

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 3, 1942

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, September 3, 1942, at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

There were present also: Acting City Manager Seaholm, City Engineer Motheral, City Attorney O'Quinn.

The Minutes of the regular meeting of August 27, 1942, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: "ayes," Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Bartholomew absent.

Ayers K. Ross, Attorney, came before the Council and asked that, in view of existing circumstances, the application of J. W. Doran for a taxicab driver's permit heretofore denied, be reconsidered and that the same be granted on a 90-day probationary basis.

It was then moved by Councilman Wolf that the application of J. W. Doran, 1300 Haskell Street, for a taxicab driver's permit be granted for ninety days probation, revocable any time for cause. The motion prevailed by the following vote: "ayes," Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Bartholomew absent.

L. D. Cowan came before the Council and requested surgical treatment for an injury to his hand, which he alleged was sustained while in the employ of the City as a painter. The matter was referred to the Acting City Manager and the City Attorney for investigation and report to the Council.

The request for the blocking off of certain streets for the Labor Day parade, as submitted by Louis Bradshaw, was referred to the Traffic Division for attention.

Councilman Alford introduced the following resolution:

(RESOLUTION)

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 POQUITO STREET from New York Avenue northerly 114 feet, the centerline of which gas main shall be 6.5 feet west of, and parallel to, the east property line of said Poquito 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 assignment, 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, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Bartholomew absent.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING A CERTAIN PORTION OF EAST 41ST STREET OR PATTERSON LANE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RELINQUISHING THE CONTROL OF SAME FOR PUBLIC TRAFFIC BY THE CITY OF AUSTIN, BUT RESERVING ALL OTHER RIGHTS THEREIN NOW OWNED OR HELD BY THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

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

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

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

The Mayor then declared the Ordinance finally passed.

The matter of vacating the dead-end alley abutting Waller Creek between Texas Avenue and East 38th Street, as requested by J. L. Tullis, abutting property owner, came up for discussion; and the City Engineer was instructed to advise the said J. L. Tullis that the City will not vacate said alley without the consent of all the abutting property owners, and unless it is shown that the City does not need said alley, but that he may use same so long as there is no demand by any of the property owners for, and the City does not need, same.

A written communication from the Board of Equalization, recommending a reduction in the tax assessment against the merchandise of C. A. Ellis, was received.

Councilman Gillis then offered the following resolution:

(RESOLUTION)

WHEREAS, it has been determined that the assessment for taxes against the merchandise of C.A. Ellis for the years 1939, 1940, and 1941, is excessive, and that same should now be corrected for said years; therefore,

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

THAT the assessment for taxes on said merchandise for the years 1939, 1940, and 1941, be and the same is hereby, reduced and corrected from the original assessed value to the revised assessed value as follows:

<u>Year of Levy</u>	<u>Original Assessed Value</u>	<u>Revised Assessed Value</u>
1939	\$ 1,000.00	\$ 500.00
1940	1,000.00	500.00
1941	1,000.00	600.00

and that the City Assessor and Collector of Taxes is authorized and directed to make such change on the tax rolls.

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

The application of Thomas Baxter Webb, 1908 Travis Boulevard, for a taxicab driver's permit, approved by the Acting City Manager, was submitted. Councilman Wolf moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Bartholomew absent.

The following application for a license to operate a private boat was submitted:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Dieter, Frederick - 1209 East 31st Street	Home-made, Outboard, 1941 Model, Johnson, 4-passenger

Councilman Alford moved that the application be granted, subject to approval of the Lake Austin Navigation Board. The motion prevailed by the following vote: "ayes," Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Bartholomew absent.

The Council unanimously approved the proclamation of the Mayor, proclaiming September 10 as BOY SCOUT AND FUTURE CITIZEN DAY.

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 M. Kellan
City Clerk