

Councilman Wolf introduced the following resolution:

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

THAT the sum of \$1,894.25 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of the purchase of surgical instruments and special Hospital equipment.

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

Councilman Wolf introduced the following resolution:

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

THAT the sum of \$45,000.00 be and the same is hereby appropriated out of the Electric Light and Power Special Account Fund, not otherwise appropriated, for the purpose of constructing a 66KV high line between the substation at the Austin Dam and the substation of the Texas Power and Light Company on the Webberville Road, in accordance with the location and plans to be prepared by the Electric Department and the insulation of the Marshall Ford Line from the Austin Dam to permit the raising of said line from 12,000 volts to 66,000 volts.

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

Upon, motion seconded and carried, the meeting was recessed at 10:55 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Harris McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 21, 1939.

The City Council met in regular session, at the regular meeting place in the Municipal Building, on Thursday, September 21, 1939, at 10:30 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; absent, none.

The reading of the Minutes was dispensed with.

The application of S. P. Tadlock for change in zoning from "A" Residence District to "C" Commercial District of portions of Lots 19, 21, 23, 25, 27, and 29, Block 2, and portions of Lots 7, 8, 9, 10, and 11, and portion of 10-foot walkway lying between Lots 8 and 9, Block 1, all in La Prolle Place, was received. The matter was referred to the Board of Adjustment for consideration and recommendation, and a public hearing was called for Thursday, October 12, next.

Mr. Jefferson G. Smith, property owner in Hyde Park, appeared before the Council relative to the

renewal franchise of the Austin Street Railway Company now pending, and asked, among other things, that the citizens of that section be protected from the dust nuisance as a result of the proposed replacement of street cars with buses. The Mayor stated to Mr. Smith that if the property owners would pay for their part of the topping on thirteen blocks, the City would take up the rails and pay for paving between the tracks.

The application of W. M. Graham for change in zoning, from "A" Residence District to "C" Commercial District, of the property facing east 400 feet on Jefferson Street at its intersection with West 32nd Street, and extending 100 feet in depth, in the new Bryker Woods extension, was received. The matter was referred to the Zoning Board of Adjustment for consideration and recommendation, and a public hearing was called for Thursday, October 12, next, at 11:00 A. M.

The application of W. S. Benson for change in zoning, from "B" Residence District to "C" Commercial District, of the property on the north side of West Sixth Street extending from the east line of the Nalle tract to the west line of the W. H. Richardson tract, was received. The matter was referred to the Zoning Board of Adjustment for consideration and recommendation, and a public hearing was called for Thursday, October 12, next, at 11:00 A. M.

The application of J. M. Macy for change in zoning, from "C" Commercial District to "C-2" Commercial District, of the property located at 1303 Lavaca Street, was received. The matter was referred to the Board of Adjustment for consideration and recommendation.

The application of T. H. Neal, through his attorney, L. H. Engelking, for a change in zoning, from "C" Commercial District to "C-2" Commercial District, of the property located at 920½ West 12th Street, was received. The matter was referred to the Zoning Board of Adjustment for consideration and recommendation.

Upon motion of Councilman Wolf, a public hearing was called for Thursday, October 12, next, at 11:00 A. M., on the proposal of the City Council to zone the property known as "Rabb Inwood Hills" Subdivision, recently annexed to the City of Austin, so as to place all of said Subdivision in "A" Residence District and "C" Commercial District, respectively.

Councilman Gillis introduced the following resolution:

WHEREAS, Saint Ignatius Church, acting by and through Reverend P. R. Duffy, owner of Lots 1, 2, 3, and 4, Block B-6, of the Simon Gillis Addition, and Lots 13, 14, and 15, Block B-7, of the R. L. Sweetman Addition, which property abuts the south side of West Johanna Street and the east side of Wilson Street and being located within the City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the south side of West Johanna Street and the east side of Wilson Street at the above described location, thereby relieving traffic conditions by creating a greater width of travelway on both Johanna Street and Wilson Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setbacks 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 Saint Ignatius Church, acting by and through Reverend P. R. Duffy, owner of Lots 1, 2, 3, and 4, Block B-6, of the Simon Gillis Addition, and Lots 13, 14, and 15, Block B-7, of the R. L. Sweetman Addition, within the City of Austin, Travis County, Texas, which property abuts the south side of West Johanna Street and the east side of Wilson Street, to set the curb back from the established curb line on both Johanna Street and Wilson Street adjacent to the above described property.

Permission to construct the above described curb setbacks 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-H-658, and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on Wilson Street and on West Johanna Street shall be carried out in accordance with the accompanying plan marked 2-H-658, 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-H-658.
- (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 his 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; nays, none.

Councilman Wolf introduced the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, J. L. Berkman, acting by and through Edwin C. Kreisle, agent, owner of the south 30 feet of Lot 9 and the north 45 feet of Lot 10, of Block 7, Pemberton Heights, which property abuts the west side of Jarratt Avenue at a location south of Ethridge Avenue, within the City of Austin, Travis County, Texas, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT J. L. Berkman, acting by and through Edwin C. Kreisle, agent, owner of the south 30 feet of Lot 9 and the north 45 feet of Lot 10, of Block 7, Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Jarratt Avenue at a location south of Ethridge Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location, and said walk is to 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, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

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

Councilman Alford introduced the following resolution:

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

situated on East Seventh Street at the south side of Brasos Street, being a portion of Lots 10 and 11, Block 68, Original City of Austin, Travis County, Texas, and hereby authorizes Austin Allright Parking Company, lessee from Ewell Nalle, and acting by and through Spencer J. Scott, 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 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 Austin Allright Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Attached Recommendations)

"Austin, Texas
September 21, 1939.

Mr. Gulton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Austin Allright Parking Company, acting by and through Spencer J. Scott, lessee from Ewell Nalle of a portion of Lots 10 and 11, Block 68, of the Original City of Austin, Travis County, Texas, which property is situated on the south side of Brasos Street and being locally known as 203 East Seventh Street, for permission to construct, maintain and operate a drive-in gasoline filling station at the above described location, 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.

Storm sewer facilities exist in East Sixth Street approximately one block south of this proposed filling station location.

We recommend that the Austin Allright Parking Company, acting by and through Spencer J. Scott, lessee from Ewell Nalle, 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-C-826.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-826, 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,

(Signed) J. E. Motheral
City Engineer

" J. C. Eckert
Building Inspector. "

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

Councilman Bartholomew introduced 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 WEST LYNN STREET from West Fifth Street northerly 162 feet, the centerline of which gas main shall be 5 feet west of and parallel to the east line of said West Lynn Street.

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

(2) A gas main in GASTON AVENUE from Harris Boulevard westerly 209 feet, the centerline of which gas main shall be $8\frac{1}{2}$ feet south of and parallel to the north line of said Gaston Avenue.

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

(3) A gas main in CENTER STREET from West Ninth Street to West Ninth Street Alley, the centerline of which gas main shall be $13\frac{1}{2}$ feet west of and parallel to the east line of said Center Street.

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

(4) A gas main in CENTER STREET from West Ninth Street Alley to West Tenth Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Center Street.

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

(5) A gas main in WEST TENTH STREET from Center Street westerly 95 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West Tenth Street.

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

(6) A gas main in WHITIS AVENUE ALLEY from West 31st Street southerly 271 feet, the centerline of which gas main shall be 5 feet east of and parallel to the west line of said Whitis Avenue Alley.

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

(7) A gas main in WEST 31ST STREET from Whitis Avenue Alley easterly 23 feet, the centerline of which gas main shall be 24 feet south of and parallel to the north line of said West 31st Street.

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

(8) A gas main in GARNER AVENUE 92 feet south of Margaret Street southerly one block, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Garner Avenue.

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

(9) A gas main in DYWER AVENUE across Garner Avenue intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Dywer Avenue.

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

(10) A gas main in WEST 12TH STREET from Elm Street easterly $8\frac{1}{2}$ feet, the centerline of which gas main shall be 14 feet south of and parallel to the north line of said West 12th Street.

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

(11) A gas main in WOOLDRIDGE DRIVE from Claire Avenue northerly 135 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet west of and parallel to the east line of said Wooldridge Drive.

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

(12) A gas main in CLAIRE AVENUE from Wooldridge Drive easterly 230 feet, the centerline of which gas main shall be 9 inches south of and parallel to the north line of said Claire Avenue.

Said gas main in WEST 29TH STREET from 422 feet west of Jefferson Street westerly 105 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West 29th Street.

Said gas main described above shall have a covering 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 out 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; nays, none.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to James Wilson Rowell, 1904 Dam Boulevard, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Allen Lee Jackson, 2108 Dam Boulevard, in accordance with the recommendation of the City of Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Kurt Robert Meyer, Jr., 500 West Sixth Street, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Paul James Turner, 500 West Sixth Street, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Clarence Raymond Lacey, 4008 Burnet Road, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following communication from the Austin Street Railway Company was received, approved, and ordered filed:

"Austin, Texas
September 21, 1939.

Honorable Mayor and City Council
City of Austin
Texas

Gentlemen:

During the last few months, through petition as well as personal interviews and at a mass meeting, there have been requests for an extension of the Enfield service, and we would accordingly ask permission of your Honorable Body to make an extension of the Enfield line and also a slight change in the Rosedale line that we may serve this community, as we believe, more satisfactorily and efficiently.

As it may be desirable to experiment a little in order to make it most convenient and effective for the patrons, we would ask for such permission, and as soon as the exact route is determined, we will be pleased to file a final routing of said line with you.

Yours very truly,

(Signed) J. F. Springfield
General Manager.

The following report of the Board of Adjustment was received and filed:

"Austin, Texas
September 19, 1939

The Honorable Mayor and City Council
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on September 12, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin has requested the Board of Adjustment for a recommendation for the zoning of Inwood Hills Subdivision recently annexed to the City of Austin; and

WHEREAS, the Board of Adjustment at a meeting held on September 12, 1939, carefully considered this request, taking into consideration the location of this subdivision, the present zoning of the property along Fredericksburg Road within the former city limits; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is hereby recommended to the City Council that all of Inwood Hills Subdivision, except that portion hereinafter described as a "C" Commercial District, be zoned as "A" Residence District and First Height and Area District, and that the following described portion fronting on Fredericksburg Road and being shown in red on the accompanying map be zoned as "C" Commercial District and Second Height and Area District:

Lots 1, 2, and 3, Block 8; and the unplatted portion of the property bounded on the north by a line connecting the northeast corner of Lot No. 1, Block 8, with the northwest corner of the former city limits; and by a line extending south along the former city limits to the Fredericksburg Road; and by a line along the Fredericksburg Road to the southwest corner of Lot No. 1, Block 8; and by a line extending from the southwest corner of Lot No. 1, Block 8, to the point of beginning.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Signed) H. F. Kuehne
Chairman.

Upon motion, seconded and carried, the meeting was recessed at 12:05 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie M. Kellan
City Clerk