

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 5, 1945
10:45 A. M.

Council Chamber, City Hall

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

Roll call

Present : Councilmen Alford, Gillis, Mayor Miller - 3
Absent : Councilmen Bartholomew and Wolf - 2

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

The minutes of the Regular Meeting of June 28, 1945, were read and on motion of Councilman Alford, were adopted as read by the following vote:

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

The application of OWEN D. NEYLAND, 1011 East 44th Street, for a change in zoning of the lot at the southwest corner of East 44th Street and Bennett Avenue, from "A" Residence District to "C" Commercial District, was received; and the matter was referred to the Board of Adjustment for consideration and recommendation.

The application of EWING BAKER HIGHT, 307 West 26th 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, Gillis, Mayor Miller
Noes : None
Absent: Councilmen Bartholomew and 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 BRIDLE PATH from a point 64 feet west of Pecos Street westerly 144 feet, the centerline of which gas main shall be 13.5 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.

- (2) A gas main in BRADWOOD ROAD from a point 26 feet south of Wilshire Boulevard southeasterly 464 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Bradwood Road.

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, Gillis, Mayor Miller

Noes : None

Absent: Councilmen Bartholomew and Wolf

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

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

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THAT Walter E. Seaholm, City Manager of said City, be, and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with the United States of America to supply water for government uses at Camp Mabry near the City of Austin, Texas, in any quantities which may be required by the Government for such uses. Said Seaholm, as City Manager, is hereby empowered to exercise his own discretion in that regard.

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

Ayes : Councilmen Alford, Gillis, Mayor Miller
Noes : None
Absent: Councilmen Bartholomew and 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 PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; THE AMENDATORY ORDINANCE HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT OF THAT CERTAIN PROPERTY KNOWN AS LOTS 41 TO 73, BOTH INCLUSIVE, OUTLOT 1, DIVISION "X", AS SHOWN ON PAGE 56 OF THE CITY SECTION MAP OF THE CITY OF AUSTIN, TEXAS, AND KNOWN AS PROPERTY ON ELMWOOD PLACE AND THE 600 BLOCK OF PARK PLACE, AUSTIN, TEXAS; AND CHANGING THE HEIGHT AND AREA DESIGNATION FROM FIRST TO SECOND; AND 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, Gillis, Mayor Miller
Noes : None
Absent: Councilmen Bartholomew and Wolf

The ordinance was then read the second time and laid over.

Councilman Alford 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 execute for and in behalf of the City of Austin a deed to Ruby Harvey, conveying to her all of the right, title,

claim and interest of the City of Austin to Lot 9, Block 3, Outlots 32, 33, Division "B", Glenwood Addition to the City of Austin, for the consideration of Two Hundred Dollars (\$200.00) in cash.

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

Ayes : Councilmen Alford, Gillis, Mayor Miller

Noes : None

Absent: Councilmen Bartholomew and Wolf

The City Manager submitted a memorandum from the City Engineer recommending that the request of L. R. RAGLAND, 605 Copeland Street, for permission to use a portion of South Second Street for a chicken yard, be granted, said street in this vicinity never having been opened.

It was the sense of the Council that the above request be granted, with the understanding that the said L. R. Ragland be allowed the use of said portion of street until such time as the City may want it, but that no title or claim of the City to same be relinquished thereby.

Upon motion, seconded and carried, the meeting was recessed at 11:10 A.M. subject to call of the Mayor.

APPROVED

Tom Miller
Mayor

Attest:

Shallie M. Keller
City Clerk