

Regular meeting of the City Council - Austin, Texas, ~~XXXXXXXX~~ January 3rd 1918:

The Council was called to order by the Mayor, with all members present:

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

Report of City Officers:

The Mayor laid before the Council the reports of Public Weigher for the month of December 1917 which was read and filed.

Mayor Wooldridge offered the following resolution:

A. resolution finally accepting the pavement and improvement on Rio Grande street between the north line of 19th street and the north line of 28th street.

Whereas, the Supt of Streets and Public Improvements has heretofore filed his report with the City Council to the effect that the Texas Bitulithic Company, to whom was awarded the contract for the paving and improving of Rio Grande street from the north line of 19th street to the north line of 28th street, particularly the paving of Rio Grande street abutting lot 13, outlet S2 Div "D", said lot being 48 1/2 feet in width and assessed against the reformed Episcopal Church, has completed said work in strict accordance with their contract and specifications heretofore adopted by the City Council:

Now therefore,

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

That the said work of improvement be accepted by the City Council and the final estimate due by the City to the said Contractor be paid.

The resolution was adopted by the following vote:

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

Nays none.

Approved, A P Wooldridge, Mayor.

Mayor Wooldridge offered the following resolution:

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

That the following emergency appropriations be made for the Water, Light and Power Department of the City of Austin, pending the passage and adoption of the regular budget for said Department for the year 1918, and that said appropriations be considered as part and parcel of said general budget:

1. For the payment of Salaries for January	\$ 4,000.00
2. For temporary labor, Plant and lines, for January	5,000.00
3. For the purchase of Material	5,000.00
4. For the purchase of Fuel	3,000.00
5. For unloading fuel	250.00
6. For Printing, Stationery and Postage	250.00
7. For pay of Special Attorney	50.00
8. For pay of Bacteriologist	75.00
9 For pay of Engineer on Conduit System	137.50
10 For Incidentals, including Telephone, Telegrams and sundry small items.	200.00
Aggregating the sum total of	\$ 17,962.50

The resolution was adopted by the following vote:

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

Nays none.

Approved, A P Wooldridge, Mayor.

Report of Public Weigher

Accepting Rio Grande St. Paving

Emergency Appropriations: 6 - 2 P. 18

Mayer Wooldridge offered the following resolution :

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

That the following emergency appropriations ,to be made out of the General street fund, be and the same is hereby made, for the purpose of paying for salaries and incidental expenses (as itemized below) for the month of January 1918, Said appropriations be ing made pending the passag and adoption of the regular budget for said general street department and that said appropriations be considered as part and parcel of said general street budget.

Salaries	\$ 2,500.00
Temporary Labor	1,500.00
Office Supplies	20.00
Transportation	20.00
Damages and Claims	30.00
Material and supplies	1,000. 00

Aggregating sum total of \$. 5,120.00

The resolution was adopted by the following vote:

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

Approved A P Wooldridge, Mayor.

Mayer Wooldridge offered the following resolution :

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

That the sum of two hundred and seventy eight dollars and forty two cents (\$ 278.42) be and the same is hereby appropriated to the cost of a concrete walk through Wooldridge, Park.

This special appropriation will appear regularly in the budget of the City of Austin for the year 1918.

The resolution was adopted by the following vote:

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

Mayer Wooldridge offered the following resolution :

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

That the sum of five hundred (\$500.00) dollars be and the same is hereby appropriated out of the general contingent fund of the City of Austin, Texas, for the year 1918 as an emergency appropriation in full settlement of all damages alleged to be owing in cause No 32185, Henry Sauer vs City of Austin in the District Court of Travis County, Texas, in and for the 53rd Judicial District.

This appropriation is to cover all damages alleged to have been suffered to the property of Henry Sauer, deceased, and Jennie Sauer, his surviving Wife, by virtue of an overflow of the waters of Waller Creek on April 22nd ,24th and 25th ,1915.

This is an emergency appropriation and will be covered by the regular budget of the City of Austin for the year 1918.

The resolution was adopted by the following vote:

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

*Emergency appropriation
for the month of
January 1918.*

*Wooldridge for 200
concrete walk*

*Henry Sauer
Damages*

Nays none,

Approved, W. Woodrige, Mayor.

Mayor Woodrige offered the following resolution:

Whereas, it appeared that the assessment against Thomas McCullough for one automobile for the year 1917, at the assessed value of \$ 150.00, was an assessment in error in as much as evidence has been submitted to the City Council that said automobile was not acquired until the 28th day of April 1917, and therefore, was not subject to taxation for the year 1917.

Therefore,

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

That the assessment of the said Thomas McCullough for City taxes for the year 1917 receive credit by the amount of \$ 150.00, growing out of the assessment of said automobile against his account in that sum for said year.

The resolution was adopted by the following vote:

Yeas Mayor Woodrige, Councilmen: Anthony, Bartholomew, Haynes & Powell 5

Nays none,

Approved, A P Woodrige, Mayor.

The Mayor laid before the Council An ordinance authorizing the Mayor to accept a certain deed from A J Zilker conveying to the City of Austin certain land including Barton Springs and to execute and deliver ten certain promisory notes of said City in Payment therefor, and providing for the levy and collection of a tax annually sufficient to pay said notes and interest as the same mature, which ordinance had been read the first time on the 24th day of December 1917.

The ordinance was read the second time, and a motion made to suspend the rule and place it on its third reading and final passage, which motion prevailed by the following vote:

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

Nays none,

The ordinance was then read the third time and passed by the following vote:

Yeas Mayor Woodrige, Councilmen: nTHONY & Powell 3

Nays Councilmen Bartholomew & Haynes 2.

Councilman Bartholomew presented the following reasons for his vote, and asked that they be spread upon the minutes of the Council:

I vote against the ordinance to purchase the Barton Springs property for the following reasons:

1st. There were 799 votes cast for the purchase of the Barton Springs property and 635 votes against the purchase, 257 votes less than two-thirds of the votes cast on the proposition.

The Charter provides that the bonded debt of the City shall only be increased by two-thirds of the qualified voters in the City who pay taxes on property.

In this case it is proposed to execute notes for the \$100,000.00 payable in ten annual installments, on the theory that notes for debt can be executed instead of bonds.

A bond for a debt is a note. A note for a debt is a bond. They read the same. Both are promises to pay and there is practically no difference. It is all in the name. If this one hundred thousand debt can be saddled on the City by a majority vote, the two-thirds clause in the Charter can be defeated and the debt of the City be increased to Charter limits by Majority vote.

2nd. The proposition to sell the Barton Springs property provides that the ten annual payments should be made out of the EARNINGS of the Water & Light plant of the City.

Thomas McCullough
Auto Assessment

Accept Barton Springs
Deed from
A. J. Zilker

Bartholomew

.and was so PUBLISHED to the VOTERS.

The ordinance here submitted provides that a TAX shall be levied on the property of the City to pay these installments, no mention being made of the earnings of the Water & Light Plant. I venture the opinion that had the facts been published the proposition would not have received even a majority vote.

3rd. The proposition to sell the Barton Springs property to the City stated the tract to contain fifty acres of land, more or less. The amount in the deed submitted calls for $42\frac{1}{2}$ acres. The words "more or less" as used in conveyances, are intended to cover a trifling difference that might be found in a survey, and not a large discrepancy, as occurs in this instance. There is a shortage of about ~~XX~~ $\frac{1}{7}$ of the acreage in this case.

I do not believe the proposition to purchase the Barton Springs property was carried legally.

(Sgd) E C Bartholemew.

Councilman Haynes presented the following reasons for his vote, and asked that they be spread upon the minutes of the Council.

XXXXXX I vote NO for the following reasons:

1st. The City only obtains title to $42\frac{1}{2}$ acres of land for a consideration of \$ 100,000. 00, when it was generally understood that the tract contained about 50 acres, a difference of $7\frac{1}{2}$ acres, therefore the consideration should be reduced in like proportion.

2nd. I believe in this case the City is in error, and that a two-third vote of the people is required to increase the debt of the City by bonds or otherwise.

3rd. The people voted on the proposition, that the \$ 100,000.00, was to be paid out of the Earnings fund of the Water & Light Department, and not by taxation as is provided for in the ordinance, which provision Mr Rector states is necessary to validate a bond issue, and yet he construes that the notes in this transaction cannot be considered as bonds of the City.

(Sgd) H L Haynes.

Haynes
Reasons for
vote

