

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 2, 1938.

The City Council met in regular session at 10:30 A. M., Thursday, June 2, 1938, 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; absent, none.

The Minutes of the regular meetings of May 19 and May 26, and the special meeting of May 25 were read, and upon motion of Councilman Gillis, were adopted as read, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The application of Ed C. Miller for a change in the zoning of Lots 1, 2, 3, and 4, Block 11, Fairview Park Addition, from Residence "A" District to Residence "B" District, was received and referred to the Board of Adjustment for recommendation.

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 MANOR ROAD from a point 230 feet east of the east line of Prospect Avenue easterly 56 feet, the centerline of which gas main shall be 8 feet south of and parallel to the north line of said Manor Road.

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

(2) A gas main in PECAN GROVE ROAD from Bickler Road westerly 177 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Pecan Grove Road.

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

(3) A gas main in VISTA LANE from Griswold Lane north 510 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Vista 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 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, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole lines in the streets in the City of Austin hereinafter named, and said maps or plans have been considered by the City Engineer; therefore

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

THAT the Southwestern Bell Telephone Company be, and the same is hereby, permitted to construct its pole lines in the following streets:

(1) A telephone pole line in VISTA LANE ALLEY from Windsor Road Alley to Indian Trail, the centerline of which telephone pole line shall be one foot east of and parallel to the west line of said Vista Lane Alley.

(2) A telephone pole line in WINDSOR ROAD from Spring Lane to Vista Lane, the centerline of which telephone pole line shall be one foot south of and parallel to the north line of said Windsor Road.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

Councilman Wolf 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, Susette Meyer, owner of property abutting Hartford Road on the east side thereof and situated north of Watchhill Road, which property is a portion of Sunset Hills, Enfield, a subdivision of the City of Austin, which property is locally known as 2315 Hartford Road, 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 Susette Meyer, owner of property abutting Hartford Road on the east side thereof and situated north of Watchhill Road, which property is a portion of Sunset Hillis, Enfield, a subdivision of the City of Austin, which property is locally known as 2315 Hartford Road, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above 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, Mayor Miller, and Councilman Wolf; nays, none.

Mr. Van M. Smith, representing Renfro Drug Company No. 5, appeared before the Council for a permit to sell beer at their place of business, 914 West 12th Street, and he was advised to take the matter before the Board of Adjustment.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF AUSTIN SCHOOL REFUNDING BONDS, IN THE AMOUNT OF \$65,000.00, FOR THE PURPOSE OF REFUNDING AN EQUAL AMOUNT OF VALID AND SUBSISTING INDEBTEDNESS, EVIDENCED BY CITY OF AUSTIN SCHOOL BONDS, DATED JULY 1, 1912, PRESCRIBING THE FORM OF THE BONDS AND THE FORM OF INTEREST COUPONS; PROVIDING FOR THE LEVY, ASSESSMENT AND COLLECTION OF AN ANNUAL TAX ON EACH ONE HUNDRED DOLLARS VALUATION OF ALL TAXABLE PROPERTY SITUATED WITHIN THE TERRITORIAL LIMITS OF THE CITY TO PAY THE PRINCIPAL AND INTEREST ON SAID BONDS AT MATURITY; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and upon motion of Councilman Wolf, seconded by Councilman Bartholomew, the rule was suspended and the ordinance was passed to its second reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time, and upon motion of Councilman Wolf, seconded by Councilman Alford, the rule was suspended and the ordinance was passed to its third reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time, and upon motion of Councilman Wolf, seconded by Councilman Alford, the ordinance was finally passed, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the public hearing open on the proposal of the City Council to amend the Zoning Ordinance in the following particulars:

To amend the "USE" District designation of the following described property so as to change same from "A" Residence District to "B" Residence District: Lot 60, College Court Addition, Division "X", in the City of Austin, Texas.

To amend the "USE" District designation of the following described property so as to change same from "B" Residence District to "C" Commercial District: Lots 1, 2, 3, 4, Block B, Statesman Hyde Park Addition, in the City of Austin, Texas.

Mr. Gillespie Stacy, Agent for owner, appeared and plead for the change in zoning of said Lot 60, College Court Addition, on the grounds that the location of the proposed fraternity house, costing approximately Eighteen Thousand Dollars, would benefit surrounding property.

Mr. William J. Weeg, property owner, protested the proposed change unless it extended all the way to the creek, on the ground that it was spot zoning and contrary to the intent of the Zoning Ordinance. He also stated that he objected to a fraternity house at said location, as did other property owners who were unable to be present at the hearing.

No one else appearing to be heard, Mayor Miller ordered roll call on said proposal to change the zoning of Lot 60, College Court Addition, from "A" Residence District to "B" Residence District, those in favor of said change voting aye, and those opposed, nay. The result was as follows: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

No one appearing to protest the proposed change in zoning, from "B" Residence to "C" Commercial Districts, of Lots 1, 2, 3, 4, Block B, Statesman Hyde Park Addition, Councilman Wolf moved that the City Attorney be instructed to prepare an amendment to the Zoning Ordinance embodying the proposed changes. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of D. C. Reed on property located in the City of Austin, Travis County, Texas, in University Park; and

WHEREAS, said taxes for various years have been delinquent and the interest of six per cent on the amount of same has accrued, and a penalty of five per cent on the amount of said taxes has been duly assessed; and

WHEREAS, the City Council of the City of Austin, under the circumstances, deems it just and equitable to remit said penalty and one-half the interest, provided that said taxes and one-half the interest thereon be promptly paid; therefore

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

THAT the aforesaid penalty and one-half of the interest on said taxes are hereby remitted on condition that said taxes, together with one-half the accrued interest thereon be promptly paid, and the Tax Assessor and Collector of the City of Austin is authorized and directed that if all the delinquent taxes on all the property located in University Park assessed in the name of D. C. Reed, together with one-half of accrued interest to the date of payment, is promptly paid, to charge said penalty and one-half the interest thereon off his rolls and to issue the party entitled to receive same a receipt in full on the payment of said taxes, together with one-half the interest thereon.

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

Upon motion, seconded and carried, the meeting was recessed at 1:00 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie G. Keller
City Clerk