

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 10, 1936.

The meeting was called to order at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilman G. F. Alford, Simon Gillis, and Mayor Tom Miller, 3; absent, Councilmen G. M. Bartholomew and Oswald G. Wolf, 2.

A. G. H. Ebeling, owner of property in Enfield, appeared before the Council and requested that the Council consider the purchase of the Westenfield Swimming Pool from the Westenfield Development Company, if same can be purchased at a reasonable price. The Mayor stated that this matter was being considered at the present time.

Dr. Ralph E. Cloud, owner of the Oaks Sanitarium, which is located in the territory in the northwestern part of the proposed city limit extension, appeared before the Council and stated that he had first thought that the property owners in this particular section of the proposed annexation would have nothing to gain by coming into the city, but he had been told that the fire insurance rates would be reduced if a fire hydrant were placed within 500 feet of his property and he wanted to know if such was the intention of the City when this property is taken in. The Mayor assured Dr. Cloud that the necessary fire hydrants would be installed as quickly as possible but that he could not promise that this would be done immediately. He further stated that the saving in the utility rates when this property is taken into the city would compensate the property owners for the small amount of taxes that would be involved.

Mr. Chas. O. Betts, representing Mr. Adolph Kohn, who owns between 75 and 100 acres of land in the above mentioned section, stated that Mr. Kohn has no objection to being taken into the city and is glad to be for he realizes the advantages that will be included, but he would like to have the Council give due consideration to the valuations placed on all of the property in this section, and not to place too high a value on same as that would retard the growth and improvement of this property.

Mr. Wm. Trenckmann, representing various property owners in the north, northwest and northeast sections of the proposed city limit extensions, appeared before the Council and stated that he had several questions his clients would like to have answered, and, if they were answered satisfactorily, his clients would be willing to withdraw their protest. The Mayor referred this matter to the City Manager for a conference with Mr. Trenckmann.

Mr. Hiliare F. Nitschke, representing Mrs. R. V. Murray, Mrs. C. C. Taylor, and Mrs. Carl Assman, and speaking for his wife and himself, appeared before the Council and stated that these parties owned considerable property in the northwestern section of the territory proposed to be annexed to the city, and that they were very happy to be taken into the city for they realized that the advantages of such annexation would outweigh the amount of taxes involved, and that he felt that the Council would be fair in the valuations placed on this property.

Councilman Alford moved that Taxicab License No. 59, issued temporarily to Elgin Beard, and Taxicab License No. 60, issued temporarily to F. R. Arnhamn, be extended for thirty days from the date of expiration, December 13, 1936. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendations of Roy J. Smith, Captain

of Police, Traffic Division: Howard Bell, 403 East 12th Street, John A. Lacey, 1608 West 34th Street, and William H. Friar, 2000 West 10th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, A. W. Thielepape is the Contractor for the construction of a building located at 800-02-04 East 1st Street and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 1, Outlot 17, Division "O", 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 A. W. Thielepape, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described lot 2; thence in a westerly direction and at right angles to the centerline of East Avenue; thence in a southerly direction and parallel with the centerline of East Avenue a distance of 98.33 feet to a point on the north line produced of East 1st Street; thence in a southeasterly direction and at an approximate 45° angle to the centerline of East 1st Street to a point 7 feet south of the north curb line of East 1st Street; thence in an easterly direction and parallel with the centerline of East 1st Street a distance of 70 feet; thence in a northerly direction and at right angles to the centerline of East 1st Street to the north line of East 1st Street; thence in a westerly direction along the north line of East 1st Street to the southwest corner of the above described lot 1; thence in a northerly direction along the east line of East Avenue to the place of beginning.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space in East Avenue and East 1st Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, and such walkway to have appropriate entrances at the intersection of East Avenue and East 1st Street.

(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 March 31, 1937.

(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 of the pri-

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 (\$5,000.00) 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none, Councilmen Bartholomew and Wolf absent, 2.

Mayor Miller introduced the following resolution:

WHEREAS, it has been found that in making the application and request for funds for Docket No. 1758, Engineer's Reference No. 64, which was for the installation of a high service pump at the City Power Plant, the amount requested for the Force Account, labor allotment, was not sufficient and that the sum of \$578.91 additional will be required; now, therefore,

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

THAT, the City Manager be, and he is hereby authorized to execute and file a supplementary application on behalf of the City of Austin to the Public Works Administration of the Federal Government for an increase of \$578.91 in the Force Account, labor allotment, Docket 1758, Engineer's Reference No. 64; and that the City Manager also be authorized and he is hereby authorized and directed to furnish such information as may be reasonably requested by the Public Works Administration in connection with the application which is hereby authorized to be filed.

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

Mayor Miller introduced the following resolution:

WHEREAS, the City of Austin made application to the Federal Emergency Administration of Public Works for a grant to finance the construction and rehabilitation of the waterworks pump house, screen house and well, pump and other necessary equipment to complete this rehabilitation work necessitated by the flood of June, 1935; and

WHEREAS, this was an emergency job and could not be held up to await the approval of the Public Works Administration and was financed from the revenue of the Water and Light Department; now, therefore,

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

THAT, the City Manager be and he is hereby authorized and instructed to request the Federal Emergency Administration of Public Works for the withdrawal of this application for grant of \$60,000.00, being Docket-Texas-1549, for the reason that this work has been completed.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 1 OF THE CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC ON CERTAIN PARTS OF CONGRESS AVENUE, SIXTH STREET AND GUADALUPE STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING PENALTIES" AS PASSED BY THE CITY COUNCIL ON JUNE 22, 1934, AND REPEALING THAT CERTAIN AMENDATORY ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN SEPTEMBER 27, 1934, WHICH SAID ORDINANCE IS RECORDED IN BOOK "J" AT PAGE 623 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 ordinance was laid over for the second reading on December 17, the regular Council meeting day. The motion carried by the following vote: Ayes, Councilman Alford, Gillis, and Mayor Miller, 3, nays, none; Councilmen Bartholomew and Wolf absent, 2.

Mayor Miller stated that the Council would hear those citizens who had protested the valuations placed on their property by the Board of Equalization on Wednesday, December 23, at 7:30 P. M., in the Council Room of the City Hall.

Councilman Alford offered the following resolution:

WHEREAS, the City Tax Assessor and Collector has this day submitted to the City Council the tax roll of the City of Austin for the year 1936, which roll shows an aggregate amount of \$52,571,210.00 valuation of property assessed for taxes for said year, and an aggregate amount of \$1,042,260.73 levied as taxes for said year; and

WHEREAS, said tax roll appears in all respects in correct form, the valuations contained in said roll having been examined and corrected by the Board of Equalization, which has made its report to the City Council; therefore,

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

THAT said tax roll for said year be and the same is hereby approved.

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

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

Approved: Tom Miller
Mayor

Attest:

Hallie McKellar
City Clerk.