

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Recessed Meeting

June 6, 1947

8:00 P.M.

Council Chamber, City Hall

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

Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry - 5

Absent : None

Present also: Guiton Morgan, City Manager; and Trueman E. O'Quinn,
City Attorney.

Present also: Horace H. Shelton, Attorney, and his client, Ben H. Green;
Hardy Hollers, Attorney, a large delegation of retail grocers, and other
interested citizens.

The Mayor announced that pursuant to notice heretofore given, the meet-
ing was called for a public hearing on the application of Ben H. Green for
a permit to operate a mobile grocery.

Hardy Hollers, Attorney, representing the Independent Retail Grocers
Association, declared, in substance, that his clients were not opposed to
the establishment of any new and legitimate business, but desired that
adequate control, based upon convenience and necessity, be had over busi-
nesses using the streets for the conduct of their business; that it be
shown what, if any, areas needed and desired that character of business;
that sanitary inspection, police supervision as to traffic hazard, and a
reasonable tax be required; and further, that if these requirements were
incorporated into an ordinance, to apply strictly to mobile grocers and
not to established businesses where adequate sanitary inspection could be
made, the same would be fair to everyone, and applicant should be per-
mitted to operate a legitimate business.

Horace Shelton, Attorney for Ben H. Green, declared that the tentative
ordinance as drawn was fair to everyone and was satisfactory to his client
and to him.

D. A. Shipwash, Secretary of Independent Retail Grocers Association,
declared that the ordinance would open the way for everybody who wants to
go into the business of peddler; that it is a question of whether it is a

healthful thing for the City as a whole from a traffic and sanitary standpoint, and that consideration should be given to these facts.

Following a lengthy discussion of the matter, in which all those present were given an opportunity to express their views, it was moved by Councilman Thornberry that the City Attorney be instructed, after consultation with Attorneys Shelton and Hollers, representing Ben H. Green, Applicant, and the Independent Retail Grocers, respectively, to prepare a revision of the tentative ordinance regulating mobile grocers so as to comply with all sanitary and police regulations, and to provide for a license fee of \$150.00 per year. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Tom Miller
Approved: _____
MAYOR

Attest:

Allen McKee

City Clerk