

A petition signed by residents in the vicinity of the first block on East 5th Street asking for relief from the incessant noise created by a printing shop in said block was read and referred to the City Manager for attention.

Mr. J. D. Copeland and other property owners on West 12th Street between Blanco and Elm Streets appeared before the Council and asked that this street be scarified and graded. The matter was referred to the City Manager.

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 Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed.

Attest:

Helen McKeen City Clerk

Approved:

Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 24, 1933.

The Council was called to order by Mayor Miller. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; absent, none.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mr. H. D. Owens, representing the Gerhard Insurance Agency, appeared before the Council and asked that his Agency be given an opportunity to write the Employer's Liability Insurance for the City when the present policy expires on September 1st. Councilman Bartholomew moved that the matter be referred to the City Manager. The motion was seconded by Councilman Alford and carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mrs. C. A. Stoermer came before the Council in behalf of the Board of Trustees and the citizens of the Esperanza Common School District who are opposed to the annexation by the City of Austin, for school purposes, of that certain area in said district now under consideration and submitted a written protest signed by approximately sixty-five property owners in said district.

Judge J. M. Patterson, Attorney for the Board of Trustees of the Austin Public Schools, spoke in favor of the proposed annexation and pointed out the benefits to be derived by the citizens of this area and the city schools by such action.

At the request of the opponents, the Council deferred action on the matter until the next regular meeting in order that other interested persons may be heard.

Mr. M. D. Mosteller came before the Council and asked permission to have an area marked off adjacent to his place of business at No. 201 West 6th Street for use as an unloading zone. The matter was referred to the City Manager.

The Mayor laid before the Council the following resolution:

WHEREAS, the tax payments from current tax collections are approximately \$85,000.00 short of the amount estimated to be received for this year; and

WHEREAS, the collections from the Hospital, Abattoir, Police Department, Licenses, Permits, and miscellaneous fees are below the amount upon which the present budget was based; and

WHEREAS, the amount available in the Interest and Sinking Fund is at this time \$106,000.00 short of the amount that will be required on January 1st, 1934; and

WHEREAS, the unemployment situation makes it a moral obligation of the City to carry on as much work as possible in order to maintain employment at the maximum figure permissible within the revenues available; and

WHEREAS, the City Manager has furnished the City Council with the figures of the funds now on hand, which indicate to the City Council the absolute necessity of reducing the number of men now on the City pay roll in order to operate on a cash basis and in order to maintain the credit of the City of Austin, which in the past has been a credit to the citizens of Austin; now, therefore,

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

THAT the civic pride of Austin be appealed to in the matter of paying taxes and other obligations due the City and on which the City is entirely dependent for the proper operation of the services now being rendered, and that, unless the obligations of the citizens of Austin to the City government are met, it will be necessary to curtail the services of a number of the City departments unless the revenues now unpaid are collected, and that such action by the City administration would be deeply regretted should it become necessary.

Councilman Bartholomew moved that the above resolution be adopted and the City Manager be directed to have a copy of same, together with a condensed statement of the City's finances, published in the local papers. The motion was seconded by Councilman Alford and same carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The application of J. E. Davis, 1403 Guadalupe Street, for license to operate as a taxicab one 1929 Durant, two-door sedan, Factory No. 1419-99282, State Highway License No. 214-967, was read. Councilman Alford moved that the application be granted. The motion was seconded by Councilman Gillis and carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Carl Quick is the Contractor for the repairing of a building located at 504 Congress Avenue and desires a portion of the sidewalk and street space abutting the north 43 feet of Lot 2 and south 12 feet of Lot 3, Block 55, of the Original City of Austin during the repairing of the building, 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 Carl Quick, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described lots; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to a point 20 feet east of the west curb line of Congress Avenue; thence in a northerly direction and parallel with the centerline of Congress Avenue a distance of 55 feet; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the west line of Congress Avenue; thence in a southerly direction and along the west line of Congress Avenue to the place of the beginning.

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

(1) That the Contractor shall construct a walkway along the east line and within the limits of the above described space, such walkway to have a guard rail on each side at least 4 feet high and substantially braced and anchored.

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

(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 is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) 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 30, 1933.

(7) 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.

(8) 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.

(9) 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 above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Mosby and Lott is the Contractor for the construction of a building located at 1195½ and 1197 Angelina Street and desires a portion of the sidewalk space abutting the north one-half of Lot "B", Resubdivision of Lot 4, Block 9, Outlot 56, Division "B" of the

City of Austin, during the construction of the building, 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 Mosby and Lott, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northwest corner of the above described premises; thence in a westerly direction and at right angles to the centerline of Angelina Street a distance of 10 feet; thence in a southerly direction and parallel with the centerline of Angelina Street a distance of 40 feet; thence in an easterly direction and at right angles to the centerline of Angelina Street a distance to the east line of Angelina Street; thence in a northerly direction and along the east line of Angelina Street to the place of the beginning.

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

(1) That the Contractor shall construct a guard rail within the boundary line along the west line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(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 6, 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 One Thousand (\$1000.00) 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 above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The application of Mrs. Mary Lea Brown, by E. W. Strandtmann, for permit to build a three-car garage at 311 East 13th Street, was read.

The Mayor then laid before the Council the following 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 location and construction of a private garage to be constructed at the southwest corner of the intersection of Trinity Street with East 13th Street, the same being described as 311 East 13th Street, described as the north part of Lots 7 and 8, Block 146, of the Original City of Austin, and hereby authorizes Mrs. Mary Lea Brown to construct and use said private garage provided that the construction meets with the approval of the City Engineer and City Building Inspector and that all City ordinances relating thereto are complied with, and provided that a substantial guard rail constructed of not less than two (2) inch pipe or material of equal strength be constructed along the north edge of the garage in accordance with the attached plan, and further provided that the owner of the property or any future owner shall, at his or her own expense, immediately remove said garage entirely from City property upon notice from the City if at any time it becomes necessary in the opinion of the City officials to remove the same from City property and said permission for the construction and use of said garage shall be held to be granted and accepted subject to all necessary present and future regulations and ordinances of the City of Austin, Texas.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor 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 BURLERSON ROAD, from East Side Drive to Travis Heights Boulevard, the centerline of which gas main shall be 17 feet south of and parallel to the north line of said Burleson Road. 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 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.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor 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 GRANDVIEW STREET ALLEY from West Thirty-first Street north approximately one block, the centerline of which gas main shall be 3 feet east of and parallel to the west line of said Alley. Said gas main described above shall have a cover of not less than 2½ 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 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.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report of the City Manager and accompanying resolution were read:

"Austin, Texas, August 23, 1933.

Hon. Mayor & City Council,
Austin, Texas.

Gentlemen:

With reference to the petition heretofore received for the placing of double bituminous surface treatment on various residential streets in the City of Austin, I wish to advise that the estimated cost of same is as follows:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Property Owner's Cost</u>	<u>City's Cost</u>
Zilker Tract Main Road	Barton Creek	Dry Creek	-0-	\$2,979.73
Windsor Road East	Windsor Road	West 24th St.	\$ 658.97	131.25
San Gabriel Street	West 29th St.	West 30th St.	349.39	-0-
Brackenridge Street	Monroe Street	Milton Street	205.80	22.50
Alta Vista	Riverside Drive	Monroe Street	682.20	62.26
West 22nd Street	San Gabriel St.	West	909.38	123.00
	Total -		\$2,805.74	\$3,315.74

Respectfully submitted,

(Sgd) Guiton Morgan,
City Manager. "

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

THAT the sum of \$3,315.74 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the City's part of expense incident to the placing of a double bituminous surface on certain streets, as per schedule attached.

Councilman Alford moved that the above resolution be adopted by deducting from the amount appropriated the sum of \$2979.73, being the City's cost for paving of the main road in the Zilker tract from Barton Creek to Dry Creek, as set forth in the schedule attached, thus leaving the sum of \$339.01 to be appropriated. The motion was seconded by Councilman Gillis and same carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

City Manager Morgan reported to the Council that in compliance with the request of residents in the 500 block on Brazos Street, Mr. Julian Baldwin has agreed that unless an emergency arises he will operate his stamping machine shop at 114 East 5th Street between the hours of 7:00 o'clock A. M. and 10:00 o'clock P. M. only.

J. A. Sparks brought before the Council charges of inefficiency against Walter Seaholm, General Superintendent of the Electric Distribution Division of the Water, Light and Power Department, in the operation of the water, light and power plant and electrical distribution system. Councilman Alford moved that these charges be specifically set out in writing by the said J. A. Sparks and that a copy of same be furnished to Walter Seaholm, the City Manager, and the City Attorney. The motion was seconded by Councilman Bartholomew and carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Bartholomew introduced the following resolution:

WHEREAS, On August 22nd a fire occurred in the Chas. Rosner store in the 500 block on Congress Avenue; and

WHEREAS, Said fire at the time assumed serious proportions and threatened adjoining property; and

WHEREAS, The Austin Fire Department prevented the spread of this fire into any adjoining property and curbed the fire promptly and efficiently; therefore,

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

THAT Chief Woody and all members of the Austin Fire Department be commended for their splendid action and efficient conduct in handling the fire above referred to.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, Councilman Alford moved to recess, subject to call of the Mayor. The motion was seconded by Councilman Bartholomew and same carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller and Councilman Wolf, 5; nays, none.

The Council then recessed.

Approved: Tom Miller
Mayor.

Attest:

Wallie McKeear
City Clerk