

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 20, 1944
10:40 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 April 13, 1944, and the Recessed Meeting of April 17, 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

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 29, 1937, AND RECORDED IN ORDINANCE BOOK "K", PAGE 239, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; THE AMENDMENT HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT OF THE PROPERTY DESCRIBED AS A PORTION OF LOT 5, BLOCK 38, ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID PROPERTY BEING KNOWN AS 1510-12 LAVACA STREET; ORDERING A DELINEATION OF THE OFFICIAL USE MAP SO AS TO SHOW THE CHANGE HEREBY ORDERED; AND DECLARING AN EMERGENCY.

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, Mayor Miller.

Noes : None

Absent: Councilman Wolf

The ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

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

Noes : None

Absent: Councilman Wolf

The ordinance was 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, Mayor Miller.

Noes : None

Absent: Councilman Wolf

Thereupon the Mayor announced that the ordinance had been finally passed.

The application of WALTER DEE COLLINS, 910 East 13th Street, for a taxicab driver's permit, 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, Mayor Miller.

Noes : None

Absent: Councilman Wolf

The application of EARL DEWITT LAIRD, 2307 Willow 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

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 City Council of the City of Austin hereby approves the reconstruction and maintenance of a loading platform in the sidewalk and street area along the west side of Neches Street and between East 3rd Street and the alley, which property is owned by the Gugenheim-Goldsmith Company and is designated as Lot 4, Block 33, of the Original City of Austin, Travis County, Texas, and hereby authorized the Gugenheim-Goldsmith Company to reconstruct and maintain said loading platform, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue a building permit for the reconstruction of this loading platform after full compliance with all the provisions of this resolution, and said permission shall be held to be granted

and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations, and the right of revocation is retained if, after hearing, it is found by the City Council that the said Gugenheim-Goldsmith Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

" Austin, Texas
April 20, 1944

Mr. Walter E. Seaholm
Acting City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Gugenheim-Goldsmith Company of Austin, Texas, for permission to reconstruct and maintain a loading platform in the sidewalk and street area along the west side of Neches Street and between East 3rd Street and the alley within the City limits of the City of Austin, Travis County, Texas, which property is known as Lot 4, Block 33, of the Original City, and we hereby advise that the following conditions exist:

The property upon which this warehouse is located is designated as "C-2" Commercial District, as shown upon the zoning maps of the City of Austin.

This neighborhood is essentially a warehouse district, in which a number of warehouses now exist with loading platforms extending out over the sidewalk area.

We recommend that the Gugenheim-Goldsmith Company be granted permission to reconstruct and maintain said loading platform on the sidewalk and street area along the west side of Neches Street and north of East 3rd Street to the alley, subject to the following conditions:

That the proposed loading platform be reconstructed of concrete in its present location which extends three feet beyond the west curb line of Neches Street and in accordance with the plans on file in the Building Inspector's office, and that all grades and lines for the curb in front of this property be constructed along the lines given and with the approval of the Engineering Department of the City of Austin, and that the present curb and sidewalk on the northwest corner of the intersection of East 3rd Street and Neches Street and the sidewalk and curb on the north end of this property extending to the alley be extended so as to eliminate the present off-set between the front line of the present loading platform and the original curb now in place.

Respectfully submitted,

(Sgd) J. E. Motheral, City Engineer
" J. C. Eckert, Building Inspector. "

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 EAST 2ND STREET from a point 54 feet east of Canadian Street easterly 35 feet, the centerline of which gas main shall be 25 feet south of, and parallel to, the north property line of said East 2nd Street.

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

- (2) A gas main in BRIDLE PATH from Robin Hood Trail easterly 291 feet, the centerline of which gas main shall be 11.5 feet south of, and parallel to, the north property line of said Bridle Path.

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 Gillis offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, taxes for the years 1922 through 1926, and for the years 1935 through 1937 were assessed against improvements on Lot 3, Block 1, Barton Springs Addition to the City of Austin, Travis County, Texas, said taxes being assessed in the name of Lucy L. Davis, et al; and

WHEREAS, it has been determined that no improvements existed on said property during the said years, and that assessment against said improvements has been carried erroneously on the rolls of the City Tax Assessor and Collector; therefore,

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

THAT the taxes assessed for the years 1922 through 1926, and for the years 1935 through 1937 on the improvements on Lot 3, Block 1, Barton Springs Addition to the City of Austin, Travis County, Texas, be, and the same are hereby, cancelled and the Tax Assessor and Collector is authorized and directed to strike same from the tax rolls. This action shall not affect the assessments for taxes against the above described real estate, but shall apply to improvements only.

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, it has been determined that assessment for taxes for the year 1943 on a 1941 Plymouth Sedan, assessed in the name of A. F. Borders, is excessive and that same should be corrected; therefore,

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

THAT the assessment for taxes on the aforesaid property be, and the same is, reduced and corrected from Three Hundred Forty (\$340.00) Dollars to Seventy-five (\$75.00) Dollars, and that the City Tax Assessor and Collector is authorized and directed to make such change on his rolls.

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:

Sharon McLean
CITY CLERK