

Regular meeting of the City Council: Austin, Texas, November 9th 1916:

The Councilm was called to order by the Mayer: Roll called:

Present Mayer Wooldridge , Councilmen Anthony, Bartholemew & Powell 4

Absent Councilman Haynes 1

The minutes of the last regular and subsequent recessed meetings were read and adepted:

The Mayer laid before the Council the reports of the Inspector Weights and measures, the Marshall, & the Chief of the Fire Dept for October 1916, which were read and ordered filed:

Councilman Powell offered the following resolution :

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

That the sum of fourteen adllars and sixty five cents ( \$ 14.65 ) be transferred from the Sanitary Sewer fund to the General Street Improvement fund , for the purpose of re-imbursing said fund for this amount which was erroneously drawn by warrant No 39138, ( General street Improvement fund ).

Be it further resolved :

That the City Treasurer and Book-keeper be requested to make said transfer on their books.

The resolution was adepted by the following vote:

Yeas Mayer Wooldridge, C councilmen Anthony, Bartholemew & Powell 4

Absent Councilman Haynes 1

Approved, A P Wooldridge, Mayer.

Councilman Anthony offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the sum of \$ 107.13, be and the same is hereby appropriated out of the miscellaneous expense account of the Fire Dept of this City, to pay for a radiator furnished by Jas Beyd & Bro , to replace the one destroyed by the North Austi Fire truck and freight upon the same to the City of Austin, Texas,

The cost of the radiator is \$ 103.75, and the freight upon the same being \$ 3.38.

The resolution was adepted by the following vote:

Yeas Mayer Wooldridge, Councilmen Anthony, Bartholemew & Powell 4

Absent Councilman Haynes 1.

*Councilman Haynes entered the chamber*

Councilman Anthony offered the following resolution:

Resolved by the City Council of the City of Austin, Texas :

That upon the showing of the petitioner and the recommendation of the Judge of the Corporation Court, the fine and costs, amounting to \$ 19.00, imposed upon L. E Zander in cause No 11271, in the Corporation Court of the City of Austin, Texas, for driving his automobile without the headlights burning, be and the same are hereby remitted .

*Reports read.*

*Transfer of funds.*

*Fire Dept  
appropriation  
for Radiator*

*File  
L E Zander*

The resolution was adopted by the following vote:

Yeas Mayor Weoldridge, Councilmen Anthony, Bartholemew & Haynes 4

Absent Councilman Powell 1

Approved, A P Weoldridge, Mayor.

Councilman Powell offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That the sum of \$ 125.00, be and the same is hereby appropriated out of the Cost and Damage fund in the General street fund, of this City in payment of one-half of the Judgement recovered against the City of Austin in cause No 32200, Alice Earnest vs the City of Austin ; the balance of this judgement to be provided for in the Budget of 1917.

The resolution was adopted by the following vote:

Yeas Mayor Weoldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5

Nays none,

Approved, A P Weoldridge, Mayor:

Councilman Powell offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That the sum of \$ 375.00, be and the same is hereby appropriated out of the cost and damage fund in the General street fund of the City of Austin, Texas, in payment of one-half of the judgement recovered against the City of Austin in cause No 32199, A B Dieterich ,etal, vs City of Austin .The remaining one-half of this judgement is to be provided for in the budget of this City for the year 1917.

The resolution was adopted by the following vote:

Yeas Mayor Weoldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5

Nays none,

Approved, A P Weoldridge, Mayor.

Mayer Weoldridge offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That leave be and is hereby granted to the Gentry shew to exhibit this day on East Avenue between 6th and 8th streets and with a view of facilitating their shew and making it more convenient of access and enjoyment by the people ,7th street where it intersect East Avenue be and the same is hereby vacated and ordered closed for the day.

The resolution was adopted by the following vote:

Yeas Mayor Weoldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5

Nays none,

Approved, A P Weoldridge, Mayor.

Mayer Weoldridge offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the Mayer and Supt of Parks and Public Property of this City be and they are hereby authorized jointly to engage the services of some eminent Engineer of high character and of exccetional ability and experience in such matters to come to Austin and carefully examine into the whole physical situation at the dam and advise this City as to what he thinks of that structure from an engineering point of view, and

Be it further resolved :

That amongst the matters to be referred to said Engineer shall be the determination as to whether or not the dam, as built, is in compliance with the plans and specifications provided by the City of Austin for this structure

*Dam says - Alice Earnest.*

*Dam says - A.B. Dieterich.*

*Gentry show - 7th street.*

*Dam - Employment Report.*

He shall be further instructed to ascertain what defects, if any, exist in the dam and how such defects can be remedied.

He shall be further instructed to pass upon the efficiency of said dam and its permanency as a structure for all probable time, and suggest such additional things, if any, as may be necessary in his judgment to make such structure permanently stable and efficient.

He shall be further instructed to figure upon the cost of such additional improvements, if any, to the dam as he may deem necessary to recommend to the consideration of the City Council.

And, finally, he shall be instructed to estimate the cost of such additions and improvements to the dam as he may deem necessary or important to be submitted to the City Council and he shall be instructed to estimate the value of material and labor put into the dam, the power house and reservoir and the value of the equipment of the power house.

The resolution was lost by the following vote:

Yea. Mayor Weeldridge 1

Nays Councilmen Anthony, Bartholemew, Haynes & Powell 4

Councilman Bartholemew submitted the following communication.

Austin, Texas, November 3rd 1916:

Hon A P Weeldridge and Members of the City Council.

Gentlemen:

On the 22nd day of September 1911, Wm D Johnson contracted with the City of Austin to rebuild the dam across the Colorado River. The contract was assigned to the City Water Power Company, a Corporation of the State of Connecticut. This Company sublet the contract to the Hm P Carmichael Company of St Louis.

The contract provides that the acceptance of an assignment shall impose upon such assignee all the duties, obligations and liabilities imposed upon Wm D Johnson, in the same manner and to the same extent as if such assignee were the original contractor.

The said Wm D Johnson and his assigns guarantee that said dam shall furnish 600,000 horse power hours of electrical energy each thirty day period, for which the City is to pay \$ 32,400.00 semi-annually, and failing to furnish the power the City shall make a charge of .0135 per horse power hours against said Wm D Johnson and his assigns for any deficiency in power furnished during such period.

The contract also provides that the said Wm D Johnson and his assigns shall maintain and keep in repair the dam and its appurtenances, core wall, headgate masonry, head gates, flumes, draft tubes, reservoir and its appurtenances, power house and structural work of the tail race."

*See -  
Communication  
of C. Bartholemew*

The guarantee of power and maintenance of the dam and its appurtenances are the essence of the contract.

The people of Austin and City Council voted for the contract principally for the reasons that these provisions were in the contract. I would have voted against it had they been omitted.

The plans and specifications were submitted by the contractor, and were not plans of the City, but were accepted by the City with the guarantee and maintenance clauses.

I objected to the crest gates from the beginning, and have often urged the contractor to make a change.

When the Council decided to submit the contract to the voters of Austin on the 30th day of August 1911, I filed the following protest, which appears in the minutes of the Council:

"I give it as my opinion that the gates on top of the dam, and the railroad and roadway to be erected above the dam will not stand against the drift that comes down the Colorado River at times. The drift passing down the river this day, on a ten foot rise, ~~XXXX~~ could not be held by an ordinary beam, nor be passed through these gates by the work of all men that could find place on the roadway to work the drift through the gates."

It was found that it was not necessary to have drift to destroy the gates. They were so poorly constructed that several of them went out in the flood of Sept 17th, 1915, before the drift reached the dam.

Aside from the Engineers connected with the dam from its beginning on part of the City Water Power Company and the City of Austin, there have been five inspections and investigations of the construction of the dam by eminent Engineers, among whom were Mr Creager, sent by J C White & Company, Swift & Crump, J A Walls, Terrell Bartlett of Bartlett and Ranney, and Mr E Wegmann.

These men stand high in their profession. It would seem that the contractor should be able to learn what is necessary to complete the dam from some of these Engineers.

It now urged that the City employ an eminent Engineer to investigate the value of the dam, report what is necessary to complete it, and the cost of such completion.

Should this be done what assurance have we that the contractor will adopt the plans and complete the dam in accordance with such report? None whatever.

Evidently the object is to saddle the expense on the City, and get rid of the maintenance of the dam and the guaranty of power.

If the City admits certain requisites necessary to complete the dam and the City's recommendations are carried out, the contractor will be relieved from maintenance of the property and furnishing the guaranteed power.

It is for the contractor to submit to the Council any change in plans and specifications desired, and for the City to say whether such changes are acceptable.

The scheme for the City to purchase what has been done, and to complete the dam at the expense of the City, I cannot approve under any circumstances. The City is largely in debt for the dam built by the City, which proved a failure, and I am opposed to the City assuming the responsibility of a similar undertaking.

It is argued that the City wants a better dam than the one contracted for, and that the City ought to be willing to pay the additional cost.

The contract calls for a dam that will stand twenty-five years, and in case there is any failure of the dam during that time the semi-annual payments will cease until the dam

is restored. A dam that will stand twenty -five years will be a permanent dam.

Past experience has taught us that the City has not been a success as a dam builder.

As long as the City shows an inclination to release the contractor there is little prospect of anything being done to complete the dam.

It is stated that about \$1,000,000.00 has been invested on the dam and other properties connected therewith, and comparatively small amount will be required to complete the dam.

Let the Council insist that the dam shall be completed in accordance with the contract and the necessary funds will be forthcoming from these financially interested.

I am opposed to the employment of an Engineer for the purpose stated. The City may need one to pass on the structure when tendered to the City for acceptance and I will vote for one at that time.

Respectfully.

E C Bartholemew.

Councilman Haynes stated that he voted against the resolution for the reason that he thought that if an Engineer was to be employed, he should be employed by the contractor.

November 14th 1915: All present  
except Councilman Anthony.

The Mayor presented an application from Eugene Dent, 503 Lavacca street, for license as driver service car, which was granted by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholemew, Haynes & Powell 4

Absent Councilman Anthony 1.

Councilman Powell offered the following resolution:

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

That the center line of Chalmers Avenue from East 1st street to the Colorado river be, and is hereby established as follows:

Beginning at the City monument at the intersection of Chalmers Avenue and East 1st street, thence south and with an angle of  $99^{\circ} 14'$  with the established line of East 1st street from Chalmers Avenue West to the South line of Garden street thence with an angle of 55 minutes to the West and with the continuance of this line to the Colorado River.

The above described center line being further defined by iron stakes shown on plat hereto attached.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholemew, Haynes & Powell 4

Absent Councilman Anthony 1

Approved, A P Wooldridge, Mayor.

*Driver's License  
Eugene Dent.*

*Chalmers Ave  
Austin Line  
Colorado River*

November 14th 1916: All present:

Councilman Powell offered the following resolution :

Resolved by the City Council of the City of Austin, Texas :

That the attached specifications for paving the alley between 6th & 7th streets in this City from Colorado to Lavaca streets ,and the alley between 10th & 11th streets in this City from Congress Avenue to Colorado street, be and the same are hereby adopted, and the Supt of Streets and Public Improvements authorized to invite bids for the paving of said alleys ,which bids are to be received on or before 10 O'clock A M of Saturday

*Review -  
illumination with  
at 10/20/16*

November 25th 1916:

The resolution was adopted by the following vote:

Yeas Mayor Weeldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5

Nays none:

Approved, A P Weeldridge, Mayor.

The Council then adjourned.

*Geo. Johnson*  
City Clerk