

51, in the City of Austin, for debt, and has discovered that City taxes for the years 1929, 1931, 1933, and 1934, in the aggregate amount of \$209.97, plus \$10.48 penalties and \$44.97 interest, have accrued while said property was under ownership of his debtor; and

WHEREAS, it is deemed equitable and expedient that, under the above facts, the penalties on said taxes and one-half of the interest should be remitted; therefore,

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

THAT said penalties, amounting in the aggregate to the sum of \$10.48, for the years 1929, 1931, 1933, and 1934, and said one-half of the accrued interest, amounting in the aggregate to the sum of \$22.47, for the years 1929, 1931, 1933, and 1934, be and the same are hereby remitted, provided that said F. O. Linden pays all of said taxes by June 19, 1936.

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 made and seconded, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller  
M a y o r .

Attest:

Halle McKeen  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 11, 1936.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; absent, Councilmen Bartholomew and Alford, 2.

The reading of the minutes was dispensed with.

Jay H. Brown, Attorney for Joe Miller, submitted a petition, signed by fifty-three property owners and residents, indorsing the proposed coffee shop and beer saloon at 908 East First Street to be erected by the said Joe Miller.

George S. Dowell, Attorney, presented two petitions signed by the residents and property owners in the 900 block on East First Street, asking for a change in the zoning of said block from Commercial "C" District to Residence "A" District, and protesting the proposed location of a liquor and beer saloon in this block.

Mayor Miller moved that a public hearing be called for Monday, June 29, on the proposal of the City Council to amend the Zoning Ordinance in the following particulars: to change the Use designation of the property in the 900 block on East First Street so

as to change same from Commercial "C" District to Residence "A" District, and to prohibit the sale of alcoholic and malt beverages within "C" Commercial Districts under the same provision as the ordinance now regulates and excepts certain business and occupations in zoned areas. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Gillis moved the adoption of the following resolution, which was submitted at the last regular meeting and laid over:

WHEREAS, Weise Bros. is the Contractor for the construction of a building located at 916 East 1st Street and desires a portion of the sidewalk space abutting Lot 5, Block 4, Outlot 17, Division "C", of the City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore,

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

1. THAT space for the uses hereinabove enumerated be granted to said Weise Bros., the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southeast corner of the above described lot; thence in a southerly direction and at right angles to the centerline of East 1st Street a distance to a point 4 feet north of the north curb line of East 1st Street; thence in a westerly direction and parallel with the centerline of East 1st Street a distance of 44.33 feet; thence in a northerly direction and at right angles to the centerline of East 1st Street a distance to the north line of East 1st Street; thence in an easterly direction along the north line of East 1st Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Weise Bros., hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail at least 4 feet high and substantially braced and anchored around the above described working space.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 1, 1936.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the

City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, Thurlow B. Weed, owner of Lot 12, Block 40, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of Lavaca Street and West 17th Street, and being locally known as 1609 Lavaca Street, has made application to the City Council of the City of Austin for permission to construct one commercial driveway across the east sidewalk area of Lavaca Street at the above described location as shown upon the plan hereto attached marked 2-C-628, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT Thurlow B. Weed, owner of Lot 12, Block 40, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of Lavaca Street and West 17th Street, and being locally known as 1609 Lavaca Street, is hereby permitted to construct one commercial driveway across the east sidewalk area of Lavaca Street at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-628, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp, and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Wolf offered the following resolution:

WHEREAS, W. L. Bradfield and G. H. Brush, owner of a portion of Outlot 52, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the west side of San Jacinto Street north of East 17th Street, has made application to the City Council of the City of Austin for permission to construct one commercial driveway across the west sidewalk area of San Jacinto Street at the above described location as shown upon the plan hereto attached marked 2-H-505, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT W. L. Bradfield and G. H. Brush, owner of a portion of Outlot 52, Division "E"

of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the west side of San Jacinto Street north of East 17th Street, is hereby permitted to construct one commercial driveway across the west sidewalk area of San Jacinto Street at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-H-505, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp, and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Wolf 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 ALICE AVENUE ALLEY, beginning at a point 25 feet south of the north line of West 39th Street and 3 feet east of the west line of said Alice Avenue Alley;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 3 feet east of and parallel with the west line of said Alice Avenue Alley, for a distance of 55 feet.

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

(2) A gas main in WEST NINTH STREET, beginning at a point 14 feet south of the north line of said West 9th Street and 4 feet west of the west line of West Lynn Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 14 feet south of and parallel to the north line of said West 9th Street, for a distance of approximately ¾ block to connect the dead end of an existing gas main.

Said gas main described above shall have a cover 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 cut 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, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

J. E. Haire petitioned the City Council for permission to have transferred to his name Taxicab Licenses Nos. 13 and 34 heretofore issued to G. A. Carter. Councilman Wolf moved that the request be granted. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Wolf moved that the City Manager and City Engineer be instructed to have East 16th Street from East Avenue to Oakwood Cemetery gate topped at their earliest convenience, without neglecting other topping already contracted for, and to have said street widened, if possible. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew, absent, 2.

Mayor Miller offered the following resolution:

WHEREAS, Today has been declared ROOSEVELT DAY in Austin on account of the visit of our great President; and

WHEREAS, Almost three years ago, June 12, 1933, Austin held a celebration in honor of our President in his fourth month in office, and our slogan then was, "Prosperity's Rose Shall Bloom Again With Roosevelt." Today, reviewing the great accomplishments of the present Democratic Administration, marking three long years of uphill travel to bring the country out of the chaos and the morass of the four years of Republican Hoover's Administration, we say that great good for our country has been accomplished and that now "Prosperity's Rose Blooms Again With Roosevelt" ; therefore,

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

THAT in behalf of our citizens we officially welcome the President and his party to our City and hope that he will visit us during his second administration; and

BE IT FURTHER RESOLVED:

THAT a copy of this resolution be spread on the minutes of this meeting, and that a copy be sent to President Roosevelt.

The resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Gillis moved that the following named persons be granted Taxicab Driver's Permits: Floyd C. Glenn, 1307 West 6th Street; Sam J. Hill, 1207 Garden Street; J. A. Johnson, 1113 East 3rd Street. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Wolf moved that the applications of Lawrence Reyes, 1616 East 5th Street for taxicab licenses be placed on the waiting list of applicants. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Mayor Miller moved that the Assistant City Attorney be instructed to prepare a resolution, for passage at the next regular meeting, commemorating the death of Judge J. Bouldin Rector and his long services as City Attorney of the City of Austin. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE PROHIBITING THE STOPPING, STANDING OR PARKING OF VEHICLES UPON THE STREETS AND HIGHWAYS IN THE CITY OF AUSTIN, DEFINING THE WORD "VEHICLE" AS USED IN THIS ORDINANCE AND MAKING THE PERSON OWNING, OPERATING OR HAVING IN CHARGE ANY VEHICLE AND THE PERSON IN WHOSE NAME SUCH VEHICLE IS REGISTERED RESPONSIBLE FOR THE VIOLATION OF ANY ORDINANCE OF THE CITY REGULATING THE STOPPING, STANDING OR PARKING OF VEHICLES, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PRESCRIBING PENALTIES AND PROVIDING THAT IF ANY PART OF THIS ORDINANCE BE DECLARED UNCONSTITUTIONAL BY A COURT OF COMPETENT JURISDICTION, THEN SUCH INVALID PORTION SHALL NOT IN ANY WAY AFFECT THE REMAINDER OF THIS ORDINANCE.

The foregoing ordinance was read the first time and laid over.

Councilman Wolf offered the following resolution:

WHEREAS, J. Tetens has been compelled to recover from J. H. Oatman Lot 7, Block 4, Outlot 54, 55, 71, Elm Grove Addition, Division "O", in the City of Austin, and from A. W. Speckels Lot 4, Block 4, Outlot 54, 55, 71, Elm Grove Addition, Division "O", Austin, and also from A. W. Speckels Lot 9, Block 1, Grooms Addition, Austin, for debt, and has discovered that City taxes for the years 1928, 1929, 1930, 1931, 1932, 1933, and 1934, in the aggregate amount of \$615.87, plus penalties in the aggregate amount of \$30.79, and interest in the aggregate amount of \$128.05, have accrued while said property was under ownership of prior owners; and

WHEREAS, it is deemed equitable and expedient that, under the above facts, the penalties on said taxes should be remitted; therefore,

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

THAT said penalties, amounting in the aggregate to the sum of \$30.79 for the years 1928, 1929, 1930, 1931, 1932, 1933, and 1934 be and the same are hereby remitted, provided that said J. Tetens pays all of said taxes and accrued interest immediately.

The foregoing resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, none; Councilmen Alford and Bartholomew absent, 2.

Upon motion duly seconded and carried, the meeting was recessed subject to call of the Mayor.

Approved: Tom Miller

Attest:

Hallie McKee  
City Clerk