

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 15, 1945
11:00 A.M.

Council Chamber, City Hall

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

Roll call

Present : Councilmen Alford, Bartholomew, Gillis, Mayor Miller - 4
Absent : Councilman Wolf

Present also: Walter E. Seaholm, Acting City Manager; J.E. Motheral, City Engineer; W. T. Williams, Acting City Attorney; and R. D. Thorp, Chief of Police.

The minutes of the Regular Meeting of February 8, 1945, were read, and on motion of Councilman Alford were adopted as read by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes: None
Absent: Councilman Wolf

C. F. NAUERT came before the Council and asked for a public hearing on his application for a change in the zoning classification of the property on East 47th Street between Red River Street and Depew Avenue.

It was moved by Councilman Bartholomew that a public hearing on rezoning of the above named property be called for Thursday, March 8, at 11:00 A. M., and that notice of said hearing be published as required by the Zoning Ordinance. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes: None
Absent: Councilman Wolf

The application of RAYMOND WILLIAM STANA, 2606 Guadalupe Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes: None
Absent: Councilman Wolf

The application of DANIEL RAMIN WOLFE, 2308 Rio Grande Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

The application of CHESTER ANDREW SUJECKI, Bergstrom Air Base, for a taxicab driver's permit, recommended for approval by the Acting City Manager, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

Councilman Gillis 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 CONCHO STREET, from East 10th Street northerly 103 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of, and parallel to, the east property line of said Concho Street.

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

- (2) A gas main in EAST 10TH STREET, from Concho Street easterly 140 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 East 10th Street.

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

- (3) A gas main in EAST 18TH STREET, from a point 118 feet east of Leona Street westerly 21 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 East 18th Street.

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

- (4) A gas main in HAMILTON AVENUE, from a point 28 feet west of Prospect Avenue easterly 145 feet, the centerline of which gas main shall be 7 feet north of, and parallel to, the south property line of said Hamilton Avenue.

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

- (5) A gas main in BRYAN STREET from Swenson Avenue easterly 12 feet, the centerline of which gas main shall be 7 feet north of, and parallel to, the south property line of said Bryan Street.

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

- (6) A gas main in EAST 10TH STREET, from a point 156 feet west of Swenson Avenue easterly 395 feet, the centerline of which gas main shall be 7 feet north of, and parallel to, the south property line of said East 10th Street.

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

- (7) A gas main in WEST 10TH STREET, from a point 71 feet west of Essex Avenue westerly 86 feet, the centerline of which gas main shall be 3 feet south of, and parallel to, the north property line of said West 10th Street.

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 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.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote;

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

MRS. T. STEPHEN LOCKWOOD came before the Council to protest the proposal of the School Board for the closing of Lowell Street adjacent to her property in carrying out the plan for enlargement of the Winn School Grounds. Mrs. Lowell was referred to the School Board in the matter of her complaint.

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE ORDERING A GENERAL ELECTION
FOR THE PURPOSE OF ELECTING FIVE COUNCIL-
MEN OF THE CITY OF AUSTIN FOR A TERM OF
TWO YEARS BEGINNING MAY 1, 1945, DESIG-
NATING THE POLLING PLACES IN THE VARIOUS
WARDS, AND PROVIDING THE PROCLAMATION OF
SAID ELECTION.

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

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

The ordinance was read the second time and Councilman Bartholomew 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 Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

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

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

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

Councilman Alford introduced the following ordinance:

AN ORDINANCE APPOINTING ELECTION JUDGES
AND CLERKS TO SERVE AT THE VARIOUS POLL-
ING PLACES IN THE VARIOUS ELECTIONS TO
BE HELD IN THE CITY OF AUSTIN DURING THE
TERM OF TWO YEARS.

The ordinance was read the first time and Councilman Alford moved

that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

The ordinance was read the second time and Councilman Alford 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 Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

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

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes: None
Absent: Councilman Wolf

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

Councilman Gillis introduced the following ordinance:

AN ORDINANCE ORDERING AN ELECTION IN THE
CITY OF AUSTIN, TEXAS, TO BE HELD ON APRIL 2,
1945, FOR THE PURPOSE OF SUBMITTING TO THE
QUALIFIED VOTERS OF THE CITY OF AUSTIN, FOR
ADOPTION OR REJECTION, CERTAIN AMENDMENTS
TO THE EXISTING CHARTER OF SAID CITY.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading.

The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

The ordinance was read the second time and Councilman Gillis 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 Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

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

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes: None
Absent: Councilman Wolf

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

Councilman Gillis offered the following resolution:

(RESOLUTION)

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

THAT Walter E. Seaholm, City Manager of the City of Austin be, and he is hereby authorized and directed to enter into a contract with Howell Bunton, to purchase Lots 4 and 5, Block 1, Outlot 58, Division "B", situated at 1906-08 Rosewood Avenue, City of Austin, less 15 feet fronting on Rosewood Avenue, for the sum of \$1,050.00, payable \$200.00 in cash, and the balance at \$20.00 or more per month, with interest on deferred payments at 6% per annum; upon receipt of which the City of Austin will convey its title to said Lots 4 and 5, Block 1, Outlot 58, Division "B", to said Howell Bunton.

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

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

The following resolution was introduced:

(RESOLUTION)

WHEREAS, the City of Austin taxes for the years 1934 through 1944 were assessed in the name of Miss Emma Seabaugh Estate, on Lots 5 and 6, Block 3, Outlot 37, Division "B", Plat 39, in the City of Austin, Travis County, Texas; said taxes for said years being in the amount of \$232.47, and for nonpayment of same at maturity, penalty in the sum of \$11.62 has been assessed, and interest in the amount of \$65.33 has accrued, making the total amount of taxes, penalties and interest due \$309.42; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$11.62, and one-half of the interest in the sum of \$32.66; therefore,

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

THAT the aforesaid penalty in the sum of \$11.62 and one-half of the interest in the sum of \$32.66 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 \$11.62 and said one-half interest in the sum of \$32.66 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the aforesaid taxes, as aforesaid.

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

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

The application of CORNER PACKAGE STORE #2, by A. K. Hage, for a license to operate a package store at 221 East 6th Street, recommended for approval by the Acting City Manager, was submitted. Councilman Alford moved that the license be granted. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

APPROVED:

Tom Miller
MAYOR

ATTEST:

Hallie M. Kellar
CITY CLERK