

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 14, 1937.

The meeting was called to order at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes was dispensed with.

Councilman Alford offered 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 AVENUE H southerly 100 feet from a point 170 feet south of the south line of East 52nd Street, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Avenue H.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in BONNIVIEW STREET from Melissa Lane easterly 120 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Bonniview Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in MELISSA LANE from Bonniview Street southerly 40 feet, the centerline of which gas main shall be 7.5 feet east of and parallel to the west line of said Melissa Lane.

Said gas main described above shall have a covering of not less than 2½ feet.

(4) A gas main in CAPITOL STREET from Center Street easterly 397 feet, the centerline of which gas main shall be 13½ feet south of and parallel to the north line of said Capitol Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(5) A gas main in EAST 35TH STREET west 48 feet from a point 52 feet west of the west line of Griffith Street, the centerline of which gas main shall be 18 feet south of and parallel to the north line of said East 35th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(6) A gas main in WEST 44TH STREET from Morningside Avenue west 121 feet, the centerline of which gas main shall be 17 feet south of and parallel to the north line of said West 44th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(7) A gas main in MORNINGSIDE AVENUE from West 44th Street northerly 170 feet, the centerline of which gas main shall be 7½ feet east of and parallel to the west line of said Morningside Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(8) A gas main in EAST 8TH STREET easterly 48 feet from a point 56 feet east of the east line of Concho Street, the centerline of which gas main shall be 13½ feet north of and parallel to the south line of said East 8th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(9) A gas main in COMAL STREET from Pennsylvania Avenue north 67 feet, the centerline of which gas main shall be 20 feet east of and parallel to the west line of said Comal Street.

Said gas main described above shall have a covering of not less than 2½ feet.

feet

(10) A gas main in EAST 7TH STREET from Sabine Street westerly 39 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 7th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(11) A gas main in SABINE STREET from East 7th Street northerly 148 feet, the centerline of which gas main shall be 1 foot east of and parallel to the west line of said Sabine Street.

Said gas main described above shall have a covering 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 not 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 out 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.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH SAID ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND RECORDED IN BOOK "K" AT PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and upon motion of Councilman Gillis the rule was suspended and the ordinance was passed to its second reading by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and upon motion of Councilman Gillis the rule was further suspended and the ordinance was passed to its third reading by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the third time and upon motion of Councilman Gillis the ordinance was finally passed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

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

THAT the sum of \$407.25 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the cost of repairing and repainting the north fence line of Oakwood Cemetery and Oakwood Annex along the south side of East 19th Street, in accordance with estimate submitted by the City Engineer.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that in accordance with bids duly received and tabulated, the bid of Brown & Root, Inc., for the permanent improvement of West Eighth Street from Congress Avenue to Lavaca Street, in the amount of \$6815.30, be accepted as the lowest and best bid, and that contract for said work be awarded to said firm. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE DETERMINING THE NECESSITY FOR LEVYING ASSESSMENTS AGAINST THE VARIOUS PROPERTIES DESCRIBED IN THIS ORDINANCE, AND AGAINST THE RESPECTIVE OWNERS THEREOF, FOR A PART OF THE COSTS OF IMPROVING AND WIDENING A PORTION OF WEST EIGHTH STREET ON THE NORTH SIDE AND SOUTH SIDE FROM THE EAST CURB LINE OF COLORADO STREET TO THE WEST CURB LINE OF CONGRESS AVENUE, AND THE IMPROVEMENT AND WIDENING OF WEST EIGHTH STREET ON THE SOUTH SIDE FROM THE EAST CURB LINE OF LAVACA STREET TO THE WEST CURB LINE OF COLORADO STREET, IN THE CITY OF AUSTIN, TEXAS; AND FIXING A TIME FOR HEARING OF THE OWNERS OF SAID PROPERTIES, OR OF ANY PERSON INTERESTED IN SAID IMPROVEMENT, AS PROVIDED BY THE CHARTER OF THE CITY OF AUSTIN; AND DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SAID HEARING.

The foregoing ordinance was read the first time and upon motion of Councilman Wolf the rule was suspended and the ordinance was passed to its second reading by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and upon motion of Councilman Alford the rule was further suspended and the ordinance was passed to its third reading by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the third time and upon motion of Councilman Alford the ordinance was finally passed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following report of the Board of Adjustment was received:

"Hon. Mayor and City Council
Austin, Texas.

Gentlemen:

The Board of Adjustment at a meeting held on October 7, 1937, passed the following resolution, which is hereby submitted for your consideration:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Board of Adjustment for its consideration the petition of Mr. George E. Shelley and Mr. William A. Kessler for a change in the "Use" District designation of the W. L. Moore property on South Congress Avenue, consisting of parts of Lots 12, 13, 14, and 15, in Block 1 of the La Prella Addition from "A" Residence District to "C" Commercial District; and

WHEREAS, the Board of Adjustment at a meeting held on October 7, again carefully considered this change as the Board had already on April 2, 1936, submitted a resolution on this change to the City Council; and

WHEREAS, the Board now finds that there have been no changes in the conditions and circumstances surrounding this property since the previous resolution to justify any different action at this time than was recommended in the previous resolution; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is hereby recommended to the City Council that the "Use" designation of the above described property, including all the remaining property in the block between College Street, the old Post Road, and East Live Oak Street be changed from "A" Residence District to "C" Commercial District.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Signed) H. F. Kuehne
Chairman. "

The matter was taken under advisement.

Mayor Miller moved that the following be appointed as an advisory committee to assist in taking a census of the unemployed of this City, in compliance with the request of the National Administrator of the Unemployment Census: J. T. Ward, R. M. Huey; N. A. Ladd; Roland Moore; Rex Kitchens; Charles Green; Gordon Fulcher; Buck Hood; Garland Adair; A. N. McCallum; the Reverend Father Blakeslee; Reverend James S. Allen; Dr. S. G. Posey; Dr. Virgil Fisher; Dr. M. E. Sadler; Dr. W. R. Minter; Mrs. Sam J. Smith; Mrs. Dave Doom; Mrs. A. P. Robinson; L.T. Belmont; Hubert Jones; W. R. Neighbors; Frank Rios; Agnes Sheridan; Louise Haynie; B.J. Rupert; Ralph Schoenert; E. R. L. Wroe; Morris Hirshfeld; and Leo Kuhn. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following resolution was introduced:

WHEREAS, the taxes on 49 feet by 150 feet, S. part of Lot 10, Block 1, O.L.45, Division "B", Hofheinz Subdivision, Flat 43, in the City of Austin, Travis County, Texas, have been assessed and are delinquent for the years 1935 and 1936, the original taxes amounting to \$30.66, the interest thereon \$1.89, and penalty \$1.53, aggregating \$34.08; and

WHEREAS, under the circumstances, it is deemed equitable and advisable by the City Council of the City of Austin to remit all penalties on said taxes and to reduce and waive 1/2 the interest on said taxes on the aforesaid property, the said 1/2 interest amounting to \$.94, and the penalty waived amounting to \$1.53, on the condition that said taxes shall be promptly paid on said property; therefore,

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

THAT the penalty amounting to \$1.53 and 1/2 the interest amounting to \$.94 on the delinquent taxes on the above property for the years 1935 and 1936, inclusive, is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to strike same from his assessment rolls, and to issue a receipt in full to said R. L. Young on his payment to the City of Austin of the sum of \$31.61, in accordance with the terms of this resolution; and on payment of same to issue a receipt in full.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following resolution was introduced:

WHEREAS, the City taxes for the years 1930 to 1936, inclusive, have been assessed and are delinquent on Lots 24 through 30, N. 1/2 O. L. 6, Division A, Plat 29, Morse & Smith's Subdivision in the City of Austin, Travis County, Texas; and

WHEREAS, under the circumstances, it is deemed equitable by the City Council to remit the penalty on the above described property; therefore

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

THAT the penalty amounting to the sum of \$16.57 is hereby remitted, and the Tax Assessor and Collector is authorized and directed to accept in full settlement of said taxes for the aforesaid years, said taxes, together with interest thereon, in full settlement of same.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following resolution was introduced:

WHEREAS, it has been determined that the assessment for taxes against the improvements on Lot 2, Block 3, Outlot 4, Division A, Plat 30, in the City of Austin, for the years 1933, 1934, 1935, 1936, and 1937, now in the name of L. J. Crow, is excessive; and that same should now be corrected for each of said years; therefore,

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

THAT the assessment for taxes on said property for the years aforesaid be and the same is hereby reduced and corrected from the present assessed value as follows:

For the year 1933	from	\$860.00	to	\$500.00;
For the year 1934	from	\$860.00	to	\$500.00;
For the year 1935	from	\$860.00	to	\$500.00;
For the year 1936	from	\$860.00	to	\$500.00;
For the year 1937	from	\$860.00	to	\$500.00;

and that the City Assessor and Collector of taxes is authorized and directed to make such changes on the tax rolls.

BE IT FURTHER RESOLVED:

THAT the City Council, after hearing the matter and duly considering same, deems it just and equitable to remit all penalty on the taxes on said property, amounting to the sum of \$7.22, provided the taxes are immediately paid; therefore the said penalty is hereby remitted.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following resolution was introduced:

WHEREAS, City taxes for the years 1930, 1931, 1933, 1934, 1935, and 1936, inclusive, have been assessed and are delinquent on Lots 1 and the West 56 feet of Lot 2, Block 150, Original City, Plat 8, in the City of Austin, Travis County, Texas, and interest has accrued thereon in the sum of \$251.69, and penalties have been assessed thereon for \$65.29, said taxes, penalties and interest aggregating the sum of \$1623.09; and

WHEREAS, under the circumstances, it is deemed equitable and advisable by the City Council of the City of Austin to remit all penalties on said taxes and to reduce and waive 1/2 of the interest on the delinquent taxes on the aforesaid property, the said penalties and 1/2 the interest aggregating the sum of \$191.13, on the condition that said taxes shall be paid on said property within thirty days from this date; therefore,

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

THAT the penalty aggregating \$65.29, and 1/2 the interest aggregating \$125.64 on the delinquent taxes on the above property for the years 1930, 1931, 1933, 1934, 1935, and 1936, is hereby remitted, and the Tax Assessor and Collector is authorized and directed to strike same from his assessment rolls and to issue a receipt in full to the party entitled thereto, on his payment to the City of Austin of the sum of \$1431.96, in accordance with the terms of this resolution.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Upon motion, duly seconded and carried, the meeting was recessed at 12:10 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:
Harris McKee
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 21, 1937.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen G. F. Alford, C.M. Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; absent, none.

The Minutes of the regular meetings of July 8 to August 5, inclusive, were read, and upon motion of Councilman Alford were adopted, as read, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Steve Heffington, Tax Assessor and Collector of Travis County, submitted a request that the boundaries of the City's voting wards be changed to conform to the boundaries of Travis County voting wards within the City recently established by the County Commissioner's Court. The matter was taken under advisement.

Councilman Wolf moved that temporary taxicab permit, No. 44, issued to J.E. Haire be made permanent. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller moved that the Lightsey Cab Company be granted one additional taxicab license. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Messrs. Wm. Kessler and Geo. E. Shelley appeared before the Council relative to their application for a change in the zoning of the W. L. Moore property on South Congress