

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 13, 1944
11:00 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 meetings of June 15, June 20, June 22, and July 6, 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

Mayor Miller offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Independent School District of the City of Austin owns within the City of Austin numerous school buildings and grounds therefor, with gymnasiums and other facilities suitable for recreational purposes; and

WHEREAS, there is also located in said school buildings auditoriums and rooms which can be used for public gatherings; and

WHEREAS, the City of Austin can use for recreational purposes and other purposes the buildings and grounds owned by the Independent School District of the City of Austin in its recreational program and in other programs;

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

Section 1 - That Walter E. Seaholm, the Acting City Manager, be, and he is hereby, authorized and directed to enter into a lease contract, for and in behalf of the City of Austin with the Independent School District of the City of Austin, leasing to the City of Austin the buildings and

grounds belonging to the Independent School District of the City of Austin, for a term of one year, commencing on the 1st day of September, 1944, for a total consideration of SEVENTY THOUSAND DOLLARS (\$70,000.00), payable as follows: Thirty-five Thousand Dollars (\$35,000.00) on September 1, 1944, and Thirty-five Thousand Dollars (\$35,000.00) on February 1, 1945.

Section 2. Said lease to be in accordance with the terms and conditions of the attached lease.

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

Councilman Bartholomew offered the following resolution and moved its adoption:

(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 lease contract in behalf of the City of Austin with William D. Pfeil, doing business as Austin Flying Service, leasing to the said William D. Pfeil the right and privilege of landing and taking off aircraft at the Austin Municipal Airport and conducting at said Austin Municipal Airport a flying school for a period of one year, beginning July 9, 1944, in accordance with the terms and conditions contained in the attached lease.

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

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 application of WILLIAM RIGSBY BROWNLEE, 209 East 2nd Street, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. 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

The application of WILLIAM WILEY SANDERS, 2003 Longfellow Street, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. 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

The application of MONTEREY CAFE, 600 East 6th Street, for a wine and beer 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

Councilman Bartholomew 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:

- (1) A gas main in EAST TENTH STREET from a point 183 feet east of Lincoln Street easterly 50 feet, the centerline of which gas main shall be 7 feet north of, and parallel to, the south property line of said East 10th Street.

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

- (2) A gas main in WEST JOHANNA STREET, from a point 100 feet east of South 2nd Street easterly 144 feet, the centerline of which gas main shall be 15 feet south of, and parallel to, the north property line of said West Johanna Street.

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

- (3) A gas main in WABASH AVENUE from a point 77 feet north of East 37th Street northerly 100 feet, the centerline of which gas main shall be 12 feet east of, and parallel to, the west property line of said Wabash Avenue.

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

- (4) A gas main in WEST LIVE OAK STREET from a point 70 feet east of South 1st Street easterly 176 feet, the centerline of which gas main shall be 13.5 feet north of, and parallel to, the south property line of said West Live Oak Street.

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

- (5) A gas main in WASHINGTON AVENUE from a point 104 feet west of Poquito Street easterly 147 feet, the centerline of which gas main shall be 12 feet south of, and parallel to, the

north property line of said Washington Avenue.

Said gas main described above shall have a cover 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.

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

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Walter A. Schieffer, owner of Lot 6, Block 7, Outlot 3, Division "B" of the Government Outlots adjoining the City of Austin, Travis County, Texas, which property abuts the south side of East 11th Street at a location west of Lydia Street within the City of Austin, Travis County, Texas, and being locally known as 1129 East 11th Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the south sidewalk area of East 11th Street adjacent to the above described property; and

WHEREAS, a plan has been prepared showing the location of said driveway, which plan is hereto attached marked 2-C-971 and made a part hereof; and

WHEREAS, said request and plan 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 Walter A. Schieffer, owner of Lot 6, Block 7, Outlot 3, Division B

of the Government Outlots adjoining the City of Austin, Travis County, Texas, which property abuts the south side of East 11th Street at a location west of Lydia Street within the City of Austin, Travis County, Texas, and being locally known as 1129 East 11th Street, is hereby permitted to construct a commercial driveway across the south sidewalk area of East 11th Street subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-971, which plan is hereby attached and 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.

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

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes for the years 1939 through 1941 were assessed in the name of J. A. Rosengren on Lot 6, Outlot 53, Division "E", in the City of Austin, Travis County, Texas; said taxes for said years being in the amount of \$175.13, and for non-payment of same at maturity, penalty in the sum of \$8.75 has been assessed and interest in the amount of \$33.60 has accrued, making the total amount of taxes, penalties, and interest due \$217.48; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$8.75 and one-half of the interest in the sum of \$16.80; therefore,

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

THAT the aforesaid penalty in the sum of \$8.75 and one-half of the interest in the sum of \$16.80 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$8.75 and said interest in the sum of \$16.80 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the aforesaid taxes and one-half of the interest, as aforesaid.

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

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

Councilman Alford offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes for the years 1934 and 1942 were assessed in the name of E. S. Blackburn on the North 48' of Lot 24 and all of Lot 25, Outlet 57, Division "E", and personal property, all in the City of Austin, Travis County, Texas; said taxes for said years being in the amount of \$81.74, and for non-payment of same at maturity, penalty in the sum of \$4.09 has been assessed and interest in the amount of \$23.54 has accrued, making the total amount of taxes, penalties, and interest due \$109.37; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.09 and one-half of the interest in the sum of \$11.77; therefore,

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

THAT the aforesaid penalty in the sum of \$4.09 and one-half of the interest in the sum of \$11.77 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalty in the sum of \$4.09 and said interest in the sum of \$11.77 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of the aforesaid taxes and one-half of the interest, as aforesaid.

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 11:30 A. M., subject to call of the Mayor.

APPROVED

Tom Miller
MAYOR

ATTEST:

Hallie M. Keller
CITY CLERK