

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 17, 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.

It was moved by Mayor Miller that a reward of Five Hundred Dollars (\$500.00) be offered for the arrest and conviction, or clues leading to the arrest and conviction, of the murderer or murderers of Henry Sites, taxicab driver; the apportionment thereof to be left to the discretion of the Chief of Police. The motion carried by the following vote:

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

The appeal of HENRY WALTER JONES, by Ayres K. Ross, Attorney, for renewal of his taxicab driver's permit, which had been recommended for denial, was heard.

After considering the appeal, it was moved by Councilman Alford that the said Henry Walter Jones be granted a permit to drive a taxicab for a probationary period of ninety (90) days, subject to revocation upon the first infraction of the rules. The motion carried by the following vote:

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

The appeal of ROBERT LESLIE CROWE, by Ayres K. Ross, Attorney, for renewal of his taxicab driver's permit, which had been recommended for denial, was heard.

After considering the appeal, it was moved by Councilman Alford that the said Robert Leslie Crowe, be granted a permit to drive a taxicab for a probationary period of ninety (90) days, subject to revocation upon the first infraction of the rules. The motion carried by the following vote:

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

A committee from the Optimist Club came before the Council and presented a resolution, asking that, in order that youth may be properly represented in the postwar planning, a meeting be called of all civic and service organizations and agencies for the purpose of electing a committee to cooperate with the agencies doing youth welfare work and with the postwar planning committee.

Following a discussion of the matter, it was agreed that the meeting requested be called for the first Monday night in March.

DAVE TUTTLE appeared before the Council in the matter of his offer to sell to the City property belonging to him adjacent to Rosewood Park, for a consideration of TWELVE HUNDRED FIFTY DOLLARS (\$1250.00).

After some discussion, it was agreed that the City would pay the said Dave Tuttle ONE THOUSAND DOLLARS (\$1000.00) for said property in the event the said Dave Tuttle cannot find any city-owned property for which he would desire to trade said property.

The application of LORENZO THOMPSON, 1140-A Poquito Street, for a taxicab driver's permit, duly recommended for approval by the Acting City Manager, was submitted. Councilman Bartholomew 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 CARL CLAYTON BUCK, Route 4, Box 111, for a taxicab driver's permit, duly recommended for approval by the Acting City Manager, was submitted. Councilman Bartholomew 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:

- (1) A gas main in FLORES STREET from a point 148 feet west of Waller Street easterly 55 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of, and parallel to, the north property line of said Flores Street.

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

- (2) A gas main in LAMAR BOULEVARD from a point 88 feet north of West 3rd Street southerly to West 3rd Street, the centerline of which gas main shall be 8 feet west of, and parallel to, the east property line of said Lamar Boulevard.

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 Lamar Boulevard easterly 315 feet, the centerline of which gas main shall be $7\frac{1}{2}$ 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.

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, the LOWER COLORADO RIVER AUTHORITY has submitted to the CITY OF AUSTIN a contract modifying and interpreting contracts between the LOWER COLORADO RIVER AUTHORITY and the CITY OF AUSTIN dated February 5, 1938, October 10, 1939, and June 6, 1942, said submitted contract being beneficial to the City of Austin; therefore,

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

THAT Walter E. Seaholm, Acting City Manager of the City of Austin, acting for and in behalf of the City of Austin, is hereby authorized and directed to execute said contract, a copy of which is attached hereto; and

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

THAT the City Clerk be, and she is hereby, authorized and directed to attach a duplicate original of this resolution to said contract and file said contract in the permanent files of her office without the necessity of recording the contents of said contract 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 written application of M. H. CROCKETT for a change in zoning, from an "A" Residence District to a "C" Commercial District of property in the Robert H. Johnson tract abutting East Avenue north of 38 1/2 Street and extending eastward to the railroad track, was received. The matter was referred to the Board of Adjustment for consideration and report.

In accordance with public notice heretofore given, bids for the purchase of City-owned property on Lamar Boulevard between 6th and 12th Streets were received, opened, and read, the bidders being as follows:

- | | | |
|-------------------------|--------------------|--------------------|
| G. A. Baker | Andrew Fleming | Mrs. Ethel Hartman |
| O. P. Lockhart | Judge Ben Powell | W. H. Young |
| H. A. Gregory | Lillian Johnson | Jack H. Key |
| Zack R. Williams | D. A. Lane | R. G. Mueller |
| Dave Bouldin | George E. Shelley | J. W. Pritchard |
| Mrs. Bessie Menem | Henry W. Hall | Morin M. Scott |
| by Amos Allen, Agent | by Dave Bouldin, | by Clyde Hailey |
| Catherine Wilkins | Eddie Joseph | L. Novy |
| by Clyde Hailey | by R. Key | By R. Key |
| C. E. Pearson | A. Schwartz | M. K. Hage |
| by R. Key | By A. G. Ferris | by Paul O. Simms |
| Sam Hage | J. B. Ford | A. Schwartz |
| by Paul O. Simms | by Harrison-Wilson | by A. G. Farris |
| Beverly & Page Randolph | W. H. Young | L. H. Pickard |
| I. Mayer | Morin M. Scott | H. L. Bryant |

The bids were then referred to the Engineering Department for tabulation and report.

Councilman Alford offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Joe Koen for the years 1931 through 1935 on Lot No. 5, Block No. 113 in the City of Austin, and for the years 1932 through 1935 on the west twenty-three feet of Lot No. 5 and the east three feet of Lot No. 6, Block 87, and for the years 1934 through 1935 on 39'x 86' of Lot No. 8, being the north part of said lot in Outlet No. 33, Division "E", and for the years 1932 through 1935 on the west sixty-five feet of Lot No. 2 and the east eighty-six feet of Lot No. 1, Block 184, and for the years 1934 through 1935 on Lot No. 25 in Outlet No. 9, Archway Addition, and for the years 1934 and 1935 on the center 50'x93' of Lots Nos. 7 and 8, Block 104, and for the years 1932 through 1935 on Lot No. 4, Block No. 113, and for the years 1932 through 1935 on Lot No. 24, Block 12, Outlots 15, 16, and 17, Division "D", Whitis Addition, and for the years 1934 and 1935 on one 1930 Buick automobile, said taxes for said years being in the amount of \$1952.94, and for non-payment of same at maturity, penalties in the sum of \$97.63, together with interest in the sum of \$1103.42, making the total amount of taxes, penalties, and interest due, \$3,153.99; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$97.63, and one-half of the interest in the sum of \$551.71; therefore,

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

THAT the aforesaid penalties in the sum of \$97.63 and one-half of the interest in the sum of \$551.71 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is hereby authorized and directed to charge said penalties in the sum of \$97.63 and one-half of the interest in the sum of \$551.71 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 thereon.

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 were assessed in the name of University Studio for the year 1942 on merchandise and equipment in the City of Austin, Travis County, Texas, said taxes being for the sum of \$14.95, and for non-payment of same at maturity, penalty in the sum of \$.75 has been assessed, and interest in the sum of \$.80 has accrued, making the total amount of taxes, penalty and interest, \$16.50; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$.75 ; therefore,

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

THAT the aforesaid penalty in the sum of \$.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 \$.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, 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

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Dan E. McCaskill for the year 1942 on Lot 53, south half Outlot 21, Division "X" College Court, and Lot 3, Outlot 21, Division "D", Horst Subdivision, and personal property, all in the City of Austin, Travis County, Texas, said taxes being for the sum of \$221.04, and for non-payment of same at maturity, penalty in the sum of \$11.05 has been assessed, and interest in the sum of \$11.78 has accrued, making the total amount of taxes, penalty and interest \$243.87; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$11.05; therefore,

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

THAT the aforesaid penalty in the sum of \$11.05 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 \$11.05 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, 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 12:30 P. M., subject to call of the Mayor.

ATTEST:

Halle D. Keller
CITY CLERK

APPROVED

Tom Miller
MAYOR