

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 7, 1925.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; absent, Councilman Avery.

The minutes of the last meeting were read and Councilman Haynes moved that same be adopted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

Upon the report of the Safety Committee, Councilman Haynes moved that the application of ^{Mrs.} E. S. Gunn to erect a drive-in filling station at the corner of 33rd and Guadalupe Streets be granted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

The communication of R. S. Thrasher, Attorney for Mrs. E. A. Thrasher, Re: Dumping Grounds, was read and Councilman Haynes moved that same be referred to the City Attorney, J. Bouldin Rector. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

L. L. Hogue, Attorney for Newton Collins, Sr., appeared before the Council and asked that the City execute a release to certain property. Councilman Nolen moved that the Mayor be authorized to execute a quitclaim deed to Newton Collins, Sr. to Lot 5 in M. Lou Jones Subdivision of Lot 2, Outlot 61, Division "B", all taxes having been satisfied in full to remove cloud from title created by reason of error in rendition and suit. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

Councilman Haynes introduced the following resolution:

WHEREAS, it appears from the records of the Assessor and Collector that Lot 14, Block 1, Quick's Subdivision of the North half of Outlot 44, Division "O" was doubly assessed for the year 1924, and the taxes paid on each assessment; and

WHEREAS, Louis Bonugli, owner of said lot on January 1st, included same in his rendition and subsequently sold to Mrs. Anna Griel, who assessed same,

Therefore,

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

That the amount paid by Louis Bonugli, amounting to \$6.55, be refunded and the City Clerk is hereby instructed to draw warrant in favor of Bonugli for said amount.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

The annual report of Geo. P. Searight, Commissioner of Streets and Public Improvements, was read and ordered filed.

The monthly reports of John Pfeffer, City Sexton, and Miss Anna R. Fuchs, City Health Nurse, were read and ordered filed.

The report of the Safety Committee upon the application of A. K. Black to erect a drive-in filling station at 2117 East Avenue was read and Councilman Searight moved that same be granted as recommended. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays,

Councilman Avery absent.

The Mayor introduced the following resolution:

WHEREAS, in Cause No. 39261, entitled D. A. Bush vs. City of Austin, in the District Court of Travis County, Texas, plaintiff recovered a judgment against defendant, on December 2nd, 1922, for the sum of \$2250.00 and costs of court, together with six percent interest thereon from date of judgment, on account of damages alleged to have been sustained by plaintiff by the operation of the Sewerage Disposal Plant of defendant; and

WHEREAS, Defendant, City of Austin, appealed from said judgment to the Court of Civil Appeals of this district, and said judgment of the District Court was, on January 23, 1924, in all things reversed and remanded to said District Court for another trial, and said cause is now pending on the docket of said District Court; and

WHEREAS, D. A. Bush, plaintiff in said cause, has proposed to settle his said claim for damages for the sum of \$1000.00, and the payment by the City of all unpaid costs of court in such behalf; and

WHEREAS, it is deemed expedient by the City Council that said proposal be accepted; and

WHEREAS, there is now due the Clerk of the Court of Civil Appeals the sum of \$67.10, and the District Clerk of Travis County, Texas, the sum of \$3.00, for costs in said behalf; therefore,

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

That the City Attorney be and he is hereby instructed to agree with plaintiff's attorneys in said cause to settle said suit according to the proposal of said plaintiff hereinabove stated, and to have said agreement evidenced by a judgment entered on the docket of said District Court; and

BE IT FURTHER RESOLVED:

That a warrant for \$1000.00 be issued and executed, payable to the order of D. A. Bush and a warrant for \$67.10 be issued and executed, payable to the order of R. H. Connerly, Clerk of the Court of Civil Appeals, and a warrant for \$3.00 be issued and executed, payable to the order of S. A. Philquist, District Clerk, all of said warrants to be charged against the certain item and fund heretofore appropriated and shown in the General Budget of the City for 1925, and that said warrants be delivered to said parties, respectively, by the City Clerk, upon the delivery to him of the proper acquittances.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; naves, none, Councilman Avery absent.

The resignation of Milton Morris, City Auditor, was read and Councilman Haynes moved that same be accepted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; naves, none, Councilman Avery absent.

Councilman Haynes introduced the following resolution:

WHEREAS, Mr. Milton Morris, on account of continued ill health, has tendered his resignation as City Auditor,

Therefore,

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

That it is with sincere regret we hereby accept the resignation, realizing as we do the value of his accounting system and the faithful work he has done

for the City and the importance of his knowledge of all financial affairs of the City, which will be greatly missed by this, or any future administration; and

BE IT FURTHER RESOLVED:

That we hope a complete rest may bring to him a return of good health and usefulness.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

Mayor Yett nominated Harris Bell as Judge of the Corporation Court. Nomination was confirmed by the following vote: Ayes, Councilman Haynes, Nolen and Searight, 3; nays, none, Councilman Avery absent, Mayor Yett present but not voting.

Councilman Searight moved that the City Attorney, J. Bouldin Rector, be instructed to demand payment by the Texas Bank & Trust Company of premium specified in its bid for the issue of City bonds of 1924. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen and Searight, 4; nays, none, Councilman Avery absent.

The Council then recessed.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, May 13th, 1925.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; absent, none.

Messrs. Arlitt and Williams appeared before the Council and made a proposition for the reconstruction of the dam.

The Council then adjourned.

James H. Yett
City Clerk