

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 24, 1943

The City Council convened in Regular Session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, June 24, 1943, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

There were present also: Walter E. Seaholm, Acting City Manager; J. E. Motheral, City Engineer; J. M. Patterson, Jr., Acting City Attorney; and R. D. Thorp, Chief of Police.

The minutes of the Regular Meeting of June 17, 1943, were read, and upon motion of Councilman Alford, were adopted as read, by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Mayor called up for its second reading, the following Ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION OF TAXICABS AND TAXICAB DRIVERS IN THE CITY OF AUSTIN UNDER THE DIRECTION OF PUBLIC SAFETY, PRESCRIBING LICENSE FEES FOR TAXICABS AND DRIVERS THEREOF; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ORDINANCE; PROVIDING A SAVING CLAUSE; REPEALING CONFLICTING ORDINANCES, EXCEPTING CERTAIN JITNEY ORDINANCES; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN DECEMBER 15, 1938, AND IS RECORDED IN BOOK "K", PAGES 440-452, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SUBPARAGRAPH 1, SECTION 13(a), RELATING TO THE AGE REQUIREMENT OF TAXICAB DRIVERS, AND BY ADDING TO SECTION 13 ANOTHER SUBSECTION, SUBSECTION (d), RELATING TO REVOCATION OR SUSPENSION OF TAXICAB DRIVERS' LICENSES; AND DECLARING AN EMERGENCY.

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

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

The Mayor then declared that the Ordinance had been finally passed.

The application of L. E. Fields for a wine and beer permit for Lakeview Inn, 3800 Lake Austin Boulevard, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Frederick Constanti Verrall, 1118 East 12th Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Harold Edward Chisholm, 2108 Kinney Avenue, for a taxicab driver's permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Earl Dismuke, 1804 Holly Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and

Mayor Miller; "nays," none; Councilman Wolf absent.

The written report of Capt. Roy J. Smith of the Traffic Bureau to the City Engineer, dated June 23, 1943, concerning changes in location of certain bus stops, was received; and the matter was referred to the Acting City Attorney to have an ordinance drawn up making effective the changes thereby recommended.

Councilman Gillis offered the following resolution:

(RESOLUTION)

WHEREAS, The Austin Glass Company is the Contractor for the alteration of a building located at 619 Congress Avenue and desires a portion of the sidewalk space abutting the north one-half of Lot 5, Block 69, 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 Austin Glass Company, the boundary of which is described as follows:

Sidewalk Working Space

BEGINNING at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue 6 feet to a point; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 23 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the southwest corner of the above described property.

The Contractor will also be permitted to use one parking meter space immediately in front of the entrance in the barricade, for the delivery or removal of materials during construction work.

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

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored, and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricade, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

(2) 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.

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

(4) That provisions 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 obstruction of any such storm water.

(5) 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.

(6) 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 July 1, 1943.

(7) 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.

(8) That the use and enjoyment of the spaces 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.

(9) 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.

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), 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 or abuse 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 and 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.

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

There being no further business, upon motion seconded and carried, the meeting was recessed at 10:55 A. M., to meet again at 3:00 P. M., Friday, June 25, 1943.

APPROVED:

Tom Miller.
MAYOR

ATTEST:

William M. Keller
CITY CLERK

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, June 25, 1943

The City Council convened in Recessed Session, at the regular meeting place in the Council Chamber at the Municipal Building, on Friday, June 25, 1943, at 3:10 P. M., with Mayor Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

There were present also: Walter E. Seaholm, Acting City Manager, J. M. Patterson, Jr., Acting City Attorney; and Joe Huffman, Jr., Finance Director.

The Mayor announced that the meeting was called primarily to consider the request of Board of Trustees of Austin Public Schools for additional revenue to meet the proposed ten per cent. increase in salaries of the teachers, both white and colored.

Messrs. Carl T. Widen, A. C. Bull, and E. W. Jackson, representing the School Board, and Prof. Russell A. Lewis, Superintendent of Schools, then presented their request orally, and submitted the following written communication:

"Austin, Texas
June 24, 1943

Honorable Mayor & City Council
Austin, Texas

Gentlemen:

This is to advise you that it has been determined by the Board of Trustees of the Austin Public Schools that a maintenance tax rate of sixty-five cents (\$.65) on the \$100 property valuation will be necessary to supplement the amounts received from other sources to provide the sum needed for the school budget for the school year, 1943-44.

The rate of 65¢ is based on figures given the School Board by the City Finance Director, showing the taxable valuations for the Austin Independent School District for 1943-44 to be \$76,800,000.00 and the expected percentage of tax collection to be 88%.

Yours very truly,

BOARD OF TRUSTEES

(Sgd) Carl T. Widen, President.

FINANCE COMMITTEE:

(Sgd) A. C. Bull
" E. W. Jackson

(Sgd) Russell A. Lewis
Superintendent of Schools "

Councilman Gillis then introduced the following ordinance:

AN ORDINANCE TENTATIVELY FIXING AND
LEVYING MUNICIPAL TAXES FOR THE CITY
OF AUSTIN, TEXAS, FOR THE YEAR 1943;
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 carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then 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 carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

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

The Mayor then announced that the Ordinance had been finally passed.

The Board and the Superintendent then expressed their appreciation to the City Council for its favorable action on their request for additional revenue for the schools, thereby enabling them to make effective the proposed raise in the salaries of teachers; and for the splendid cooperation given them in the past on all matters pertaining to the betterment of the schools.

In pursuance of the oral request of the School Board, pending receipt of a formal request in writing, the City Council instructed the Acting City Manager to have a list of all delinquent taxpayers who are assessed for school tax only compiled from the records of the Tax Assessor and Collector, showing the amounts uncollected; and to give notice through the press of the City's intention to sue unless same are paid without delay.

Councilman Alford offered the following resolution:

(RESOLUTION)

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

SECTION 1. That the City Manager, or in his absence the Acting City Manager, be, and he is hereby authorized and directed to enter into a contract in behalf of the City of Austin with the United States Government for the leasing by the City of Austin to the United States Government the following described premises:

At 101 San Antonio Street, Austin, Travis County, Texas, the entire one story stone and brick building, with basement, known as the old Incinerator Building; being a total of 3477 square feet of floor space, ground floor consisting of four rooms for a total of 2622 square feet and basement consisting of one room for a total of 855 square feet. Included in this lease is that plot of land consisting of 7728 square feet, being the South 56 feet of Lots 1 and 2, Block 2, Original City of Austin, Travis County, Texas, said plot being bounded on North by North parts of Lots 1 and 2, Block 2; on East by Lot 3, Block 2; on South by West 1st Street; and on West by San Antonio Street,

said premises to be used as a storage and welding shop to be operated by the National Youth Administration in accordance with the terms and provisions of a copy of the lease agreement which is attached hereto.

SECTION 2. That the City Clerk be, and she is hereby, authorized and directed to place a copy of the lease agreement which is attached hereto in the permanent files of her office without the necessity of recording the contents of said lease agreement in the Minutes of the City Council.

Upon motion of Councilman Alford, the foregoing resolution was adopted by the following vote:

"Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following application for a commercial boat license, duly approved by the Lake Austin Navigation Board, was submitted:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Jackson, Leona L. - 3612 Bridle Path	Chris Craft, Inboard, 1938 Model, 14-passenger

Councilman Bartholomew moved that the license be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of William Early Jackson, 3612 Bridle Path, for a commercial pilot's permit, duly approved by the Lake Austin Navigation Board, was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Councilman Gillis offered the following resolution:

(RESOLUTION)

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

SECTION 1. That the City Manager, or in his absence the Acting City Manager, be, and he is hereby, authorized and directed to enter into a contract in behalf of the City of Austin with the United States

Government for the leasing by the City of Austin to the United States Government the following described premises:

Entire one story frame and stucco building; four rooms, 1180 square feet of floor space; one entire brick concrete building; one room, 612 square feet of floor space; both buildings being located at 103 San Antonio Street, Austin, Texas, on the north 72 ft. of Lots 1 and 2, Block 2, Original City of Austin, Travis County, Texas, land included in this lease being 9936 square feet bounded by alley on north, Lot 3, Block 2, on East; south portion of Lots 102, Block 2 on South, and San Antonio Street on west,

said premises to be used as a radio shop to be operated by the National Youth Administration in accordance with the terms and provisions of a copy of the lease agreement which is attached hereto.

SECTION 2. That the City Clerk be, and she is hereby, authorized and directed to place a copy of the lease agreement which is attached hereto in the permanent files of her office without the necessity of recording the contents of said lease agreement in the Minutes of the City Council.

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

Upon motion, seconded and carried, the meeting was recessed at 4:05 P. M., subject to call of the Mayor.

APPROVED:

Tom Miller
MAYOR

ATTEST:

Lillian M. Keller
CITY CLERK