

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 3, 1944  
11:00 A.M.

Council Chamber, City Hall

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

Roll call

Present : Councilmen Bartholomew, Gillis, Mayor Miller - 3  
Absent : Councilmen Alford and Wolf - 2

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 Gillis, the reading of the minutes was dispensed with.

The application of CHARLIE A. CANTWELL, 82 East Avenue, for a taxicab driver's permit, duly approved by the Acting City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

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

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin desires to purchase for public purposes the hereinafter described land and the owner thereof, Dan T. Stathos, has agreed to sell same to the City of Austin for a consideration of \$4,500.00, which sum the City Council deems to be reasonable; therefore,

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

THAT Walter E. Seaholm, the Acting City Manager, be, and he is hereby, authorized and directed to purchase for the City of Austin from Dan Stathos the following described property: Lot No. 7 and the west ten feet of Lot No. 6, in Block No. 166, according to the original plan of the City of Austin, Travis County, Texas, conditioned that the said Dan T. Stathos shall deliver to the City of Austin a general warranty deed conveying said

property to the City of Austin free from all liens and encumbrances and approved by the City Attorney, with an abstract of title to said property.

**BE IT FURTHER RESOLVED:**

THAT the sum of Four Thousand Five Hundred & No/100 Dollars (\$4,500.00) be, and the same is hereby, appropriated out of the General Fund of the City of Austin to pay for the above described property, and that a warrant issue therefor.

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

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

Councilman Bartholomew offered the following resolution and moved its adoption:

**(RESOLUTION)**

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

THAT the Acting City Manager be, and he is hereby, authorized and directed in behalf of the City of Austin to execute a quitclaim deed to Jerome H. Burke to the following described property:

The West fifty feet (W.50) of the North half (N.1/2) of Lot 6, Block 155, in the City of Austin, Travis County, Texas,

in consideration of the payment of all taxes on the above described property, quitclaiming to the said Jerome H. Burke all right, title, and interest of the City of Austin in said property by virtue of Sheriff's deed to said City, dated September 5, 1900.

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

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

The application of HOWARD'S PLACE, 105 East 7th Street, by Howard I. Jordan, owner, 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 Bartholomew, Gillis, and Mayor Miller  
 Noes: None  
 Absent: Councilmen Alford and Wolf

The application of MRS. JOHN G. FARMER for a taxicab license covering a 1941 Model Pontiac Sedan, Motor No. 6-762591, State License No. 07-793, to replace Taxicab Permit No. 46 cancelled by John G. Farmer, 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 Bartholomew, Gillis, and Mayor Miller  
 Noes: None  
 Absent: Councilmen Alford and 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 MEDINA STREET from East 2nd Street northerly 125 feet, the centerline of which gas main shall be 13.5 feet east of, and parallel to, the west property line of said Medina Street.

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

- (2) A gas main in BOWIE STREET from a point 100 feet north of West 3rd Street southerly to West 3rd Street, the centerline of which gas main shall be 22 feet east of, and parallel to, the west property line of said Bowie Street.

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

- (3) A gas main in WEST 3RD STREET from Bowie Street westerly 196 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said West 3rd Street.

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

- (4) A gas main in WESTOVER ROAD from a point 160 feet west of Jefferson Street westerly 171 feet, the centerline of which gas main shall be 7.5 feet south of, and parallel to, the north property line of said Westover Road.

Said gas main described above shall have a covering 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 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 Bartholomew, Gillis, and Mayor Miller

Noes : None

Absent: Councilmen Alford and Wolf

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Carlos P. Rankin and Raymond C. Campi, owners of Lots 18 and 19, respectively, of Block B, of the Raymond Addition in Outlot 2, Division Z, in the City of Austin, Travis County, Texas, which property is situated on the north side of West 6th Street west of Baylor Street within the City of Austin, and being locally known as 1116-18 West 6th Street, have made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the north side of West 6th Street adjacent to the above described property; and

WHEREAS, a plan has been prepared showing the location of said curb setback, which plan is hereto attached marked 2-C-965, 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 Carlos P. Rankin and Raymond C. Campi, owners of Lots 18 and 19, respectively, of Block B, of the Raymond Addition in Outlot 2, Division Z, in the City of Austin, Travis County, Texas, which property is situated on the north side of West 6th Street west of Baylor Street within the City of Austin, and being locally known as 1116-18 West 6th Street, are hereby granted permission to set the curb back from the established curb line on the north side of West 6th Street adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached, marked 2-C-965, and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on West 6th Street shall be carried out in accordance with the accompanying plan marked 2-C-965, and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness, and shall be of the following proportions: 1 part cement, 2-1/2 parts of sand, and 4 parts of screened gravel or rock.
- (3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high, and that an expansion joint not less than 3/4 inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-965.
- (4) That all such expansion joints shall be of the pre-moulded type.
- (5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (6) That the applicant shall be required to clean the newly created ramp area at least twice per week, and shall dispose of the debris at his expense.
- (7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and under the direction of the City Engineer.

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

Ayes : Councilmen Bartholomew, Gillis, and Mayor Miller

Noes : None

Absent: Councilmen Alford and Wolf

A complaint by ROBERT DELANCEY relative to a bad drainage condition at his property, 4722 Depew Avenue, was heard; and the matter was referred to the City Engineer for investigation.

Councilman Bartholomew 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, Acting City Manager, be, and he is hereby, authorized and directed to execute for and in behalf of the CITY OF AUSTIN a special warranty deed to R. E. Gardner, conveying all the right, title, and interest acquired by the CITY OF AUSTIN to Lot 51 and the east eight feet of Lot 50 and the west twenty-two feet of Lot 52 in Outlot 33, Division "0", City of Austin, Travis County, Texas, by judgment in Cause No. 41575 in the 53rd District Court, Travis County, Texas, an order of sale, and sale to the City of Austin under said judgment by deed dated November 4, 1926, recorded in Vol. 404, pages 154-155 of the Deed Records of Travis County, Texas, for such consideration as the said Walter E. Seaholm may deem adequate and sufficient.

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

Ayes : Councilmen Bartholomew, Gillis, and Mayor Miller

Noes : None

Absent: Councilmen Alford and 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:

Sharon M. Hill  
CITY CLERK