

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 31, 1933.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; absent, Councilman Alford, 1.

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 Bartholomew and carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

Relative to the hearing on the charges of inefficiency brought by J. A. Sparks against Walter Seaholm, General Superintendent of the Electrical Division of the Water, Light and Power Department, which has been called for 7:30 P. M. today, Councilman Bartholomew stated that he wished to go on record as being opposed to the procedure the City Council is taking in the matter, which, in his judgment, is irregular and in contravention to the provisions of the City Charter, and that the matter should be handled in a different manner than that in which the Council is proceeding.

Mayor Miller stated that the procedure being taken by the City Council in the above matter is in compliance with the provisions of the City Charter, according to the opinion of the City Attorney, and that as the charges had been brought before the Council in an open meeting, the same should be discussed in a public hearing.

Judge Bryan Blalock, County Attorney, appeared before the Council on behalf of the Board of Trustees and the citizens of the Esperanza Common School District who are opposed to annexation by the City of Austin, for school purposes, of that certain area under consideration, and protested such action on the ground that the decrease in tax revenue resulting therefrom would shorten their term of school by approximately two months, but stated that the citizens would withdraw their protest if the entire district were annexed. Mrs. Tilden Whitescotton also protested the proposed annexation on the ground that it would be detrimental to the rural school.

After hearing all interested parties in the above matter, Mayor Miller moved that the certain territory out of the Esperanza Common School District beginning at the intersection of Grover Avenue and North Loop in Walling Place and extending to the Blind Institute, more fully described in the petition submitted to the City Council on August 17th, be taken into the City limits for school purposes only, and that the City Attorney be instructed to prepare an ordinance covering the matter. The motion was seconded by Councilman Wolf and same carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the northeast 50x92 feet of Lots 7 and 8 (H), Outlot 40, Division "E", is assessed for taxation in the name of Swedish Evangelical Free Church, for the years 1931 and 1932; and

WHEREAS, during said years said described property was used by Swedish Evangelical Free Church as a parsonage; and

WHEREAS, by constitutional amendment in 1928 the Legislature was empowered to exempt parsonages from taxation, and in accordance with said amendment, the Legislature on April 9, 1931, made such exemption; therefore,

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

THAT the City taxes assessed against said property for said years be cancelled, and that said property be placed on the exempt property rolls, which shall continue so long as same is used as a parsonage.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the Texas Public Service Company has requested the City Council for permission to cut the pavement at the following locations:

11th and Lavaca Streets, leaking approximately 100 cubic feet per hour;

11th and San Jacinto Streets, leaking approximately 150 cubic feet per hour;

2nd and San Jacinto Streets, leaking approximately 80 cubic feet per hour;

5th Street and Congress Avenue, leaking approximately 100 cubic feet per hour;

2nd and Colorado Streets, leaking approximately 200 cubic feet per hour;

East 1st Street between Red River and East Avenue, leaking approximately 150 cubic feet per hour;

for the purpose of repairing their gas mains; and

WHEREAS, the City Engineer has presented to the City Council recommendations governing the repairs of pavement cuts - namely, that the Texas Public Service Company backfill the ditches and pour the base under the supervision of the City Engineer and that the City replace the surface with rock asphalt, the Texas Public Service Company to pay for the same at cost plus ten per cent.

All backfilling shall be done with sound materials in small layers and thoroughly water-tamped.

The concrete base shall be not less than 6 inches thick and composed of concrete having a strength of not less than 3000 pounds per square inch at 3 days and that only Inco cement be used in connection with these repairs.

The surface repairs shall be of rock asphalt on all portions of the street except that upon which a brick surface is now existing.

That those areas which were previously repaired by the Texas Public Service Company if opened up again shall be entirely resurfaced with rock asphalt even though the entire base has not been removed in this proposed new repair program; therefore,

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

THAT the said Texas Public Service Company be and they are hereby advised that the pavement repairs must be made in accordance with the foregoing recommendations and to the satisfaction of the City Engineer and the City Manager.

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

The application of Paul L. Wakefield for permit to build a rock curb in front of his residence at 220 Bonniview Street was read.

The following resolution was then laid before the Council:

WHEREAS, Paul Wakefield, owner of Lot 2, Block 2, of Norwood Heights Addition, has applied to the City Council for permission to construct a stone curb adjacent to his property; and

WHEREAS, The ordinance which regulates the construction of curbs on streets in the City of Austin requires that anyone desiring to construct any other kind of a curb than concrete shall get special permission from the Council; and

WHEREAS, The City Council has investigated and approved the construction of a stone curb at this location; therefore,

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

THAT Paul Wakefield is hereby granted permission to construct a stone curb in front of Lot 2, Block 2, Norwood Heights Addition, provided that all work shall be done by a bonded sidewalk and curb contractor and that said curb shall be constructed under the supervision of the City Engineer and according to approved plans, lines and grades furnished by him.

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

The application of Ernest Ludwig for permit to build a rock curb at his residence at 701 Houston Way was read.

The following resolution was then laid before the Council:

WHEREAS, Ernest Ludwig, owner of Lot 5, Block 49, of Christian and Fellman Addition, has applied to the City Council for permission to construct a stone curb adjacent to his property; and

WHEREAS, The ordinance which regulates the construction of curbs on streets in the City of Austin requires that anyone desiring to construct any other kind of a curb than concrete shall get special permission from the Council; and

WHEREAS, The City Council has investigated and approved the construction of a stone curb at this location; therefore,

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

THAT Ernest Ludwig is hereby granted permission to construct a stone curb in front of Lot 5, Block 49, of Christian and Fellman Addition, provided that all work shall be done by a bonded sidewalk and curb contractor and that said curb shall be constructed under the supervision of the City Engineer and according to approved plans, lines and grades furnished by him.

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

The Mayor laid before the Council the following resolution:

WHEREAS, Mrs. Lena Dancy Ledbetter, residing at No. 2002 Whitia Avenue, Austin, Texas, has been a resident of Austin and Central Texas for many years, is a direct descendant of Peyton Wade Nowlin, one of Austin's earliest citizens, whose home on East Avenue is still owned by his great-grandchildren; and

WHEREAS, Mrs. Ledbetter has requested that Poydras Street located in the Dancy Addition and extending from the Manor Road north to the Robinson Addition be changed and hereafter named Dancy Street; therefore,

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

THAT Poydras Street located in the above addition in the City of Austin be and is hereby designated DANCY STREET, and all records pertaining thereto shall be made to conform to this resolution.

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

The following report of the City Manager was read:

"Austin, Texas, August 23, 1933.

Honorable Mayor and City Council,
Austin, Texas.

Gentlemen:

Attached herewith is a plat showing the location of the lots facing Shoal Creek

Boulevard beginning at West 24th Street and extending south to the projected line of West 19th Street.

Referring to the recommendation of the Park Board, the lots have been staked 65 feet to 105 feet in width on Shoal Creek and variable widths on the back as shown on the plat herewith submitted. The variations in the widths of the lots were made due to the fact that the irregular shape made it necessary to adjust dimensions to provide salable lots in which the total amount of ground would remain fairly constant. The layout submitted consists of twenty-one lots, and in order to permit their being accessible as building sites, it will require estimated expenditures of \$2,533.11 to provide water, \$900.00 to provide electric lights, and \$950.00 to provide sanitary sewer connection, or a total of \$4,683.11 for City utility services. The Gas Company has been requested to advise this office what they will agree to do in the matter of furnishing gas connections and service for these lots.

With reference to the Park Board's recommendation, the agency handling the sale of these lots, it seems advisable to list same with all real estate concerns in the City and to designate one such firm to supervise the general selling program, for which an over-riding fee of three per cent seems reasonable in addition to the five per cent sales commission to any agent negotiating a successful sale. The duties of the supervising agent would include the matter of building restrictions on this property, which are in the report submitted herewith.

It is recommended that the Park Board's recommendation covering prices of the lots, viz., \$1,250.00 plus the additional paving cost of Lot No. 1, and a reduction under this figure for Lots 7, 8, and 9, be adopted, and that the interest rate of seven per cent (7%) on unpaid balances be approved, with a five per cent (5%) discount for cash, and that the minimum down payment, as suggested, be set at twenty per cent (20%) of the purchase price.

Should the above program meet the approval of the City Council, it will be necessary that a special appropriation from the Water, Light and Power Department covering the utilities heretofore mentioned be made, with the provision that each prospective purchaser be furnished with a statement that the telephone and gas facilities will be provided, and that the City Manager be directed to negotiate with these concerns regarding their services.

Respectfully submitted,

(Sgd) Guiton Morgan,
City Manager. "

Councilman Gillis moved that the above report of the City Manager be approved, after striking out the clause in the last paragraph providing that each prospective purchaser be furnished with a statement that telephone and gas facilities will be provided. The motion was seconded by Councilman Bartholomew and same carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The Mayor then laid before the Council the following resolution:

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

THAT the sum of \$4,683.11 be and the same is hereby appropriated out of the Water and Light Fund, not otherwise appropriated, for the purpose of laying water lines, installing electric lines, and laying sanitary sewer lines in the newly laid-out lots on Shoal Creek Boulevard from Twenty-fourth Street south to Nineteenth Street, City of Austin.

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

Mayor Miller moved that the following named persons be appointed as a committee to appraise the land which will have to be acquired by the City for overflow purposes in the event the low water dam is built; also to determine what land will have to be acquired:

O. P. Lockhart
Walt Paulissen
Earl Simms
Gillespie Stacy
M. H. Crockett
Richard Schmidt.

The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

City Manager Morgan advised the Council that proposals for writing Employer's Liability Insurance for the City had been submitted by the Gerhard Insurance Agency, Walling, Bradfield & Brush, and Employer's Casualty Company. The matter was referred to the