

The City Attorney was directed to prepare a resolution remitting the penalties and part of the court costs accrued on delinquent taxes for the years 1924 and 1927 to 1932, on Lots 14 to 24, inclusive, Block "E", and Lots 1 to 5, and 8 to 14, Block "D", Outlots 54, 55, and 71, Division "O", Lambie Resubdivision, assessed in the name of Joseph Fischer.

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

The Council then recessed.

Attest:
Hallie McFellars City Clerk

Approved: Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 5, 1933.

The Council was called to order by the Mayor. 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 carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Messrs. Walter Simms and Charles Sawyer, local fish dealers, presented an ordinance regulating the sale of marine products, and urged the passage of same in lieu of the proposed ordinance drafted by the City Attorney. After considerable discussion, it was agreed to postpone further consideration of the matter until 2:00 o'clock P. M.

A committee from the Chamber of Commerce, represented by Messrs. Raymond Brooks, W. E. Long, Harris Brush, G. A. Schutze, Thurlow B. Weed, Joe Carrington, and Chas. Wendlandt, submitted a proposal for the extension of South Congress Avenue through the La Prella Place to the city limits to connect with the new highway to San Antonio, whereby funds for the purchase of right-of-way could be borrowed from the State Highway Commission, through Travis County as intermediary, and repaid over a period of two years, and the expense of paving this extension to be borne by the State Highway Commission. The Committee also submitted estimates showing the approximate cost of such right-of-way to be \$43,000.00, less the salvage value of property bought of approximately \$24,000.00.

After discussing the above proposal with the committee, the Council took the matter under advisement.

The City Manager submitted to the Council an estimate showing the cost of opening the alley in Block 40, Division "D" from 24th Street south to the property of the Federated Women's Club to be \$195.65. In this connection, Councilman Bartholomew read a letter to the Council from C. R. Rundell, abutting property owner.

Councilman Gillis moved that the City Manager be instructed to proceed with the opening of the alley in Block 40, Division "D" from 24th Street south to the property of Mrs. T. B. Cochran, approximately one hundred and fifty feet, and that Mr. Rowland Barrow be reimbursed for the cost of the paving abutting said alley.

There being no second to the above motion, no action was taken on the same.

Rabbi Samuel H. Baron and Mr. Ray Lee came before the Council and requested that the City continue its public health work following dissolution of the City-County Health Unit. The matter was taken under consideration.

A proposal from T. B. Trotter Company to audit the books of the City for the year ending December 31, 1933, for the sum of \$700.00, by reason of their having covered the first four months of the year in a previous audit, was read. The matter was referred to the City Manager with instructions to advise said firm that consideration of their proposal would be held in abeyance pending receipt of the Bond Fund Statement which they agreed to submit in connection with their last audit.

A petition signed by thirty-eight citizens and property owners in the vicinity of the 1700 block on East Avenue, protesting the erection of a Negro business establishment at this location, was read and referred to the City Attorney for legal advice in the matter.

The City Manager was instructed to further advertise for sale the lot owned by the City at the corner of Twelfth and Red River Streets by placing a "FOR SALE" sign on the same.

The City Manager was instructed to accept payment of taxes owing by Dr. E.B. Crowder on Lot 35, Plat 90-A, Enfield "B", City of Austin, for the year 1929, amounting to \$175.72, plus accrued interest and 1% penalty, making a total of \$177.65.

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 HOLLY STREET from Chicon Street to Comal Street, the centerline of which gas main shall be 26 feet south of and parallel to the north line of said Holly Street. Said gas main described above shall have a cover of not less than 24 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 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 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, 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 ALTA VISTA AVENUE ALLEY from Mariposa Drive to Fairmount Avenue, the centerline of which pole line shall be 1 foot east of and parallel to the west line of said Alta Vista Avenue Alley.

(2) A telephone pole line in SOUTH FIRST STREET from Bouldin Creek south to Copeland Street, the centerline of which pole line shall be 5 feet west of and parallel to the east line of said South First Street.

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

The application of E. Gullberg, for permit to set the curb back on East First Street adjacent to the building being erected by him on the corner of East First and Trinity Streets, was read.

The Mayor then laid before the Council the following:

"Austin, Texas, October 3, 1933.

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

Dear Sir:

The request of E. Gullberg, owner of the south portions of Lots 5 and 6, Block 8, of the Original City of Austin, which property is located on the north side of East First Street and on the west side of Trinity Street, for a permit to set the curb back from the established curb line for a distance of 83 feet and to construct a ramp in front of his property, has been investigated and considered and the following facts are presented:

Said property of E. Gullberg is located within the "C" Commercial Use District.

The area created by the setback will act as a widening of the paving on East First Street and will provide more parking space for those who wish to park in front of E. Gullberg's property and will be a benefit to the users of East First Street by allowing a greater width of travelway.

I recommend that this permit be granted subject to the following conditions:

(1) That the reconstruction of the setback area on East First Street shall be constructed in accordance with the accompanying plan marked 2-0-505 and that all such widened area, ramps and curbs and a sidewalk between the property line and the curb line shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part of cement, 2½ parts of sand and 4 parts of screened gravel or rock.

(3) That the concrete curb adjacent to the sidewalk area shall be not less than 6 inches high and that expansion joints not less than ¾" thick shall be placed between the slabs forming the ramp as shown in color on the plan hereto attached marked 2-C-505.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

Yours truly,

(Sgd) J. E. Motheral,
City Engineer. "

WHEREAS, E. Gullberg, owner of the south portions of Lots 5 and 6, Block 8, of the Original City of Austin, which property is located on the north side of East First Street and on the west side of Trinity Street, has made application for a permit to set the curb back for a distance of 83 feet and to construct a ramp adjacent to his property so as to provide more parking space on East First Street; and

WHEREAS, a plan has been presented showing the proposed layout and said plan has been considered and approved by the City Council of the City of Austin; therefore,

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

THAT permission is hereby granted E. Gullberg, owner of the south portions of Lots 5 and 6, Block 8, of the Original City of Austin, which property is located on the north side of East First Street and on the west side of Trinity Street, to set the curb back adjacent to his property and to build a concrete ramp in connection therewith subject to the construction of same in accordance with the plan approved by the City Engineer, which plan is hereby attached and marked 2-C-505, and in accordance with the following conditions:

(1) That the reconstruction of the setback area on East First Street shall be constructed in accordance with the accompanying plan marked 2-C-505 and that all such widened area, ramps and curbs and a sidewalk between the property line and the curb line shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part of cement, 2½ parts of sand and 4 parts of screened gravel or rock.

(3) That the concrete curb adjacent to the sidewalk area shall be not less than six inches high and that expansion joints not less than ¾" thick shall be placed between the slabs forming the ramp as shown in color on the plan hereto attached marked 2-C-505.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

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

Councilman Bartholomew introduced the following resolution:

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

THAT the original appointment by the City Manager of Walter Seaholm as City Electrician of the City of Austin is hereby approved; that his retention by the City Manager, if he so desires, be also approved; and that the charges recently investigated by this Council

are without foundation and are hereby dismissed without prejudice to Mr. Seaholm.

Mayor Miller offered the following resolution as a substitute for the resolution offered by Councilman Bartholomew:

WHEREAS, Jas. A. Sparks has heretofore filed with the City Council certain charges of inefficiency against Walter E. Seaholm as Superintendent of the Water, Light and Power Department; and

WHEREAS, the City Council, in the exercise of its prerogatives, ordered an investigation, and in pursuance thereof, has fully and fairly heard all the evidence offered in support of said charges; therefore,

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

THAT it is the judgment of the City Council that said charges have not been in any particular proven, and therefore finds that said Walter E. Seaholm has not been guilty of any of said charges, and he is hereby exonerated from the same.

BE IT FURTHER RESOLVED:

THAT the City Council hereby votes its confidence in the administration of Guiton Morgan from the date of his induction into office as City Manager.

The question being put on the substitute resolution, the same was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf, 4; nays, Councilman Gillis, 1.

AFTERNOON SESSION:

October 5, 1933.

The Council met with the following members present: Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; absent, Councilmen Alford and Bartholomew, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, The City of Austin proposes the following work relief project, for which application will be made to the Texas Rehabilitation and Relief Commission for the cost of labor on same, to-wit: ZILKER PARK ; and

WHEREAS, It is estimated that the following materials will be necessary to be used in the prosecution of said project, to-wit: 130 cu. yds. sand and gravel; 650 sacks cement; flowers and shrubs; and 2000 feet of water pipe; and

WHEREAS, It is estimated that the following tools, equipment and transportation facilities will be necessary in the prosecution of said project, to-wit: 12 rakes, 6 pruning saws; 12 axes, 15 hoes; 45 shovels; 45 picks; 6 sledges; 6 scythes; 3 pails; and 4 trucks; therefore,

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

THAT, in consideration of the Texas Rehabilitation and Relief Commission, through its Travis County Board of Welfare and Employment , furnishing the funds sufficient to pay the cost of labor, including truck drivers employed on said project, the City of Austin