

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 19, 1934.

The meeting was called to order, with Mayor Pro tem Wolf presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; absent, Councilman Bartholomew and Mayor Miller, 2.

The Minutes of the last regular meeting were read and upon motion of Councilman Alford were adopted, as read, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The application of Bernard Warren, 95 Rainey Street, for license to operate as a taxicab a 4-door Chevrolet Sedan, 1930 Model, Engine No. 2022235, State Highway License No. 127976, was read. Councilman Alford moved that the provision of the Taxicab Ordinance requiring that applications remain on file five days prior to being acted upon be waived and that the application be granted. The motion was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Fred Hankey, representing a committee of local bricklayers, came before the Council and asked that they be given at least part-time employment in the installation of improvements at the Power Plant, claiming that discrimination was being shown in the selection of workmen for the job. Upon motion of Councilman Gillis, the matter was referred to the City Manager for investigation.

Jim Fritts, representing the Travis County Relief Administration, asked for relief from a nuisance created by the parking of delivery cars in the alley adjacent to their headquarters on East 5th Street. Upon motion of Councilman Gillis, the matter was referred to the City Manager, the City Attorney, and the Traffic Department for their attention.

J. H. Bourcier, proprietor of the Gulf Coast Market, appeared before the Council and complained that the ordinance regulating the sale of marine products was not being impartially enforced and asked for the repeal of same. The matter was referred to the City Manager for investigation.

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

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

THAT the City Manager be authorized and directed to sell to the Capital National Bank of Austin, Texas, the following described bonds, for the total consideration of \$112,476.56; same being \$108,000.00, the aggregate principal amount of said bonds, and aggregate interest from January 1 to April 15, 1934, amounting to \$1476.56, and \$3000.00 premium, to-wit:

| BOND NUMBERS | DESCRIPTION OF BONDS  | INTEREST RATE | DATE OF ISSUE | DATE OF MATURITY | TOTAL AMOUNT |
|--------------|-----------------------|---------------|---------------|------------------|--------------|
| 213          | Sewer Bonds           | 5%            | 7-1-12        | 7-1-39           | \$ 1,000.00  |
| 198/200      | School Building Bonds | 5%            | 7-1-15        | 7-1-40           | 3,000.00     |
| 140/142      | School Bonds          | 5%            | 1-1-24        | 1-1-45           | 3,000.00     |
| 198/201      | School Building Bonds | 5%            | 7-1-15        | 7-1-41           | 1,000.00     |
| 150/154      | School Bonds          | 5%            | 1-1-15        | 1-1-46           | 5,000.00     |
| 21/23        | School Bonds          | 5%            | 7-1-15        | 7-1-35           | 3,000.00     |
| 24/27        | School Bonds          | 5%            | 7-1-15        | 7-1-36           | 4,000.00     |
| 28/31        | School Bonds          | 5%            | 7-1-15        | 7-1-37           | 4,000.00     |
| 32/35        | School Bonds          | 5%            | 7-1-15        | 7-1-38           | 4,000.00     |
| 36/39        | School Bonds          | 5%            | 7-1-15        | 7-1-39           | 4,000.00     |
| 40/43        | School Bonds          | 5%            | 7-1-15        | 7-1-40           | 4,000.00     |
| 44/48        | School Bonds          | 5%            | 7-1-15        | 7-1-41           | 5,000.00     |
| 49/53        | School Bonds          | 5%            | 7-1-15        | 7-1-42           | 5,000.00     |
| 54/58        | School Bonds          | 5%            | 7-1-15        | 7-1-43           | 5,000.00     |
| 59/63        | School Bonds          | 5%            | 7-1-15        | 7-1-44           | 5,000.00     |
| 64/69        | School Bonds          | 5%            | 7-1-15        | 7-1-45           | 6,000.00     |
| 70/75        | School Bonds          | 5%            | 7-1-15        | 7-1-46           | 6,000.00     |

| <u>BOND NUMBERS</u> | <u>DESCRIPTION OF BONDS</u>                   | <u>INTEREST RATE</u> | <u>DATE OF ISSUE</u> | <u>DATE OF MATURITY</u> | <u>TOTAL AMOUNT</u> |
|---------------------|---|----------------------|----------------------|-------------------------|---------------------|
| 6/21                | Sanitary Sewer, maturing \$1,000.00 each year | 4½%                  | 11-1-28              | 7-1-34 to 7-1-49 inc.   | \$ 16,000.00        |
| 22/23               | Sanitary Sewer                                | 4½%                  | 11-1-28              | 7-1-50                  | 2,000.00            |
| 24/25               | Sanitary Sewer, maturing \$1,000.00 each year | 4½%                  | 11-1-28              | 7-1-51                  | 2,000.00            |
| 501/510             | Street Improvement                            | 4-3/4%               | 5-1-29               | 7-1-52                  | 10,000.00           |
| 174/176             | Street Improvement                            | 4-3/4%               | 12-16-29             | 7-1-59                  | 3,000.00            |
| 46/47               | Parks & Playgrounds                           | 4-3/4%               | 12-16-29             | 1-1-44                  | 2,000.00            |
| 18                  | Abattoir Bonds                                | 4-3/4%               | 12-16-29             | 1-1-45                  | 1,000.00            |
| 20/21               | Abattoir Bonds                                |                      |                      | 1-1-42                  | 2,000.00            |
| 24/25               | Abattoir Bonds                                |                      |                      | 1-1-43                  | 2,000.00            |
|                     |   |                      |                      | 1-1-45                  | 2,000.00            |
|                     |   |                      |                      |                         | <u>\$108,000.00</u> |

Upon motion of Councilman Gillis the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the City Manager be and he is hereby authorized and directed to purchase in the name of the City of Austin from Mrs. Mary K. Schneider, for the cash consideration of \$22,500.00, and upon condition that good title be shown to the land hereinafter described, upon examination by the City Attorney, the following described land:

Lots Nos. 3, 4, 5, and 6, in Original Block No. 1, in the City of Austin, Travis County, Texas.

It is understood and agreed that said Mrs. Mary K. Schneider may retain title in and remove from the above described land all improvements now situated thereon, within thirty days from the date of her deed to the City of Austin, and that in addition to all other taxes against said property, she shall pay her pro rata part of the estimated taxes for the year 1934 as of the date of her deed.

BE IT FURTHER RESOLVED:

THAT, Whereas, the land above described will be used by the City of Austin for the extension of the Water Filtration Plant; therefore, the sum of \$22,500.00 be and the same is hereby appropriated out of the Water, Light and Power Fund of the City of Austin for the purpose of paying the purchase price for said land; and that a warrant for said amount, payable to Mrs. Mary K. Schneider be issued and delivered to her upon the approval of said title by the City Attorney and the delivery to the City of Austin of her warranty deed to said land.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the sum of \$1.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to O. C. Spalding, 207 East 12th Street, one-half of dog tax paid by him on January 30, 1934, as evidenced by Dog Tax Receipt No. 3154.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the sum of \$265.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying breakdown insurance premium on Capital City Abattoir compressors.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the sum of \$2.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to W. G. Rissmann the amount of cigarette license for the year 1934 paid by him, as evidenced by License Receipt No. 6313.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the sum of \$2.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to A. E. Schutze the amount of cigarette license for the year 1934 paid by him, as evidenced by License Receipt No. 6366.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the sum of \$15.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to The Reuter Company the amount of cigarette license paid by said Company for the year 1934 on its six stores located in the City.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

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

THAT the sum of \$2.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to Rio Grande Fruit Company the amount of cigarette license paid by said Company for the year 1934 as evidenced by License Receipt No. 6154.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

WHEREAS, George Makemson, owner of Lot 12 of Enfield "E" within the City of Austin, Travis County, Texas, has applied to the City Council for permission to construct a stone curb adjacent to that portion of his property which abuts Palma Plaza, same being located at the intersection of Palma Plaza and Waterston Street; and

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

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

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

THAT George Makenson, owner of Lot 12 of Enfield "E" within the City of Austin, Travis County, Texas, which property is located at the intersection of Palma Plaza and Waterston Street, is hereby granted permission to construct a stone curb adjacent to that portion of the aforesaid Lot 12 which abuts Palma Plaza; provided, however, that said stone curb shall be constructed upon a concrete base and shall have an exposure of 3 inches above the gutter and shall be 10 inches wide at the top, in accordance with the standard design for rock curbs as adopted by the City of Austin and as detailed upon the plan hereto attached marked 2-C-501, which plan is hereby made a part of this resolution; and further provided that all work shall be done by a bonded curb and sidewalk contractor and that said curb shall be constructed under the supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by him.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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) One telephone pole on the east side and one telephone pole on the west side of RED RIVER STREET, the center of which pole shall be on a line that is 16 feet south of and parallel to the north line of East 18th Street.

(2) A telephone pole line in DEPEW AVENUE from East 46th Street northerly to the city limit line, the centerline of which pole line shall be 7 feet west of and parallel to the east line of said Depew 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.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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

WHEREAS, The Hillcrest Baptist Church is the Contractor for the construction of a building located at 1918 East Avenue and desires a portion of the sidewalk and street space abutting Lot 5, Block 6, of the Christian and Fellman Addition, Outlot 26, Division "G" of the City of Austin, Texas, 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 Hillcrest Baptist Church, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at the northeast corner of the above described lot; thence in a westerly direction along the north line of such lot a distance of 130 feet; thence in a northerly direction and at right angles to the centerline of East 19 $\frac{1}{2}$  Street a distance of 10 feet; thence in an easterly direction and parallel with the centerline of East 19 $\frac{1}{2}$  Street a distance of 145 feet; thence in a southerly direction and at right angles to the centerline of East 19 $\frac{1}{2}$  Street a distance of 73 feet; thence in a westerly direction and parallel with the centerline of East 19 $\frac{1}{2}$  Street a distance to the southeast corner of the above described lot; thence in a northerly direction along the east line of such lot to the place of the beginning.

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

(1) That the Contractor shall construct a walkway within the above described working space and along the north line of such space in 19 $\frac{1}{2}$  Street and along the east line of such space in East Avenue, such walkway to be protected on each side by a guard rail at least four 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 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 1, 1934.

(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 Contractors 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.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

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 BURNET ROAD, beginning at the dead end of an existing gas main, which dead end is 202 feet south of and 15 feet west of the intersection of the east line of Burnet Road and the south line of West 42nd Street;

Thence in a southerly direction with the centerline of the gas main 15 feet west of and parallel to the east line of said Burnet Road for a distance of 100 feet.

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.

Upon motion of Councilman Alford, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Mayor Pro tem Wolf laid before the Council the following:

"Austin, Texas,  
April 18, 1934

Mr. Gulton Morgan  
City Manager  
Austin, Texas.

Dear Sir:

Dan T. Stathas has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the east side of Congress Avenue south of East 14th Street, adjacent to Lots 1 and 2, Block 160, of the Original City of Austin, Travis County, Texas, and to construct a ramp in connection therewith. Said request has been investigated and considered and the following facts are presented:

Dan T. Stathas is sub-lessee from Albert R. Moore, who is lessee from Miss Dot Thornton, owner of the above described property, the same being located at the southeast corner of the intersection of Congress Avenue and East 14th Street, and the said Dan T. Stathas wishes to

set the curb back 14 feet from the established curb line of Congress Avenue and to continue same in a southerly direction for a distance of 54 feet from a point 7 feet south of the south line of said East 14th Street.

Said property is located within the "B" Residence District as shown upon the zoning map of the City of Austin and is being used as a permissible non-conforming use.

The area created by the setback will act as a widening of the paving on Congress Avenue and will be a benefit to the users of this 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 Congress Avenue shall be constructed in accordance with the accompanying plan marked 2-H-363, 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 an expansion joint not less than ¾ inches thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-363.

(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, Dan T. Stathas, sub-lessee from Albert R. Moore, who is lessee from Miss Dot Thornton of portions of Lots 1 and 2, Block 160, of the Original City of Austin, Travis County, Texas, which property is located at the southeast corner of the intersection of Congress Avenue and East 14th Street, has made application to the City Council of the City of Austin for permission to set the curb back a distance of 14 feet from the established curb line on Congress Avenue and to extend same in a southerly direction a distance of 54 feet from a point 7 feet south of the south line of East 14th Street adjacent to the above described property, and to construct a ramp in connection therewith, said ramp and curb setback to be constructed in order to provide more parking space on the east side of said Congress Avenue, thereby allowing a greater width of travelway for the vehicular traffic on Congress Avenue; 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 Dan T. Stathas, sub-lessee from Albert R. Moore, who is lessee from Miss Dot Thornton of Lots 1 and 2, Block 160, of the Original City of Austin, Travis County, Texas, which property is located at the southeast corner of the intersection of Congress Avenue and East 14th Street, is hereby granted permission to set the curb back from the established curb line of Congress Avenue adjacent to the above described property a distance of 14 feet and to extend same in a southerly direction a distance of 54 feet from a point 7 feet south of the south line of East 14th Street, and to build a concrete ramp in connection therewith, subject to the same's being constructed in accordance with the plan approved by the City Engineer, which plan is hereto attached, marked 2-H-363, and made a part hereof,