

"Austin, Texas  
September 15, 1938

ENG:ELF:ma  
Docket-Texas-1852-F  
Incinerator  
Austin, Texas

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Mr. Morgan:

The attached wage scale for wages and work classification covers trade operations which are not classified by the State Department of Labor, but which has been submitted to the State Department of Labor and they advise that same is satisfactory and corresponds with wages paid in their approved list for work of a similar nature.

Yours very truly,

(Sgd) Lloyd W. Taylor  
Engineer-Inspector for the  
City of Austin

Upon motion, seconded and carried, the meeting then recessed at 12:25 P. M., subject to call of the Mayor.

Approved: Tom Miller  
Mayor

Attest:

Hallie McTeer  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 22, 1938.

The City Council convened in regular session, at the regular meeting place, on Thursday, September 22, 1938, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, and Mayor Tom Miller; absent, Councilmen C. M. Bartholomew and Oswald G. Wolf absent.

The reading of the Minutes was dispensed with.

J. O. Robinson, et al., submitted the following petition protesting the annexation of a part of Fiskville Common School District No. 11:

"Austin, Texas  
September 19, 1938

Mayor Tom Miller and City Council of Austin  
Austin, Texas

Gentlemen:

We, the undersigned, object to the annexation of a part of Fiskville Common School District No. 11 of Travis County to the City of Austin for school purposes for the following reasons:

1. If this territory is annexed to Austin, it will decrease the valuation of the district one-third, and this will make it difficult for Fiskville to finance their

school.

2. Since the negro school in Fiskville District is an asset to the district, the proposed boundary line will further decrease the valuation of the district by taking the negro school out of the Fiskville district.

3. The petition which was presented to the City Council had 27 signers, only 13 of these were qualified voters.

4. Some of the negroes who signed the petition were told that Austin would give them bus service to the City schools. Since they have learned that they would not get bus service, they are opposed to annexation to the city.

(Sgd) Jasper Elliott  
J. O. Robinson  
Mrs. Lucille Harvey  
Trustees.

" Mrs. G. C. Deen, President PTA  
Mrs. Richard Gracy, President HDC  
Mrs. J. A. Elliott, Vice President PTA  
Mrs. A. S. Neans, Vice President HDC  
Mrs. E. R. Speir, Secretary and Treasurer, PTA  
Mrs. Lenora Speir, Teacher and Secretary HDC

Mrs. Hattie Mae Stromquist, Principal of School  
Mrs. J. S. Williams, Teacher. "

The matter was taken under advisement.

Miss Elsie Upton, representing J. B. Upton, owner, appeared before the Council and asked for a remission of interest and penalties on property in Glenridge Addition. The matter was referred to the City Manager for investigation and report.

Councilman Alford moved that in view of an emergency having arisen, the provision of the Taxicab Ordinance requiring that applications remain on file five days before being acted upon, be waived, and the application of J. E. Haire to operate as a taxicab one 4-door Ford Sedan, 1934 Model, Engine No. 18-690707, State Highway License No. FOS-673, be approved. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent.

Councilman Gillis introduced the following resolution:

WHEREAS, W. A. Darby is the Contractor for the alteration of a building located at 911 Congress Avenue and desires a portion of the street space abutting Lot D, Block 11, of the Original City of Austin, Texas, during the alteration 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 W. A. Darby, the boundary of which is described as follows:

Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue to a point 12 feet west of the east curb line; thence in a northerly direction and parallel with the centerline of Congress Avenue 23 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the northwest corner of the above described property.

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

(1) That the Contractor shall construct a guard rail within the boundary line along the south, west, and east lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open

out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(6) 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 obstructions of any such storm water.

(7) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(8) 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 September 30, 1938.

(9) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(10) That the use and enjoyment of the space herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(11) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000.00), 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 or 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent.

Councilman Alford introduced 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 BRIDLE PATH from Courtland Lane to Meadowbrook Drive, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Bridle Path.

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

(2) A gas main in MEADOWBROOK DRIVE from Bridle Path to Cherry Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Meadowbrook Drive.

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

(3) A gas main in CHERRY STREET easterly 230' from Meadowbrook Drive, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Cherry Street.

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

(4) A gas main in COMAL STREET from Gregory Street northerly 21 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east line of said Comal Street.

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

(5) A gas main in GREGORY STREET from Comal Street easterly 140 feet, the centerline of which gas main shall be 6 feet south of and parallel to the north line of said Gregory Street.

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

(6) A gas main in NEWTON STREET southerly 72 feet from a point 105 feet south of the south line of West Mary Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Newton Street.

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

(7) A gas main in PRESTON AVENUE, westerly 92 feet from a point 453 feet west of the west line of Harris Boulevard, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Preston Avenue.

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

(8) A gas main in CANTERBURY STREET from Clara Street southerly 85 feet, the centerline of which gas main shall be 19 feet south of and parallel to the north line of said Canterbury Street.

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

(9) A gas main in LINSComb AVENUE from Barton Boulevard to Barton Boulevard Alley, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Linscomb Avenue.

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

(10) A gas main in VIRGINIA AVENUE from Kinney Avenue westerly 595 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Virginia Avenue.

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

(11) A gas main in CATER DRIVE from Virginia Avenue northerly 9 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Cater Drive.

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

(12) A gas main in PRESTON AVENUE from McCallum Drive westerly 16 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Preston Avenue.

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

(13) A gas main in MCCALLUM DRIVE from Gaston Avenue to Preston Avenue, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said McCallum Drive.

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

(14) A gas main in MCCALLUM DRIVE from a point 91 feet north of the

north line of Wathen Avenue northerly to Gaston Avenue, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said McCallum Drive.

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

(15) A gas main in ETHRIDGE AVENUE across McCallum Drive intersection, the centerline of which gas main shall be  $13\frac{1}{2}$  feet south of and parallel to the north line of said Ethridge Avenue.

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

(16) A gas main in EAST TWENTY-NINTH STREET easterly 46 feet from a point 120 feet east of the east line of Dancy Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said East 29th Street.

Said gas main described above shall have a cover 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 out 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; nays, none; Councilmen Bartholomew and Wolf absent.

Councilman Gillis introduced the following resolution:

WHEREAS, the Texas Public Service Company, in conjunction with numerous property owners and merchants along East 6th Street from Congress Avenue to East Avenue, have petitioned the City Council of the City of Austin for permission to cut the pavement and repair existing gas mains and to install service lines from said gas mains in East 6th Street; and

WHEREAS, the Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction and repair of said gas mains and services in East 6th Street from Congress Avenue to East Avenue and said petition and maps and plans have been reviewed and considered by the City Council of the City of Austin; therefore

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

THAT the Texas Public Service Company be, and the same is hereby, permitted to cut the pavement and repair its gas mains and to construct service lines therefrom where such repairs and construction are necessary in and upon East Sixth Street from Congress Avenue to East Avenue, as shown upon the plan presented, which plan is made

a part of said request and is on file in the office of the City Engineer.

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 out 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, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent.

Councilman Alford moved that the application of I. Leach for license to operate as a taxicab a 1936 Model Dodge Sedan, Engine No. D27-4704, State Highway License No. 977-515, be granted. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent.

Councilman Alford moved that Jack S. Kennerly be granted a taxicab driver's permit, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent.

Councilman Gillis brought before the Council the need for new buildings at the Zilker Park Riding Stables. It was the sense of the meeting that the matter be deferred temporarily.

Upon motion, seconded and carried, the meeting was recessed at 11:35 A.M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor

Attest:

Hallie McLean  
City Clerk