

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 28, 1943

The City Council convened in Regular Session at the regular meeting place in the Council Chamber at the Municipal Building on Thursday, October 28, 1943, at 10:45 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. M. Patterson, Jr., Acting City Attorney; and R. D. Thorp, Chief of Police. Lt. Colonel Gupton Morgan, City Manager, was also present as a visitor.

The minutes of the Regular Meeting of October 22, 1943, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

The application of Charlie L. Tucker, 812 East 2nd Street, for a renewal of his taxicab driver's permit, recommended for approval by the Acting City Manager et al, was submitted. Councilman Alford moved that the permit be renewed. The motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

The application of William Dewey Crooks, 46 East Avenue, for a taxicab driver's permit, recommended for approval by the Acting City Manager et al, was submitted. Councilman Gillis moved that the permit be granted. Motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

The application of Thomas Lee Spoon, 110 Mildred Street, for a taxicab driver's 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.

Acting City Manager Seaholm submitted a written request from the University of Texas asking for a "no parking" zone on the east side of Whitis Avenue in front of Carothers Dormitory, which was received and filed.

The following ordinance was then introduced by Councilman Gillis:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC ON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY PROHIBITING PARKING ON THE EAST SIDE OF WHITIS AVENUE IN THE 2400 BLOCK, BEGINNING AT THE SERVICE DRIVE AT THE SOUTH END OF CAROTHERS DORMITORY AND EXTENDING NORTH TO A POINT OPPOSITE TO THE NORTH END OF CAROTHERS DORMITORY A DISTANCE OF APPROXIMATELY 240 FEET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the Ordinance be placed on 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 Gillis moved a further suspension of the rule and the placing of the Ordinance on 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 Gillis 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.

Mayor Miller then announced that the Ordinance has been finally passed.

It was moved by Mayor Miller that the Acting City Manager be instructed to notify the B&B Cafe and the Garner Durg Store that, unless their establishments secure the approval of the City Health Department in the meantime, they will be expected to appear before the City Council at its next regular meeting, November 4, and show cause why their food permits should not be revoked. The motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays", none; Councilman Wolf absent.

W. D. Hart, who stated that he was not appearing as an attorney for any taxicab company or owner, but as a private citizen, requested that the City Council pass an ordinance requiring the metering of taxicabs as a protection to the public. After some discussion, it was the sense of the meeting that the matter be postponed to the regular meeting of the City Council to be held on Wednesday, November 10, Thursday being a legal holiday; and that all taxicab owners be notified to appear and be heard on that date.

The application for a transfer of Taxicab Permit No. 31, from John O. Shackles to Johnny Mason Holmes, colored, issued on a 1939 Dodge Sedan, 1942 License No. 744-708, 1943 License CU5-363, Motor No. D11-165708, said application having been recommended for approval by the Acting City Manager et al, was submitted. Councilman Alford moved that the transfer be approved, subject to proper cancellation of permit by transferor. The motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

Acting City Manager Seaholm submitted to the City Council offers to purchase certain properties acquired by the City under tax title, located at 13th and Chestnut Streets; South 4th and Johanna Streets; and No. 1608 East 10th Street. Action on the matter was postponed to the next regular meeting.

Acting City Manager Seaholm was instructed to have a list of the property on Lamar Boulevard that the City wishes to offer for sale prepared for presentation at the next regular meeting.

The application for a transfer of Taxicab Permit No. 83, from Sherman White to Louis Clemons, colored, issued on a 1939 Mercury Sedan, Motor No. 24708, 1942 License N15-548, 1943 License No. FE7-374, said application having been recommended for approval by the Acting City Manager et al, was submitted. Councilman Alford moved that the transfer be approved. The motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

The application for a transfer of Taxicab Permit No. 26, from Wayne H. Bowler to Frank Sconci, issued on a 1940 Chevrolet 4-door Sedan, License N51-228, 1942 License FD6441, 1943, Motor No. 3660058, said application having been recommended for approval by the Acting City Manager et al, was submitted. Councilman Bartholomew moved that the transfer be approved. The motion carried by the following vote: "Ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilman Wolf absent.

The following resolution was introduced:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of A. A. Oxford for the years 1939, 1940, 1941, 1942, on Lot 2, Block 12, Steck Resubdivision of Grooms Addition, and for the years 1935, 1936, 1939, through 1942, on automobiles, all located in the City of Austin, Travis County, Texas, said taxes being for the sum of \$322.29, and for nonpayment of same at maturity, penalty in the sum of \$16.14 has been assessed, and interest in the sum of \$43.47 has accrued, making the total amount of taxes, penalty and interest \$382.50; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$16.14 and one-half of the interest in the sum of \$21.73; therefore,

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

THAT the aforesaid penalty in the sum of \$16.14 and one-half of the interest in the sum of \$21.73 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 \$16.14 and one-half of the interest in the sum of \$21.73 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

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 introduced:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of Mrs. Rosa McPhail for the years 1932 through 1935, and 1937 on 73/100 acres, Block 1-B, J. E. Bouldin Subdivision, and for the years 1938 and 1939 on personal property, all in the City of Austin, Travis County, Texas, said taxes being for the sum of \$371.22, and for nonpayment of same at maturity, penalty in the sum of \$13.56 has been assessed, and interest in the sum of \$186.47 has accrued, making the total amount of taxes, penalty and interest \$576.25; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$13.56 and one-half of the interest in the sum of \$93.23; therefore,

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

THAT the aforesaid penalty in the sum of \$13.56 and one-half of the interest in the sum of \$93.23 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 \$13.56 and one-half of the interest in the sum of \$93.23 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

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

There being no further business, upon motion, seconded and carried, the meeting was recessed at 11:40 A. M., subject to call of the Mayor.

APPROVED:

Tom Miller
MAYOR

ATTEST:

Hallie McPhail
CITY CLERK