

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 3, 1937.

The meeting was called to order at 10:50 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 Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes was dispensed with.

Mr. Frank Moore appeared before the Council and asked that his ^{prospective} tenant be granted a permit to sell beer at Barton Gardens. After some discussion, the matter was taken under advisement, pending an offer from the City to purchase the property.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE FIRE STATIONS BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), AND PROVIDING FOR THE PAYMENT THEREOF.

The ordinance was read the first time, and upon motion of Councilman Wolf, seconded by Councilman Gillis, the rule was suspended and the ordinance 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 Wolf, seconded by Councilman Gillis, the rule was further suspended and the ordinance 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 Wolf, seconded by Councilman Gillis, the same was finally passed, 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 AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

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

The Reverend C. M. Ashmore appeared before the Council and complained of the unfair treatment accorded him by the City's Dog Catcher in the killing of a valuable dog of his and asked that, in justice to the owners of other valuable dogs, the Dog Ordinance be amended to stipulate the number of days that dogs shall be impounded before being killed. The matter of his complaint was taken under advisement.

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 WEST 16TH STREET west 146 feet from a point 82 feet west of the west line of Pearl Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West 16th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(2) A gas main in SHOAL CREEK BOULEVARD WALKWAY EASEMENT south 255 feet from West 16th Street, the centerline of which gas main shall be $1\frac{1}{2}$ feet west of and parallel to the east line of said Shoal Creek Boulevard Walkway Easement.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(3) A gas main in EASON STREET from West 10th Street northerly 210 feet, the centerline of which gas main shall be 14 feet west of and parallel to the east line of said Eason Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(4) A gas main in EAST 18TH STREET from Poquito Street west 184 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of East 18th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, the Austin Ice Company, acting by and through A. Jacobsen, Secretary-Treasurer, owner of Lot 11, Block 1 of Grooms Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the north side of East 30th Street at a location west of Duval Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established north curb line of East 30th Street adjacent to the above described property, thereby relieving traffic conditions at this location by creating a greater width of travel way on East 30th Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

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

THAT permission is hereby granted the Austin Ice Company, acting by and through A. Jacobsen, Secretary-Treasurer, owner of Lot 11, Block 1 of the Grooms Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the north side of East 30th Street at a location west of Duval Street, to set the curb back from the established curb line on the north side of East 30th Street adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-C-696, and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on East 30th Street shall be carried out in accordance with the accompanying plan marked 2-C-696 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2 $\frac{1}{2}$ parts of sand, and 4 parts of screened gravel or rock.
- (3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than $\frac{3}{4}$ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-696.
- (4) That all such expansion joints shall be of the pre-moulded type.
- (5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.
- (7) That all work shall be done in accordance with the lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The 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 moved that the following named persons be granted taxicab

driver's permits, in accordance with the recommendation of Captain Roy J. Smith, Traffic Division: Pedro Alvarez, 807 East 7th Street; Alfred B. Duckett, Jr., 1009 West 38th Street; and Robert J. Wheeler, 1907 Holly Street. 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 report of the Board of Adjustment was received and filed:

"June 1, 1937

Hon. Mayor and City Council
Austin, Texas

Gentlemen:

The Board of Adjustment at a meeting held on June 1, 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 the Zoning Ordinance, Section 30, of the City of Austin, has referred to the Board of Adjustment for its consideration, a petition from John Gonzales for a change in the "Use" District designation of Lot 14, Block 30, Outlot 9, Division "B", Grandview Place, Austin, Texas, from "C" Commercial District to "C-2" Commercial District; and

WHEREAS, the Board of Adjustment at a meeting held on June 1, carefully considered the changing of the "Use" District designation of this property, and has viewed the premises and carefully studied the conditions and developments surrounding same and considered this change from all points of view from sound zoning principles; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT the change in the zoning designation of this property is not recommended for the following reasons:

1. That the City Council for the purpose of more efficient control of the sale and dispensing of liquors, the protection of residential neighborhoods from noise, disturbances, and depreciation of property values and the better policing of such uses of property, amended the Zoning Ordinance to create districts in which the uses in the above petition may be lawfully exercised.
2. That the establishment of such a new liquor permit in such a remote neighborhood would be difficult to control and police and degenerate into an undesirable use.
3. That the granting of such a permit would set a dangerous precedent and that it would be against the best interest of the common welfare of the City of Austin to permit the springing up of such uses in residential neighborhoods.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman. "

Councilman Alford offered the following resolution:

WHEREAS, in Book 3, at page 172, of the Plat Records of Travis County, Texas, there appears a map showing the subdivision of Section F of Oakwood Cemetery Annex, which Section F is composed of various lots; and

WHEREAS, the City Manager of the City of Austin has been requested to sell the west portion of Lot 44 of said Section F, all of Lot 44 being more area than the prospective purchaser wants to buy at this time; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin to dispose of said Lot 44 in portions rather than as a whole, as shown upon the afore-said map or plat of Section F; therefore

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

THAT the City Manager of the City of Austin is hereby authorized to dispose of the west portion of Lot 44 of said Section F in one transaction, which portion

is approximately the west one-half of the original Lot 44 of Section F, as shown upon the map or plat referred to above.

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 11:00 A.M., subject to call of the Mayor.

Approved: _____

Tom Miller
Mayor

Attest:

Hattie McEllan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 10, 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, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

Mr. Frank Moore appeared before the Council in the matter of a special permit for his tenant to sell beer at Barton Gardens, and he was advised that his tenant would be given a hearing if he cared to plead his case before the Council.

The following reports on bids received for fire apparatus were read:

"Austin, Texas
June 9, 1937

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

Three bids were submitted on fire apparatus, by Ahrens-Fox, Mack, Seagrave. All considered standard apparatus. The Seagrave submitted a bid on a 12 cylinder motor; Ahrens-Fox, six cylinder; Mack, six cylinder. The Seagrave has considerable more horse power and piston displacement, larger crank shaft, and more bearings compared with the other apparatus. The Fire Department has in service seven pieces of Seagrave apparatus, the oldest one has been in service since 1921. We have