

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 1, 1937.

The meeting was called to order at 11:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, 4; absent, Councilman Oswald G. Wolf, 1.

The reading of the Minutes was dispensed with.

Councilman Alford offered the following resolution:

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

THAT the City Manager be and he is hereby authorized and directed in behalf of the City of Austin to sell and convey by warranty deed to Trueman E. O'Quinn for the consideration of Eight Hundred Dollars (\$800), the following described property: Lot 17 of the Shoal Creek Boulevard Lots Addition to the City of Austin, as shown by the original plat of said Addition recorded in the Plat Records of Travis County, Texas, and subject to the re-dedication of that certain portion of West Twenty-second Street, as described in an ordinance passed by the City Council June 10, 1937, and recorded in Book "K", pages 184-185, of the Ordinance Records of the City of Austin.

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

Councilman Gillis offered the following resolution:

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

THAT the City Manager be and he is hereby authorized and directed in behalf of the City of Austin to sell and convey by warranty deed to Ray E. Lee, for the consideration of Eight Hundred Dollars (\$800), the following described property: Lot 13, of the Shoal Creek Boulevard Lots Addition to the City of Austin, as shown by amended plat recorded in Book 4, at page 4, of the Plat Records of Travis County, Texas.

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

Councilman Bartholomew 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 material; and

WHEREAS, Louis Groos, owner of the south 40 feet of Lot 11 and the north 12½ feet of Lot 12, Block 8 of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Harris Boulevard at a location north of Hardouin Avenue, and being locally known as 2518 Harris Boulevard, 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 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 Louis Groos, owner of the south 40 feet of Lot 11 and the north 12½ feet of Lot 12, Block 8 of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Harris Boulevard at a location north of Hardouin Avenue, and being locally known as 2518 Harris Boulevard, is hereby granted permission to construct a flagstone walk from the property line to the curb line 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Bartholomew absent, 1.

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 34TH STREET westerly 100 feet from a point 122 feet east of the east line of Fruth Street, the centerline of which gas main shall be 19 feet south of and parallel to the north line of said West 34th 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 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,

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

Councilman Gillis 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, John F. Broad, owner of a lot situated at the southeast corner of the intersection of Jarratt Avenue and Ethridge Avenue, and being a part of the George W. Spear League within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue and the south side of Ethridge Avenue and being locally known as 2535 Jarratt Avenue, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk across the sidewalk area of Jarratt Avenue and to construct a flagstone walk across the south side walk area of Ethridge Avenue at the above described locations; and

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

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

THAT John F. Broad, owner of a lot situated at the southeast corner of the intersection of Jarratt Avenue and Ethridge Avenue, and being a part of the George W. Spear League within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue and the south side of Ethridge Avenue and being locally known as 2535 Jarratt Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the abovedescribed locations and said walks are 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford moved that the following ordinance:

AN ORDINANCE CREATING THE OFFICE OF FIRE MARSHAL, PRESCRIBING THE DUTIES THEREOF, PROVIDING PENALTIES FOR VIOLATIONS, PROVIDING A SAVING CLAUSE FOR VALID SECTIONS HEREOF, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY,

which was passed at the regular meeting of the City Council on June 24, 1937, be rescinded. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford moved that the following ordinance:

AN ORDINANCE REGULATING THEATERS, AUDITORIUMS, SCHOOL AUDITORIUMS, MOVING PICTURE THEATERS OR ANY OTHER BUILDING THAT MAY BE USED FOR THE PURPOSE OF PRESENTING STAGE PERFORMANCES, EXHIBITION OF MOTION PICTURES OR ENTERTAINMENTS, OR PUBLIC GATHERINGS OF ANY KIND TO WHICH THE PUBLIC IS ADMITTED, PROVIDING A PENALTY FOR THE VIOLATION

THEREOF, PROVIDING A SAVING CLAUSE FOR VALID SECTIONS HEREOF, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY

which was passed at the regular meeting of the City Council on June 24, 1937, be rescinded. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford moved that the following ordinance:

AN ORDINANCE CONTROLLING THE BURNING OF TRASH, RUBBISH, BRUSH, GRASS, THE BUILDING OF FIRES IN PUBLIC OR PRIVATE PLACES OUTSIDE OF BUILDINGS, PRESCRIBING PENALTIES FOR VIOLATIONS, PROVIDING A SAVING CLAUSE FOR VALID SECTIONS HEREOF, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY

which was passed by the City Council at its regular meeting on June 24, 1937, be rescinded. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford moved that the following ordinance:

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A BUREAU OF FIRE PREVENTION, PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES, PRESCRIBING A PENALTY FOR VIOLATION THEREOF, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF CERTAIN OTHER ORDINANCES, AND PROVIDING A SAVING CLAUSE, AND DECLARING AN EMERGENCY

which was passed by the City Council at its regular meeting on June 24, 1937, be rescinded. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford submitted the following ordinance:

AN ORDINANCE CREATING THE OFFICE OF CITY FIRE MARSHAL, PRESCRIBING THE DUTIES THEREOF AND PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING FOR THE ESTABLISHMENT OF A BUREAU OF FIRE PREVENTION, PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES, PRESCRIBING A PENALTY FOR VIOLATIONS OF THE FIRE PREVENTION REGULATIONS AND PROVIDING THAT THE REGULATIONS FOR FIRE PREVENTION SHALL BE CUMULATIVE OF AND SUPPLEMENTAL TO THE REGULATIONS PERTAINING TO FIRE MARSHAL; REGULATING THEATERS, AUDITORIUMS, SCHOOL AUDITORIUMS, MOVING PICTURE THEATERS OR ANY OTHER BUILDING THAT MAY BE USED FOR THE PURPOSE OF PRESENTING STAGE PERFORMANCES, EXHIBITIONS OF MOTION PICTURES OR ENTERTAINMENTS OR PUBLIC GATHERINGS OF ANY KIND TO WHICH THE PUBLIC IS ADMITTED, AND PROVIDING A PENALTY FOR VIOLATIONS THEREOF; CREATING AND ESTABLISHING FIRE ZONES IN THE CITY OF AUSTIN; PROVIDING REGULATIONS FOR THE BURNING OF TRASH, RUBBISH, BRUSH, GRASS AND THE BUILDING OF FIRES IN PUBLIC OR PRIVATE PLACES OUTSIDE BUILDINGS AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF; MAKING IT A MISDEMEANOR FOR ANY PERSON TO SEND IN OR CAUSE TO BE SENT IN A FALSE ALARM OF FIRE, OR TO PERMIT ANY PERSON TO USE A TELEPHONE WITHIN THE PLACE OF BUSINESS OR THE PRIVATE RESIDENCE OF ANY PERSON FOR THE PURPOSE OF SENDING IN A FALSE ALARM OF FIRE, AND PRESCRIBING PENALTIES FOR THE VIOLATIONS THEREOF; PROVIDING A SAVING CLAUSE FOR VALID SECTIONS HEREOF IN THE EVENT OF OTHER SECTIONS BEING HELD INVALID, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

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

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

The ordinance was read the third time and Councilman Alford moved that the ordinance be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf

absent, 1.

Councilman Alford submitted the following ordinance:

AN ORDINANCE REGULATING THE SALE OF MILK AND MILK PRODUCTS WITHIN THE CITY OF AUSTIN, DEFINING CERTAIN TERMS IN CONNECTION THEREWITH, PROHIBITING THE SALE OF ADULTERATED OR MISBRANDED MILK OR MILK PRODUCTS, AND PROVIDING PERMITS FOR PRODUCERS AND SELLERS OF MILK OR MILK PRODUCTS, AND PRESCRIBING THE LABELING AND PLACARDING OF CONTAINERS OF MILK AND MILK PRODUCTS; REQUIRING THE INSPECTION OF DAIRY FARMS AND MILK PLANTS FOR THE PURPOSE OF GRADING OR REGRADING, AND PROVIDING FOR THE EXAMINATION OF MILK AND MILK PRODUCTS AND THE GRADING OF SAME, AND PRESCRIBING RULES AND REGULATIONS AS A BASIS FOR SUCH GRADING, AND DEFINING GRADES IN CONNECTION THEREWITH OF MILK AND MILK PRODUCTS, AND PRESCRIBING THE CONSTRUCTION OF DAIRIES AND MILK PLANTS; PRESCRIBING THE GRADES OF MILK AND MILK PRODUCTS WHICH MAY BE SOLD WITHIN THE CITY OF AUSTIN; PRESCRIBING SUPPLEMENTARY GRADING AND AUTHORIZING REGRADING; REGULATING THE TRANSFER AND DIPPING OF MILK; THE DELIVERY OF CONTAINERS, THE HANDLING OF MORE THAN ONE GRADE OF MILK AND THE DELIVERY OF MILK AT QUARANTINED RESIDENCES; PROHIBITING THE SALE OR POSSESSION OF UNGRADED MILK OR MILK PRODUCTS; REGULATING THE SALE OF MILK AND MILK PRODUCTS DELIVERED FROM POINTS BEYOND THE INSPECTION LIMITS OF THE CITY OF AUSTIN; REQUIRING THE REGISTRATION OF AND REPORTS BY BUYERS AND SELLERS OF CREAM AND BUTTER FAT; REQUIRING THE NOTIFICATION OF DISEASE AND PRESCRIBING PROCEDURE WHEN INFECTION IS SUSPECTED; PRESCRIBING CONSTRUCTION RULES FOR FUTURE DAIRIES AND MILK PLANTS; FIXING A BASIS FOR ENFORCEMENT INTERPRETATION, PRESCRIBING PENALTIES, AND REPEALING ORDINANCES IN CONFLICT HEREWITH; STATING A SAVING CLAUSE FOR VALID SECTIONS; PRESCRIBING PERMIT FEES FOR SELLERS AND PRODUCERS OF MILK AND MILK PRODUCTS, AND DECLARING AN EMERGENCY.

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

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

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

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: Dan W. Byars, 2614 Willow Street; Bennie Guerrero, 2307 Rosewood Avenue; Willie Robert Neans, 2308 East Avenue. The motion carried 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 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie McMillan
City Clerk