

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 31, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on May 31, 1940, at 10:30 A. M., with Mayor Tom Miller presiding. Thursday being a legal holiday, the meeting was held on Friday following. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

The Minutes of the special meeting of May 20, and the regular meeting of May 23, 1940, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED, "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL APRIL 30, 1931, AND IS RECORDED IN BOOK "I", PAGES 587-536, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY ADDING TO SECTIONS 1602 (b) AND 1603 (a) NEW SECTIONS REGULATING THE CONSTRUCTION OF OPEN LUMBER SHEDS AND OPEN AUTOMOBILE STORAGE SHEDS IN THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND EXPRESSLY REPEALING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL APRIL 4, 1940, AND RECORDED IN BOOK "K", PAGES 621-622, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AND DECLARING AN EMERGENCY.

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

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

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

The Mayor announced that the ordinance had been finally passed.

The following resolution was introduced by Councilman Alford:

WHEREAS, the Showers Lumber Company, acting by and through Kreisle & Brooks, Architects, owner of Lots 1, 2, and 3, Block 31, of the Original City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the east sidewalk area of Brazos Street and across the north sidewalk area of East Third Street at the above described location; and

WHEREAS, a plan has been prepared showing the location of said driveways, which plan is hereto attached marked 2-1-104, and made a part hereof; and

WHEREAS, the City Council has favorably considered the granting of said request; therefore

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

THAT the Showers Lumber Company, acting by and through Kreisle & Brooks, Architects, owner

of Lots 1, 2, and 3, Block 31, of the Original City of Austin, Travis County, Texas, is hereby permitted to construct a commercial driveway across the east sidewalk area of Brasos Street and across the north sidewalk area of East Third Street at the above location, subject to the construction of concrete ramps, curbs, driveways, sidewalks, and expansion joints as shown upon the plan marked 2-I-104, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp, and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision 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.

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

The following resolution was introduced by Councilman Wolf:

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 of 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 29TH STREET from a point 520 feet west of Jefferson Street westerly 87 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said West 29th Street.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (2) A gas main in GILBERT STREET from a point 63 feet west of Meadowbrook Drive, easterly 152 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Gilbert Street.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (3) A gas main in FLETCHER STREET from a point 189 feet east of South 2nd Street easterly 40 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Fletcher 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 52ND STREET, from Bennett Avenue easterly 116 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said East 52nd Street.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (5) A gas main in WESTOVER ROAD, from Jefferson Street westerly 141 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Westover Road.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (6) A gas main across ALTA VISTA AVENUE at Alameda Drive, stub across street.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (7) A gas main in ALAMEDA DRIVE, from Mariposa Drive southerly 22 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Alameda Drive.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (8) A gas main in ALAMEDA DRIVE, at Alta Vista Avenue intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Alameda Drive.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (9) A gas main in RIVERVIEW STREET across Lynn Street intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet north of and parallel to the south property line of said Riverview Street.  
Said gas main described above shall have a covering of not less than  $2\frac{1}{2}$  feet.
- (10) A gas main in LYNN STREET from Bogle Avenue to Riverview Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Lynn Street.

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

- (11) A gas main in WEST LIVE OAK STREET from a point 165 feet west of South 4th Street westerly 70 feet, the centerline of which gas main shall be 13½ feet north of and parallel to the south property line of said West Live Oak 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.

Councilman Wolf moved that the foregoing resolution be adopted. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that a taxicab driver's permit be granted to Christopher Columbus Cook, 1605 Willow Street, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that the following applications for licenses to operate private boats on Lake Austin be granted, in accordance with the recommendations of the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Brodt, Robt. T. - Box 54, Marshall Ford Dam	Home-made, Outboard, 1940 Model, "Aunt Eppie Hogg" Neptune, 6-passenger
Brodt, Robt. T. - Box 54, Marshall Ford Dam	Home-made, Hollow Surf Board, 1938 Model, "Bobbin"
Dickinson, E. K. - 4008 Avenue H	Darrow Metal, Outboard, 1939 Model, 4-passenger
Fahrenthold, P.C.- 807½ Theresa Avenue	Home-made, Outboard, 1940 Model, Johnson, 4-passenger
Johnson, T.C. Jr.- San Marcos, Texas	Chris Craft, Outboard, 1936 Model, "Screw Ball", 6-passenger
Lane, Joe - 1503 Westover Road	Sorg, Outboard, 1940 Model, 6-passenger
Fenn, Robert Lee II, 1906 Wichita Street	Old Town, Paddle, Sail, Outboard, 1930 Model, "Thunderbird", 800 lbs. Passenger Capacity
Reed, Jack E. - 1611 Watchhill Road	Cape Cod, Sail, 1939 Model, 2-passenger
Reed, Jack F. - Driskill Hotel Building	Own, Skiff, New, 6-passenger
Swearingen-Armstrong- 1st and Colorado Streets	Farley-built, Inboard, 1939 Model, "Ford", 7-passenger
Schulle, W.C. Windsor Road, Route 4	Gar Wood, Inboard, Cabin, 1940 Model, "Falcon" 8-passenger
Thompson, Leland, Jr.-1710 Colorado Street	Home-made, Sail, 1940 Model, "Sneaky Pete", 6-passenger

The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that the following applications to operate private boats below the Austin Dam be granted, in accordance with the recommendations of the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Barton, Ancel K. - 4615 Ramsey Avenue	Home-made, Flat-bottom Row , 1½ years old
Pinckney, Tom - 1207 East 2nd Street	Home-made, Fishing, 1940 Model, 3-passenger
Stryk, Emil and Gilbert, E.E. - c/o State Treasury	Home-made, Flat-bottom 1 year old, 4-passenger
Wiginton, M.S. - 1600 Hartford Road	Home-made, Fishing, Flat-bottom, 4-passenger

The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that the following applications for licenses to operate commercial boats on Lake Austin be granted, in accordance with the recommendations of the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Bennett Boat Company - Lake Austin Blvd. and Enfield Road	Home-made, Sail, 1½ years old, 6-passenger
Bennett Boat Company "	Star, Metal Outboard, "Blue Star", 1940 Model, 6-passenger
Bennett Boat Company "	Montgomery-Ward, Inboard, 1940 Model, "Sea King", 5-passenger

The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis moved that the services of Dr. L. R. Wilson as Consultant on the plans and specifications for Brackenridge Hospital improvements, at a flat fee of \$2000, plus traveling expenses to Austin, as submitted in his letter of the 25th instant, be declined. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The public hearing on the change in zoning, from "A" Residence District to "C" Commercial District, of the property of H. E. Martin at the northeast corner of the intersection of South First Street and Live Oak Street in South Austin, known as Lot 1, Block 3, Davis and Dawson Addition, which was continued from the last regular meeting, was continued to the next regular meeting.

Councilman Wolf moved that Eddie Ziegler, 1119 West 9th Street, be granted a commercial pilot's license, in accordance with the recommendation of the Lake Austin Navigation Board. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN AMENDATORY ORDINANCE PASSED BY THE CITY COUNCIL MAY 25, 1939, AMENDING IN CERTAIN PARTICULARS THE PLUMBING ORDINANCE AND THE GAS ORDINANCE OF THE CITY OF AUSTIN, WHICH AMENDATORY ORDINANCE IS RECORDED IN BOOK "K", PAGES 516-521, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 5 (d) OF SAID ORDINANCE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the Ordinance be passed to its second reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the Ordinance be passed to its third reading. The motion was seconded by Councilman Alford,

and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

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

The Mayor announced that the Ordinance had been finally passed.

Upon motion, seconded and carried, the meeting was recessed at 11:20 A. M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor

Attest:

Harris McKeen  
City Clerk

**REGULAR MEETING OF THE CITY COUNCIL:**

Austin, Texas, June 6, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building on Thursday, June 6, 1940, at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

The Minutes of the regular meeting of May 31 were read and upon motion of Councilman Bartholomew were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Bartholomew; nays, none; Councilman Wolf absent.

The following report of the Board of Adjustment was received:

"Austin, Texas  
May 14, 1940

The Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on May 14, 1940, which is hereby respectfully 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 Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Willie Eugene Thompson and wife, Ruth R. Thompson, requesting a change in the Use designation of the following property: