

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 1, 1943

The City Council convened in Regular Session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, July 1, 1943, at 10:50 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

There were 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 June 24, and the Recessed Meeting of June 25, 1943, were read, and upon motion of Councilman Gillis, were adopted as read by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Mrs. H. Gesswein and Mrs. Bertha Harris appeared before the Council to protest against the nuisance created by the bus stops at Deep Eddy Avenue and Lake Austin Boulevard, the former requesting that the bus stop on the south side of the street be moved to a location in front, or immediately east, of the Deep Eddy Store. The matter was referred to the Police Department for investigation.

Polk Shelton, attorney, came before the Council relative to the application of Monroe James Schreffler, 4611 Avenue H, for a taxicab driver's permit. Councilman Alford moved that the said Monroe James Schreffler be granted a temporary taxicab driver's permit for sixty days, reporting to the Chief of Police during that time, and if said applicant's record is satisfactory at the end of such probationary period, permit be extended. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Edward Miller Stevenson, 104 Congress Avenue, for a taxicab driver's permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Vernon Carney Pendergrass, 704 East 13th Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Lonnie Norman Pannoll, 75 $\frac{1}{2}$ Rainey Street, for a taxicab driver's permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Alford moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Mae's Barbecue and Cafe, 510 Neches Street, for a beer permit, recommended for approval by the Acting City Manager, et al., was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following applications for private boat licenses, duly approved by the Lake Austin Navigation Board, were submitted:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Lane, D. M. - 1300 East 29th Street	Home-made, Inboard, 1934 Model, "Hazel Jean," Plymouth, 4-passenger Federal License #23 B 50
Kellersberger, Donald Charles- 601 West 13th Street	Home-made, Outboard, New, Plywood Skiff, Water Witch, 4-passenger

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following applications for commercial boat licenses, duly approved by the Lake Austin Navigation Board, were submitted:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Bennett Boat Docks - Lake Austin	Old Town, Paddle Canoe, three years old, 2-passenger
Bennett Boat Docks - Lake Austin	Old Town, Paddle, three years old, 2-passenger
Bennett Boat Docks, - Lake Austin	Thompson, Paddle, Duck Boat, one year old, 2-passenger
Bennett Boat Docks - Lake Austin	Home-made, Inboard, 1938 Model, "Stromberg", Birge and Stratton, 6-passenger

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following Ordinance was introduced by Councilman Alford:

AN ORDINANCE AUTHORIZING AND DIRECTING THE AUSTIN TRANSIT COMPANY TO MAKE CERTAIN BUS STOP CHANGES.

The Ordinance was read the first time and Councilman Alford 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, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then read the second time and Councilman Alford 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, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then read the third time and Councilman Alford moved that the Ordinance be finally passed. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Mayor then announced that the Ordinance had been finally passed.

The following Ordinance was introduced by Councilman Bartholomew:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE ACTING CITY MANAGER TO EXECUTE DEEDS AND CONSENTS TO TRANSFER CEMETERY LOTS OR PARCELS THEREOF; REQUIRING THAT ALL CEMETERY DEEDS BE RECORDED IN THE COUNTY CLERK'S OFFICE OF TRAVIS COUNTY, TEXAS; RATIFYING AND AFFIRMING CEMETERY DEEDS AND CONSENTS TO TRANSFER CEMETERY LOTS OR SPACES HERETOFORE EXECUTED BY THE CITY MANAGER OR ACTING CITY MANAGER; SPECIALLY REPEALING CERTAIN PARTS OF ORDINANCES, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN AMERGENCY.

The Ordinance was read the first time and Councilman Bartholomew 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, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then read the second time and Councilman Bartholomew 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, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then read the third time and Councilman Bartholomew moved that the Ordinance be finally passed. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Mayor then announced that the Ordinance had been finally passed.

The following Ordinance was introduced by Councilman Alford:

AN ORDINANCE REGULATING THE KEEPING OF LIVESTOCK, FOWLS, AND DOGS WITHIN THE LIMITS OF THE CITY OF AUSTIN; PRESCRIBING SANITARY CONDITIONS FOR PENS AND ENCLOSURES; PROVIDING FOR A DOG CATCHER AND POUND MASTER; PROVIDING FOR LICENSING, VACCINATING AND IMPOUNDING OF DOGS; PROVIDING FOR THE IMPOUNDING AND SELLING OF LIVESTOCK RUNNING AT LARGE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; SPECIFICALLY REPEALING CERTAIN ORDINANCES AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH EXCEPT THE PROVISIONS IN THE ZONING ORDINANCE WHICH REGULATE THE KEEPING OF LIVESTOCK, FOWLS, AND DOGS; AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Alford 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, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then read the second time and Councilman Alford moved that the rules be suspended and the Ordinance be passed to its third reading. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was then read the third time and Councilman Alford moved that the Ordinance be finally passed. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Mayor then announced that the Ordinance had been finally passed.

The following resolution was submitted:

(RESOLUTION)

WHEREAS, it has been determined that the assessment for taxes for the year 1942 on machinery and equipment in the City of Austin, including machinery at the Airport, assessed in the name of Brown & Root, Incorporated, is excessive; and that same should now be corrected for said year; therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessment for taxes on said property for the year 1942 be and the same is hereby reduced and corrected from the present assessed value of \$35,000.00 to \$17,500.00; and the City Tax Assessor and Collector is hereby authorized and directed to change on his rolls the assessed valuation of the above mentioned machinery and equipment, in accordance with the terms of this resolution; and

BE IT FURTHER RESOLVED:

THAT the City Council of the City of Austin deems it just and equitable to remit all interest and penalty on the taxes due on the above described machinery and equipment for the year 1942, the penalty amounting to the sum of \$40.25 and the interest amounting to the sum of \$12.08; therefore, said penalty and interest are hereby remitted; and that it is deemed just and equitable that the taxes on said machinery and equipment amounting to the sum of \$805.00 be reduced in accordance with the reduction in the assessed valuation hereinabove set forth, so as to remit one-half of the amount of said taxes in the sum of \$402.50; therefore, one-half of said taxes in the sum of \$402.50 are hereby remitted; and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge one-half of said taxes in the sum of \$402.50 off his rolls, and to issue to the party entitled to receive same a receipt in full on the payment of one-half of said taxes for said year amounting to the sum of \$402.50.

Upon motion, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following resolution was submitted:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Brown & Root & McKenzie Construction Company for the year 1942, on a 39 Ford P. U. (300) #525808, 39 Ford P. U. (1000) #525809, 39 Ford P. U. (1500) #525894, 39 Ford P. U. (1500) #525895, 37 Ford P. U. (1500) #525896, 39 Ford P. U. (100) #525350,

36 International Winch Truck 525688, said taxes being for the sum of \$21.97, and for non-payment of same at maturity, penalty in the sum of \$1.10 has been assessed, and interest in the sum of \$.22 has accrued, making the total amount of taxes, penalty and interest \$23.29; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.10 and said interest in the sum of \$.22; therefore,

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

THAT the aforesaid penalty in the sum of \$1.10 and said interest in the sum of \$.22 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 \$1.10 and said interest in the sum of \$.22 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes, as aforesaid.

The foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following resolution was submitted:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Herman Brown for the year 1942, on Lots 1 and 2, in Enfield D, 18.68 acres in the Spear League, approximately 94 acres in the Gilbert Survey, approximately 5½ acres (Esperanza School District), Gilbert Survey, 34.3 acres (Esperanza School District), Gilbert Survey, 5 acres (2) (Esperanza School District), Gilbert Survey, 5 acres (3) (Esperanza School District), Gilbert Survey, 5.77 acres (4) (Esperanza School District), Gilbert Survey, 1 acre (1) (Esperanza School District), Gilbert Survey, all in the City of Austin, Travis County, Texas, said taxes being for the sum of \$612.91, and for non-payment of same at maturity, penalty in the sum of \$30.64 has been assessed, and interest in the sum of \$9.19 has accrued, making the total amount of taxes, penalty and interest \$652.74; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$30.64 and said interest in the sum of \$9.19; therefore,

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

THAT the aforesaid penalty in the sum of \$30.64 and said interest in the sum of \$9.19 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 \$30.64 and said interest in the sum of \$9.19 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes, as aforesaid.

The foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Upon motion, seconded and carried, the meeting was recessed at 11:45 A. M., subject to call of the Mayor.

APPROVED: Tom Miller
MAYOR

ATTEST:

Dallin M. Kellan
CITY CLERK