

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 18, 1944
10:55 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Alford, Bartholomew, Gillis, Mayor Miller - 4
Absent : Councilman Wolf - 1

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 May 12, 1944, were read, and on motion of Councilman Alford were adopted as read by the following vote:
Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

MRS. ROGER ROBERDEAU, representing the Laguna Gloria Art Museum, came before the Council and asked that said Museum be given free lights. After some discussion, it was agreed that said institution be granted the half-rate for lights allowed churches, and that the electric lines be run to, and two flood lights installed on, the grounds of said Museum at the City's expense.

A committee of Negro citizens, composed of Reverend J. H. Washington, C. A. Wilson and others, came before the Council and asked for a reduction in the water and light charged the Greater Mount Zion Baptist Church and the New Hope Baptist Church; for a street light at the intersection of Maple Avenue and 16th Street; for repairs to the bridge at said location; and for a street light in the vicinity of the New Hope Baptist Church.

It having been shown that said churches were now receiving the half-rate for water and light given churches, the Council declined to grant a further reduction; and referred the other requests to the Acting City Manager to look into.

The application of FERMON LEE BISHOP, 300 Congress Avenue, for a license to operate as a taxicab a 1940 Model Dodge Sedan, Motor No. D14-89598, State License No. N24-503, State License (1944) No. FS5-904, to replace Taxicab Permit No. 71 cancelled by Mrs. Della Wheeler, duly approved by

the Acting City Manager, was submitted. Councilman Alford moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.
 Noes : None
 Absent: Councilman Wolf

The application of E. M. POWELL, 300 Congress Avenue, for a license to operate as a taxicab a Chevrolet 4-door Sedan, 1941 Model, Motor No. AA9931391, State License (1942) No. FS7-793, State License (1944) No. FR-922, to replace Taxicab Permit No. 73 cancelled by Mrs. Violet Platt, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.
 Noes : None
 Absent: Councilman Wolf

The application of ORA ATLAS SUMMERS, 112 East 7th Street, for a license to operate as a taxicab a 1941 Model Studebaker Commander Sedan, Motor No. 4182015, State License (1942) No. N15-588, State License (1944) No. FS3-237, to replace Taxicab License No. 41 cancelled by Lloyd G. Davis, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
 Noes : None
 Absent: Councilman Wolf.

The application of WILLIAM THOMAS DUNCAN, Capitol Hotel, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
 Noes : None
 Absent: Councilman Wolf

Acting City Manager submitted the application of SAN JACINTO INN, 301 East 16th Street, for a wine and beer permit, duly approved. Councilman Gillis moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
 Noes : None
 Absent: Councilman Wolf

Acting City Manager submitted the application of MEXICAN INN, 700 East 6th Street, for a wine and beer permit, duly approved. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.
 Noes : None
 Absent: Councilman Wolf

Acting City Manager submitted the application of EL CHARRO NO. 2, 2008 Speedway, for a wine and beer permit, duly approved. Councilman Alford moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
 Noes : None
 Absent: Councilman Wolf

Councilman Alford offered the following resolution and moved its adoption:

(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:

A gas main in EAST 52ND STREET from a point 109 feet east of Bennett Avenue easterly 150 feet, the centerline of which gas main shall be 7.5 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 2-1/2 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 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.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

The following applications for licenses to operate private boats, duly approved by the Lake Austin Navigation Board, were submitted:

<u>APPLICANT</u>	<u>DESCRIPTION OF BOAT</u>
Burns, Jay Robert - 3408 Windsor Road	Old Town Canoe, Sail, 1941 Model, Yankee, "Jeanette," 3-passenger
Carpenter, Aileen - 2004 Scenic Drive	Old Town Canoe, 1937-38 Model, 4-passenger
Flemerton, Paul - 4208 Avenue C	Welch, Runabout, Inboard, New, V-8 Ford, 6-passenger
Hinson, Ted - 3807 Kennelwood	Home-made, Inboard, 1941 Model, Briggs-Stratton, 3-passenger
Ireland, J. H. - Phone 2-0509	Wolverne, Outboard, 1940 Model, Johnson, 4-passenger
Martin, Mrs. Dell - 904 Columbus Street	Home-made, Outboard, 1941 Model, "Corine," Johnston, 2-passenger
Marsh, John e. Jr - 1810 Congress Avenue	Dixie, Outboard (Clinker) 1936 Model, Evenrude, 4-passenger
Morris, Robt. W. - Route 1, Box 505	Home-built, Outboard, 1938 Model, Johnson, 4-passenger
Rutledge, N.E. - 1502 Hether Street	Home-made, Outboard, 1937 Model, Johnson, 2-passenger
Vance, Dr. J. D. - 1703 Vista Lane	Dodge, Inboard, 8 years old, "Queen Mary", 6-passenger
Windrum, T. H. - 2206 Robin Hood Trail	Inboard, 1938 Model, "Betsy" Ford, 4-passenger

On motion of Councilman Bartholomew, the licenses were granted by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

Mayor Miller offered the following resolution and moved its adoption:

(RESOLUTION)

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

SECTION 1. THAT Walter E. Seaholm, the Acting City Manager of the City of Austin, be, and he is hereby, authorized and directed to enter into a contract in behalf of the City of Austin with the Associated Austin Architects and Engineers, Austin, Texas, a partnership consisting of Giesecke, Kuehne & Brooks; Julian Montgomery; C. H. Page & Son; Southerland & Page; all of Austin, Texas, for the professional services described in

the attached contract, and in accordance with the terms and provisions of said attached contract.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller

Noes : None

Absent: Councilman Wolf

Mayor Miller submitted a telegram received from Honorable Tom Connally, United States Senator, advising that the Federal Works Agency had approved a grant of \$30,500.00 for an addition to the Nurses Home and training facilities at Brackenridge Hospital. The Acting City Manager was directed to acknowledge, with thanks, the receipt of the telegram.

The following report of the City Plan Commission relative to an inter-regional highway through Austin was received:

"Austin, Texas
May 15, 1944

Honorable Mayor and City Council
Austin, Texas

Gentlemen:

At its regular meeting on May 11, 1944, the City Plan Commission unanimously adopted the recommendation of its Traffic and Transportation Committee that the State Highway Department be requested to begin planning studies for an inter-regional highway through Austin.

I have been directed by the Plan Commission to request the approval of the City Council and the authorization of the studies by the State Highway Department. A copy of my letter to Mr. D. C. Greer, State Highway Engineer, which contains the Committee's report, is attached hereto.

Respectfully submitted,

(Sgd) H. F. Kuehne
Chairman, City Plan Commission"

(Letter Attached)

"Austin, Texas
May 15, 1944

Mr. D. C. Greer
State Highway Engineer
Highway Building
Austin, Texas

Dear Mr. Greer:

At its regular meeting on May 11, 1944, the City Plan Commission unanimously adopted the report and the recommendation of its

Traffic and Transportation Committee. The Committee's report reads as follows:

"REPORT OF THE TRAFFIC AND TRANSPORTATION COMMITTEE ON THE MATTER OF AN INTER-REGIONAL HIGHWAY THROUGH AUSTIN.

The Traffic and Transportation Committee has met twice since the last meeting of the City Plan Commission - once with highway officials on April 28th, and once with a special meeting of the Committee on May 5th.

At the meeting with the highway officials, State Highway Engineer Greer pointed out that it would be desirable for the City to determine at an early date whether it wished to plan for the inter-regional highway through Austin or around Austin. He also stated that the Highway Commission would welcome a request from the City Plan Commission for the Highway Department to begin planning studies on the inter-regional highway. He also explained that the Federal Government has appropriated money for planning of unusual projects and that the inter-regional highway is included in this category.

On the basis of its investigation, it is the unanimous opinion of those present at the meetings of the Traffic and Transportation Committee that the City Plan Commission should direct a communication to the City Council and State Highway Department requesting

- 1. That the Highway Department be asked to start planning studies on the inter-regional highway for the Austin area;
- 2. That these studies be based upon a plan for the highway through Austin;
- 3. That East Avenue north of the Colorado River and a route east of Travis Heights south of the Colorado River be considered by the Highway Department as a possible location for the highway; and
- 4. That the recommendation to start planning studies for the inter-regional highway is not to be construed as suggesting the undue or premature encumbering of the City's finances.

(Sgd) John H. Frederick
Chairman, Traffic and Transportation Committee,
City Plan Commission. "

I have been directed by the Plan Commission to request that the State Highway Department proceed with planning studies for the inter-regional highway in accordance with the recommendation of the Committee as set out above.

It is the hope of the Commission that these studies may proceed at

an early date and we will be glad to render whatever assistance we are able to give in the planning studies.

Very truly yours,

(Sgd) H. F. Kuehne
Chairman, City Plan Commission
Austin, Texas . "

The Acting City Manager was directed to write a letter to D. C. Greer, State Highway Engineer, expressing the thanks of the City Council for what the Highway Department has done for the City of Austin in the past; and stating that, while the City Council is aware that said Highway Department is already doing the things requested in the letter of the City Plan Commission, as a matter of policy and at the request of the City Plan Commission, the City Council has joined said Commission in its request.

The request of the AUSTIN TRANSIT COMPANY for permission to extend its bus line running to the Magnesium Plant by way of the Ordnance Box Plant, at the intersection of the H&TC Railroad and the Dallas Highway, was received. It was moved by Councilman Bartholomew that the request be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller
Noes : None
Absent: Councilman Wolf

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it has been determined that the assessment for taxes for the years 1937 through 1943, both inclusive, on the furniture and fixtures assessed in the name of Mrs. J. D. Sayers is excessive; and that the same should now be corrected for said years; therefore,

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

THAT the assessment for taxes on said property for the years 1937 through 1943, both inclusive, be, and the same is hereby, reduced and corrected from the present assessed value of \$865.00 for each of said years to \$365.00 for each of said years; and the City Tax Assessor and Collector is hereby authorized and directed to change on his rolls the assessed valuation of the above mentioned furniture and fixtures, in accordance with the terms of this resolution; and

BE IT FURTHER RESOLVED:

THAT the assessment of \$500.00 valuation against Mrs. J. D. Sayers covering credits for each of said years 1937 through 1943, is hereby removed; and

BE IT FURTHER RESOLVED:

THAT the City Council of the City of Austin deems it just and equitable to remit all penalty on the taxes due on the above described furniture and

fixtures for said years 1937 through 1943, both inclusive, the penalty amounting to \$2.48, and to remit one-half of the interest on said taxes, said interest amounting to \$10.80; therefore, said penalty in the sum of \$2.48 and one-half of said interest in the amount of \$5.40 are hereby remitted; and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$2.48 and one-half of said interest in the sum of \$5.40 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes in the sum of \$57.97 and one-half of the interest in the sum of \$5.40, as aforesaid; and

BE IT FURTHER RESOLVED:

THAT the City Council of the City of Austin deems it just and equitable to remit all penalty on the taxes due for the years 1930 through 1943 on Lots 28, 29, and 30, Block 47, Travis Heights, assessed in the name of Mrs. J. D. Sayers, and one-half of the interest due thereon for said years, the penalty amounting to \$6.89 and one-half of the interest amounting to \$19.25; therefore, said penalty in the sum of \$6.89 and one-half of the interest in the sum of \$19.25 are hereby remitted; and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$6.89 and one-half of said interest in the sum of \$19.25 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the taxes in the amount of \$160.39 and the balance of the interest in the sum of \$19.26; and

BE IT FURTHER RESOLVED:

THAT the City Council of the City of Austin deems it just and equitable to remit all penalty and one-half of the interest on the taxes due for the years 1937 through 1943, both inclusive, on the north one-half of Lots 7 and 8 (c), Block 78, Original City of Austin, Travis County, Texas, assessed in the name of Mrs. J. D. Sayers, the penalty amounting to \$56.42, and one-half of the interest amounting to \$122.84; therefore, said penalty in the sum of \$56.42 and one-half of the interest in the sum of \$122.84 are hereby remitted; and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$56.42 and one-half of the interest in the sum of \$122.84 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the taxes amounting to \$1318.70 and the balance of the interest in the sum of \$122.84.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller.

Noes : None

Absent: Councilman Wolf

There being no further business, upon motion seconded and carried, the meeting was recessed at 11:20 A. M., subject to call of the Mayor.

ATTEST:

Hallie M. Keller CITY CLERK

APPROVED:

Tom Miller
MAYOR