

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Bates, W. F. - - 1010 West 10th Street	Montgomery-Ward, Outboard, Three Years Old, "Lola-Mae", Sea King, 4-passenger
Burleson, Paul D.-1214 West 5th Street	Wolverine, Outboard, Three Years Old, Johnson, 4-passenger
Frisk, Darrell W.-807 Clermont Street	Home-made, Outboard, 1941 Model, Johnson, 2-passenger
Patton, C. C. - 4702 Shoalwood Avenue	Century, Inboard, 1941 Model, 4-passenger
Rehfeld, Herbert- 210 East 2nd Street	Home-made, Inboard, 1937 Model, Ford, 5-passenger

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.

A memorandum from the City Attorney, relative to the investigation being conducted to determine the feasibility of a reduction in the gas rates for the City of Austin at the present time, was submitted; and the City Attorney was instructed to continue the investigation and submit his report on the matter as soon as completed.

Upon motion, seconded and carried, the meeting was recessed at 10:40 A. M., subject to call of the Mayor.

Approved Tom Miller
Mayor

Attest:

Hallie M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 8, 1942.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on May 8, 1942, at 10:20 A. M., with Mayor Tom Miller presiding, the meeting having been held on Friday, instead of Thursday, at the request of the Mayor. 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 April 30, 1942, 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.

With the approval of the Committee from the Austin Real Estate Board, composed of Murray Graham, Howard Osburn, George W. Sandlin, and R. M. Key, Mayor Miller nominated the following named persons as members of the Fair Rent Committee of the Austin Defense-Rental Area for the City of Austin, County of Travis:

Real Estate Dealers:
C. D. Wilson
T. E. Wiley
Ted Wendlandt

Owners:
Harry P. Bickler
Earl E. Simms
Ben H. Powell

Tenants:
E. J. Hammann
Jas. W. Bass
Robt. F. Rockwood

The nominations were confirmed 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, J. C. Stephens and Smoot Plumbing Company, acting by and through R. C. Smoot, have presented to the City Council tentative maps or plans showing the proposed construction of a gas main in the street 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 J. C. Stephens and Smoot Plumbing Company, acting by and through J. C. Smoot, be, and the same are hereby, permitted to lay and construct their gas main in and upon the following street:

A gas main in RALEIGH AVENUE from Bridle Path to Bonnie Road, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of, and parallel to, the east property line of said Raleigh Avenue.

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

The said J. C. Stephens and Smoot Plumbing Company, acting by and through R. C. Smoot, are 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 J. C. Stephens and Smoot Plumbing Company require 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 said J. C. Stephens and Smoot Plumbing Company are 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 street and the restoration and maintenance of said street after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all pertinent terms and conditions of the certain franchise granted to the Austin Gas Company, passed and approved by the City Council of the City of Austin on November 25, 1927, of record in Book "G", pages 379,389, of the Ordinance Records of the City of Austin, and all rights and privileges herein granted shall be binding upon the successors and assigns of the grantees herein named.

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.

Messrs. Rudy Copeland, President, and Marion Fowler, Attorney, respectively, of the Army Post Bus Lines, Inc., appeared before the Council and submitted the following application in writing for a bus depot and routes for their Lines in the City of Austin:

"Austin, Texas
May 4, 1942

Honorable City Council
Austin, Texas.

Gentlemen:

The Army Post Bus Lines, Inc., which operates a bus line from the City of Brownwood to Camp Bowie, is the holder of Certificate of Convenience and Necessity No. 1029, recently

issued by the Railroad Commission of Texas to operate a bus line between the City of Austin and the location of the Magnesium Plant northwest of the City.

The buses operated by this Company will only carry passengers to the Magnesium Plant and passengers from the Magnesium Plant and will not be engaged otherwise.

In order to adequately service the Magnesium Plant and to commence this service which the Army Post Bus Lines is ready to do when authorized by you, it will be necessary to have a depot down town and routes over which the buses are authorized to operate in carrying out this service. Therefore, the Army Post Bus Lines, Inc., respectfully requests permission from you Gentlemen to maintain a bus depot between Fourth and Fifth Streets on Lavaca Street and to operate the following routes through the City of Austin:

1. EAST ROUTE:

FROM the depot on Lavaca Street to Second Street;

THENCE east on Second Street to Red River Street where Second Street dead-ends;

THENCE south approximately one block to First Street;

THENCE east on First Street to East Avenue;

THENCE north on East Avenue to Thirty-eighth Street;

THENCE west on Thirty-eighth Street to Red River Street;

THENCE out Red River Street and Clarkson Avenue to Fifty-first Street;

THENCE out Fifty-first Street to Avenue F;

THENCE to North Loop and along North Loop across North Guadalupe Street (Dallas Highway) to Highway No. 29 toward the Magnesium Plant to City Limits and return.

2. WEST ROUTE:

FROM the depot on Lavaca Street north to Fifth Street;

THENCE west on Fifth Street to Lamar Boulevard;

THENCE out Lamar Boulevard and Shoal Creek Drive to San Gabriel Street at Thirty-fourth Street;

THENCE west on Thirty-fourth Street to Alice Avenue;

THENCE out Alice Avenue to Highway No. 29 and City Limits and return.

Pending opening of the section under construction on Lamar Boulevard, applicant requests a temporary route as follows:

FROM depot to Fifth Street;

THENCE west on Fifth Street to Lamar Boulevard;

THENCE north on Lamar Boulevard to Twelfth Street;

THENCE east on Twelfth Street to Rio Grande Street;

THENCE north on Rio Grande Street to Twenty-ninth Street;

THENCE west on Twenty-ninth Street to San Gabriel Street;

THENCE on San Gabriel Street to Thirty-fourth Street;

THENCE west on Thirty-fourth Street to Alice Avenue;

THENCE north on Alice Avenue and Highway No. 29 to City Limits and return.

At the present time one shift is being worked at the Magnesium Plant and the schedule will require that the buses be at the Magnesium Plant prior to 8 o'clock in the morning and the heavy traffic from the plant would be after 5 o'clock in the afternoon. Based on the experience in transporting men at Camp Bowie, applicant believes that some buses will pick up full loads within a few blocks. This is particularly true on the proposed east route above outlined, and in this event, applicant asks permission to follow the most direct route through the City toward the Plant on a closed door operation. This will permit better service to the employees and will conserve rubber, gasoline and equipment, which the Federal Government is insisting on among all mass transportation operators.

If it is possible, applicant would like very much to have this application acted upon at the Council meeting this week since service is needed at the Plant and since he has an option for a terminal pending granting of this application; and if this application is granted, applicant desires to cooperate with the City of Austin in every way possible and will appreciate any suggestions made in furthering its service to and from the Magnesium Plant.

Respectfully submitted,

ARMY POST BUS LINES, INC.,

By (Sgd) Marion Fowler
Attorney . "

The following Financial Statement of the Army Post Bus Lines, Inc., was also received and ordered filed:

ARMY POST BUS LINES
General Balance Sheet
As Of April 20, 1942.

ASSETS

<u>Cash</u>			
First National Bank, Brownwood	\$ 5,133.26		
Citizens National Bank, Brownwood	2,518.75		
Petty Cash Fund	645.00		
U. S. Treasury Notes	<u>8,000.00</u>		\$ 16,297.01
<u>Accounts Receivable</u>			
Camp Bowie Post Exchange (For Tickets)			540.00
Misc. Accounts Receivable			<u>203.14</u>
<u>Other Assets</u>			
Utility Deposits			10.00
<u>Capital Assets</u>			
Franchise		\$ 4,000.00	
Terminal Equipment	\$ 2,617.99		
Passenger Equipment	<u>25,564.96</u>	<u>28,182.95</u>	<u>32,182.95</u>
			<u>\$ 49,233.10</u>

LIABILITIES

<u>Notes Payable</u>			
First National Bank, Brownwood	\$ 6,000.00		
Mack International Motor Truck Corp'n.	<u>3,777.00</u>		\$ 9,777.00
<u>Accounts Payable</u>			
Misc. Accounts			1,952.14
<u>Other Liabilities</u>			
Tokens Outstanding			1,194.30
<u>Reserves</u>			
Reserve for Social Security	\$ 80.06		
Reserve for Depreciation	<u>10,804.37</u>		10,884.43
<u>Net Worth</u>			
Capital Stock	\$20,000.00		
Surplus	<u>5,425.23</u>		<u>25,425.23</u>
			<u>\$ 49,233.10</u>

The following ordinance was then introduced by Councilman Wolf:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE PRESCRIBING THE ROUTES OF INTERURBAN MOTOR BUS TRAFFIC WITHIN THE CITY OF AUSTIN, AND PROVIDING PENALTIES," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MAY 4, 1933, AND IS RECORDED IN BOOK "J", PAGES 534-536, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY ADDING A NEW SUB-SECTION (k) TO SECTION 1 OF SAID ORDINANCE; 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 placed on 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 announced that the Ordinance had been finally passed.

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, M. H. Crockett, owner of property in the Isaac Decker League within the City of Austin, Travis County, Texas, which property is situated on the south side of Barton Springs Road at a location east of South 1st Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the south sidewalk area of Barton Springs Road adjacent to the above described location; and

WHEREAS, a plan has been prepared showing the location of said driveway, which plan is hereto attached, marked 2-C-950, 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 M. H. Crockett, owner of property in the Isaac Decker League within the City of Austin, Travis County, Texas, which property is situated on the south side of Barton Springs Road at a location east of South 1st Street, is hereby permitted to construct a commercial driveway across the south sidewalk area of Barton Springs Road adjacent to the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-950, 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, 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 northwest corner of the intersection of Barton Springs Road and Lamar Boulevard, which property is owned by M. H. Crockett, and is designated as Lots 4 and 5, Block 1, Pecan Grove Addition, in the City of Austin, Travis County, Texas, 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 M. H. Crockett has failed and refused, and will continued to fail and refuse to perform any such conditions, regulations and ordinances. It is understood, however, that this permit is granted subject to the War Production Board's regulations.

(Following Recommendations Attached
and made a part hereof.)

"Austin, Texas
May 8, 1942

Mr. Walter B. Seaholm
Acting City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of M. H. Crockett for permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, sidewalks and driveways in conjunction therewith upon his property, known as Lots 4 and 5, Block 1, Pecan Grove Addition, which property is situated at the northwest corner of the intersection of Barton Springs Road and Lamar Boulevard within the City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

No. 1. The property upon which this filling station is to be located is designated as "C-1" Commercial District, as shown upon the zoning maps of the City of Austin.

No. 2. Storm water drainage facilities do exist adjacent to this proposed filling station site but a storm sewer inlet on the north curb line of Barton Springs Road as it now exists will have to be moved easterly to the street intersection for the reason that the inlet in its present location was built upon the line of a fifteen foot curb area on the north side of the Barton Springs Road, but said curb area has now been changed to ten foot, thereby necessitating the adjustment in the position of this inlet.

We recommend that the said M. H. Crockett be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, driveways and sidewalks in conjunction therewith, in accordance with 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-I-113.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2-I-113, 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 Gillis, the foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The application of William Clyde Montgomery, 2204 Haskell Street, for a taxicab driver's permit, Acting City Manager, was submitted. Councilman Alford moved that the permit be granted, in accordance with the recommendation of the Acting City Manager. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The application of Virgil Lee Simons, 717 West Live Oak Street, for a taxicab driver's permit, approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted, in accordance with the recommendation of the Acting City Manager. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The application of James Herman Sullivan, 304 East 9th Street, for a taxicab driver's permit, approved by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted, in accordance with the recommendation of the Acting City Manager. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A proclamation by the Mayor, designating May 12 as "NATIONAL HOSPITAL DAY," was approved.

It was the sense of the Council that the official opening date for the new Brackenridge Hospital Annex and Nurses Home be set for Sunday, May 17, and that open house be held on that day from two o'clock P. M. to five o'clock P. M.

The following resolution was introduced by Councilman Wolf:

WHEREAS, the H. E. Butt Grocery Company, acting by and through Milton B. Clapp, owner of the southwest 1/4 of Outlot 78, Division "D", of the Government Outlots adjoining the City of Austin, Travis County, Texas, which property is situated at the northeast corner of West 39th Street and Guadalupe 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 commercial driveways across the north sidewalk area of West 39th Street and across the east sidewalk area of Guadalupe Street adjacent to the above described property; and

WHEREAS, a plan has been prepared showing the location of said driveways, which plan is hereto attached marked 2-A-188, 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 the H. E. Butt Grocery Company, acting by and through Milton B. Clapp, owner of the southwest 1/4 of Outlot 78, Division "D", of the Government Outlots adjoining the City of Austin, Travis County, Texas, which property is situated at the northeast corner of West 39th Street and Guadalupe Street, is hereby permitted to construct commercial driveways across the north sidewalk area of West 39th Street and across the east sidewalk area of Guadalupe 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-A-188, 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 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 Manager, or the Acting City Manager, of the City of Austin, do, and he is hereby, authorized to accept the conveyance of an easement from Texas and New Orleans Railroad Company to the City of Austin, said easement to become a part of Wilshire Boulevard and being a strip of land sixty (60) feet in width crossing said railroad company's right-of-way at Engineer's Station 172 + 73, being more particularly described by an easement executed by said company on the 20th day of April, 1942. That the City Manager, or the Acting City Manager, in accepting said easement, shall agree to such terms as are deemed in his discretion to the best interest of the 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.

A petition signed by the residents in the vicinity, asking that the Del Rio Bar and the

Three Sisters Cafe, 1618 East 6th Street, be permanently closed because same constitute a nuisance, was received; and the matter was referred to the Chief of Police and the City Attorney for investigation and report to the Council.

The City Attorney was instructed to prepare an amendment to the Liquor Ordinance in accordance with his recommendations, and submit same to the Council for consideration.

The request of Lieut. Colonel A. K. Brown, Surgeon at Camp Swift, that the City furnish a building of three rooms, with utilities, for use by the Army as a prophylactic station for the soldiers here on leave from Camp Swift, as submitted by the Acting City Manager, was referred back to the Acting City Manager for investigation and recommendation to the Council.

Councilman Bartholomew moved that the following applications for commercial boat licenses 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>
Bennett Boat Company - - Lake Austin	Wolverine, Row Boat, Motorless , Three Years Old, 6-passenger
Bennett Boat Company - - Lake Austin	Home-made, Inboard, 15 years old, "Cara-Jo", Universal, 12-passenger

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

A proclamation by the Mayor, designating May 17 as "I AM AN AMERICAN DAY," was approved.

Upon motion, seconded and carried, the meeting was recessed at 11:45 A. M., subject to call of the Mayor.

Approved

Tom Miller
Mayor

Attest:

Hallie M. Keller
City Clerk