

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 30, 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
Absent: Councilman Wolf

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

The minutes of the Regular Meeting of August 23, 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 WILBUR JOSEPH FOSTER, 5614 Woodrow Street, 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 SPIEGEL LEON GILLESPIE, 1007 Guadalupe Street, 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

Councilman Alford moved that the quota for taxicabs be raised to one hundred and thirty (130). The motion carried by the following vote:

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

The application of WILLIAM R. BROWNLEE, 116 $\frac{1}{2}$ East 7th Street, for a license to operate as a taxicab a 1939 Model Plymouth Sedan, Motor No. D-6101200, State License No. FT-24, 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 COOPER, 1010 West 24th Street, for a license to operate as a taxicab a 1940 Model Chevrolet, Factory No. 362159, State License No. FR-3919, 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 ARNOLD JAMES EAST, 307 West 6th Street, for a license to operate as a taxicab a 1940 Model Chevrolet, Motor No. 31063-13, State License No. FT-4286, 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 MRS. CLEMMIE GEORGIA FRELS, 2605 Fredericksburg Road, for a license to operate as a taxicab a 1940 Model, Chevrolet Sedan, Factory No. 3KA06-40538, State License No. FS-5813, 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 LIGHTSEY CAB COMPANY, 112 East 7th Street, for a license to operate as a taxicab a Chevrolet Sedan, 1941 Model, Motor No. AA1042456, State License No. FT-2176, 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 PATTONS, INC., 116 East 7th Street, for a license to operate as a taxicab a 1936 Model, Oldsmobile Coupe, Motor No. F-654968, State License No. FS-9704, 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 PATTONS, INC., 116 East 7th Street, for a license to operate as a taxicab a 1941 Model, 4-door Mercury, Motor No. 99A454987, State

License No. FS-9702, 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 PATTONS, INC., 116 East 7th Street, for a license to operate as a taxicab a 1939 Model Oldsmobile, Bus Coupe, Motor No. B-50715, State License No. FS-9703, 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 PATTONS, INC., 116 East 7th Street, for a license to operate as a taxicab a 4-door Chrysler, 1942 Model, Motor No. C-3412156, State License No. FS-9705, 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 VERNON C. PENDERGRASS, 2000 Sabine Street, for a license to operate as a taxicab a Ford Sedan, 1936 Model, Factory No. 182227993, State License No. FT-3903, 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 TONY SCONCI, 720 Red River Street, for a license to operate as a taxicab a 1941 Model Pontiac Sedan, Motor No. 6968667, State License No. FR-9529, 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 J. H. STELFOX, 230 South Congress Avenue, for a license to operate as a taxicab a 1939 Model LaSalle Sedan, Motor No. 2301573, State License No. FS-3094, 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

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 CRESTWOOD ROAD, from a point 500 feet west of Wilshire Boulevard east to Wilshire Boulevard, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Crestwood Road.

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

- (2) A gas main in WILSHIRE BOULEVARD from Crestwood Road easterly 400 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Wilshire Boulevard.

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

- (3) A gas main in KINNEY AVENUE from a point 116 feet north of Hether Street northerly 192 feet, the centerline of which gas main shall be 20 feet east of, and parallel to, the west line of said Kinney Avenue.

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

- (4) A gas main in POST OAK STREET, from a point 161 feet west of Bouldin Avenue westerly to Dawson Road, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Post Oak Street.

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

- (5) A gas main in DAWSON ROAD, from a point 28 feet south of Post Oak Street southerly 150 feet, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Dawson Road.

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

- (6) A gas main in BOB HARRISON STREET from a point 121 feet west of Angelina Street westerly 28 feet, the centerline of which gas main shall be 35 feet south of, and parallel to, the north property line of said Bob Harrison 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 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 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 the City Council of the City of Austin hereby approves the construction and maintenance of a loading platform in the sidewalk area on the east side of Lavaca Street and north of 1st Street Alley, which property is owned by the Southwestern Ice and Cold Storage Company, and is designated as Lots 10, 11, and 12, in Block 4, of the Original City of Austin, Travis County, Texas, and hereby authorizes the Southwestern Ice and Cold Storage Company to construct and maintain said loading platform, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the attached recommendations; and the Building Inspector is hereby authorized to issue a building permit for the construction of this loading platform after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations, and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Southwestern Ice and Cold Storage Company has failed and refused, and will continue to fail and refuse, to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"August 30, 1945
Austin, Texas

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of The Southwestern Ice and Cold Storage Company of Austin, Texas, for permission to construct and maintain a loading platform in the sidewalk area on the east side of Lavaca Street and north of 1st Street Alley, which property is known as Lots 10, 11, and 12, in Block 4 of the Original City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

The property upon which this warehouse is located is designated as "C-2" Commercial District, as shown upon the zoning maps of the City of Austin.

This neighborhood is essentially a warehouse district in which a number of warehouses now exist with loading platforms extending out over the sidewalk area.

We recommend that the Southwestern Ice and Cold Storage Company be granted permission to construct and maintain said loading platform on the sidewalk area on the east side of Lavaca Street and north of 1st Street Alley, subject to the following conditions:

That the proposed loading platform be constructed of concrete and provided with steps and hand rails at each end to permit pedestrians passing through this area, and in accordance with the plans on file in the Building Inspector's office and that all grades and lines for the curb in front of this property be constructed in accordance with the lines, grades, and specifications established by the Engineering Department and having the approval of the City Engineer.

Respectfully submitted,

(Sgd) J. E. Motheral
City Engineer

(Sgd) J. C. Eckert
Building Inspector. "

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 report of the Board of Adjustment, recommending a change in zoning to "D" Industrial District of a certain area contiguous to Lyons Road and Springdale Road, was received:

"Austin, Texas
August 17, 1945

Honorable Mayor and City Council
Austin, Texas

Gentlemen:

At a meeting held on August 15, the Board of Adjustment unanimously adopted a motion recommending to the City Council the following amendment to the Zoning Ordinance of the City of Austin:

To change the zoning classification of all the property not now zoned "D" Industrial and "E" Heavy Industrial lying in the area bounded on the north by Lyons Road, on the east by Springdale Road to East Fifth Street, and the City limits from East Fifth Street to East First Street, and on the west by Pleasant Valley Road, to "D" Industrial District and Third Height and Area District, as indicated on the attached zoning map of the City of Austin.

This recommendation is made to the Council on account of the increasing demand for industrial property for the location of light industry, which is now forced to go beyond the City limits in non-regulated territory. The Board of Adjustment has had several appeals for permission to locate the light industries now prohibited in the "C" Commercial districts and residential districts on East First Street near the City limits. Sites for warehouses, light industries and all such uses as are permitted in the "D" Industrial District are increasingly difficult to find in the present areas zoned for these uses. It is anticipated that there will be further industrial development in the City and adequate provision should be made for its location within the City limits and where railroad facilities are available, as well as accessibility to major highways for truck transportation.

The area here recommended already contains the City Abattoir and an industrial zone along the railroad, and the property to the west of Pleasant Valley Road is also now zoned as industrial property in which there are contemplated additional industrial developments. This area is well adapted for these purposes and is a part of the proposed industrial area of the Master Plan for the City.

Most of this area is undeveloped. There are a few dwellings on Gonzales Street, Allen Street, Gunter Street and Hidalgo Street, which of course can remain as such. The property north of the City Abattoir is vacant and most of the area south of Fifth Street is vacant, as well as that north of Gonzales Street to the railroad tracks.

In view of the applications before the Board and the opinion of the Board that this is the time to provide for industrial expansion which will redound to the prosperity and welfare of the City, it is urged upon the City Council to immediately pass this amendment so that these proposed industries may proceed with their plans which will create employment and tend to alleviate the strain of the immediate postwar period.

Respectfully submitted,

Board of Adjustment, By H.F. Kuehne, Chairman.

Councilman Bartholomew moved that a public hearing on the proposed change in zoning of the property recommended in the foregoing report of the Board of Adjustment to "D" Industrial District be called for Thursday, September 20, 1945, at 11:00 A. M. The motion carried by the following vote:

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

The application of GUS LINZ SANDWICH SHOP, 120 East 7th Street, by Gertrude Montgomery, for a wine and beer retailer's license, 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 City Manager submitted a letter from C. L. SCOTT, Commander of Lone Star Chapter No. 4, Disabled American Veterans, advising that, in view of a discontinuance of the operation of the Disabled Veterans Workshop at 102 East 31st Street on September 1, 1945, the City discontinue its payments of rent for the building. The matter was referred back to the City Manager for attention.

The City Manager advised the Council that the plans and specifications for the addition to the Abattoir were nearly completed. Councilman Alford then moved that the City Manager be authorized to advertise for bids for the construction of said addition, said bids to be received September 25. The motion carried by the following vote:

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

The City Manager also advised the Council that the plans and specifications for the new bath house at Zilker Springs were nearly completed. Councilman Bartholomew then moved that the City Manager be authorized to advertise for bids for the construction of said bath house, the date for receiving bids to be determined by the City Manager. The motion carried by the following vote:

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

The City Manager was also instructed to proceed with preparation of the plans for the new bridge across Barton Creek and to advertise for bids for construction of same as soon as possible.

The City Manager was also instructed to look into the matter of a cyclone fence around Oakwood Cemetery and to proceed with the erection of same as soon as possible.

The following resolution was introduced:

(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>
Mrs. E. M. Barton	1943 and 1944	\$ 20.28
Blue Front Cafe	1944	9.51
J. L. Crawford	1938, 1940 thru 1944	29.59
Joe L. Cunningham	1937 thru 1940 & 1942, 1943	12.59
Joe Bland	1939 and 1940	20.87
Fay Deen	1932 thru 1934	14.77
G. A. Doering	1934 thru 1944	80.50
H. J. Dahlstrom, Jr.	1943 thru 1944	14.56
J. E. Dye	1944	1.07
A. H. Edburg	1936 thru 1944	11.34
Alvin Fleischer	1941 thru 1944	10.03
Raymond Franks	1933, 1935 thru 1940 & 1942 thru 1944	10.85
Roberdeau Van & Storage Co	1944	89.53
Hirsh Drug Stores	1940 & 1942	479.07
L. Ruiz	1944	2.78
Round House Service Station	1939 thru 1941 & 1943	25.08
L. E. Schieffer	1935 thru 1940	29.09
Mrs. Corrie W. Allen	1935, 1936, 1942 & 1943	23.47
Avenue News Stand	1936 thru 1942	18.31
A. L. Brown	1935	3.46
Oakley Davis	1941, 1942 & 1944	20.02
Wade Dean	1934 thru 1937	10.90
Jesse W. Copeland	1939 thru 1943	25.51
Santos Flores	1940, 1941, 1943 & 1944	1.02
Hilda Fogle	1940 thru 1942	29.82
Eugene Sanders	1944	.72
Tom F. Brashear	1940	7.26
Barney Allen	1941 thru 1943	13.40
G. L. Anderson	1935 thru 1940	47.92
T. H. Burleson	1933, 1935 & 1937 thru 1944	38.25
Allie Ruth Crow	1943 & 1944	6.56
E. L. Crow	1941 thru 1944	8.20
E. M. DeGeurin	1939 & 1942 thru 1944	23.47
Andrew Dixon	1941 thru 1944	9.45
A. A. Eck	1929, 1932 thru 1937 & 1942	19.30
S. E. Eves	1932, 1933 & 1943	5.17
E. A. Bergfield	1942	3.09
Frank Flores	1941 thru 1943	1.00
Fordex Service	1939 thru 1941	34.01
A. W. Steger	1931 thru 1944	24.59
H. H. Burch	1929 thru 1944	97.72
Aubrey M. Everhard	1938 thru 1944	14.54
M. L. Fickel	1937, 1938, 1940, 1942, 1944	13.92
Charles W. Foster	1940 & 1943	16.32
Tommie Anderson	1939 thru 1944	27.84
Joe J. Douglas	1937 thru 1944	26.39
W. A. Deloney	1939 & 1941 thru 1943	1.80

<u>Name</u>	<u>Years</u>	<u>Amount Collected</u>
Charles E. Eklund	1940 thru 1944	\$ 20.83
E. M. Everton	1928 & 1929	5.41
C. E. Faulkner	1937 thru 1942	26.31
E. M. Fincher	1942 thru 1944	4.95
Fannie Mae Henderson	1944	1.67
Marjorie Watson	1944	9.16
Alamo Drug Store	1940 thru 1944	219.41
Leo Amaro	1931 & 1939 thru 1944	25.19
W. B. Backus	1938, 1939 & 1941 thru 1944	43.62
Charlie Dolle	1939 thru 1942	24.38
Fred T. Erwin, Jr.	1942 & 1943	16.42
Hilton Fleming	1938, 1939 & 1941 thru 1944	6.66
D. J. Friedell	1942 & 1944	18.45
Elizabeth Ganter	1937 thru 1941 & 1943	3.33
J. F. Ritter	1935 thru 1941	102.71
E. E. Yerwood	1939	2.15
Clyde Davis	1942 & 1943	14.35
Victor Nardechia	1936, 1938, 1939, 1941, 1942 & 1944	22.95

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 cancel 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 11:50 A. M., subject to call of the Mayor.

APPROVED

Tom Miller
MAYOR

ATTEST:

Thalia M. Keller
CITY CLERK