee Hanson Killgore, 3303 Werner Avenue, 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.

The following ordinance was introduced by Councilman Wolf:

AN ORDINANCE AUTHORIZING BLACKOUTS AND AIR RAID PROTECTION MEASURES AND DEFINING THE TERM "BLACKOUT"; AND AUTHORIZING THE MAYOR TO CARRY OUT BLACKOUTS AND TO PRESCRIBE ORDERS, RULES AND REGULATIONS TO INSURE THE SUCCESS OF BLACKOUTS AND AIR RAID PROTECTION MEASURES; PROVIDING FOR THE APPOINTMENT OF SPECIAL POLICEMEN AND DEFINING THEIR DUTIES; LIMITING THE LIABILITY OF THE CITY OF AUSTIN OR ANY INDIVIDUAL FOR DAMAGE TO PERSON OR PROPERTY DURING OR AS A RESULT OF ANY BLACKOUT; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE OR ORDERS, RULES AND REGULATIONS PROMULGATED UNDER THIS ORDINANCE; PROVIDING A SAVING CLAUSE AND DECLARING AN EMERGENCY.

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

The ordinance was read the second time and Councilman Wolf moved that the rules be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor then declared that the ordinance had been finally passed.

It was the sense of the meeting that the first trial BLACKOUT be held January 19, at eight o'clock, p. m., for a duration of fifteen minutes, subject to the approval of General Donovan of the Eighth Corps area.

The City Attorney was instructed to draw another ordinance preventing the abuse of charity and regulating the solicitation of funds, advertisements, and subscriptions, to take the place of the existing ordinance recently invalidated by the court.

In accordance with published notice thereof, the Mayor announced the public hearing open on the proposal of the City Council to amend the Zoning Ordinance in the following particular:

To amend the USE designation of the following described property so as to change same from "A" Residence District and First Height and Area District to "C" Commercial District and First Height and Area District:

Lots 1311 and 1313 fronting on West 34th Street at the intersection of West 34th Street and Shoal Creek Boulevard, belonging to Roland R. Freund.

The following persons appeared, and were heard as follows:

Warren S. Freund, who indorsed the proposed change, declaring that, as a property owner, he had no objection to same.

Mrs. Ethel J. Roe, representing the University Baptist Church, who protested the proposed change on the ground that it would open the way for objectionable businesses too close to the church.

Claude Hill, by telephone, who also protested the proposed change on behalf of the University Baptist Church.

No other property owners or interested persons desiring to be heard, the hearing was continued to the next regular meeting, pending a survey by the City Engineer to determine what land will be needed for right-of-way in the extension of Shoal Creek Boulevard.

A group of taxicab drivers, represented by Jesse Bartlett, attorney, came before the Council to plead for a renewal of their applications, which were recommended for denial by the Police Department. At the request of the City Manager, the hearing was postponed to the next regular meeting, and petitioners were informed that they may continue to drive their taxicabs in the meantime, unless notified to the contrary.

The Council deferred action on the confirmation of Dr. Forrest A. White and Mrs. Willie Sauer as members of the Tuberculosis Sanatorium Board to fill existing vacancies, pending the ratification of same by the Commissioners Court.

The following resolution was introduced by Councilman Wolf:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN,  
TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT  
WITH THE SURPLUS MARKETING ADMINISTRATION.

WHEREAS, there has been submitted to the City Council of the City of Austin, Texas, a proposed agency agreement to be entered into between the Surplus Marketing Administration, an agency of the United States Department of Agriculture, the State Department of Public Welfare, the Commissioners Court of Travis County, Texas, and the City of Austin, Texas, which agreement pertains to the

inauguration and operation of the Cotton Stamp Plan in Travis County, Texas; and

WHEREAS, after consideration, it has been proposed that the City Council of the City of Austin, Texas, enter into said agreement; now, therefore,

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

THAT Guiton Morgan, City Manager of said City, be, and he is hereby, authorized and directed to execute the aforesaid agreement on behalf of the City Council and to deliver said agreement to the said Surplus Marketing Administration.

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.

The following resolution was introduced by Councilman Gillis:

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 northeast corner of West 10th Street and Lamar Boulevard, which property is owned by Mrs. Willie Eagleton, and is designated as portions of Lots Nos. 5 and 6, Block No. 3, Silliman's Subdivision of Outlot No. 5, Division "Z" in the Original City of Austin, Travis County, Texas, and hereby authorizes the said Mrs. Willie Eagleton, acting by and through J. F. Johnson, 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 Mrs. Willie Eagleton has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations Attached)

"Austin, Texas  
January 15, 1942

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Mrs. Willie Eagleton, acting by and through J. F. Johnson, General Contractor, for permission to construct, maintain and operate a drive-in gasoline filling station on her property in Outlot 5, Division "Z" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the northeast corner of West 10th Street and Lamar Boulevard within the City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

There is an excess strip of land over and above that needed for street purposes between the west property line of Lot 5, Block 3, Silliman's Subdivision and the right-of-way line of Lamar Boulevard, averaging approximately 11 feet in width.

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 exist adjacent to the above described property.

We recommend that Mrs. Willie Eagleton, acting by and through J. F. Johnson, General Contractor, be granted permission to construct, maintain, and operate a drive-in gasoline filling station and to build curbs, driveways and sidewalks 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 waste 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-G-263.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2-G-263, 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.

(7) That the owner of the land upon which this filling station is to be located shall acquire the excess strip of land averaging 11 feet in width, situated between the west line of Lot 5, Block 3, Silliman's Subdivision and the right-of-way line of Lamar Boulevard.

Respectfully submitted,

(Signed) J. E. Motheral  
City Engineer

J. C. Eckert  
Building Inspector. "

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.

Upon motion, seconded and carried, the meeting was recessed at 11:25 A. M., subject to call of the Mayor.

Approved: Tom Miller  
Mayor

Attest:

Walter McKee  
City Clerk

# RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, January 12, 1942.

The City Council of the City of Austin, Texas, convened in recessed session, at its regular meeting place in the Council Chamber in the Municipal Building, on Monday, January 12, 1942, at three o'clock p. m., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, E. C. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution follows:

WHEREAS, the War Department, through the office of the Chief of the Air Corps, by letter dated January 5, 1942, has requested the City Council to indicate whether the City of Austin is willing and able to acquire necessary acreage for the location of an airport to be used by the United States Government for a proposed Air Corps unit; therefore,

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

That immediately upon notice to the City by the War Department that the proposed airport site has been selected for improvement as an Air Corps unit by the United States Government, the City of Austin will proceed to acquire the necessary acreage, not exceeding approximately three thousand (3000) acres, and that the City Manager and the Mayor be, and they are hereby, authorized and directed to give notice of such willingness and ability, to acquire the necessary acreage, to the Adjutant General and the Chief of the Air Corps, War Department, at Washington, D. C. ; and

BE IT FURTHER RESOLVED:

That the City Manager and the City Attorney be, and they are hereby, authorized and directed to proceed without unnecessary delay with the preparation of preliminary surveys, plans, ordinances, and other legal prerequisites required to clear the way for acquisition of such necessary acreage to be used for the proposed Air Corps unit.

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved, Tom Miller  
Mayor

Attest:

Hallie McKee  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 15, 1942.

The City Council of the City of Austin, Texas, convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, January 15, 1942, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, Councilman Bartholomew.

The Minutes of the regular meeting of January 8 and the recessed meeting of January 12, 1942, were read, and upon motion of Councilman Gillis, were adopted as read by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Gillis:

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 private gasoline plant for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, the property situated at the northwest corner of West Fifth Street and Colorado Street, which property is owned by J. C. Bryant Creamery, and is designated as Lot D, Block 54, of the Original City of Austin, Travis County, Texas, and hereby authorizes the J. C. Bryant Creamery, acting by