

Regular meeting of the City Council: Austin, Texas, Feby 3rd 1916.

The Council was called to order by the Mayor; Roll called :

Present Mayor Wooldridge, Councilmen Anthony, Partholomew, ~~ESBACA~~ ~~ESBACA~~

Absent none.

The minutes of the last regular and subsequent recessed meetings were read and adopted:

The City Clerk presented the following report:

Austin, Texas, January 31st 1916.

To the Hon A P Wooldridge, Mayor and City Council

of the City of Austin, Texas :

Gentlemen : On Friday January 21st 1916, there was filed in this office, a petition signed by Citizens of the City of Austin, Texas, proposing an ordinance "for the purpose of properly regulating local street transportation of persons for hire by "Jitneys", automobiles, motor busses and other motor vehicles".

The said petition is signed by 1239 persons, claiming to be qualified voters of the City of Austin, Texas.

We have carefully compared the names appearing upon said petition with the Official Poll List of the City of Austin, Texas, furnished by Robt Maud, State and County Tax Collector of Travis County, Texas, with the following result:

We find that said petition contains the names of 759 persons whose names appear upon the said Poll List, as qualified voters, 93 of whom have asked, either personally, or by written communication, to have their names stricken from said list.

The remaining names, 480, we fail to find on the Official Poll List, including duplications.

Respectfully submitted.

Jno O Johnson, City Clerk

Tom Henderson, Jas H Hubbard, who checked the said petition.

There were .XXX 3050 votes cast for Mayor at the last City Election.

The report was read, At the suggestion of the Council, and the representatives of the petitioners, the Clerk and the parties who checked the petition for Jitney people, the Clerk & the said Checkers retired, and after a time the Clerk presented the following additional report.

Austin, Texas, February 2nd 1916

Hon Mayor and City Council,

City of Austin, Texas.

Gentlemen :

Upon a partial re-checking of the petition, I find there are 5 persons additional which appear on said petition as qualified voters, and this number should be added to the number heretofore reported as qualified voters on said petition. In all other respects as heretofore submitted.

Very respectfully . Jno O Johnson

City Clerk.

At the suggestion of the Council, the petition was laid over for a day, and the Clerk directed to again check over the petition, assisted by the parties who checked the said petition for the petitioners.

*Jitney
Petition*

February 4th 1916..All present

At the suggestion of the Mayor, the City Clerk presented the following report
in LIEU OF FORMER REPORTS ,on the Jitney petition:

Austin, Texas , Feby 3rd 1916.

To the Hon Mayor and City Council ,

City of Austin, Texas.

Gentlemen :

Since making my reports of January 31st 1916, and February 2nd 1916,
I have ,under your direction ,and assisted by the Gentlemen ,who checked the
petition ,as ordered by your Honorable Body ,again checked the said petition,
and find 37 additional names on it who are qualified voters.

In justice to the Clerk, and the Gentlemen who assisted me in checking this
petition ,I think it proper to say,that nearly all of these names were found
in a different ward from the place given by them in signing the petition,or by
error made by the Tax Collector who made the Poll List.

Since re- checking this list I have had filed with me 65 additional Postal
Card requests ,to have their names stricken from these petitions .

I have not had the time to check over these cards ,to see whether or not,
they have been checked as qualified voters .

These cards are submitted to your Honorable Body with this report.

Respectfully Submitted .

Jno O Johnson, City Clerk

The Mayor laid before the Council the following resolution :

Whereas, it appears from the report of the City Clerk of the City of Austin
Texas, dated January 31st 1916,with two supplemental reports of Feby 2nd and
Feby 3rd 1916,submitted to the City Council of the City of Austin,.Texas, that
one thousand two hundred and thirty nine persons claiming to be qualified
voters of the City of Austin, Texas,had signed petitions addressed to the City
Council of the City of Austin,.Texas, proposing " an ordinance for the purpose
of properly regulating local street transportation of persons for hire by
jitneys, automobiles,motor busses and other motor vehicles" ,and

(For balance of this resolution see page 429) City Clerk .

Councilman Powell offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 70.00,be and the same is hereby appropriated out of the
item of " Cost & Damages"in the General street fund of the City of Austin, Texas
in payment of the bill of R M Stephens and Dr Z T Scott;Fifty dollars of said
amount to R M Stephens for injuries sustained by falling over a board in the
sidewalk on East Avenuenear its intersection with East 6th streetin the City of
Austin, Texas, on January 22nd 1916, and the remaining twenty dollars to be paid
to Dr Z T Scott for professional services in this case.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none.

Approved, A P Wooldrdidge, Mayor

*Jitney petition
Resolution*

*R M Stephens
Dr Z T Scott*

Councilman Powell offered the following resolution :

Resolution approving City Engineer's report concerning improvements upon East 1st street from the east property line of Congress Avenue to the east property line of East Avenue in the City of Austin, and directing a hearing to property owners concerning the assessment for part of the cost of such improvements against them and their property, fixing a time for said hearing and directing that a notice be given to said property owners concerning the said hearing :

*East 1st street
Engineer's report
Paving*

Whereas, the City Council of the City of Austin has heretofore determined to improve East 1st street from the east property line of Congress Avenue to the east property line of East Avenue in the City of Austin by paving the same with Bitulithic pavement upon gravel concrete foundation with concrete gutters along curb lines and necessary excavation, and has adopted specifications for said work and has entered into a contract for the same with the Texas Bitulithic Company, a Corporation; and

Whereas, the City Engineer of the City of Austin has this day filed his report in writing with the City Council, showing the total cost of the said improvements upon the said street, the amount per front foot of abutting property to be paid for by the owners thereof and also the names of persons, estates or Corporations owning property abutting on said improvements, with a description of their property and a statement of the total amount payable by each of said owners for said improvements; and

Whereas, the City Council has examined the said report and finds the same correct; and

Whereas, the necessity exists that a portion of the cost of said improvements should be assessed against said property owners and their property, subject to the terms of the Charter of the City and the ordinance in such cases made and provided, and after the notice and hearing provided by said Charter and ordinance; Now, Therefore,

Be it resolved by the City Council of the City of Austin, Texas :

1. That the said report of the City Engineer be, and the same is hereby approved and adopted.
2. That a portion of the cost of making said improvements shall be assessed against said owners of property abutting on east 1st street in the City of Austin between its intersection with the east line of Congress Avenue and its intersection with the east line of East Avenue, and against the said property; that the said assessment shall be made at the rate of ~~\$ 3.50~~ \$ 4.871 per front foot of such property between Congress Avenue and Brazos street, and at the rate of \$ 3.033 per front foot of such property between Brazos street and East Avenue in accordance with the "Front foot" rule or plan in proportion as the frontage of each owner in each block of said street is to the whole frontage in that block to be improved, provided that if said rule of apportionment shall appear to the City Council to be unjust or unequal in any particular case, or to result in an assessment in excess of the benefits received through said improvements by any owner or his property, the City Council shall adopt such rule of apportionment as shall effect substantial equality and justice between said property owners, considering benefits received by and burdens imposed upon said owners, and that in no event shall any assessment be made in excess of the actual benefits received by the owners of said property through the enhanced value thereof by means of said improvement.
3. That a hearing shall be given before the Council to said property owners on the 17th day of February A D 1916, at 10 o'clock A M, at the Mayor's office in the City Hall in the City of Austin, Texas, at which hearing said property owners, their agents or Attorneys shall be fully and fairly heard as to all matters concerning the said improvement or any irregularity or invalidity in the proceedings with reference thereto, or as to the benefits thereof, if any, to their property, and as to the assessment proposed to be made

against them and their property, and as to any other matter or thing connected therewith. At which hearing the said owners shall have the right to produce witnesses and testimony, and which hearing shall be adjourned from time to time and from day to day until all are fully heard and all matters in connection with the said improvements and assessment fully ascertained; that after the said hearing shall be closed, said City Council will proceed to assess against owners of property upon said street and their property, who shall agree with said Council upon the said assessments, such sums as may be so agreed upon and determined by the Charter of the City and the said ordinance; and that as to any such property owners who may not so agree, the City Council will, after said hearing, appoint a commission to determine said assessments, and will take such further steps in ascertainment thereof as are provided by the Charter and ordinance.

4. That the Supt of Streets and Public Improvements of the City of Austin is hereby directed to give notice hereof to the said property owners, their agents and attorneys by publication of a copy of this resolution not less than twice in the Austin Statesman, a daily paper of general circulation in the City of Austin, the first publication to be not less than five days prior to the date of hearing.

5. That this resolution shall take effect from and after its passage.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none.

Feby 5th 1916. All present

The Mayor laid before the Council the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That the sum of \$ 450.00, out of the appropriation to be made by the City Council for Charity for the year 1916 be and the same is hereby appropriated as a temporary advance for the relief of the charity Department of this City.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Mayor Wooldridge offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the budget of the Mayor of the City of Austin, Texas, for the Water, Light and Power Department for the year 1916, dated January 24th 1916, and appropriating the gross sum of \$ 408,343.49, be and the same is hereby approved and the specific appropriations therein recommended be and the same are hereby made; and

Be it further resolved by the City Council of the City of Austin :

That the emergency appropriations made in anticipation of this general budget of the Water, Light and Power department of the City of Austin, Texas, for the year 1916, be and they are hereby declared to be a part of the Budget here adopted and directed to be superceded and substituted by the specific appropriations under their proper headings in this general budget here adopted.

Charity affairs

*Budget
H. S. [unclear]*

February 5th 1916 - approved

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none.

Councilman Bartholemew offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 998.96, be and the same is hereby transferred from the unexpended balance of \$ 2,848.94, of the appropriation made for Machinery and equipment in the Budget of the Water, Light and Power department of the City of Austin, Texas, for the year 1915, to cover an overdraft for Office Salaries for 1915.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Bartholemew offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 1,288.81 ,be and the same is hereby transferred from the unexpended balance of \$ 2,848.94, of the appropriation made for 1915, for Machinery and equipment in budget of the Water, Light and Power department for the year 1915, to cover an overdraft for Plant Salaries for 1915.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Bartholemew offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That the sum of \$ 18, 843.73, be and the same is hereby transferred from the unexpended balance of \$ 15,779.17, of the appropriation made for the purchase made for purchase of material in the budget of the Water, Light and Power department of the City of Austin, Texas, for the year 1915, to cover an overdraft for rebuilding dam and damages for overflowed lands for 1915.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Bartholemew offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That the sum of \$ 5,446.14 be and the same is hereby transferred from the unexpended balance of \$ 16,288.80, of the appropriation made for three months payment on the dam in the budget of the Water, Light & Power department of the City of Austin, Texas, to cover an overdraft for temporary labor at plant and on lines for 1915.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Bartholemew offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 26,878.68, be and the same is hereby transferred from the

*Transfer fund
to the
Sept*

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unexpended balance of \$ 32,408.00, of appropriation for first semi-annual payment for dam in the budget for the Water, Light & Power department of the City of Austin, Texas, for the year 1915, to cover an overdraft for fuel for 1915.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Barthelomew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Barthelomew offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 446.33, be and the same is hereby transferred from the unexpended balance of \$ 590.00, of the appropriation for salaries for electrical line in the budget of the Water, Light & Power department of the City of Austin Texas, for the year 1915, to cover an overdraft for Printing, Stationery & Postage for 1915.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Barthelomew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Barthelomew offered the following resolution :

Be it resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 449.65, be and the same is hereby transferred from the unexpended balance of \$ 704.55, of the miscellaneous appropriation in the budget in the Water, Light & Power department for the year 1915, to cover an overdraft for incidentals for 1915,

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Barthelomew, Haynes & Powell 5
Nays none,

Approved, A P Wooldridge, Mayor.

February 7th 1916. All present.

Councilman Powell presented bids for different Bridges in the City, as follows:

Jas Watterston, A A Mundt, Mid West Construction Co, B J Knappa, McCall Meere Co & J O Polhemus, which were read and referred to the Supt of Streets for calculation and report.

On motion the Clerk was directed to return to the Mid West Co 7/8 to J O Polhemus their Certified Checks.

February 8th 1916 .All present.

Councilman Powell presented bids for Bridge , across Blun n'S Branch South Austin, as follows :

O E Metcalfe, Trinity Construction Co, W R Miller & J O Polhemus, which were read & discussed.

Mayer Wooldridge moved that the bid of O E Metcalfe, for said bridge, be accepted ,he being the lowest and best bidder, subject to the approval of the City Attorney, which motion prevailed by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Barthelomew, & Haynes 4
Nay Councilman Powell 1.

On motion the City Clerk was authorized to return certified checks of J O Polhemus & Trinity Construction Co.

*Transfer from
W. R. Depp*

*Bids for
Bridges*

*O E Metcalfe
Contract for
Trinity*

(.From page 424)

Whereas, it appears from said first report that seven hundred and fifty nine of the persons whose names were upon said petition were qualified voters and four hundred and eighty of said persons were not qualified voters; and

Whereas, it appears from first supplemental report of the Clerk that five additional names upon the original petition were shown to be qualified voters and from the second supplemental report that thirty seven additional names on said original petition were found, upon a careful re-count, to be qualified voters, but not ascertained upon the first count to be qualified signers upon said original petition for various causes, entirely honest and perfectly reasonable, as explained to the satisfaction of the City Council; and

Whereas, it appears from the same reports of the City Clerk, original and second supplemental, that one hundred and fifty eight persons whose names appear upon said original petitions proposing an " ordinance for the purpose of properly regulating local street transportation of persons for hire by jitneys, automobiles, motor busses and other motor vehicles", had requested, either in person, by written communication, or by postal card, that their names be stricken from said petition; and

Whereas, said requests to have their names withdrawn from said petitions were presented to the City Council prior to its action upon said original petitions; and

Whereas, said City Council deems the one hundred and fifty eight persons presenting their requests for withdrawal of their names from said petition proposing " An ordinance for the purpose of regulating local street transportation of persons for hire by Jitneys, automobiles, motor busses or other motor vehicles," had the legal right so to do in manner and form as they did do,

Now, therefore,

Be it resolved by the City Council of the City of Austin, Texas;

That the petition filed with the City Clerk of the City of Austin, Texas, dated January 21st 1916, with certain one thousand two hundred and thirty nine persons claiming to be qualified voters of the City of Austin, Texas, are deficient by the net number of one hundred and twenty qualified voters.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none,

Approved, A P Wooldridge, Mayor.

On motion the Council adjourned.

J. W. Johnson

City Clerk

*Jitney petition
Resolution*