

Regular Meeting of the City Council: Austin, Texas, May 8th, 1919.

The Council was called to order by the Mayor. Roll call showed the following present: Mayor Yett, Councilmen Alford, Graham, Haynes and Ward.

The Minutes of May 1st and 3rd were read.

Motion by Councilman Haynes, seconded by Councilman Graham, that the Minutes be adopted, after correction as suggested by Councilman Haynes. Adopted by the following vote: Yeas 5 - Mayor Yett, Councilmen Alford, Graham, Haynes and Ward.

Petition of K.C. Miller et al
On motion of Councilman Haynes, the petition of K. C. Miller, et al, be referred to Councilman Graham for him to report back to the Council: Adopted by the following vote: Yeas 5 - Mayor Yett, Councilmen Alford, Graham, Haynes and Ward.

Petition of Barton Lipp
Councilman Graham moved that the contract between the City and Mrs. J. S. Myrick and Mr. Henderson be referred to Councilman Ward for report to the Council. The motion carried by a vote of five yeas; no nays.

Councilman Graham moved that the communication of Mrs. Buchner be referred to Commissioner Alford. The motion carried by a vote of five yeas; no nays.

Councilman Haynes moved that the petition of J. W. T. Goslin, et al, be referred to Councilman Ward for report back to the Council. The motion carried by a vote of five yeas; no nays.

A motion was made by Councilman Haynes and seconded by Councilman Ward that Councilman Graham be allowed to purchase a Ford car for the use of the Street Department. The motion carried by a vote of five yeas; no nays.

Council recessed until 3:00 P. M.

Monthly Reports
Monthly reports of Fred Sterzing, Assessor and Collector, W. A. Alff, City Sexton, Dr. O. H. Radkey, City Physician, C. L. Woodward, Fire Chief, Jno. E. Woody, Fire Marshal, P. J. Plumb, Public Weigher, and J. H. Maxwell Sealer of Weights and Measures, were read and ordered filed.

Councilman Haynes introduced the following resolution:
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Monthly Payroll of Salaries
In order to insure regular and systematic pay rolls of all departments of the City, and to avoid unnecessary book-keeping and chances of error, the custom of paying some of the monthly employees of the City twice during the month be discontinued and in future all monthly employees of the City shall be paid monthly, leaving it to the discretion of the head of each department to approve payment of account of any monthly salary in case of necessity or emergency.

The resolution was adopted by the following vote: Yeas 5, nays none.
APPROVED: May 8th, 1919, W.D. Yett, Mayor.

Councilman Haynes introduced the following resolution:
RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

That the sum of Eight Hundred Fifty-seven Dollars and Forty Cents (\$857.40) be and the same is hereby appropriated out of the General Contingent Fund of the City of Austin, Texas, and made payable to

Lightfoot, Brady & Robertson and J. W. Maxwell, Attorneys, in full of fees for collecting delinquent taxes due the City of Austin from Miller's Mutual Fire Insurance Company of Fort Worth for the years 1904, 1905, 1906, 1909, 1910, 1911, 1912, and 1913, inclusive, per the attached bill which is made the basis of this appropriation.

The resolution was adopted by a vote of 5 yeas; no nays.

APPROVED; May 8th, 1919, W. D. Yett, Mayor.

Councilman Graham introduced the following resolution:

Whereas, on May 1st, A. D. 1905, Luetcke and Sneed adopted, laid out and platted into blocks, lots, streets and alleys, Outlots Nos. 10, 11, 12 and 13, Division "C", in the City of Austin, Travis County, Texas, known as Oak Lawn Addition to the City of Austin, the plat of which is recorded in Plat Book 2, page 164, of the real estate records of said county, to which reference is here made for descriptive and all pertinent purposes; and that, as thereon shown, said addition contains eight blocks, numbered from 1 to 8, both inclusive; that, as shown thereon, the dimensions of all lots in said addition are 25x145 feet, except the lots in the north half of Blocks Nos. 5 and 6, fronting north on Johnson Avenue, sometimes called 40th Street, the dimensions of which are 25x154 feet; and

Whereas, said Luetcke and Sneed caused the same to be surveyed by the City Engineer of the City of Austin, Texas, who overlooked the fact that the lots enumerated above were and are 154 feet in length; that, in making said survey and in marking the streets and alleys of said addition on the ground, he erroneously gave to each lot therein a length of one hundred and forty-six and thirty-six one-hundredths (146.36) feet, instead of the dimensions shown on the recorded plat thereof, thereby ostensibly reducing the length of the lots last above named from 154 feet to 146.36 feet; and

Whereas, all of the lots in said addition were sold by said Luetcke and Sneed with reference to and in accordance with the recorded plat thereof; and the purchasers thereof bought and paid for the same, and many of them have built their homes thereon and have otherwise improved the same with reference to the streets and alleys as fixed on the ground by said city engineer without any notice of the error herein pointed out, except the owners of the lots in the north half of said Blocks Nos. 5 and 6, who made their improvements with reference to the length of the lots as shown on said plat; that, in locating said Johnson Avenue, sometimes called 40th Street, said city engineer caused the same to conflict with and to encroach upon the north end of the lots in said Blocks 5 and 6, to the extent of seven and sixty-four one-hundredths (7.64) feet; and that by reason thereof said street, instead of being sixty feet in width, as shown by said plat, is only fifty-two and thirty-six one hundredths (52.36) feet; and

Whereas, the error herein pointed out is producing dissension among the owners of the lots in said addition and is disturbing their peace and quietude, and it is also producing confusion in establishing

*Ans. Re. Plat
Oak Lawn Addition
Correction of Plat.*

the sidewalks on said streets and in the laying of curbing thereon.

Therefore, for the purpose of correcting said error as far as practicable, and to allay dissension among the owners of the lots in said Oak Lawn Addition, and to quiet the title to their property, and to avoid confusion in the establishing of sidewalks along said streets and in the laying of curbing thereon,

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

1. That all the streets and alleys in said Oak Lawn Addition as surveyed and fixed on the ground by the city engineer of the City of Austin, with the exception of Johnson Avenue, sometimes called 40th Street, be and the same are hereby ratified, confirmed and accepted as the true location of said streets and alleys, and the adjacent property lines with reference thereto are hereby recognized by the City of Austin, and that all sidewalks and curbing shall conform thereto.

2. That for the purpose aforesaid and for the further purpose of removing the conflict of Johnson Avenue with the lots in the north half of said Blocks 5 and 6, hereinbefore mentioned, the width of Johnson Avenue, sometimes called 40th Street, be and the same is hereby reduced from sixty feet to fifty-two and thirty-six one hundredths (52.36) feet in width, and that the sidewalks along said street shall be and the same are hereby fixed at eleven and eighteen one-hundredths (11.18) feet, with a distance between curbs of thirty (30) feet, and that said sidewalks and the curbing along the same shall conform to the reduced width of said street.

3. That the city engineer be and he is hereby authorized and instructed to make a revised plat of said Addition in conformity with these resolutions and to file same for record in the office of the County Clerk of Travis County, Texas; and further that a certified copy of these resolutions under the seal of the City be filed for record in the office of the County Clerk of Travis County, Texas.

The resolution was adopted by a vote of 5 yeas; no nays.

APPROVED: May 8th, 1919, W. D. Yett, Mayor.

Councilman Haynes offered the following resolution:

Whereas, heretofore on May 3rd, 1919, the City Council opened all bids, in response to the proposal of the Superintendent of Receipts, Disbursements and Accounts, for the office of city treasurer; and it has thereupon been found that D. B. Gracy, through the Citizens Bank & Trust Company of Austin, Texas, has submitted the highest and best bid for said office, said D. B. Gracy agreeing to pay for the funds of the City of Austin 2½% on average daily deposits, and interest to be paid monthly by cashier's check of said bank in favor of each of the several funds of the City as the balances named appear during the month, and further proposing to charge the City 1/8 of 1% on all amounts remitted by exchange on payments of interest on the bonded debt of the City and other payments which may be necessary to be made by the City, and further proposing to charge interest at the rate of 7% on all overdrafts of the City, which transaction shall be handled as heretofore;

Therefore,

*D. B. Gracy
Elected City Treasurer*

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

That said bid of D. B. Gracy be and the same is hereby accepted, upon the terms and conditions of the bid hereinabove mentioned, and that said D. B. Gracy be and he is hereby elected to the office of City Treasurer of the City of Austin, Texas, and that he be required to give bond, in the sum of One Hundred Thousand Dollars (\$100,000.00), payable to the mayor and his successors in office, for the faithful performance and discharge of his duties.

*D.B. Gracy
Elected
Treasurer of the
City of Austin.*

The resolution was adopted by a vote of 5 yeas; no nays.

APPROVED: May 8th, 1919, W. D. Yett, Mayor.

The Council then adjourned.

J. H. Hornsby
City Clerk.

SPECIAL MEETING OF THE CITY COUNCIL, Austin, Texas, May 9th, 1919.

The Council met with all members present, except Councilman Ward.

Councilman Haynes moved that the petition of O. A. Tiroff to install a gasoline tank at #610 East 6th Street be granted, with the understanding that said tank is to be installed under the supervision of the City Electrician and the ordinance governing same. The motion carried by a vote of 4 yeas; Councilman Ward absent.

*Petitions Granted
to
Erect Filling Stations
O. A. Tiroff & Nene Schutze*

Councilman Haynes moved that the petition of Nene Schutze to install a gasoline pump at #217 West Sixth Street be granted, with the understanding that same should be installed under the supervision of the City Electrician and the ordinance governing same. The motion carried by a vote of 4 yeas; Councilman Ward absent.

The Council then adjourned.

J. H. Hornsby
City Clerk.