

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 28, 1935.

The meeting was called to order at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. F. Alford, 1.

The Minutes of the last regular meeting were read and upon motion of Councilman Gillis, seconded by Councilman Bartholomew, the same were adopted as read by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

By unanimous consent, the statement of Councilman Bartholomew that although not present at the last regular meeting he approved the action of the City Council and would have voted with the Council on all matters had he been present, was ordered inserted in the Minutes of this meeting.

A petition signed by approximately one hundred thirty citizens, asking that a civic orchestra be organized under the auspices of the Recreation Department, was read and taken under advisement.

A petition asking for a street light at the intersection of Olander and East 13th Streets and a stop sign at the intersection of East 13th Street and East Avenue was read and referred to the City Manager to have the matters attended to.

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 CHICON STREET, beginning at a point 25 feet west of and 102 feet south of the intersection of the east line of Chicon Street and the south line of Haskell Street;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 25 feet west of and parallel to the east line of Chicon Street, a distance of approximately one-half block to a point $7\frac{1}{2}$ feet north of the south line of Riverview Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in RIVERVIEW STREET, beginning at a point 25 feet west of and $7\frac{1}{2}$ feet north of the intersection of the east line of Chicon Street and the south line of Riverview Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet north of and parallel to the south line of said Riverview Street, for a distance of 433 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in BOULDIN AVENUE, beginning at a point 38 feet north of and $7\frac{1}{2}$ feet west of the intersection of the south line of West Gibson Street and the east line of Bouldin Avenue;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Bouldin Avenue, for a distance of approximately three blocks to a point 66 feet north of the north line of Christopher Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in CHRISTOPHER STREET, beginning at a point $7\frac{1}{2}$ feet south of and $7\frac{1}{2}$ feet west of the intersection of the north line of Christopher Street and the east line of Bouldin Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Christopher Street, to a point that is 156 feet east of the east line of Bouldin Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in COLUMBUS STREET, beginning at a point $7\frac{1}{2}$ feet south of and $7\frac{1}{2}$ feet west of the intersection of the north line of Columbus Street and the east line of Bouldin Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Columbus Street, to a point that is 70 feet east of the east line of Bouldin Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in WEST JAMES STREET, beginning at a point $7\frac{1}{2}$ feet south of and $7\frac{1}{2}$ feet west of the intersection of the north line of West James Street and the east line of Bouldin Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West James Street, to a point that is 199 feet east of the east line of Bouldin Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in WEST THIRTY-FIRST STREET, beginning at a point 24 feet south of and 100 feet west of the intersection of the north line of West 31st Street and the west line of Speedway;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 24 feet south of and parallel to the north line of West 31st Street, for a distance of 264 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in EAST THIRTY-FIRST STREET, beginning at a point 30 feet east of and $7\frac{1}{2}$ feet south of the intersection of the west line of Robinson Avenue and the north line of East 31st Street;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet south of and parallel to the north line of East 31st Street, for a distance of 126 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in EAST THIRTY-SEVENTH STREET, beginning at a point 24 feet south of and 163 feet east of the intersection of the north line of East 37th Street and the east line of Red River Street;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 24 feet south of and parallel to the north line of East 37th Street, for a distance of 55 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen

Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The following report of the City Engineer and Building Inspector was read:

"Austin, Texas
February 27, 1935

Mr. Guiton Morgan
City Manager
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of S. Ferris for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon property abutting on the north side of East 6th Street and located between Neches Street and Red River Street, which property is designated as part of Lot 1, and all of Lot 2, Block 65, of the Original City of Austin, Travis County, Texas, and is owned by S. Ferris, and being locally known as 504-514 East Sixth Street, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

A storm sewer inlet exists on the north side of East 6th Street at the location where this filling station is to be built and a storm sewer main exists 12 feet north of the centerline of East 6th Street opposite this proposed filling station site.

We recommend that S. Ferris be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the Ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-G-40.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-G-40 and shall be of the pre-moulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral,
City Engineer.

J. C. Eckert,
Building Inspector. "

The following resolution was then read:

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property abutting the north side of East 6th Street between Neches Street and Red River Street, which property is owned by S. Ferris and is designated as part of Lot 1 and all of Lot 2, in Block 65, of the Original City of Austin, Travis County, Texas, which

property is locally known as 504-514 East 6th Street, and hereby authorizes the said S. Ferris to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic, and fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that the said S. Ferris has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Upon motion of Councilman Wolf, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The following report of the City Engineer and Building Inspector was read:

"Austin, Texas
February 27, 1935

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Bradfield and Brush, acting by and through G. H. Brush, for permission to construct, maintain and operate a drive-in gasoline filling station and garage, and to construct commercial driveways in conjunction therewith, upon property located at the northwest intersection of East 17th Street and San Jacinto Street, which property fronts 80 feet on San Jacinto Street and 75 feet on East 17th Street, and is known as a portion of Outlot 52, in Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and the property upon which this garage and filling station is to be located is owned by the said Bradfield and Brush, and we hereby advise that the following conditions exist:

The property upon which this filling station and garage is to be located is designated as "C" Commercial Use District upon the zoning map of the City of Austin.

A storm sewer inlet exists on the south side of East 17th Street at the west property line of San Jacinto Street, and a storm sewer main exists at or near the center of San Jacinto Street opposite the property upon which this filling station and garage is to be located.

We recommend that Bradfield and Brush, acting by and through G. H. Brush, be granted permission to construct, maintain and operate said drive-in gasoline filling station and garage and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station and garage.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number

2-H-425.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-425 and shall be of the pre-moulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral,
City Engineer.

J. C. Eckert,
Building Inspector. "

The following resolution was then read:

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

THAT the City Council of the City of Austin hereby approves as a filling station and garage site the property situated at the northwest intersection of East 17th Street and San Jacinto Street, which property is owned by Bradfield and Brush and fronts 60 feet on San Jacinto Street and 76 feet on East 17th Street, and is designated as a portion of Outlot 52, Division "E", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said Bradfield and Brush, acting by and through G. H. Brush, to construct, maintain and operate a drive-in gasoline filling station and garage and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station and garage after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic, and fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that the said Bradfield and Brush have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Upon motion of Councilman Wolf, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, W. F. Johnson has made application to the City Council of the City of Austin for permission to erect a derrick and to install a rig and to drill a deep well for the purpose of prospecting for oil within the City limits of the City of Austin, Texas; and

WHEREAS, the property upon which this well is to be drilled is located in Outlot 62, Division "B" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and is owned by Mrs. Geo. H. Lee according to the assessment records of the Tax Assessor of the City of Austin; and

WHEREAS, this property is zoned as an "A" Residence District as shown upon the zoning map of the City of Austin and at the present time there are no houses near enough to the site of this proposed oil well to be disturbed or endangered by the drilling of such a well; and

WHEREAS, the said request has been reviewed by the City Council of the City of Austin; therefore

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

THAT W. F. Johnson is hereby permitted to erect a derrick and to install a rig, and to drill a deep well for the purpose of prospecting for oil within the City limits of the City of Austin, Texas, which well is to be located in Outlot 62, Division "B" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, upon a 4.1 acre tract or parcel of land in said Outlot, which 4.1 acre tract of land is owned by Mrs. Geo. H. Lee according to the assessment records on file with the Tax Assessor of the City of Austin.

Councilman Gillis moved the adoption of the foregoing resolution and the granting of the permit, subject to approval by the State of Texas. The motion carried by the following vote: Ayes, Councilman Gillis, Mayor Miller, and Councilman Wolf, 3; nays, Councilman Bartholomew; absent, Councilman Alford, 1.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE ORDERING A GENERAL ELECTION FOR THE PURPOSE OF ELECTING FIVE COUNCILMEN OF THE CITY OF AUSTIN, FOR THE TERM OF TWO YEARS, BEGINNING MAY 1, 1935, DESIGNATING THE POLLING PLACES IN THE VARIOUS WARDS, AND PROVIDING THE PROCLAMATION OF SAID ELECTION

The foregoing ordinance was read the first time and Councilman Wolf moved a suspension of the rule and the placing of the ordinance on its second reading. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The ordinance was read the second time and Councilman Wolf 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 Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

Councilman Wolf offered the following resolution:

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

THAT the City Manager is authorized and directed to purchase for street purposes in the name of the City of Austin from Katharine Parr Hamilton, for the consideration of \$150.00 in cash and the assumption by the City of Austin of all taxes for the year 1935 on the land hereinafter described, the following land:

A strip of land off the west end of a five acre tract known as Lot No. 4, in Spaulding's Subdivision of a part of the Isaac Decker League in Travis County, Texas, and being out of and a part of the land conveyed to J. R. Hamilton by J. J. Green and wife, by deed of date April, 1890, and recorded in Volume 98 at pages 152-154 of the Deed Records of Travis County, Texas, the land herein conveyed being situated in the City of Austin, Travis County, Texas, and being described by metes and bounds as follows:

Beginning at an iron stake in the east line of the San Antonio Road, or Post Road, as fenced, and which point of beginning is the southwest corner of the aforesaid Green to Hamilton tract, and also being the northwest corner of that certain tract or parcel of land conveyed to G. Flury by R. Niles Graham et al. by warranty deed dated April 3, 1928, and recorded in Volume 416 at pages 9-11 of the Deed Records of Travis County, Texas; thence following the east line of the San Antonio Road, or Post Road, as fenced, the same being the west line of said Green to Hamilton tract, N. 36°05' E. 269.07 feet to an iron stake; thence following the north line of said Green to Hamilton tract and the south line of a 5 acre tract of land conveyed to G. Flury by Carl Hyltin et ux by warranty deed dated November 13, 1924, and recorded in Volume 365 at pages 362 and 363 of the Deed Records of Travis County, Texas, S. 52°33' E. 36.01 feet to an iron stake in the proposed east right-of-way line of the San Antonio Road, or Post Road, said iron stake being on a curve whose intersection angle is 27°59', whose radius is 623.09 feet and whose tangent distance is 155.26 feet; thence in a southerly direction following the curving east line to the right of said proposed right-of-way an arc distance of 72.64 feet, the long chord of which arc bears S. 32°57' W. 72.55 feet to an iron pipe stake set at the point of

tangency of said curve; thence continuing with said proposed east line of the San Antonio Road, or Post Road, S. 37°22' W. 196.56 feet to an iron stake set in the south line of said Hamilton tract and in the north line of the aforesaid Graham to Flury tract; thence N. 52°33' W. 35.59 feet following the common line between the Hamilton and Flury tracts to the place of the beginning, containing 10,206 sq. ft. of land;

upon condition that good title is shown to said land upon examination by the City Attorney.

THAT the certain resolution authorizing the purchase of the above described land passed by the City Council on February 21, 1935, is hereby repealed.

Upon motion of Councilman Wolf, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

Councilman Bartholomew moved that the City Manager and the City Engineer be instructed to investigate the conditions that exist at the City Hall and recommend to the City Council such plans or suggestions as they may think best to properly safeguard and protect the records of the City Hall, which, it is estimated, would cost approximately Two Hundred Fifty Thousand Dollars to replace, and some of which could not be replaced. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

There being no further business, Councilman Gillis moved to recess subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The Council then recessed at 12:30 P. M.

Attest:
Y. Haller McMiller City Clerk

Approved: *Tom Miller*
Mayor.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, March 1, 1935.

The meeting was called to order with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. F. Alford, 1.

In response to the request of the City Manager, the following proposal for the purchase of Revenue Bonds was received by the City Council:

"Austin, Texas
March 1, 1935

To the City Council
Austin, Texas.

Gentlemen:

We, the undersigned bidders, propose to purchase from the City of Austin \$354,000.00 City of Austin 4% Revenue Bonds of the Water, Light and Sewer Systems, Series 1934, at price of \$103.11 plus accrued interest, Austin delivery, said bonds with numbers and maturity dates being specifically set out in the schedule herewith attached.

It is further understood and agreed that the undersigned firms will pay for the cost of the opinion of either Chapman and Cutler or Thompson, Wood and Hoffman as to the legality of the bonds, this bid being subject to the approval of either of the firms above mentioned.

It is further understood and agreed that this bid is made subject to the City of