

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 27, 1944  
10:45 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.

Upon motion of Councilman Alford, the reading of the minutes was dispensed with.

Mr. A. T. KNIES, Chairman of the War-USO Recreation Council, submitted a report on the War Recreation Program for the year 1943. Mayor Miller moved that the report be received and filed, and that a letter be written to the War-USO Recreation Council, expressing the thanks of the City Council for the splendid work done by said organization. The motion carried by the following vote:

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

An offer to sell the City a lot adjacent to the Nurses Home at Brackenridge Hospital, for a consideration of \$4750.00, was submitted by J. B. Riley, Agent. The matter was referred to the Acting City Manager for an inspection of the property and a report to the Council.

The appeal of TROY WILLIAM HICKSON, 704 East 13th Street, for reinstatement of his taxicab driver's permit heretofore revoked, was heard. After considering the appeal, it was moved by Mayor Miller that the said Troy William Hickson be granted a taxicab driver's permit for ninety days probation. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4  
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 SANTA RITA STREET from a point 205 feet west of Pedernales Street easterly to Pedernales Street, the centerline of which gas main shall be 6 feet south of, and parallel to the north line of said Santa Rita Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (2) A gas main in PEDERNALES STREET from East 2nd Street to Santa Rita Street, the centerline of which gas main shall be 7.5 feet west of, and parallel to, the east property line of said Pedernales Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (3) A gas main in EAST SECOND STREET from a point 380 feet west of Pleasant Valley Road easterly to Pleasant Valley Road, the centerline of which gas main shall be 19 feet south of, and parallel to, the north property line of said East 2nd Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (4) A gas main in PLEASANT VALLEY ROAD from East 2nd Street northerly to MK&T R.R. Right-of-way, the centerline of which gas main shall be 13.5 feet west of, and parallel to, the east property line of said Pleasant Valley Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (5) A gas main in EAST FIFTH STREET across Pleasant Valley Road intersection, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said East 5th Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

- (6) A gas main in BULL CREEK ROAD from a point 238 feet north of Oakmont Boulevard northerly 1,560 feet, the centerline of which gas main shall be 20 feet west of, and parallel to, the east property line of said Bull Creek Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  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 replacements 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, and Mayor Miller - 4.  
 Noes : None  
 Absent: Councilman Wolf.

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Alvin G. and Leonard East, owners of Lot 2, Block 91, of the Original City of Austin, Travis County, Texas, which property abuts the north side of East 8th Street at a location east of Sabine Street, have made application to the City Council of the City of Austin for permission to construct a commercial driveway across the north sidewalk area of East 8th 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-964, and made a part hereof; and

WHEREAS, said request and plan has 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 Alvin G. and Leonard East, owners of Lot 2, Block 91, of the Original City of Austin, Travis County, Texas, which property abuts the

north side of East 8th Street at a location east of Sabine Street, are hereby permitted to construct a commercial driveway across the north sidewalk area of East 8th Street adjacent to the above described property, subject to the construction of concrete ramps, curbs, driveways, sidewalks, and expansion joints as shown upon the plan marked 2-C-964, 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, and Mayor Miller - 4

Nays : None

Absent: Councilman Wolf.

Councilman Alford offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT Walter E. Seaholm, its Acting City Manager, be authorized, and he is hereby authorized and empowered, to execute for and in behalf of the CITY OF AUSTIN a lease with the UNITED STATES GOVERNMENT, leasing the Traffic Control Tower to the Government in accordance with the terms and provisions of the attached lease.

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

Ayes ; Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4

Noes : None

Absent: Councilman Wolf

Councilman Gillis introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY  
CLOSING ALL THAT PORTION OF ODOM STREET  
EXTENDING 156 FEET WEST FROM SAN PEDRO  
STREET IN THE CITY OF AUSTIN.

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, 4

Noes: None

Absent: Councilman Wolf

The ordinance was then read the second time and Councilman Gillis moved a further suspension of the rules and the placing of the ordinance on its third reading. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4  
 Noes: None  
 Absent: Councilman Wolf

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 - 4  
 Noes : None  
 Absent: Councilman Wolf

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

Councilman Alford introduced the following ordinance:

AN ORDINANCE CREATING THE CITY PLAN COMMISSION AND DEFINING ITS MEMBERSHIP, PURPOSES, AND FUNCTIONS, SPECIFICALLY REPEALING A CERTAIN ORDINANCE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Alford 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 - 4  
 Noes : None  
 Absent: Councilman Wolf

The ordinance was then read the second time and Councilman Alford moved a further suspension of the rules and the placing of the ordinance on its third reading. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4  
 Noes : None  
 Absent: Councilman Wolf

The ordinance was then read the third time and Councilman Alford moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes; Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4  
 Noes: None  
 Absent: Councilman Wolf

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

Mayor Miller then nominated the following as members of the City Plan Commission for the two-year term expiring the first Thursday in January, 1946:

H. F. Kuehne  
 T. B. Warden  
 Walter Guttman  
 Harry D. Pruett  
 Mrs. J.W. Bradfield  
 Will T. Caswell  
 Chas. Page  
 Dr. Russell A. Lewis

J. Murray Ramsey  
 C. A. Schutze  
 Ronald Byram  
 J. F. Johnson  
 Mrs. A. N. McCallum  
 Dave Reed  
 Pettus Hemphill  
 Bob (Robt. H.) Hill

B. J. Rupert  
 W. M. Graham  
 Walter T. Rolfe  
 Ed Clark  
 M. H. Crockett  
 Dr. John H. Frederick  
 Willie Kocurek  
 A. W. Henderson

The nominations were confirmed by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4

Noes : None

Absent: Councilman Wolf

The application of OTTO EMIL ZIEGER, 1307 West 6th 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, and Mayor Miller - 4

Noes : None

Absent: Councilman Wolf

The application of GEORGE L. OWENS, 300 Congress Avenue, for a taxicab license covering a Chevrolet Sedan, 1940 Model, Motor No. 3033012, to replace Taxicab Permit No. 85 cancelled by Robt. H. Delancey, duly approved by the Acting City Manager, was submitted. Councilman Alford moved that the application be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4

Noes : None

Absent: Councilman Wolf

The application of HORACE WERTH PLATT, 300 Congress Avenue, for a taxicab license covering a Chevrolet Sedan, 1941 Model, Motor No. AA993139, State License No. FS3-530, to replace Taxicab Permit No. 73 cancelled by Ray T. Stevens, duly approved by the Acting City Manager, was submitted. Councilman Bartholomew moved that the application be granted. The motion carried by the following vote:

Ayes : Councilmen Alford, Bartholomew, Gillis, and Mayor Miller - 4

Noes : None

Absent: Councilman Wolf

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Sol Stern for the years 1928 through 1942 on Lot 6, Block "B", Outlot 3, Division "Z", Terrace Park, in the City of Austin, Travis County, Texas, and on personal property for the years 1930, 1931, 1932, 1936 through 1940, and 1942, said taxes being for the sum of \$612.64, and for non-payment of same at maturity, penalty in the sum of \$30.61 has been assessed, and interest in the sum of \$274.63 has accrued, making the total amount of taxes, penalty and interest \$917.88; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit \$29.75 of said penalty; therefore,

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

THAT the aforesaid penalty in the sum of \$29.75 is 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 \$29.75 off his rolls and to issue to the party entitled to receive same a receipt in full

upon the payment of said taxes and said interest and the balance of said penalty, 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 - 4  
Noes : None  
Absent: Councilman Wolf

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:10 P. M., subject to call of the Mayor.

APPROVED: Tom Miller  
MAYOR

ATTEST:

Sharon M. Keller  
CITY CLERK