

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 30, 1944  
10:30 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 March 23, 1944, were read; and upon motion of Councilman Alford were adopted as read by the following vote:  
Ayes : Councilmen Alford, Bartholomew, Gillis, Mayor Miller  
Noes : None  
Absent: Councilman Wolf

The application of BILL JOSEPH, 300 Congress Avenue, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1940 Model, Motor No. 3660058, State License (1942) No. N51-228, State License (1944) No. FR-1154, duly approved by the Acting City Manager, to replace Taxicab Permit No. 26 cancelled by Frank Sconci, 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

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Echo Oil Company, acting by and through James F. Gramon, Manager, lessee from the Texas and New Orleans Railroad Company of a portion of Lot 4, Outlot 10, Division "A" of the Government Outlots, which property is situated on the south side of East 6th Street at a location west of Federnales Street within the City of Austin, Travis County, Texas, and being locally known as 2427 East 6th 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 6th Street adjacent to the above described

property as shown upon the plan hereto attached marked 2-C-966, which plan is hereby made a part of said request; and

WHEREAS, said request and plan have been favorably considered by the City Council of the City of Austin; therefore

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

THAT the Echo Oil Company, acting by and through James F. Gramon, Manager lessee from the Texas and New Orleans Railroad Company of a portion of Lot 4, Outlot 10, Division "A" of the Government Outlots, which property is situated on the south side of East 6th Street at a location west of Pedernales Street within the City of Austin, Travis County, Texas, and being locally known as 2427 East 6th Street, is hereby permitted to construct a commercial driveway across the south sidewalk area of East 6th 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-966, 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 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 SAN JACINTO BOULEVARD from a point 13' north of East 11th Street northerly to a point 10' north of the south property line of East 12th Street, the centerline of which gas main shall be 11' east of, and parallel to, the west property line of said San Jacinto Boulevard.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

- (2) A gas main in EAST 12TH STREET from a point 11' east of the west property line of San Jacinto Boulevard easterly 13 feet, the centerline of which gas main shall be 10' north of, and

parallel to, the south property line of said East 12th Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

- (3) A gas main in EAST 14TH STREET from Salina Street easterly 66 feet, the centerline of which gas main shall be 7 $\frac{1}{2}$ ' south of, and parallel to, the north property line of said East 14th 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

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council has decided to provide lower domestic rates to consumers residing within the corporate limits of the City of Austin for a seven months period; namely, for water consumption on which bills are rendered between April 1st and October 31st, 1944, for the purpose of furthering the Victory Garden program and the further beautification of the city; and

WHEREAS, it is the intention of the City Council that this reduction shall be made only to those water consumers whose use shall be strictly for residential purposes, and is not effective for commercial purposes; therefore,

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

THAT the City Manager be, and he is hereby, authorized and directed to make effective on all water readings within the corporate limits of the City of Austin, Texas, for all water consumers whose use is strictly for residential purposes, as of bills rendered between April 1 to October 31, 1944, at the following rate :

First	1,500 - 50 cents (minimum charge)
Next	2,000 - 30 cents per 1000 gal.
Next	12,500 - 18 cents " " "
Next	34,000 - 14 cents " " "
Next	200,000 - 12 cents " " "
Over	250,000 - 12 cents " " "

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)

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

THAT Walter E. Seaholm, the Acting City Manager of the City of Austin, is hereby authorized and directed, in behalf of the City of Austin, to execute a release to Mrs. M. J. Raymond, her heirs and assigns, of any and all liens heretofore existing or now existing by reason of the hereinabove mentioned judgment on Block D, Outlot 2, Division Z, of the City of Austin, Travis County, Texas, in consideration of the payment of all taxes and court costs involved in Tax Suit No. 25584, City of Austin v. Mrs. M. J. Raymond, in the District Court of Travis County, Texas, in which judgment was rendered in favor of the City of Austin on February 10, 1909, and is recorded in Minute Book 14, page 311, of the District Court Minutes of Travis County, Texas.

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 CHARLES CLIFFORD WIMBERLY, 56 East Avenue, 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

Mayor Miller submitted a request in writing from E. J. Mathews, Registrar of the University of Texas, asking that the dead line for the payment

of city taxes without interest be extended to April 10th of this year, as the salary checks of State employees will not be available before that date.

Following a discussion of the matter, it was moved by Councilman Gillis that the time for the payment of city taxes without interest be extended to APRIL 12TH of this year. The motion carried by the following vote:

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

Noes : None

Absent: Councilman Wolf

The appeal of IVA OTIS ABBETT, by attorney, Polk Shelton, for reconsideration of his application for renewal of his taxicab driver's permit, which had been denied, was heard. The matter was referred to the Chief of Police for further investigation.

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>
Darsey, Guy P. - 1412 Gaston Avenue	Home-made, Outboard, Two Years old, 4-passenger
Groos, Louis - 2514 Harris Boulevard	Home-made, Inboard, Six Years old, "Lycoming," 12-passenger
Kriegel, W. P. - 1020 Red River Street	Home-made, Outboard, 1942 Model, Johnson, 4-passenger
Martin, James O. - 3101 West Avenue	Wagemaker, Flat-bottom, Row, 1938 Model, "Sea Horse", Johnson, 4-passenger
Surrat, Louie - Harry Knox	Rebuilt, Inboard, 1944 Model, "Judy", Star, 5-passenger

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote:

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

Noes : None

Absent: Councilman Wolf

A request in writing from JACK KEY for the improvement of Dwarf Street in order to render the premises in the rear of 3800 Dam Boulevard more accessible, was received. The matter was referred to the City Engineer for attention.

A letter from MRS. ELLIOTT LEE, President of PTA of Blackshear School, asking that some action be taken on their petition, previously submitted, for an asphalt topping on 11th Street from Comal to Chicon Streets, was received. The matter was again referred to the Acting City Manager and the City Engineer for attention.

A letter from MRS. ANNA I. SANDBO, Attorney, asking for an adjustment on the taxes assessed against Mrs. Cora E. Weaver, n.c.m., was received. The matter was referred to the Acting City Manager and the Tax Assessor and Collector for investigation and report at the next meeting.

MRS. J. G. BRANNUM, 201 East 1st Street, appeared before the Council relative to a complaint by the Sanitary Department regarding defective plumbing on the premises at 1504 Riverside Drive, 1408-B Riverside Drive, and 1408 Edgecliff. The matter was referred to the City Engineer for attention.

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of V. O. Weed Estate for the years 1938, 1940, and 1942, on personal property, and for the years 1937 through 1942 on the north half of Lot 4 (F), Block 111, Original City, and on Lots 1 and 2, Block 6, Penn Park, and on 122 feet across the south part of Lots 9, 10, 11, and 12 (C) in Block 2, Outlot 11, Division "Z", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$1,931.49, and for non-payment of same at maturity, penalty in the sum of \$96.57 has been assessed, and interest in the sum of \$333.88 has accrued, making the total amount of taxes, penalty, and interest \$2361.94; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$96.57 and one-half of the interest in the sum of \$166.94; therefore,

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

THAT the aforesaid penalty in the sum of \$96.57 and one-half of the interest in the sum of \$166.94 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 \$96.57 and one-half of the interest in the sum of \$166.94 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and the balance 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

Councilman Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Brown Drug Company for the years 1938, 1939, 1940, and 1941, said taxes being for the sum of \$655.94, and for non-payment of same at maturity, penalty in the sum of \$32.80 has been assessed, and interest in the sum of \$137.18 has accrued, making the total amount of taxes, penalty and interest \$825.92; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$32.80 and one-half of the interest in the sum of \$68.59; therefore,

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

THAT the aforesaid penalty in the sum of \$32.80 and one-half of the interest in the sum of \$68.59 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 \$32.80 and one-half of the interest in the sum of \$68.59 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and the balance 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

It was moved by Councilman Gillis that the Acting City Manager be authorized to have warrant, in the amount of \$44.29, issued to S.D. Heffington, Assessor and Collector of Travis County, in payment of State and County taxes delinquent for the years 1930 and 1923 on property conveyed by the City of Austin to Jennie Knight by deed dated July 19, 1937, said property being described as Lot 1-C of the Partition of the James E. Bouldin Estate, less a small portion thereof retained by the City for the purpose of widening West Mary Street.

Which motion carried 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.

Approved

*Tom Miller*  
MAYOR

ATTEST:

*Shelley McKeen*  
CITY CLERK