

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 15, 1945
11:25 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 - 1

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

The minutes of the Regular Meetings of March 1 and March 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

The application of CHARLES L. SUMMERS, 300 Congress Avenue, for a license to operate as a taxicab a 1941 Model Chevrolet Sedan, State License (1942) No. N24562, (1944) No. FS6097, to replace Taxicab License No. 26 cancelled by George Joseph, 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

The application of SAM BEN WARREN, 603 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 CORPORAL THOMAS E. TRACEY, Squad C, Bergstrom Field, 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 SGT. J. C. DYER, Bergstrom Field, for a taxicab driver's permit, recommended for approval by the Acting City Manager, was submitted. Councilman Bartholomew 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 ORAN KELLEY, 4709 Sinclair Avenue, for a taxicab driver's permit, recommended for approval by the Acting City Manager, was submitted. Councilman Bartholomew 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 JOHN C. CASCIO, 4209 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 WESLEY HARREL LINDER, 3407 McDonald Avenue, 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 Bartholomew 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 SINGLETON AVENUE from a point 72 feet north of East 17th Street northerly 104 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 Singleton Avenue.

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

- (2) A gas main in HOLLY STREET from a point 307 feet east of Comal Street westerly 156 feet, the centerline of which gas main shall be 26 feet south of, and parallel to, the north property line of said Holly Street.

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

- (3) A gas main in BRIDLE PATH from a point 180 feet east of Pecos Street westerly 306 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of, and parallel to, the north property line of said Bridle Path.

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

- (4) A gas main in FLETCHER STREET from a point 130 feet east of Forest Avenue west to Forest Avenue, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of, and parallel to, the north property line of said Fletcher Street.

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

- (5) A gas main in FOREST AVENUE from Fletcher Street south 12 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet west of, and parallel to, the east property line of said Forest Avenue.

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

- (6) A gas main in CANADIAN STREET from a point 79 feet north of Riverview Street south to Riverview Street, the centerline of which gas main shall be 20 feet west of, and parallel to, the east property line of said Canadian Street.

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

- (7) A gas main in RIVERVIEW STREET from Canadian Street westerly 212 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet north of, and parallel to, the south property line of said Riverview Street.

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

- (8) A gas main in EAST 12TH STREET from a point 110 feet west of Olander Street westerly 73 feet, the centerline of which gas main shall be 20 feet south of, and parallel to, the north property line of said East 12th 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

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PROVIDED FOR IN AN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; THE AMENDMENT HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT OF THE PROPERTY DESCRIBED AS THAT FRONTING ON EAST 47TH STREET AND LYING BETWEEN RED RIVER STREET ON THE WEST AND DEPEW AVENUE ON THE EAST, AND BEING MORE PARTICULARLY DESCRIBED AS LOTS 1, 2, 3, 4, 39, and 40, in BLOCK 13; AND LOTS 12, 13, 14, 15, and 16, in BLOCK 14, OUTLOT 17, DIVISION "C", RIDGETOP ANNEX, IN THE CITY OF AUSTIN, TEXAS; ORDERING A DELINEATION OF THE OFFICIAL USE MAP SO AS TO SHOW THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

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 Bartholomew offered the following resolution and moved its adoption:

(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 M. A. Anderson and his wife, Luella Anderson to purchase Lots 2, 3, 4, in Block 5, Outlot 57, Division "B", in the City of Austin, for the sum of \$1900.00, the sum of \$294.60 of which has been paid in cash to the City Tax Collector, leaving a balance of \$1606.00, payable in monthly installments of \$25.00 each, with interest on deferred payments at 6% per annum; upon receipt of which the City of Austin will convey its title to said Lots 2, 3, and 4, in Block 5, Outlot 57, Division "B", to said M. A. Anderson and his wife, Luella Anderson.

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

Councilman Bartholomew offered the following resolution and moved its adoption:

(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 Mary Harrell, Effie Harrell and Ellen Gregg, to purchase Lot No. 6 in

Block No. 2, Outlot 58, Division "B", in the City of Austin, Texas, for the sum of \$1,000.00, payable in monthly installments of \$15.00 each, with interest on deferred payments at 6% per annum; upon receipt of which the City of Austin will convey its title to said Lot No. 6 in Block No. 2, Outlot 58, Division "B", to said Mary Harrell, Effie Harrell and Ellen Gregg.

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

There being no further business, upon motion, seconded and carried, the meeting was recessed at 11:55 A. M., subject to call of the Mayor.

APPROVED:

Tom Miller

MAYOR

ATTEST:

Hallie M. Keller
CITY CLERK