

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 22, 1943

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, July 22, 1943, at 10:55 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 July 15, 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 application of James William Coker, 214 Congress Avenue, for a license to operate as a taxicab one 1940 Model Chevrolet Sedan, Motor No. 2737603, State Licenses (1942) No. K99-288, (1943) FD-8098, recommended for approval by the Acting City Manager et al, was submitted. Councilman Alford moved that the license be granted, to replace taxicab License No. 74 cancelled by J. C. Moore, owner. The motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

The application of Rayburn Calvin Teague, 2008 Haskell Street, for a taxicab driver's permit, was submitted. After considering the facts in the case, it was moved by Mayor Miller that applicant be granted a probationary permit for thirty (30) days, with the provisions that if at the expiration of such period applicant's record is good, the permit be extended for ninety (90) days, and further extended and made permanent if at the end of said last named period his record is still satisfactory; and that applicant report to the Chief of Police during the meantime. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Henrietta L. Blair, colored, submitted a claim for damage sustained to her lot on Wayne Street by reason of a drain across same. The matter was referred to the City Engineer and the Acting City Attorney for investigation and report.

G. J. Greenley, colored, submitted a request to purchase the property at 1608 East 10th Street, legally described as Lots 5 and 6, Block 7, Outlot 6, Division "B", under tax title. The matter was referred to the Acting City Attorney for consideration, upon receipt of an offer of purchase from petitioner.

The application of Alfred Richard Level, 409 East 3rd Street, for a renewal of his taxicab driver's permit, recommended for approval by the Acting City Manager et al., was submitted. Councilman Alford moved that the renewal 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 Dorman Vernon Mott, 102 Neches Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager et al was submitted. Councilman Bartholomew 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 following resolution was introduced by Councilman Gillis:

## (RESOLUTION)

WHEREAS, The State Highway Commission of the State of Texas and the City of Austin have mutually agreed concerning certain highway development in the vicinity of the City of Austin, part of such development being Highway No. 29 extending from the intersection of U. S. Highway No. 81 with the Llano Branch of the T. & N. O. Railroad, thence southeasterly to Montopolis Bridge, passing south

of and adjacent to the Municipal Airport;

WHEREAS, It is necessary to establish, construct, and maintain said highway for the purpose of connecting certain military reservations in the United States Government and to alleviate the congested traffic upon the streets of the City of Austin and to reduce the traffic hazard to the public and inhabitants of the City of Austin; and

WHEREAS, Said proposed Highway No. 29 would be beneficial to the City of Austin, and whereas, the City of Austin would receive other benefits under the mutual agreement and understanding with the State Highway Commission concerning the construction and maintenance of said proposed Highway No. 29;

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

THAT the City of Austin acquire by direct purchase or condemnation, if necessary, the fee simple title to the right of way for proposed Highway No. 29, deeds of each tract making up said proposed Highway No. 29 being attached hereto and marked "Exhibit A," containing a description of each particular tract and the name of the property owners.

BE IT FURTHER RESOLVED that the improvements for said proposed Highway No. 29 be in accordance with Minute Order No. 20006 of the State Highway Commission, dated June 9, 1943.

BE IT FURTHER RESOLVED that the City Manager, or in his absence the Acting City Manager, is hereby authorized to acquire for the City of Austin the fee simple title to the property constituting the right of way for proposed Highway No. 29 by direct purchase or condemnation and to pay for same out of the General Fund of the City of Austin and to do such other and further things as may be necessary and expedient in acquiring the fee simple title to said proposed Highway No. 29.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby, authorized and directed to place "Exhibit A" attached hereto in the permanent files of her office without the necessity of recording the contents of said exhibit 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.

The following resolution was introduced by Councilman Bartholomew:

(RESOLUTION)

WHEREAS, The City of Austin is purchasing that part of the right of way which is in the city limits for proposed Highway No. 29, extending from the crossing of United States Highway No. 81 with the Llano Branch of the T. & N. O. R. R. in a southeasterly direction to the Montopolis Bridge passing south of and adjacent to the Municipal Airport; and

WHEREAS, The City of Austin in purchasing the right of way for said Highway has acquired the title to certain houses and other improvements; and

WHEREAS, To save damage to the improvements purchased and to clear said Highway for construction, it will be beneficial to the City of Austin to sell all improvements located thereon; therefore,

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

THAT Walter E. Seaholm, Acting City Manager, be and he is hereby authorized and empowered to sell any or all of the improvements located on said proposed Highway in such manner and upon such terms and conditions as he may deem expedient and beneficial to the City of Austin, and to execute all bills of sale or other instruments conveying the title of the City of Austin.

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

Councilman Alford offered the following resolution:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a private boat dock and slips on the property leased by W. W. Bennett as described in the Travis County Deed Records and known as Mrs. Kate McGinnis tract, on the shore of Lake Austin, and hereby authorizes the said W. W. Bennett to construct, maintain, and operate this private boat dock and slips subject to same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this private boat dock and slips after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. W. Bennett has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(RECOMMENDATIONS ATTACHED)

" July 22, 1943

Mr. Walter E. Senholm  
Acting City Manager.  
Austin, Texas

Dear Sir:

I, the undersigned, have reviewed the plans and have considered the application of W. W. Bennett, lessee of a piece of property abutting Lake Austin, known as Mrs. Kate McGinnis tract, and listed in the Travis County Deed Records, for permission to construct and maintain a private boat dock and slips projecting out into Lake Austin approximately 20 feet.

I recommend that W. W. Bennett be granted permission to construct and maintain said private boat dock and slips subject to the following conditions:

(1) That nothing but creosoted or cedar piles and heavy iron bolts be used in the construction of this pier, dock or wharf.

(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

(3) That no structure shall extend into Lake Austin more than fifty (50) feet beyond normal high water or more than one-third the distance from shore to shore at point where structure is located, and not nearer than ten (10) feet to the side property or lease line.

(4) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

Respectfully submitted,

(Sgd) J. C. Eckert  
Building Inspector. "

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.

Councilman Bartholomew offered the following resolution:

(RESOLUTION)

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

THAT the sum of \$12,000.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of asphalt resurfacing on East 6th Street from East Avenue to Chicon Street.

Upon motion of Councilman Bartholomew, the resolution was adopted 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:

THAT the sum of \$1500.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of asphalt resurfacing on Brazos Street from 3rd Street to 4th Street.

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

Councilman Bartholomew offered the following resolution:

(RESOLUTION)

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

THAT the sum of \$2,900.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of asphalt resurfacing on Brazos Street from 11th Street to 13th Street.

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

The matter of requiring the Missouri Pacific Railroad Company to pave the unpaved area along its tracks adjacent to the depot came up for discussion, and the Acting City Attorney was instructed to take the necessary steps ordering said Railroad to have this paving done.

There being no further business, upon motion, seconded and carried, the meeting was recessed at 11:45 A. M., subject to call of the Mayor.

APPROVED:

Tom Miller  
MAYOR

ATTEST:

Hallie M. Kellan  
CITY CLERK