

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 5, 1936.

The meeting was called to order at 10:50 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilman C. F. Alford, C. M. Bartholomew, Simon Gillis, and Mayor Miller, 4; absent, Councilman Oswald G. Wolf, 1.

The Minutes of the regular meeting of October 29 were read and upon motion of Councilman Alford were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Bartholomew went on record as indorsing the action of the City Council pertaining to all matters transacted at the meeting of October 29, particularly the refusal of the Council to grant the use of Wooldridge Park to Homer Brooks, gubernatorial candidate of the Communist Party, the same as if he had been present and voting.

A protest by Dr. C. T. Gray and other residents in the vicinity against the operation of a tea room by Mrs. Everett G. Smith at 3206 West Avenue in violation of the Zoning Ordinance, was heard. The City Attorney was instructed to notify the said Mrs. E. G. Smith that unless the operation of such tea room has ceased within five days, suit will be filed.

W. R. Smith, Jr., Attorney for the Owl Taxicab Company, submitted a request for temporary taxicab permits for thirty days to cover a shortage in cabs as a result of recent vacancies. The matter was taken under advisement.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Robert Nelson Smith, Jr., Brackenridge Hall; David James Hendrix, 2914 Rio Grande Street; Robert H. Busby, 4302 Avenue A; Ernest H. Elam, 1006 Taylor Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Gillis 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 ROSEDALE AVENUE from the south line of 45th Street south 196 feet, the centerline of which gas main shall be 7½ feet east of and parallel to the west line of said Rosedale Avenue.

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

(2) A gas main in CHRISTOPHER STREET east 100 feet from a point 316 feet east of the east line of Bouldin Avenue, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Christopher Street.

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

(3) A gas main in DRAKE AVENUE south 124 feet from a point 116 feet south of the south line of East Annie Street, the centerline of which gas main shall be 23 feet west of and parallel to the east line of said Drake Avenue.

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

(4) A gas main in SWISHER STREET south 100 feet from a point 97 feet south of the south line of Manor Road, the centerline of which gas main shall be 17 feet west of and parallel to the east line of said Swisher Street.

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

(5) A gas main in JARRATT AVENUE north 100 feet from a point 18 feet north of the north line of that portion of Leigh Street that lies west of Jarratt Avenue, the centerline of which gas main shall be 27 feet west of and parallel to the east line of said Jarratt Avenue.

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

(6) A gas main in ANGELINA STREET north 142 feet from East 11th Street, the centerline of which gas main shall be 18 feet west of and parallel to the east line of said Angelina Street.

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

(7) A gas main in EAST ELEVENTH STREET from Angelina Street east 374 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 11th Street.

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, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin, which have been previously adopted by the City Council of the City of Austin, require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, Mrs. Henry Petri, owner of Lot 2, Block 3, of Country Club Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Red River Street at a location north of 38th Street and being locally known as 3813 Red River Street, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line on the east side of Red River Street at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT Mrs. Henry Petri, owner of Lot 2, Block 3, of Country Club Heights, a

subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Red River Street at a location north of 38th Street and being locally known as 3813 Red River Street, is hereby granted permission to construct a flagstone walk from the curb line to the property line on the east side of Red River Street at the above described location and said walk is to be constructed under the supervision and direction 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, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

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

It was moved by Mayor Miller, seconded by Councilman Alford, that Wednesday, November 11, being Armistice Day, be designated as "Poppy Day" in the City of Austin to further the sale of poppies by the American Legion Auxiliary, and that said day be observed as a holiday for all city employees, except those whose work is of such a nature as to require their being on duty that day. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Mayor Miller offered the following resolution:

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

THAT the sum of \$1,500 be and the same is hereby appropriated out of the General Fund, and the sum of \$2,500 be and the same is hereby appropriated out of the Water, Light and Power Fund, not otherwise appropriated, for the purpose of increasing the pay of all day laborers, now receiving \$2.70 per day, to \$3.00 per day for the months of November and December, 1936.

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

Councilman Alford offered the following resolution:

WHEREAS, taxes were assessed for the years 1930 to 1935, inclusive, on Lots 28, 29, and 30, in Block 28, Travis Heights, in the City of Austin, Travis County, Texas, against the owner of said property, Mrs. Frances H. Stacy, and penalty for default in the payment of said taxes was assessed for the sum of \$34.34; and

WHEREAS, Harwood Stacy has had to take over said property and has paid all the taxes and interest thereon for said years 1930 to 1935, inclusive; and

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

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

THAT said penalties, amounting to the aggregate sum of \$34.34 for the years 1930 to 1935, inclusive, be, and the same are hereby, remitted.

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

Upon motion, duly seconded and carried, the meeting was recessed at 11:55 A. M., subject to call of the Mayor.

Attest: Hollis McMillan City Clerk.

Approved: Tom Miller  
Mayor