

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 29, 1935.

The meeting was called to order at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

The request of Paul O. Simms, through his architect, Roger Small, that permit be granted him to erect a frame store building at 619-620 East 7th Street on the property line instead of having to set same back three feet as required by the Building Code Ordinance, was referred to the City Manager, City Engineer, Building Inspector, Fire Chief, and City Attorney to work the matter out so as not to affect the City's fire insurance key rate.

R. K. Daniel extended an invitation from the Austin Trades Council to the City Council and City Manager to participate in the Labor Day parade.

Jas. A. Garrison, Superintendent of Recreation, gave a report of his investigation of conditions at Shipe Pool, stating that placards had been put up at the pool requesting the bathers to wear robes to and from the pool and that the Life Guards had been instructed to urge them to do so. The City Attorney was instructed to draw an ordinance repealing certain sections of the bathing suit ordinance.

The hearing was then opened on the proposal of the City Council to cancel the Taxicab Driver's Permits issued to the following persons: Grover D. Porter, 307 Navasota Street, D. H. Hogan, 409 West 38th Street, and Harvey Warren, 95 Rainey Street.

The charges against the said Grover D. Porter were read and no protest against same being offered by said Grover D. Porter, Councilman Bartholomew moved that the recommendations of Capt. Tom Neal be sustained and the Taxicab Driver's Permit issued to the said Grover D. Porter be revoked. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The charges against the said D. H. Hogan were read and after hearing his denial of same, and upon the recommendation of Capt. Tom Neal, it was moved by Councilman Wolf that the Taxicab Driver's Permit issued to the said D. H. Hogan be revoked, but that he be allowed to retain his taxicab in service, but not allowed to drive same. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The charges against the said Harvey Warren were read and after hearing a denial of same by Houston Jones, Attorney for the said Harvey Warren, and other character witnesses, it was moved by Councilman Gillis that, in view of the circumstances in the case, and upon the recommendation of Capt. Tom Neal, the said Harvey Warren be put on probation of a period of ninety days and that he be allowed to continue driving his taxicab in the meantime. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Bartholomew, by request of property owners on Texas Avenue, submitted a petition from said property owners asking for a revaluation of their real estate without improvements. Upon motion of Councilman Alford, the matter was referred to the Board of Equalization.

Councilman Bartholomew submitted the following resolution and, at his request, action on same was deferred until the next regular meeting:

"The City Council having invited sealed proposals for the custody of city funds, pursuant to Chapter 3, Title 47, Revised Civil Statutes of Texas, 1925, and the Council having

selected certain depositories of such funds pursuant to Article 2560, and having designated certain banking corporations as depositories of the funds of the city pursuant to Article 2561, Revised Civil Statutes of Texas, 1925;

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

THAT no funds of the city be deposited in any banking corporation not designated as a city depository and be it resolved that all city funds be deposited in such depositories and that no funds of the city be deposited in any banking corporation until and unless the same shall have been secured in the manner provided by Article 2560, Revised Civil Statutes of 1925; and the City Manager is hereby directed to carry out and perform the provisions of Article 2561 of the Revised Statutes of Texas, 1925. "

Councilman Wolf offered the following resolution:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works and provisions of the City Charter of the City of Austin, Texas, proposal for bids for the various works under P. W. A. Docket No. 1758 (2863), Engineer's Reference No. 68-b, was duly advertised to be received by the City Manager and to be opened at ten o'clock A. M., Tuesday, August 13, 1935, at the City Hall in the City of Austin, Texas; and

WHEREAS, at said time and place said bids were public opened and read, as specified; and

WHEREAS, thereupon it was found that the certain persons and firms as noted below were respectively the lowest and best bidders for the work designated under Docket No. 1758 (2863) Engineer's Reference No. 68-b, to wit, respectively, the furnishing of certain equipment for a Sewage Treatment Plant, and that said bids were regular and proper in all particulars; therefore

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

(1) That the bid of Walter Tips Company of Austin for furnishing a combined screen and shredder, as specified, be rejected;

(2) That the bid of the Dorr Company, Chicago, Ill., for the furnishing of grit removal equipment, as specified, for the aggregate sum of \$3,840.00 be and the same is hereby accepted;

(3) That the bid of Dorr Company, Chicago, Ill., for the furnishing of sludge concentrating equipment, as specified, in the aggregate sum of \$14,770.00 be, and the same is hereby accepted;

(4) That the bid of Donnelly-White Company of Austin, Texas, for the furnishing of four vertical centrifugal type sludge pumps, as specified, for the aggregate sum of \$1,980.60, be, and the same is hereby accepted;

(5) That the bid of the American Well Works, Aurora, Ill., for the furnishing of one vertical centrifugal type drain pump, as specified, for the aggregate sum of \$1,798.00 be and the same is hereby accepted;

(6) That the bid of Shaw-Box Crane & Hoist Co., Inc., Kuskogon, Michigan, for the furnishing of one hand powered crane, as specified, for the aggregate sum of \$710.00 be and is hereby accepted;

(7) That the bid of Donnelly-White Company, Austin, Texas, on one primary and one secondary air filter, as specified, for the aggregate sum of \$599.80 be and the same is hereby accepted;

(8) That the bid of Roots-Connersville Blower Corporation, Connersville, Ind., for the furnishing of four blowers, as specified, for the aggregate sum of \$14,350.00 be and the same is hereby accepted;

(9) That the bids on this item for the furnishing of four tachometers, as specified, not being in accordance with the specifications, be rejected;

(10) That the bid of Chain Belt Company, Milwaukee, Wisconsin, for the furnishing of three duplex plunger type sludge pumps, as specified, in the aggregate sum of \$2,260.00 be and the same is hereby accepted;

(11) That the bid of Donnelly-White Company, Austin, Texas, for the furnishing of one vertical centrifugal type sump pump, as specified, for the aggregate sum of \$308.20, be and is hereby accepted;

(12) That the bid of Fairbanks Morse Company, Dallas, Texas, for the furnishing of one horizontal centrifugal type sump pump, as specified, in the aggregate sum of \$469.00 be and the same is hereby accepted;

It being understood that the bids hereinabove respectively accepted shall be subject to the approval of the Federal Emergency Administration of Public Works and the City Manager on behalf of the City of Austin is hereby authorized and instructed to enter into contract respectively with said persons and firms for said purposes, subject to the approval of the Federal Emergency Administration of Public Works.

Upon motion of Councilman Wolf, seconded by Councilman Alford, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, E. H. Perry, acting by and through B. P. Mollberg, owner of the east 120 feet of Lot 7, Block 84, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Brazos Street and the south side of East 8th Street, has made application to the City Council of the City of Austin for permission to construct two commercial driveways across the sidewalk areas of East 8th Street and Brazos Street into this property -- namely, one driveway on 8th Street and one driveway on Brazos Street -- as shown upon the plan hereto attached marked 2-G-64, which plan is made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT E. H. Perry, acting by and through B. P. Mollberg, owner of the east 120 feet of Lot 7, Block 84, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Brazos Street and the south side of East 8th Street, is hereby granted permission to construct two commercial driveways across the sidewalk areas of East 8th Street and Brazos Street into this property -- namely, one driveway on 8th Street and one driveway on Brazos Street -- subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-G-64, which plan is hereby 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Mrs. W. D. Noton, owner of the south 23½ feet of Lot 1, Block 2, Outlot 16,

Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the east side of Guadalupe Street and the north side of West 25th Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line of West 25th Street adjacent to the above described property, the new curb of which setback will be 12½ feet north of and parallel to the established north curb line of said West 25th Street, thereby relieving traffic conditions at this location by creating a greater width of travelway on 25th Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

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

THAT permission is hereby granted Mrs. W. D. Noton, owner of the south 23½ feet of Lot 1, Block 2, Outlot 16, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the east side of Guadalupe Street and the north side of West 25th Street, to set the curb back from the established curb line on West 25th 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-608, and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on West 25th Street shall be carried out in accordance with the accompanying plan marked 2-C-608 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, 2½ 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 ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-608.

(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 their 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, Thomas D. McGrummen, owner of Lot 9, of Enfield "D", a subdivision within the City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to construct a stone curb adjacent to that portion of his property which abuts Windsor Road, which property is located on the west side of Windsor Road south of Pease Road intersection, and is locally known as 2216 Windsor Road; and

WHEREAS, the Ordinance which regulates the construction of curbs upon or within streets in the City of Austin requires that anyone desiring to construct any curb other than a concrete curb shall get special permission for such construction from the City Council of the City of Austin; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of a stone curb at the aforesaid location; therefore

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

THAT Thomas D. McCrummen, owner of Lot 9, of Enfield "D", a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Windsor Road at a location south of Pease Road intersection, and being locally known as 2216 Windsor Road, is hereby granted permission to construct a stone curb adjacent to that portion adjacent to the aforesaid Lot 9 which abuts Windsor Road, provided, however, that said stone curb shall be constructed upon a concrete base and shall have an exposure of 8 inches above the gutter and shall be 10 inches wide at the top in accordance with the standard design for rock curbs as adopted by the City of Austin and as detailed upon the plan hereto attached marked 2-C-501, which plan is hereby made a part of this resolution, and further provided that all work shall be done by a bonded curb and sidewalk contractor and that said curb shall be constructed under the supervision and direction 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following 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 NEW YORK AVENUE, beginning at a point 55 feet west of and 18 feet south of the intersection of the west line of Chicon Street and the north line of New York Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 18 feet south of and parallel to the north line of New York Avenue, for a distance of 55 feet to the west line of Chicon Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in NEW YORK AVENUE, beginning at a point on the east line of Chicon Street 18 feet south of the north line of New York Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 18 feet south of and parallel to the north line of New York Avenue, for a distance of 230 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(3) A gas main in COMAL STREET, beginning at a point 20 feet south of and 20 feet east of the intersection of the south line of Cotton Street and the west line of Comal Street;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 20 feet east of and parallel to the west line of Comal Street, for a distance of 100 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(4) A gas main in McDONALD AVENUE, beginning at a point 19 feet west of and 62 feet south of the intersection of the east line of McDonald Avenue and the south line of West 38th Street;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 19 feet west of and parallel to the east line of McDonald Avenue, for a distance of 85 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(5) A gas main in WEST FORTY-FIFTH STREET, beginning at a point 19 feet south of and 75 feet west of the intersection of the north line of West 45th Street and the west line of Speedway;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 19 feet south of and parallel to the north line of West 45th Street, to a point



that is 34 feet west of the east line of Speedway;

Thence in a southerly direction with said gas main, the centerline of which shall be 34 feet west of and parallel to the east line of Speedway, to a point that is 10 feet south of the centerline of West 45th Street.

Said gas main described above shall have a cover of not less than 2½ 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The petition of property owners on San Gabriel Street for improvements on said street was referred to the City Manager and City Engineer for investigation and to have such improvements made if found to be justifiable.

Upon motion of Councilman Bartholomew, Mayor Miller was authorized to send a protest to the Mayor of Ft. Worth protesting the City of Fort Worth's using the City of Austin's slogan, "The Friendly City," in its radio broadcasting and other advertising.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE TO REGULATE THE USE OF DEVICES OR APPARATUS FOR THE AMPLIFICATION OF SOUNDS FROM RADIOS, PHONOGRAPHS, BANDS, ORCHESTRAS AND/OR THE HUMAN VOICE, WITHIN THE CITY OF AUSTIN, AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

The ordinance was read the first time and laid over.

The City Manager was authorized to purchase from the Robbins Company, for the sum of \$500.00, and from John A. Gracy, for the sum of \$300.00, forty-one feet of Lot 80 and forty-one feet of Lot 81, Outlots 72-75, Oakwood Addition, Division "D", in the City of Austin, for the purpose of opening West 32nd Street from Grandview to San Gabriel Streets.

Councilman Wolf nominated O. P. Bonner as Deputy Clerk of the Corporation Court, to serve temporarily, beginning September 1 next. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION TO THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A GRANT TO AID IN FINANCING THE CONSTRUCTION OF (1) EMERGENCY WATER WORKS REHABILITATION, (2) CITY HALL, MUNICIPAL AUDITORIUM, AND CENTRAL FIRE STATION, (3) SERVICE STATION, (4) INCINERATOR, (5) REHABILITATION OF AUSTIN DAM, (6) WATER AND LIGHT SYSTEM

IMPROVEMENTS; AND DESIGNATING THE  
CITY MANAGER TO FURNISH SUCH INFOR-  
MATION AS THE GOVERNMENT MAY REQUEST.

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

SECTION 1. That the City Manager be and he is authorized to execute and file an application on behalf of the City of Austin to the United States of America for a grant to aid in financing the construction of (1) Emergency Water Works Rehabilitation, (2) City Hall, Municipal Auditorium, and Central Fire Station, (3) Service Station, (4) Incinerator, (5) Rehabilitation of Austin Dam, (6) Water and Light System Improvements.

SECTION 2. That the City Manager be and he is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

Upon motion of Councilman Wolf, seconded by Councilman Alford, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO FILE AN APPLICATION TO THE UNITED STATES  
OF AMERICA THROUGH THE FEDERAL EMERGENCY  
ADMINISTRATION OF PUBLIC WORKS FOR A GRANT  
TO AID IN FINANCING THE CONSTRUCTION OF A  
FIRE ALARM SYSTEM AND DESIGNATING THE  
CITY MANAGER TO FURNISH SUCH INFORMATION  
AS THE GOVERNMENT MAY REQUEST.

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

SECTION 1. THAT the City Manager be and he is hereby authorized to execute and file an application on behalf of the City of Austin to the United States of America for a grant to aid in financing the construction of a Fire Alarm System.

SECTION 2. THAT the City Manager be and he is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

Upon motion of Councilman Alford, seconded by Councilman Gillis, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, upon motion of Councilman Alford, the Council recessed at 1:00 P. M., subject to call of the Mayor, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Approved: Tom Miller.  
M a y o r .

Attest:

Harris McKeen  
City Clerk