

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 29, 1937.

The meeting was called to order at 10:45 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 Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes was dispensed with.

Mr. Ralph Goeth, representing the Walter Tips Company, notified the Council that said firm was connected with the Dual Parking Meter Company of Oklahoma City, Oklahoma.

Mr. A. B. Hubbard, representing the property owners in the area adjacent to the Blind Institute included in the proposed extension of the City's boundaries, protested the proposed annexation, claiming that ninety-five per cent of said property owners were opposed to same. After some discussion, the matter was referred to the City Attorney and Mr. Hubbard for further consideration.

Representatives of the Button Ice Cream Company, McCray Ice Cream Company, and other ice cream manufacturers appeared before the Council to protest the enforcement of that provision of the Milk Ordinance regulating the manufacture and sale of ice cream, claiming that same will be very detrimental to their business. A further discussion of the matter was postponed to a special meeting of the City Council, the City and State health authorities, the ice cream dealers, and all other interested citizens.

Mayor Miller called up for its third reading, the following ordinance:

AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED 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, DISTRICTS 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," REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 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 PRESTON AVENUE westerly 214 feet from a point 150 feet west of the west line of Harris Boulevard, the centerline of which gas main shall be 12½ feet south of and parallel to the north line of said Preston Avenue.

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

(2) A gas main in OLDHAM STREET northerly 195 feet from a point 80 feet south of the south line of East 23½ Street, the centerline of which gas main shall be 10 feet east of and parallel to the west line of said Oldham Street.

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

(3) A gas main in NEWFIELD LANE southerly 150 feet from a point 108 feet south of the south line of Niles Road, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Newfield Lane.

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

(4) A gas main in KINGSBURY STREET from Harrell Lane to Parkway, the centerline of which gas main shall be 9 feet north of and parallel to the south line of said Kingsbury Street.

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

(5) A gas main in HARRELL LANE from Kingsbury Street southerly 25 feet, the centerline of which gas main shall be 24 feet east of and parallel to the west line of said Harrell Lane.

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 working 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 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: Covert Balbo Cooper, 202 East 16th Street; Jesse R. Rowley, Sr., 2328 Santa Maria Street; and Alvin Forest Bartley, 3508 Wabash Avenue. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that Melvin Wells, 1711 Willow Street, be granted a

taxicab driver's permit. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf moved that J. E. Haire be granted a temporary taxicab license for a period of sixty days. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mayor Miller submitted to the Council the following:

"Austin, Texas
July 28, 1937

Mr. Guiton Morgan
City Manager
City of Austin
Austin, Texas

Dear Mr. Morgan:

Following your suggestion made a few days ago to our Mr. McClain, we have carefully considered the service in the Rosedale district, and have made the changes, which we believe will answer the objections which had been raised by certain citizens; and we take pleasure in enclosing you herewith a schedule of the proposed route, which we will put into effect at once, and this will likewise enable us to make a little change in the Enfield service, which we are now working out, and we will be very glad to submit this to you for your consideration at an early date.

The change in the service in the Rosedale district, we believe likewise will meet with your approval and that of the City Council, and we will ask you to pass such resolution as will make this effective.

Yours very truly,

(Sgd) J. F. Springfield
General Manager. "

(Attached)

AUSTIN STREET RAILWAY COMPANY
PROPOSED CHANGE
IN ROSEDALE BUS ROUTE

Beginning Sunday, August 1, 1937, the Austin Street Railway Co. will make a change in regular bus service for the Northwestern section of the city. The new Bus service will continue to operate on a forty minute schedule.

The proposed new route will be an alteration or rerouting of the old Rosedale line and will travel over the streets and in the directions indicated by the arrows as shown on the chart. Particular attention is called to that portion of the route between the intersection of 29th Street and Harris Boulevard and 34th Street and Wabash.

The out-bound bus as indicated by the arrows will travel through this section North on Harris to 30th St. - West on 30th to Blanco - North on Blanco to State St. - thence East on State and 34th Street to Wabash Avenue - thence North over the original Rosedale Route.

The in-bound bus will travel East on 34th Street to San Gabriel - South on San Gabriel to 29th Street - West on 29th to Harris Boulevard.

This will make this particular section of the line a one way line through the Western section of that part of the city to be served, and a one way line South through the Eastern section of that part of the city to be served.

Schedule of this bus is as follows:

LV. 45th & Alice			LV. Cong. Ave & 6th St.		
6:00 AM	12:00	6:00	6:20 AM	12:20 PM	6:20
6:40	12:40 PM	6:40	7:00	1:00	7:00
7:20	1:20	7:20	7:40	1:40	7:40
8:00	2:00	8:00	8:20	2:20	8:20
8:40	2:40	8:40	9:00	3:00	9:00
9:20	3:20	9:20	9:40	3:40	9:40
10:00	4:00	10:00	10:20	4:20	10:20
10:40	4:40	10:40	11:00	5:00	11:00
11:20	5:20	11:20	11:40	5:40	11:36

The change in the routing of this bus through the Northwest portion of the City is made at the earnest solicitation of the different sections to be served. The Austin Street Railway Company will continue to furnish this type of service to these sections if it is possible to do so without sustaining an actual operating loss.

July 27, 1937

J. F. Springfield, General Manager

Councilman Alford moved that the foregoing proposed change in the Rosedale Bus Route, as submitted by the Austin Street Railway Company, be approved. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mrs. John Callan appeared before the City Council and complained of an insanitary condition resulting from the breaking of a sewer line at her property in the 1300 block on West Eighth Street.

The Mayor submitted to the City Council the following report of the City Manager on the matter, with attached resolution:

"Austin, Texas
July 27, 1937

Memorandum to

The City Council:

A sewer condition exists in the 1300 block on West 8th Street that has resulted in several complaints to the Sewer Department during the past few years from Mr. and Mrs. Jno. W. Callan.

This sewer line was built more than twenty years ago and the house involved is approximately the same age and the old records of the City do not disclose information on the construction of either the line or the house. The sewer line in the street is rather flat and also the service connection from the Callan property which results in periodic obstruction to the line and the breakage of the line in the Callan yard. The line so far as our records show has never broken in the street, but Mr. and Mrs. Callan feel like the City is entirely responsible for this condition. I do not agree that this is exactly true, but about two years ago the City installed cast iron pipe from the main sewer line to the Callan property line and recommended to them that cast iron pipe be installed in the line in their yard but they declined to do so, and last week the line again broke in their yard. The line under their house is, of course, cast iron.

I am recommending, however, an appropriation in the amount of \$700 to permit a revision in the grade line of the main sewer with connection in Blanco Street, but do not believe the work should be undertaken unless Mr. and Mrs. Callan are willing to install one section of cast iron pipe in their yard as in my opinion they will still have the same trouble regardless of what the City does. If they do not feel like doing this, it is not necessary at this time for the City to spend this money as otherwise this change can be postponed several years.

The appropriation is attached but the expenditure to be contingent on the installation of the cast iron pipe above referred to.

Respectfully submitted,

(Sgd) Guiton Morgan
City Manager. "

(RESOLUTION)

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

THAT the sum of \$700.00 be and the same is hereby appropriated out of the Water and Light Fund, not otherwise appropriated, for the purpose of reconstructing a sanitary sewer in West 8th Street from Blanco Street to Nelson Street.

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 Alford offered the following resolution:

WHEREAS, City Taxes for the years 1933, 1934, 1935 and 1936, inclusive, have been assessed against Joe Nassour and John Nassour on the following described property, to wit, in the City of Austin, Travis County, Texas, and being 23 feet by 102 feet, Block 62, Original City of Austin (Plat 9); and

WHEREAS, said taxes are delinquent on the aforesaid property for the aforesaid years, and by reason of such delinquency interest and penalties have accrued thereon; and

WHEREAS, under the circumstances it is deemed equitable by the City Council of the City of Austin to remit all of the interest on said taxes for the years 1933, 1934 and 1935, with the exception of \$5.00 of same, and all penalties for the years 1933 to 1936, inclusive, but the interest on the taxes for 1936 as soon as same became

delinquent is to be charged and collected at 6% per annum; therefore,

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

THAT all interest, except \$5.00, on the delinquent taxes for the years 1933, 1934 and 1935 on the following described property assessed in the name of Joe and John Nassour on 23 feet by 100 feet, Block 62, Original City of Austin, in the City of Austin, Travis County, Texas, except the sum of \$5.00 of said interest be and the same is hereby remitted, and all penalties assessed against said property and said named parties by reason of said delinquency is hereby remitted, and the penalties on the taxes for the year 1936 is remitted, but interest for the year 1936 at 6% from the time said taxes became delinquent is to be assessed against said property.

BE IT FURTHER RESOLVED:

THAT the City Tax Assessor and Collector of the City of Austin is authorized and directed to strike the said penalties and all the interest on said property, except the sum of \$5.00, from his assessment rolls, and to strike the penalty for non-payment of the taxes on said property from his rolls, and to issue a receipt in full to said Joe Nassour and John Nassour on their payment to the City of Austin of the taxes due on said property, in accordance with the terms of this resolution.

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 12:55 P.M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Halle McKee
City Clerk