

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 7, 1946
11:00 A.M.

Council Chamber, City Hall

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The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf - 4
Absent : Councilman Thornberry - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

A petition by property owners on North Street asking for relief from excess water draining onto their property from Woodrow Avenue and a new addition east of Woodrow Avenue was received. The Director of Public Works reported that if easements could be obtained from property owners on north side of the street, the situation could be remedied; and the matter was referred to him for further attention.

J. M. Frazier appeared before the Council on behalf of the Independent Retail Grocers Association's petition for the sale of recombined milk in the City. It was the sense of the Council that a public hearing on the matter be called for Friday, November 15, at 7:30 P. M.

City Manager Morgan submitted the following tabulation of bids received on November 5 for the construction of paving, storm sewers, and sanitary sewers:

"November 7, 1946

Memorandum to : Guiton Morgan, City Manager

Memorandum from: J. E. Motheral, Director of Public Works

Bids were received and tabulated on Tuesday, November 5, 1946, for the construction of paving, storm sewers, and sanitary sewers as follows:

PAVING:

Stabilized Base:

- | | |
|-----------------------------------|---------------|
| 1. Collins Construction Company - | \$ 207,823.38 |
|-----------------------------------|---------------|

Alternate A (Asphaltic Concrete):

- | | |
|-----------------------------------|---------------|
| 1. Collins Construction Company - | \$ 208,979.33 |
| 2. Brown & Root - | 306,760.93 |

Alternate B (Concrete):

No Bids

STORM SEWERS:

Kinney Avenue:

- | | |
|-------------------------------------|--------------|
| 1. Moore Construction Company - | \$ 81,503.03 |
| 2. Joe Bland Construction Company - | 98,053.00 |
| 3. Brown & Root | 102,334.45 |

West 8th Street, etc.:

- | | |
|-------------------------------------|--------------|
| 1. Collins Construction Company - | \$ 80,321.16 |
| 2. Joe Bland Construction Company - | 100,531.75 |
| 3. Brown & Root | 150,401.85 |

SANITARY SEWERS:

Contract "A" (Area adjacent to H&TC R.R.):

- | | |
|-----------------------------------|--------------|
| 1. T. H. Lee | \$ 19,811.04 |
| 2. Joe Bland Construction Company | 27,981.00 |
| 3. Karl Wagner | 29,100.30 |

Contract "B", Sec. 1, Alternate "A":

No Bids

Alternate "B" & Sec. 2:

- | | |
|-----------------------------------|---------------|
| 1. Joe Bland Construction Company | \$ 165,464.20 |
| 2. Karl Wagner | 168,297.10 |

Contract "C" (Area N. of 49th, bet. Burnet Rd and Ave. F):

- | | |
|-----------------------------------|---------------|
| 1. Karl Wagner | \$ 206,811.86 |
| 2. Joe Bland Construction Company | 265,602.70 |

The base bid for paving was for 6" stabilized base with a 3 course penetration asphalt paving. Alternate "A" was for a $4\frac{1}{2}$ " hot mix asphaltic concrete base and 2" hot mix asphalt pavement. Alternate "B" was for monolithic concrete pavement, on which no bids were received.

It is recommended that the contract for paving be awarded to Collins Construction Company on the base bid for \$207,823.38 and if it is agreeable with the contractor to include a clause providing that we may use Alternate "A" construction on certain jobs where we feel it would be advantageous. If we cannot reach such an agreement with the contractor, I recommend that the contract be done on the basis of base bid stabilized base.

On the Kinney Avenue storm sewer, it is recommended that the contract be awarded to the low bidder, Moore Construction Company, for \$81,503.03.

On the various storm sewer contracts, it is recommended that the contract be awarded to the low bidder, Collins Construction Company, for \$80,321.16

On Contract "A", Sanitary Sewers, it is recommended that the contract be awarded to the low bidder, T. H. Lee, for \$19,811.04.

Contracts "B" and "C" exceed our estimates by a considerable sum and if they are awarded to the low bidders an additional \$100,000.00 must be added to our 1947 budget as presented to you. If it is desirable to award the contracts, it is recommended that they be awarded to the low bidders - Contract "B" to Joe Bland Construction Company for \$165,464.20, and Contract "C" to Karl Wagner for \$206,811.86.

(Sgd) J. E. Motheral. "

Councilman Glass offered the following resolution and moved its adoption:

(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 streets:

- (1) A gas main in CONCORDIA AVENUE, from East 37th Street southerly 27 feet, the centerline of which gas main shall be 12.5 feet west of, and parallel to, the east property line of said Concordia Avenue.

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

- (2) A gas main in SINCLAIR AVENUE, from a point 170 feet south of West 49th Street, northerly 91 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Sinclair Avenue.

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

- (3) A gas main in SANTA ROSA STREET, from a point 163 feet east of Canadian Street westerly 44 feet, the centerline of which gas main shall be 6.5 feet south of, and parallel to, the north property line of said Santa Rosa Street.

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

- (4) A gas main in RAVINE DRIVE, from Academy Drive southerly 218 feet, the centerline of which gas main shall be 7.5 feet west of, and

parallel to, the east property line of said Ravine Drive.

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

- (5) A gas main in EAST 54TH STREET, from Bennett Avenue westerly 304 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said East 54th Street.

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

- (6) A gas main in WEST 7TH STREET, from Lake Austin Boulevard to Newman Drive, the centerline of which gas main shall be 7.5' south of, and parallel to, the north property line of said West 7th Street.

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

- (7) A gas main in NEWMAN DRIVE, from West 7th Street northerly 171 feet, the centerline of which gas main shall be 6 feet west of, and parallel to, the east property line of said Newman Drive.

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

- (8) A gas main in CLEARVIEW DRIVE, from a point 277 feet west of Exposition Boulevard easterly 53 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Clearview Drive.

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

- (9) A gas main in GLENDALE AVENUE, from a point 347 feet north of East Live Oak Street, northerly 144 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Glendale Avenue.

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

- (10) A gas main in WEST 34th Street, from a point 167 feet west of Jefferson Street, easterly 92 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said West 34th Street.

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

- (11) A gas main in ASHBY STREET, from Bluebonnet Lane to Buford Street, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Ashby Street.

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

- (12) A gas main in AVENUE F, from a point 225 feet south of East 53rd Street, northerly 448 feet, the centerline of which gas main shall be 12 feet west of, and parallel to, the east property line of said Avenue F.

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

- (13) A gas main in BOWMAN AVENUE, from a point 5 feet east of Exposition Boulevard easterly 125 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Bowman Avenue.

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

- (14) A gas main in OAKMONT BOULEVARD, from a point north of West 36th Street south to West 36th Street, the centerline of which gas main shall be 13.5 feet west of, and parallel to, the east property line of said Oakmont Boulevard.

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

- (15) A gas main in WEST 36TH STREET, from Oakmont Boulevard westerly 221 feet, the centerline of which gas main shall be 13.5 feet south of, and parallel to, the north property line of said West 36th Street.

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

- (16) A gas main in BLUEBONNET LANE, from Collier Street southerly 118 feet, the centerline of which gas main shall be 13.5 feet west of, and parallel to, the east property line of said Bluebonnet Lane.

Said gas main described above shall have a cover 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 Director of Public Works 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.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf

Noes : None

Absent: Councilman Thornberry

Mayor Miller called up for its second reading, the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL SEPTEMBER 10, 1936, AND RECORDED IN BOOK "K", PAGE 114, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, REGULATING PHONOGRAPHS, RADIOS, AND LOUD SPEAKING AND OTHER NOISE MAKING DEVICES, BY AMENDING SECTION 2 THEREOF SO AS TO PROVIDE AN EXCEPTION FOR HOURS OF OPERATION OF DRIVE-IN THEATERS AS DEFINED BY THE ORDINANCES OF THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf

Noes : None

Absent: Councilman Thornberry

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf

Noes : None

Absent: Councilman Thornberry

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Mayor Miller called up for its second reading, the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION, AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH", PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN APRIL 30, 1931, AND RECORDED IN BOOK "I", PAGES 387-536, OF THE ORDINANCE RECORDS

OF THE CITY OF AUSTIN, BY AMENDING SECTION 1003 TO PRESCRIBE A FIVE FOOT SET-BACK IN LIEU OF A TEN FOOT SET-BACK FOR THE WALLS OF GROUP "E" BUILDINGS, AND TO PROVIDE UNDER SECTION 1009 AN EXCEPTION FOR MATERIALS USED IN CONSTRUCTION OF PUBLIC GARAGES UNDER TYPE IV CONSTRUCTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The ordinance was then read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

Thereupon, Mayor Miller announced that the ordinance had been finally passed.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING ARTICLE III, SECTION 12b, AND ARTICLE IV, SECTIONS 21b, 22f, 23b, 23d, and 24c, OF SAID ORDINANCE, WHICH SECTIONS RELATE RESPECTIVELY TO LOCATION OF STOP SIGNS, NO PARKING, TWOHOUR PARKING, PASSENGER ZONES, LOADING ZONES, AND BUS STOPS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The ordinance was then read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third

reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The ordinance was then read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

Thereupon, Mayor Miller announced that the ordinance had been finally passed.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING ARTICLE IV, SECTIONS 23b AND 23d, OF SAID ORDINANCE RELATING TO LOCATION OF PASSENGER ZONES AND LOADING ZONES, RESPECTIVELY, IN THE 100 BLOCK OF WEST 7TH STREET IN THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The ordinance was then read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The ordinance was then read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

Thereupon, Mayor Miller announced that the ordinance had been finally passed.

W. D. Yancey appeared before the Council in the matter of a complaint heretofore submitted by him regarding the overflow of water onto his premises at 3300 Meredith Street. After considerable discussion, the matter was referred to the Director of Public Works to obtain easements from adjacent property owners for an open ditch to take care of the drainage, if such easements can be procured.

The application of DELMA O. PATTERSON, 2323 South Congress Avenue, for a license to operate as a taxicab a Master Deluxe Chevrolet Sedan, 1940 Model, Motor No. 3362092, State License No. FX-5618, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry.

The application of CURTIS L. KARL, 713 West 6th Street, for a license to operate as a taxicab a Dodge automobile, 1940 Model, Motor No. D14-75662, State License No. FX-6502, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of JOHN C. MOORE, 300 Congress Avenue, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1940 Model, Motor No. 2737603, State License No. FV-8548, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of EUGENE J. JORDAN, 1504 Newfield Lane, for a license to operate as a taxicab a 4-door Plymouth, 1946 Model, Motor No. P15-89142, State License No. BS-4611, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of RICHARD BAZEMORE, 1002 Wayne Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of JEROME ROBINSON, 106 West 26th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of THOMAS BIRD SMILEY, 1600 Congress Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of JACK CROCKETT WILLIAMSON, 2211 Post Road, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of Eddie Joseph, by Chas. F. Herring, Attorney, for a change in zoning, from "B" Residence District to "C-1" Commercial District, of Lots 13 and 14, R. Niles Graham Subdivision No. 2, located in the 1700 block of West 6th Street, south side, was received. Councilman Wolf moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The application of A. N. McQuown for a change in zoning, from "A" Residence District to "B" Residence District, of the property located in the 2800 Block of Manor Road, being Lots 1, 2, 3, 35, 36, 37, Block "B", and Lots 1, 2, 3, Block "C", was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

Upon motion of Mayor Miller, Dr. Ben Primer and Tom Green, Colonels in the 36th Division, were appointed to represent the City of Austin at the ceremony to be held on Armistice Day, returning the battle flags of the 36th Division to the Texas National Guard; and they were directed to appoint any other city employees who were members of said Division that they may wish to to represent the City, also.

Jake Pickle came before the Council and asked for a permit to operate garage balloons. The matter was referred to the City Attorney for investigation and legal opinion.

An appeal by RICHARD PAUL STAMNITZ, 109 Chicon Street, on his application for a taxicab driver's permit, recommended for denial, was heard. After considering the facts in the case, it was moved by Councilman Wolf that the said Richard Paul Stamnitz be granted a 90-days probationary taxicab driver's permit, and that he report to the Chief of Police in the meantime. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The following resolution was submitted:

(RESOLUTION)

WHEREAS, City of Austin taxes for the years 1936 through 1945 were assessed in the name of Mrs. Josephine Du Blanc on Lots 14 and 15, Block N, Outlot 37 and Outlot 38, Division O, Driving Park, Flat 19, in the City of Austin, Travis County, Texas; said taxes for said years being in the amount of \$323.48, and for non-payment of same at maturity, penalty in the sum of \$16.18 has been assessed, and interest in the amount of \$97.41 has accrued, making the total amount of taxes, penalty and interest due \$437.07; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$16.18, and one-half of the interest in the sum of \$48.70; therefore,

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

That the aforesaid penalty in the sum of \$16.18 and one-half of the interest in the sum of \$48.70 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$16.18 and said interest in the sum of \$48.70 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of the taxes and one-half of the interest as aforesaid.

Upon motion, the foregoing resolution was adopted by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf
Noes : None
Absent: Councilman Thornberry

The following resolution was submitted:

(RESOLUTION)

WHEREAS, delinquent taxes on personal property have been paid to the Tax Collector of the City of Austin by the following named parties for the years and in the amounts set opposite the name of each of them, viz:

<u>Name</u>	<u>Years</u>	<u>Amount Collected</u>
A. C. Burleson	1943, 1944, 1945	\$ 19.57
Stuart Long	1938, 1941, 1943	24.63
Harold Langston	1941, 1942, 1943	24.45
H. R. Lee	1942 thru 1945	18.80
Howard Lott	1942, 1943	3.77
Plummer R. McCullough	1940, 1941, 1942, 1944, 1945	9.30
Bobby McLean	1942 and 1943	5.52
H. M. MacDonald	1944 and 1945	19.68
Claude C. McMillan	1943 and 1944	17.91
Leonard Manor	1939 thru 1943	11.90

WHEREAS, all of said payments constitute a final settlement of personal taxes due for the years indicated; now, therefore,

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

THAT the Tax Assessor and Collector of the City of Austin be, and he is hereby, authorized to record full payment on all delinquent personal property taxes against said parties and their property for the years for which said tax was assessed.

Upon motion, the foregoing resolution was adopted by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf

Noes : None

Absent: Councilman Thornberry

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the construction of certain public improvements has been duly advertised and contractors invited to bid on the public projects; and

WHEREAS, bids have been duly received and considered and the lowest bids have been selected; now, therefore,

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

That the City Manager be, and he is hereby, authorized and directed to enter into contracts for public improvements as follows:

1. For street paving, with Collins Construction Company, for \$270,823.38, the abutting property owners to pay \$55,390.37 and the City of Austin to pay \$152,433.01 out of the General Fund.
2. Kinney Avenue storm sewer, construction by Moore Construction Company, at a cost of \$101,503.03, to be paid by the City of Austin out of the General Fund, which fund will be reimbursed from street improvement bond fund after the sale of bonds authorized under Proposition 13 at an election held May 7, 1946.
3. Miscellaneous storm sewers, construction by Collins Construction Company, at a cost of \$80,321.16, to be paid by the City of Austin out of the General Fund, which fund will be reimbursed from street improvement bond fund after the sale of bonds authorized under Proposition 13 at an election held May 7, 1946.
4. Contract "A", sanitary sewers, construction by T. H. Lee, at a cost of \$19,811.04, to be paid by the City of Austin out of the General Fund, which fund will be reimbursed from sanitary sewer bond fund after the sale of bonds authorized under Proposition 11 at an election held May 7, 1946.
5. Contract "B", sanitary sewers, construction by Joe Bland Construction Company, at a cost of \$165,464.20, to be paid by the City of Austin out of the General Fund, which fund will be reimbursed from sanitary sewer bond fund after the sale of bonds authorized under Proposition 11 at an election held May 7, 1946.

6. Contract "C", sanitary sewers, construction by Karl Wagner, at a cost of \$206,811.86, the subdividers of additions in the City of Austin to pay \$45,782.60 and the City of Austin to pay \$161,029.26 out of the General Fund, which fund will be reimbursed from sanitary sewer bond fund after the sale of bonds authorized under Proposition 11 at an election held May 7, 1946.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf;

Noes : None

Absent: Councilman Thornberry

There being no further business, upon motion of Councilman Wolf, the meeting was recessed at 12:20 P. M., subject to call of the Mayor, by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilman Wolf

Noes : None

Absent: Councilman Thornberry

Approved, Tom Miller
MAYOR

Attest:

Hallie M. Kellan

City Clerk