

## MINUTES OF THE CITY COUNCIL

## CITY OF AUSTIN, TEXAS

## Regular Meeting

August 23, 1945  
11:20 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  
Absent : Councilman Wolf

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

The minutes of the Regular Meeting of August 16, 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

MRS. S. E. HUDSON came before the Council and presented a petition signed  
by the residents in the neighborhood, waiving any objections to the proposed  
leasing of her property at 608 West 7th Street for residential purposes and  
an antique shop and interior decorating establishment in connection therewith.

Councilman Gillis moved that the said Mrs. S. E. Hudson be granted a  
non-conforming use of said property for the purpose above stated, for a period  
of two years. The motion carried by the following vote:

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

The appeal of CLEMENT A. BAKER, by his attorney, Ayres K. Ross, on denial  
of his application for a taxicab driver's permit was heard. After considering  
the appeal, it was the sense of the Council that the permit be denied.

The application of MERLELL D. SCOTT, 304 Terrace Drive, for a taxicab  
driver's permit, duly approved by the City Manager, was submitted. Councilman  
Alford moved that the permit be granted. The motion carried by the following  
votes:

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

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The application of FRANK LEROY WIER, Riverside Tourist Courts, for a taxicab driver's permit, duly approved by the 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 FINGAL R. ARNHAM, 1018 Ellington Lane, for a license to operate as a taxicab a Chevrolet Sedan, 1940 Model, Motor No. 3087802, State License No. FS2793, 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 Alford, Bartholomew, Gillis, Mayor Miller  
Noes : None  
Absent: Councilman Wolf

The application of JAMES WILLIAM COKER, 1108 Riverside Drive, for a license to operate as a taxicab a Chevrolet Sedan, 4-door, 1940 Model, Motor No. 2737603, State License No. FR7501, 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 Alford, Bartholomew, Gillis, Mayor Miller  
Noes : None  
Absent: Councilman Wolf

The application of JOSEPH D. COSS, 304 East 11th Street, for a license to operate as a taxicab a Chevrolet Sedan, 1942 Model, Motor No. BA111780, State License No. FT-4072, 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 Alford, Bartholomew, Gillis, Mayor Miller  
Noes : None  
Absent: Councilman Wolf

The application of VIVIAN B. FALLWELL, 1623 Willow Street, for a license to operate as a taxicab a Dodge Sedan, 1938 Model, Motor No. 19787, State License No. FR-4024, 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 Alford, Bartholomew, Gillis, Mayor Miller  
Noes : None  
Absent: Councilman Wolf

The application of WILBUR JOSEPH FOSTER, 5614 Woodrow Street, for a license to operate as a taxicab a Chevrolet Sedan, 4-door, Motor No. 2718400, State License No. FS-7929, duly approved by the 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 GEORGE JOSEPH, 407 East 8th Street, for a license to operate as a taxicab a Pontiac Sedan, 1941 Model, Motor No. 6968667, State License No. FR-9529, duly approved by the 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 JESSE C. HILDERBRAND, 2907 Rio Grande Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1940 Model, Motor No. 3362092, State License No. FS-5266, duly approved by the 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 H. W. PLATT, 3802 South 1st Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, Motor No. AA-993139, State License No. FR-3970, duly approved by the 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 EDWARD M. STEVENSON, 104 Congress Avenue, for a license to operate as a taxicab a Chevrolet 4-door Sedan, 1942 Model, Motor No. BA398018, State License No. FT-3574, duly approved by the 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 CHAS. L. SUMMERS, 1403 South 5th Street, for a license to operate as a taxicab a Chevrolet Sedan, 1941 Model, Motor No. AA685427, State License No. FR-2810, duly approved by the 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 CARL E. VANLANDINGHAM, 707 Deep Eddy Avenue, for a license to operate as a taxicab a Chevrolet 4-door Sedan, 1941 Model, Motor No. AA445198, State License No. FS-9188, duly approved by the 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

Councilman Alford 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 EAST 13TH STREET from Chestnut Avenue westerly 224', 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 13th Street.

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

- (2) A gas main in CATALPA STREET from a point 124 feet east of Curve Street westerly 336 feet, the centerline of which gas main shall be 11 feet north of, and parallel to, the south property line of said Catalpa 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 17TH STREET from Poquito Street to Macaroni Lane, 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 17th Street.

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

- (4) A gas main in MACARONI LANE from East 17th Street (West) south to East 17th Street (East), the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to, the east property line of said Macaroni Lane.

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

- (5) A gas main in EAST 17TH STREET from Macaroni Lane east 45 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 17th Street.

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

- (6) A gas main in MELRIDGE PLACE from Robert E. Lee Road to Blue Bonnet Lane, the centerline of which gas main shall be  $13\frac{1}{2}$  feet south of, and parallel to, the north property line of said Melridge Place.

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

- (7) A gas main in BLUE BONNET LANE from Melridge Place to Collier Street, the centerline of which gas main shall be  $13\frac{1}{2}$  feet west

of, and parallel to, the east property line of said Blue Bonnet Lane.

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

- (8) A gas main in COLLIER STREET from Blue Bonnet Lane to Garner Avenue, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Collier Street.

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

- (9) A gas main in GARNER AVENUE from Collier Street north to a point  $3\frac{1}{4}$  feet north of Ashby Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to, the east property line of said Garner Avenue.

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

The following application for a license to operate a private boat, duly approved by the Lake Austin Navigation Board, was submitted:

NAME and ADDRESS OF APPLICANT

DESCRIPTION OF BOAT

Slaughter, Sam L. - 2402 Oldham Street	Dumpy, Outboard, 4 years old, Evinrude, 5-passenger
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Councilman Bartholomew moved that the application be approved. The motion carried by the following vote:

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

The application of the WHITE TOP TAXI, 307 West 6th Street, by Monroe James Schreffler and Arnold East, for a taxicab terminal operator's license, was submitted. Councilman Gillis moved that the license be granted, subject to approval of the application by the City Manager. The motion carried by the following vote:

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

Councilman Alford moved that the quota for taxicabs be limited to one hundred and twenty (120) taxicabs. The motion carried by the following vote:

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

CARL EDWARD PULLIAM came before the Council and asked for approval of his application for a taxicab license, pending purchase by him of the taxicab. The request was granted, subject to applicant's acquiring the taxicab, furnishing bond, and otherwise complying with the regulations governing the operation of taxicabs.

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, in Book 2, page 211, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Ridgetop Annex within the City of Austin, Travis County, Texas; and

WHEREAS, upon said map or plat there appear various streets and alleys, one of which alleys herein referred to is fifteen feet in width and traverses a portion of Block 7 of Ridgetop annex, and being the alley one-half block south of, and parallel to, East 44th Street, and extending from Caswell Avenue east to an alley extending south from East 44th Street; and

WHEREAS, said alley has never been opened to the public; and

WHEREAS, the owners of all the property abutting said alley have requested the City Council of the City of Austin to close the above described alley; and

WHEREAS, said request has 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 that alley in Block 7 of Ridgetop Annex, one-half block south of, and parallel to, East 44th Street, and extending from Caswell Avenue east to an alley extending south from East 44th Street, is hereby permanently abandoned, vacated, and closed, except the City of Austin hereby retains the right to construct, maintain, operate, and control all public utilities in, upon, and across the above described alley.

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 offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT Guiton Morgan, City Manager of the City of Austin, be, and he is hereby, authorized and directed to execute a release of Lot 18, Block 4, Sunset Heights, and personal property, in the City of Austin, from a judgment of foreclosure taken on November 18, 1930, in Cause No. 48,566, styled City of Austin vs W. J. Callan, recorded in Volume 19, page 528, of the Minutes of the District Court of Travis County, Texas; it appearing to the Court that all taxes and costs owing to the City of Austin, as contained in said judgment, have been paid.

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 application of CITY PACKAGE STORE, 123½ West 6th Street, by Sol Kopel, for a license to operate a retail liquor store, duly approved by the 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 W. K. JENNINGS, JR., owner, and F. L. Gillespie, cafe owner and operator, for a change in zoning of the property at 1007 Guadalupe Street, being the Court House Cafe, from "C" Commercial to "C-1" Commercial, was received; and the matter was referred to the Board of Adjustment for consideration and recommendation.

The following resolution was submitted:

(RESOLUTION)

WHEREAS, the property owned by A. C. King, located at 900 South 2nd Street, in the City of Austin, was erroneously valued for the purposes of taxation by the City of Austin for the year 1932 and subsequent years at a value in excess of the reasonable value thereof, and it is now proper to fix the valuation of the said property for taxation for the year 1932 and each subsequent year at Two Hundred and Eighty Dollars (\$280.00), which is and was the reasonable value thereof at such times; now, therefore,

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

THAT the valuation of the property belonging to A. C. King, located at 900 South 2nd Street in the City of Austin, be, and the same is hereby, fixed

at \$280.00 for the year 1932 and each subsequent year, and the Tax Assessor and Collector of the City of Austin is hereby ordered and directed to receive the taxes on said property on that valuation for each of said years, now aggregating \$187.09 taxes, \$9.56 penalty, and \$72.02 interest, making a total of \$268.67, upon receipt of which the said Tax Assessor and Collector shall cancel all additional taxes against said property on the records of his office.

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

Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes: None

Absent: Councilman Wolf

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>
B. E. Anderson	1937 thru 1944	\$ 29.35
Horace T. Chilton	1941 thru 1944	24.12
Lewis Collins	1942 thru 1944	11.23
Craddock Service Station	1941 and 1942	35.52
O. H. Cullin	1939 thru 1941	12.42
Edmondson Beauty Shop	1940 thru 1944	12.35
Ellis Battery Service	1935, 1936, 1938	28.01
Neal H. Farley	1937 thru 1944	33.28
Virgie Thorp	1932 thru 1935	19.19
Bruce J. Carson	1929 thru 1938, 1942 and 1944	61.73
Harlee Robert Cartwright	1940 thru 1944	12.29
M. J. Copeland	1932 thru 1944	72.11
William E. Grein	1940 thru 1944	2.88
Cost Pearson	1940 thru 1942	6.96
George West	1935 and 1936	9.19
Howard Bell	1940 and 1941	7.13
Paige Benbow	1941	6.81
I. C. Childress	1935, 1938 thru 1944	31.96
Coleman Cook	1938 thru 1940 and 1942	29.01
George Davis	1942 thru 1944	.75
East Avenue Package Store	1943 and 1944	147.98
George E. Eiband	1942 thru 1944	11.60
Buster Farrow	1938, 1940 and 1942	20.13
F. E. Finley	1939 and 1942 thru 1944	14.66
W. W. Gage	1937 thru 1944	5.87
L. C. Galyean	1943 and 1944	9.55
Clyde Hailey	1933 thru 1941 and 1944	40.63



<u>Name</u>	<u>Years</u>	<u>Amount Collected</u>
R. W. Hamilton	1944	\$ 3.68
C. M. Mobley	1930 thru 1936 & 1938 thru 1944	26.86
Arnold Williams	1940 thru 1944	15.39
A. B. Croisdale	1938 thru 1942 & 1944	16.29
Bennie Ellis	1937 thru 1942 & 1944	8.42
Lawrence T. Elmore	1937 thru 1940 & 1944	10.00
Jesse W. Ezelle	1932 thru 1938	20.41
Roy A. Farrer	1928 thru 1931 1935, 1938, 1939 & 1944	10.38
W. F. Fields	1933 thru 1944	9.68
Algerene Akins	1937 thru 1939	14.91
J. W. Cahill	1940 thru 1943	14.59
J. G. Farmer	1940 thru 1942	22.54
Famous Coffee House	1940 and 1941	32.52
J. A. Boutwell	1934 thru 1936 & 1938	14.82
S. M. Thompson	1941 thru 1943	42.87
West Austin Cleaners	1933 thru 1938	38.41
H. G. Wiley	1936 thru 1944	70.33

and

WHEREAS, all of said payments have been made on an equitable basis of adjustment of such taxes by authority of the City Council of the City of Austin; 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, ordered and directed to cancell 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 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 11:45 A. M., subject to call of the Mayor.

APPROVED

*Tom Miller*  
MAYOR

ATTEST:

*Helen M. Miller*  
CITY CLERK