

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 13, 1933.

The Council was called to order by Mayor Pro tem Oswald G. Wolf. Roll call showed the following members present: Councilmen G. F. Alford, G. M. Bartholomew, Simon Gillis, and Mayor Pro tem Oswald G. Wolf, 4; absent, Mayor Tom Miller, 1.

The Minutes of the last regular meeting, July 6th, and the special meeting, July 8th, were read and Councilman Bartholomew moved the adoption of same as read. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mrs. Chas. Stephenson, President of the Library Commission, submitted to the Council the following communication:

"Austin, Texas, July 13, 1933.

To the City Manager and
Members of the City Council:

At a called meeting of the Austin Public Library Commission, July 10, 1933, the following recommendation was made:

"That the City Council be requested to make the following change in the rules for operating the Austin Public Library: The privilege of taking books out of the Library may be extended to residents of Travis County, who are not taxpayers of Austin, by the payment of One Dollar (\$1.00) per person annually, the money so received to be added to the Special Library Fund for Books. "

The Library Commission regrets to deny the use of the Library to any one, but the present budget will not take care of the rebinding and replacement of books made necessary by this increased circulation.

very truly yours,

(Sgd) Mrs. Charles Stephenson,
President Austin Public Library
Commission. "

Councilman Gillis moved that the City Attorney be directed to prepare an amendment to the Library Rules pertaining to the lending of books in accordance with the above recommendation of the Library Commission and the suggestions of Mrs. Chas. Stephenson, President. The motion was seconded by Councilman Bartholomew and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Dr. Howard Granberry and Dr. Banner Gregg, City Physician, came before the Council and asked that the present X-Ray equipment at the City Hospital, which they stated was out-of-date and inadequate, be replaced with new equipment, and that additional operating instruments and splints for fractures be purchased, also. Dr. Gregg further asked that the City employ the services of a welfare worker to investigate and pass upon the merits of cases applying for free medical treatment in order to determine what cases are really charity cases.

Councilman Bartholomew moved that the City Manager be instructed to make a thorough investigation of the needs of the City Hospital, conferring with Drs. Gregg and Granberry relative to same, and report his findings to the Council at its next regular meeting. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following resolution, which was introduced at the last regular meeting and laid over:

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

THAT the sum of \$2000.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying for trucks used on R.F. C. projects.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

A letter from Col. E. R. York, suggesting certain regulations for the keeping of dogs in the City, was received and laid on the table.

A resolution appropriating the sum of \$270.00 for the services of a life guard at Rosewood Park Swimming Pool and for Negro Band Concerts was introduced and laid over for one week.

A resolution appropriating the sum of \$945.00 for maintenance of the Negro Library for five months, beginning August 1st, was introduced and laid over for one week.

Mayor Pro tem Wolf laid before the Council the following 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 HARRIS AVENUE ALLEY from Montrose Street east 2 blocks to Waller Creek, the centerline of which gas main shall be 5 feet south of and parallel to the north line of said alley. Said gas main described above shall have a cover of not less than 2 feet.

(2) A gas main in WEST JOHANNA STREET from South 4th Street to South 5th Street, the centerline of which gas main shall be 15 feet south of and parallel to the north line of said West Johanna Street. Said gas main described above shall have a cover of not less than 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 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 out in the vicinity of a fire plug, water must be used at intervals during the course of back-filling 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.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none ; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following resolution:

WHEREAS, J. R. Blackmore is the Contractor for the construction of an addition to a building located at 201 West 9th Street and desires a portion of the sidewalk space abutting the north 75 feet of Lots 7 and 8, Block 99, Original City of Austin, during the construction of the addition, such space to be used in the work and for the storage of materials therefor; therefore,

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

1. THAT space for the uses hereinabove enumerated be granted to said J. R. Blackmore, the boundary of which is described as follows:

SIDEWALK WORKING SPACE

Beginning at the northwest corner of Lot 8, Block 99, of the Original City of Austin; thence in a northerly direction and at right angles to the centerline of West 9th Street a distance to the south curb line of West 9th Street; thence in an easterly direction along curb line of West 9th Street a distance of 90 feet to a point; thence in a southerly direction and at right angles to the centerline of West 9th Street a distance to the south line of West 9th Street; thence in a westerly direction along the south line of West 9th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said J.R.Blackmore, hereinafter termed "Contractor" upon the following express terms and conditions:

(1) That the Contractor shall maintain at all times, an open walkway at least 4 feet wide separated at all times from the balance of the working space with fences at least 4 feet high. At any time that such walkway is adjacent to the south boundary line of the working space, the walkway shall be protected by a roof.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 1, 1933.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following 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 OLDHAM STREET from Glasscock Street to Houston Way, the centerline of which gas main shall be 12 feet west of and parallel to the centerline of said Oldham Street. Said gas main described above shall have a cover of not less than 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 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 back-filling 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.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in GROOMS STREET from Moore Boulevard north one block to East 32nd Street, the centerline of which pole line shall be 9 feet west of and parallel to the east line of said Grooms Street.

(2) A telephone pole line in MOORE BOULEVARD from Grooms Street to Walling Drive, the centerline of which pole line shall be 9 feet south of and parallel to the north line of said Moore Boulevard.

(3) A telephone pole line in MELISSA LANE from Academy Drive to Bonniview, the centerline of which pole line shall be 5 feet west of and parallel to the east line of said Melissa Lane.

(4) One anchor pole in MELISSA LANE on the north line produced of Le Grande Avenue and 5 feet east of the west line of Melissa Lane; and also one anchor pole on the south line of Bonniview at a point 5 feet east of the west line of Melissa Lane.

(5) A telephone pole line in BONNIVIEW from Melissa Lane to Hillside Drive, the centerline of which pole line shall be 5 feet north of and parallel to the south line of said Bonniview.

(6) A telephone pole line in LE GRANDE AVENUE from Melissa Lane to Hillside Drive, the centerline of which pole line shall be 5 feet south of and parallel to the north line of said Le Grande Avenue.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH", IN THE PARTICULARS STATED HEREIN.

The above ordinance was read the first time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its second reading. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The ordinance was read the second time and Councilman Alford moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The application of M. H. Crockett for permit to erect a gasoline filling station at the northeast corner of 29th and Guadalupe Streets, plans and specifications for same to be submitted later, was read.

Mayor Pro tem Wolf then laid before the Council the following:

"Austin, Texas, July 13, 1933

Mr. Guiton Morgan,
City Manager,
Austin, Texas.

Dear Sir:

Attached hereto is a letter from Mr. M. H. Crockett requesting tentative approval of the northeast corner of the intersection of Guadalupe Street with 29th Street as a gasoline filling station site.

This is to advise that this property is located in the "C" Commercial District and Second Height and Area District according to the Zoning Ordinance and we respectfully recommend that the City Council give its tentative approval of this location as a gasoline filling station site, the same to be officially approved at a later meeting, after plans and specifications meeting all of the City requirements have been submitted by the applicant.

Attached hereto is a resolution granting tentative approval of this site for a gasoline filling station.

Respectfully submitted,

(Sgd) C. G. Levander,
Asst. City Engineer.

(Sgd) G. S. Moore,
Building Inspector. "

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

THAT the City Council of the City of Austin hereby approves as a gasoline filling station site the property situated at the northeast corner of the intersection of Guadalupe Street with 29th Street, the same being legally described as the West 58 feet of Lots 1, 2, and 3, Block No. 1, of Fruth Addition, a subdivision of Outlet No. 73, in Division "D", City of Austin, Texas, in accordance with the plat of said subdivision which is of record in Plat Book No. 2, page 157, Plat Records of Travis County, final approval and issuance of the permit to be given after plans and specifications meeting all requirements have been submitted.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The application of John Hancock, 509 East 18th Street, for license to operate as a taxicab one Reo Sedan, 1930 Model, Engine 16E13255, State Highway License No. A 35-555, was read. Councilman Gillis moved that the license be granted. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The application of Henry W. Tuney, 4309 Avenue "A", for license to operate as a taxicab one 4-door Chevrolet Sedan, 1930 Model, Engine No. 1950043, State Highway License No. A 32-521, was read. Councilman Alford moved that the license be granted. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Councilman Bartholomew introduced the following resolution:

RESOLUTION OF RESPECT.

Sam Sparks died on July 6, 1933, while City Treasurer of the City of Austin.

In such capacity he had served the City faithfully and efficiently for a number of years. Before then he had served his State with distinction and honor.

His life was full of good deeds, and he will be remembered as a kindly Christian gentleman; therefore,

The City Council of the City of Austin gives this its testimonial of the worth of Sam Sparks to the community during all of the active years of his life, hereby expressing the deep grief of its members for the loss of a distinguished fellow-citizen and offering to his good family their profound sympathy and condolence.

Councilman Bartholomew moved that the above resolution be adopted and a copy of the same be sent to the family of the deceased. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

City Manager Morgan advised the Council that certain property owners had requested a change in the city limits line to include their property. The matter was referred to the City Manager and City Attorney for consideration.

There being no further business before the Council, Councilman Gillis moved to recess, subject to call of the Mayor. The motion was seconded by Councilman Bartholomew and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The Council then recessed.

Attest:

Hallie McKeen
City Clerk

Approved *Samuel S. Wolf*
Mayor Pro tem