

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 8, 1934.

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 upon motion of Councilman Wolf were adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mr. John Keen and Dr. Beverly Boyd submitted a request for the appointment of a public safety council to act in an advisory capacity to the City Council in putting on an educational campaign for a more rigid observance of traffic rules and regulations. Councilman Gillis moved that the City Attorney be instructed to prepare an ordinance creating such a board, consisting of eleven members to be appointed by the City Council, in conjunction with the City Manager, and defining the duties of same. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A committee of produce dealers, represented by Messrs. Harold Hoeffgen, L. O. Wells, and E. A. Brown, came before the Council and requested that the ordinance regulating wholesale produce dealers be amended in certain particulars to enable a more impartial enforcement of the same. The Council took the matter under advisement and asked the committee to submit in writing a detailed statement of their recommendations.

The application of D. F. Samuel, 320 West 6th Street, for license to operate as a taxicab a DeSoto Sedan, 1929 Model, Engine No. K57442, State Highway License No. 950-841, was read. Councilman Wolf moved that the application be granted. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The application of A. L. Adams, 705 Lydia Street, for license to operate as a taxicab a DeSoto Sedan, 1930 Model, Engine No. 85635, State Highway License No. 952-039, was read. Councilman Alford moved that the license be granted. The motion 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 for its second reading the following ordinance:

AN ORDINANCE CREATING THE PARKS
AND RECREATION BOARD, DEFINING
ITS MEMBERSHIP, PURPOSES AND
FUNCTIONS.

The ordinance was read the second time and Councilman Gillis moved a suspension of the rule and the placing of the ordinance on its third reading. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

WHEREAS, There appears delinquent taxes on 48'x138' (E), Block 1, Outlot 20, Division "O", for the year 1931; and (A) 70' of Lots 37 and 38, Outlot 55; Lot 9, Block 1, Outlot 2/3; Lot 5, Block 1, Outlot 4; Lot 1, Block B-6, and Lot 11, Block B-5, of Sweetman's

Addition, all in Division "B"; Lot 1, Block 2, Outlet 4; Lot 4, Block 8, and Lots 5 and 6, Block 5, in Outlet 3; the west 46' of Lot 3, and Lot 2, Block 168; Lot 3, Block 8, Outlet 3; and 45' x 135' (E), Block 1, Outlet 20, all in Division "O", of the City of Austin, for the year 1932; in the aggregate amount of \$270.25, including interest and penalties; and that same has been assessed in the name of A. Paakenius Estate; and

WHEREAS, It appears that said estate is owned by numerous persons and is undivided, and during said years there has been no responsible party to pay the taxes; therefore,

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

THAT on account of such fact, the penalties accrued on taxes for said years, amounting in the aggregate to \$12.21, be and the same are hereby cancelled and remitted, provided that said taxes and interest are paid immediately.

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

The Mayor introduced the following resolution:

WHEREAS, The State Highway Department of the State of Texas is desirous of constructing State Highway No. 20 through the City of Austin over East Avenue; and

WHEREAS, The State Highway Department is desirous of receiving Federal aid for the improvement of said highway; and

WHEREAS, The Bureau of Public Roads of the Department of Agriculture of the United States of America will not participate in the construction of said highway until and unless the City of Austin will agree to refrain from permitting encroachments upon the right-of-way of said above mentioned street, and until and unless the City of Austin will agree to refrain from passing ordinances or laws fixing a speed limit of under twenty miles per hour on said above mentioned street, and until and unless the City of Austin will agree to refrain from erecting signs, semaphores, and signals that will give preference to local routes or that will hinder or delay traffic on said above mentioned street; therefore,

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

THAT, for and in consideration of the State Highway Department of the State of Texas and the Bureau of Public Roads of the Department of Agriculture of the United States of America constructing said Highway No. 20 through the City of Austin over above mentioned street, it hereby agrees with the State Highway Department of the State of Texas and the Bureau of Public Roads of the Department of Agriculture of the United States of America that it will not, in the future, permit encroachment on the right-of-way of said above mentioned street; nor will it pass an ordinance or laws fixing a speed limit on the above mentioned street of under twenty miles per hour; nor will it allow the erection of signs, semaphores, and signals that will give preference to local routes which intersect with said above mentioned street, nor that will slow up, hinder, or delay traffic on said above mentioned street; nor will it repeal or amend any of the provisions of this resolution without the consent of the State Highway Commission.

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

The Mayor introduced the following resolution:

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

THAT the sum of \$275.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of moving the O. Henry house from its present location, 502 East 4th Street, to Brush Park, and building a foundation for same on the park.

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

The Mayor introduced the following resolution:

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

THAT the sum of \$18.75 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying one-half of three-quarters of a month's rent of warehouse owned by G. M. Cabaniss and located at 204-206 West 4th Street, to be used by the Travis County Relief Board.

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

The Mayor introduced the following resolution:

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

THAT the sum of One Hundred and Twenty-six and 15/100 Dollars (\$126.15) be and the same is hereby appropriated out of the Water, Light and Power Fund for the purpose of paying all damages sustained by Van M. Smith by virtue of the flooding of the sanitary sewer line upon his premises situated at 1510 West 5th Street, on January 26, 1934; and that warrant for said amount be issued therefor and delivered to said Van M. Smith, upon delivery by him to the City of his release of all claims for damages sustained by him by virtue of said occurrence, and upon his showing that the account of Clary Mattress Company for \$5.00, and the account of Home Steam Laundry for \$4.90, both incurred by the City for his account, have been paid.

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

The Mayor introduced the following resolution:

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

THAT the sum of Thirty-four and 25/100 Dollars (\$34.25) be and the same is hereby appropriated out of the Water, Light and Power Fund for the purpose of paying all damages sustained by C. E. Lovett by virtue of the flooding of the sanitary sewer line upon his premises situated at 1508 West 5th Street, on January 26, 1934; and that warrant for said amount be issued therefor and delivered to said C. E. Lovett, upon delivery by him to the City of his release of all claims for damages sustained by him by virtue of said occurrence, and upon his showing that the account of Clary Mattress Company for \$5.25, incurred by the City for his account, has been paid.

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

The application of Swift & Company for permit to install a gasoline tank and pump, for private use only, at 311 Congress Avenue, was read.

The Mayor then introduced 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 311 Congress Avenue as a location for the installation of a tank and pump for the handling of gasoline for private use only and hereby authorizes Swift & Company to install and operate such equipment at this location, such equipment to be located at least ten feet from any property line and outside of all buildings and provided that Swift & Company shall not use such pump for the sale of gasoline or the servicing of any cars other than the Company's cars. The installation and operation of such equipment shall be in accordance with all City ordinances and

also in accordance with the attached recommendations , and a permit for the same shall be secured from the City Building Inspector as provided by Ordinance, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this equipment after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that Swift & Company have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The ordinance 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 PERDENALES STREET from East 2nd Street to East 3rd Street, the centerline of which pole line shall be 6 feet east of and parallel to the west line of said Perdenales Street.

(2) A telephone pole line in WEST TWENTY-EIGHTH AND ONE-HALF STREET, from Shoal Crest Avenue to San Gabriel Street, the centerline of which pole line shall be 42 feet south of and parallel to the north line of said West Twenty-Eighth and One-half Street.

(3) A telephone pole line in HARTFORD ROAD from Niles Road to Enfield Road, the centerline of which pole line shall be 8 feet west of and parallel to the east line of said Hartford Road.

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 Mayor introduced 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 WINDSOR ROAD east from "A" Lane to Parkway, the centerline of which pole line shall be 2 feet east of and parallel to the west line of said Windsor Road east.

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 Mayor introduced 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 GLENVIEW STREET from West 34th Street to State Street, the centerline of which gas main shall be 18 feet west of and parallel to the east line of said Glenview Street. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in WOODLAWN BOULEVARD from Enfield Road south approximately 180 feet to the end of an existing gas main, the centerline of which gas main shall be 20 feet east of and parallel to the west line of said Woodlawn Boulevard. 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 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 City Manager submitted an offer from the Nazarene Church for the purchase of the remaining portion of Lots 1 and 2, Block 6, Christian & Fellman Addition, situated at the corner of 19th Street and East Avenue, together with a statement showing the total cost of said property to the City. The City Manager was instructed to advertise this property for sale.

A petition signed by property owners on the Fredericksburg Road from the Barton Springs Road to the city limits, asking that the City either improve this road or provide the necessary right-of-way for the State Highway Department to make the improvements, was received.

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

Approved: Tom Miller
MAYOR.

Attest:

Hallie McKellar
City Clerk