

Regular meeting of the City Council: Austin, Texas, May 23rd 1912.

The Council was called to order by the Mayor : Roll called :

Present Mayor Wooldridge, Councilmen Bartholomew, Hart & Powell 4

Absent Councilman Haynes 1

The minutes of the last regular meetings were read and adopted :

The regular order of business was suspended, to hear a Committee of Citizens from Hyde Park., after which the regular order was resumed .

Councilman Hart presented a petition from C Strong asking remission of pound fee, with his recommendation that same be not allowed.

The recommendation of Councilman Hart was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, & Powell 4

Absent Councilman Haynes 1

The Mayor laid before the Council an ordinance amending the Dog ordinance, which was read the first time and passed under suspension of the rules by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart & Powell 4

Nays none.

Mayor Wooldridge offered the following resolution :

Whereas, it appears from the accompanying statement of R L Slaughter, agent for the owners of Lot 2, Block 1, Glenwood Addition to East Austin, Texas, and,

Whereas, it further so appears from the statement made to this Council by Fred Sterzing, Assessor & Collector, that there are not now and were not on the 1st day of January, 1911, any improvements upon said lot 2, Block 1, Glenwood addition to East Austin, Texas; and,

Whereas, in error, improvements were assessed against said property in the amount of \$ 900.00, when in point of fact there were no improvements on said above described property on the 1st day of January 1911;

Now Wherefore:

Be it resolved by the City Council of the City of Austin :

That said erroneous assessment against said Lot 2, Block 1, Glenwood Addition to East Austin, Texas, in the amount of \$ 900.00, be cancelled and annulled, and that the Assessor & Collector of this City declared to be entitled to take credit upon his assessment rolls for the year 1911 by the amount of said \$ 900.00.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart & Powell 4

Absent Councilman Haynes 1

Mayor Wooldridge offered the following resolution :

Whereas, from the attached affidavit, it is apparent that R B Millwee, who lives at Hornsby, this County, assessed in error personal property for the year 1911 in the amount of \$ 955.00; and,

Whereas, said Millwee likewise in error paid the City taxes on said personal property for the year 1911, and asks for a refund of the same ;

Now, Therefore,

Be it resolved by the City Council of the City of Austin :

That the sum of \$ 14.92, which was the amount paid in error on said personal

*C Strong pound fee*

*Dog ordinance*

*R L Slaughter taxes*

*R B Millwee correct assessment*

property, not inside the corporate limits of this City, by said Millwee for the year 1911, be appropriated out of the general contingent fund of this City to reimburse to said Millwee said amount erroneously and illegally paid by him to the Assessor & Collector of this City.

Be it further resolved :

That the Assessor & Collector of this City take credit upon his assessment rolls for the year 1911 by the amount of \$ 955.00 erroneously assessed against R B Millwee.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart & Powell 4  
Absent Councilman Haynes 1

Councilman Powell presented to the Council bids for paving alleys between Congress Avenue and Colorado street from 3rd to 5th streets, also alleys <sup>between Congress</sup> ~~between Congress~~ Avenue and Brazos street, from 3rd to 5th streets.

Two bids were presented, one from Ray McDonald and one from Knox T Johnson. The bid of Ray McDonald being the lowest bid presented, Councilman Powell moved that his bid, for the Dolloway, pavement be accepted, which motion prevailed by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart & Powell 4  
Absent Councilman Haynes 1

On motion the City Clerk was directed to return to Knox T Johnson his certified check. Councilman Powell offered the following resolution :

Be it resolved by the city council of the City of Austin, Texas;

Section 1. That the City Engineer be and he is hereby instructed to immediately prepare and file with the Supt of Streets and Public Improvements, complete specifications for the paving of 3rd street between the West property line of Colorado street and the East property line of Brazos street, in the City of Austin, Travis County, Texas, with Bitulithic pavement, Wood Blocks, Brick and such other material as said Engineer may deem proper and expedient.

Sec 2. That upon the filing of said specifications by the City Engineer, the Supt of Streets and Public Improvements be and he is hereby authorized and instructed to advertise for bids for said paving to be done in accordance with said specifications, said bids to be submitted to the City Council for its action not later than 10 O'clock A M on the sixth day of June 1912.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart & Powell 4  
Absent Councilman Haynes 1.

Councilman Powell offered the following resolution :

A resolution ordering the improvement of a certain portion of Colorado street in the City of Austin; and approving specifications, proposal, contract and bond therefor.

Whereas, it is deemed necessary to improve the following streets in the City of Austin within the following limits, to-wit:

Colorado street from south property line of West second street to south property line of West fourth street ;and,

Whereas, the City Engineer of this City, has this day filed with the City Council complete specifications for the performance of the said work, by paving the said street with the Bitulithic paving upon the five inch gravel concrete foundation with concrete gutters along curb lines eighteen inches wide, and necessary excavation; and,

*Bids for paving Alleys*

*Engineer to submit specifications paving 3rd Colorado to Brazos*

*Contract paving Colorado st  
W. R. Co*

Whereas, the Texas Bitulithic Company has filed with the City Council a proposal to do said work at and for the following prices, to-wit:

For earth and loose rock excavation	\$ .35 per cu yd., or on
For excavation solid rock	3.00 " "
For Bitulithic paving including five inch gravel foundation as specified and concrete gutters with five years maintenance	2.15 per sq yard; and,

Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic Company and also a bond for the construction and maintenance thereof by the said company, with the United States Fidelity and Guarantee Company as surety, and has submitted the same to the City Council; therefore,

Be it resolved by the City Council of the City of Austin:

- (1) That, the said street be improved by paving the same with the bitulithic pavement within the limits above named with the five inch gravel concrete foundation, necessary excavation and concrete gutters, all as set forth in said specifications.
- (2) That the said specifications for the said work prepared by the City Engineer be and the same are hereby adopted, and that the proposal of the Texas Bitulithic Company to perform the said work be accepted and the said work let to the said company, and that the certain contract prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved, and that the Mayor of the City be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporation seal; that the form of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic Company in connection with the work of improving said street, be and the same is hereby approved, and the United States Fidelity and Guarantee Company be and the same is hereby approved as surety thereon, and that the same be accepted by the City of Austin upon execution by said principal as surety.
- (3) The cost of the said improvement shall be paid as follows, to-wit:
  - (a) The City shall pay to the said contractor the whole cost of the improving the intersections of other streets and alleys with said street named to be improved; except, so much thereof as may be occupied by the rails and tracks of any railroad company, and twelve inches on the outside of said rails within which limits the cost of such improvements shall be born by said railroad company. And such railroad company shall also bear and pay the cost of said improvement between and inside of its said rails and track and twelve inches on the outside thereof, upon other portions of said street named to be paved in addition to said intersection
  - (b) The remainder of the cost of the said improvements shall be paid by owners of property abutting thereon, and assessed against them and their property in accordance with the Charter and ordinances of this City; provided, that no assessment shall be made against any owner or his property, in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after notice and hearing to said owner as provided by said Charter and ordinances.
- (4) That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption

.thereof and shall then be finally adopted .

The resolution was read and laid over for one week.

Councilman Powell offered the following resolution :

A resolution ordering the improvement of a portion of Brazos street, in the City of Austin; and approving specifications, proposals contract and bond therefor.

Whereas, it is deemed necessary to improve the following street in the City of Austin within the following limits, to-wit:

Brazos street, from south property line of East 2nd street to south property line of East 4th street; and ,

Whereas, the City Engineer of this City, has this day filed with the City Council complete specifications for the performance of the said work, by paving the said streets with the Bitulithic paving with the five inch gravel concrete foundation with concrete gutters along curb lines eighteen inches wide, and necessary excavation; and,

Whereas, the Texas Bitulithic Company has filed with the City Council a proposal to do said work at and for the following prices, to-wit :

For earth and loose rock excavation	\$ .35 per Cu Yard
For excavation solid rock	3.00 per Cu yd
For Bitulithic paving including 5 inch gravel concrete foundation as specified and concrete gutters with 5 years maintenance	2.15 per Sq Yd, and,

Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic Company and also a bond for the construction and maintenance thereof by the said company, with the United States Fidelity and Guarantee Company as surety, and has submitted the same to the City Council ; therefore,

Be it resolved by the City Council of the City of Austin :

- (1) That, the said street be improved by paving the same with the Bitulithic pavement within the limits above named with five gravel concrete foundation, necessary excavation and concrete gutters, all as set forth in said specifications.
- (2) That the said specifications for said work prepared by the City Engineer be and the same are hereby adopted, and that the proposal of the Texas Bitulithic Company to perform the said work be accepted and the said work let to said company, and that the certain contract prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved, and that the Mayor of the City be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporation seal ; that the form of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic Company in connection with the work of improving said street, be and the same is hereby approved, and the United States Fidelity and Guarantee Company be and the same is hereby approved as surety thereon, and that the same be accepted by the City of Austin upon execution by said principal and surety .
- (3) That the cost of the said improvement shall be paid as follows, to-wit:
  - (a) The City shall pay to the said contractor the whole cost of the improving the intersections with other streets and alleys with said streets named to be improved; except, so much thereof as may be occupied by the rails and tracks of any railroad company, and twelve inches on the outside of said rails within which limits the cost of such improvements shall be borne by said railroad company. And such railroad company shall also

*Concrete paving  
Brazos St  
Tex Bitulithic Co*

• bear and pay the cost of said improvement between and outside of its rails and track and twelve inches on the outside thereof, upon other portions of said streets named to be paved in addition to said intersections

(b) The remainder of the cost of said improvements shall be paid by the owners of property abutting thereon, and assessed against them and their property in accordance with the Charter and ordinances of this City; Provided, that no assessment shall be made against any owner or his property, in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after notice and hearing to said owner as provided by said Charter and ordinances.

(4) That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof and shall then be finally adopted.

Approved, J. Boulain Rector, City Attorney.

The resolution was laid over for one week.

Councilman Powell offered the following resolution:

A resolution ordering the improvement of a portion of 2nd street, in the City of Austin; and approving specifications, proposal, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street in the City of Austin, to-wit:

Second street from the West property line of Colorado street to the East property line of Brazos street; and,

Whereas, the City Engineer of this City, has this day filed with the City Council complete specifications for the performance of the said work, by paving the said street with the Bitulithic paving upon the five inch gravel foundation with concrete gutters along curb lines eighteen inches wide, and necessary excavation; and,

Whereas, the Texas Bitulithic Company has filed with the City Council a proposal to do said work at and for the following prices, to-wit:

For earth and loose rock excavation	\$	.35 per Cu Yd
For excavation solid rock		3.00 per Cu Yd
For Bitulithic paving including 5 inch gravel concrete foundations as specified and concrete gutters with five years maintenance		2.15 per sq Yd; and,

Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic company and also a bond for the construction and maintenance thereof by the said company, with the United States Fidelity and Guarantee Company as surety, and has submitted the same to the City Council; therefore,

Be it resolved by the City Council of the City of Austin:

(1) That the said street be improved by paving the same with the Bitulithic pavement within the limits above named with five inch gravel concrete foundation, necessary excavation and concrete gutters, all as set forth, in said specifications.

(2) That the said specifications for said work prepared by the City Engineer be and the same are hereby adopted, and that the proposal of the

*Texas Bitulithic Co  
Contract paving  
2nd St*

Texas Bitulithic company to perform said work be accepted and the said work let to said company, and that the contract prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved, and that the Mayor of the City be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporation seal; that the form and xxxxx of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic company in connection with the work of improving said street, be and the same is hereby approved, and the United States Fidelity and Guarantee Company be and the same is hereby approved as surety thereon, and that the same be accepted by the City of Austin upon execution by said principal and surety.

(3) That the cost of the said improvement shall be paid as follows, to-wit:

(a) The City shall pay to the said contractor the whole cost of the improving the intersections of other streets and alleys with said streets named to be improved; except, so much thereof as may be occupied by the rails and tracks of any railroad company, and twelve inches on the outside of said rails within which limits the cost of such improvements shall be born by said railroad company. and such railroad company shall also bear and pay the cost of said improvement between and inside of its said rails and track and twelve inches on the outside thereof, upon other portions of said streets named to be paved in addition to said intersections.

(b) The remainder of the cost of said improvement shall be paid by the owners of property abutting thereon, and assessed against them and their property in accordance with the Charter and ordinances of this City; Provided, that no assessment shall be made against any owner or his property, in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after notice and hearing to said owner as provided by said Charter and ordinances.

(4) That this resolution shall remain on file with the city clerk for public inspection for one week before the final passage or adoption thereof and shall then be finally adopted.

Approved, J Bouldin Rector, City Attorney.

Councilman Powell offered the following resolution:

A resolution ordering the improvement of a certain portion of Colorado street in the City of Austin; and approving specifications, proposals, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street of the City of Austin within the following limits, to-wit:

Colorado street from the south property line of West second street to south property line of West fourth street; and,

Whereas, the City Engineer of this City, has this day filed with the City Council complete specification for the performance of the said work, by paving the said street with the Bitulithic paving upon the five inch gravel concrete foundation with concrete gutters along curb lines eighteen inches wide, and necessary excavation; and,

Whereas, The Texas Bitulithic Company has filed with the City Council a proposal to do said work at and for the following prices, to-wit:

For earth and loose rock excavation \$ .35 per Cu Yd  
Forexcavation Solid rock 3.00 per Cu Yd

For Bitulithic paving including five inch gravel concrete foundation as specified and concrete gutters with five years maintenance 2.15 per Sq Yd; and

Whereas, the City Attorney has prepared a contract for said work, between the City and the Texas Bitulithic company and also a bond for the construction and maintenance thereof by

*See Bitulithic Co  
Contract on paving  
Colorado st*

the said company, with the United States Fidelity and Guarantee Company as surety, and has submitted the same to the City Council; therefore, Be. it resolved by the City Council of the City of Austin:

(1) That, the said street be improved by paving the same with the Bitulithic pavement within the limits above named with five inch gravel concrete foundation, necessary excavation and concrete gutters, all as set forth in said specifications.

(2) That the said specifications for said work prepared by the City Engineer be and the same are hereby adopted, and that the proposal of the Texas Bitulithic Company to perform the said work be accepted and the said work be let to said company, and that the certain contract prepared and submitted by the City Attorney for the performance of said work on said street be and the same is hereby approved, and that the Mayor of the City be and he is

hereby directed upon the taking effect hereof, to execute said contract on behalf of the City and in its name and the City Clerk to attest the same with the impress of the corporate seal; that the form of the construction and maintenance bond submitted by the City Attorney for execution by said Texas Bitulithic company in connection with the work of improving said street, be and the same is hereby approved, and the United States Fidelity and Guarantee Company be and the same is hereby approved as surety thereon and that the same be accepted by the City of Austin upon execution be said principal as surety.

(3) That the cost of the said improvement shall be paid as follows, to-wit:

(a) The City shall pay to the said contractor the whole cost of improving the intersections of other streets and alleys with said street named to be improved; except, so much thereof as may be occupied by the rails and track of any railroad company, and twelve inches on the outside of said rails within which limits the cost of such improvement shall be born by said railroad company. And such railroad company shall also bear and pay the cost of said improvement between and inside of its said rails and track and twelve inches on the outside thereof, upon other portions of said street, named to be paved in addition to said intersections.

(b) The remainder of the cost of said improvement shall be paid by the owners of property abutting thereon, and assessed against them and their property in accordance with the Charter and ordinances of this City; Provided, that no assessment shall be made against any owner or his property, in excess of the actual benefits to the said property in enhanced value by means of said improvement nor until after notice and hearing to said owner as provided by said Charter and ordinances.

(4) That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof and shall then be finally adopted.

Approved, J Bouldin Rector, City Attorney.

The resolution was laid over for one week.

The Council then recessed subject to call.

Austin, May 28th 1912.

The Council was called to order by the Mayor with all members present, except Councilman Powell:

Councilman Haynes offered the following resolution :

Be it resolved by the City Council of the City of Austin :

That Councilman Haynes be and is hereby authorized to transfer on his accounts for the Sanitary Department the sum of \$ 125.00 from the fund " For Grounds and Stables " to the fund " For Mules " for said department.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge , Councilmen Bartholomew Hart & Haynes 4

Absent Councilman Powell 1

The Council then recessed subject to call.

*Transfer funds*