

There being no further business, Councilman Alford moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Attest:

Helen McKeel  
City Clerk

Approved: Tom Miller  
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 14, 1933.

The meeting was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; absent, none.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A large delegation of citizens from the St. Elmo Common School District No. 43 was present in the interest of the proposed annexation of a part of said district to the City of Austin for school purposes only.

Mr. J. W. B. Love, as spokesman for the petitioners asking for annexation, urged that their request be granted on the grounds that they were legally entitled to same.

A petition signed by one hundred qualified voters in said district, protesting such action on the grounds that it would increase considerably the taxes of those residing in the territory annexed and would seriously affect the future operation of the St. Elmo School, was then presented. Mrs. Geo. R. Felter, Travis County School Superintendent, and Messrs. Cullen, Allen, Hardin, and others, spoke for the protestants.

After considerable discussion, Councilman Gillis moved that the matter be postponed until the next regular meeting and that a certified list of the qualified voters in the territory to be annexed be submitted to the Council at that time. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The petition asking for annexation of a part of the Pecan Springs School District to the City of Austin for school purposes only, previously submitted by Mr. J. Bascom Giles, was next taken up for consideration.

A petition protesting the proposed annexation, signed by a large number of citizens, was presented by Mr. W. L. Crews.

It having been shown that there was not a sufficient number of qualified voters signing the petition asking for annexation, the Council took no further action on the matter.

Mayor Miller introduced the following resolution:

WHEREAS, It has been determined that the assessment for taxes on the improvements of Lot No. Six (6), Block One hundred and fourteen (114), in the City of Austin, Travis County, Texas, for the year 1932, was excessive, and that same should now be corrected; therefore,

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

THAT the assessment for taxes on improvements on Lot No. 6, in Block No. 114, in the name of S. G. Warren, for the year 1932, be and the same is hereby reduced and corrected from \$1955.00 to \$1495.00, and that the Assessor and Collector of Taxes be and he is hereby authorized and directed to make such change on the tax rolls.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE PARKS AND PLAYGROUNDS BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF FIFTEEN THOUSAND (\$15,000.00) DOLLARS, AND PROVIDING FOR THE PAYMENT THEREOF.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance passed to its second reading. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

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 was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

WHEREAS, The City Council proposes to issue Parks and Playgrounds Bonds of a par value of \$15,000.00, such bonds to be purchased by the City's Sinking Fund Securities Account, the proceeds thereof to be used for parks and playgrounds in co-operation on federal relief projects; and

WHEREAS, The proceeds from the sale of such bonds will be required at least two months prior to the time at which it will be practicable for the Sinking Fund to make such purchase; therefore,

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

THAT the City Manager be and he is hereby authorized and instructed to make temporary purchase of said \$15,000.00, par value, Parks and Playgrounds Bonds for the account of the City Water, Light and Power Fund; and

BE IT FURTHER RESOLVED, That said Water, Light and Power Fund be reimbursed therefor by the Interest and Sinking Fund as soon as practicable after the issue of said bonds, and that thereupon said bonds be transferred to the Sinking Fund Securities Account.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

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

THAT the City Manager be and he is hereby authorized and directed to purchase, in the name of the City of Austin, from Jessie Ramsey Murray, Euphie Ramsey Taylor and

Winnie Ramsey Nitschke, for the cash consideration of Three Thousand Five Hundred (\$3,500.00) Dollars, and for the further consideration of said parties quitclaiming to the City of Austin their fee title in and to West Forty-third Street lying between Rosedale Avenue and Ramsey Estate, in the City of Austin and upon showing of good and merchantable title in said owners at the time of conveyance, and free from all liens and encumbrances, as determined by the City Attorney and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owners' general warranty deed, the following described tracts of land situated in the City of Austin, Travis County, Texas, for park purposes, to-wit:

All of Lots Nos. One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8), of Block No. Five (5), in Rosedale B, an Addition to the City of Austin, as shown on plat of same recorded in Plat Book No. 3, Page 191, of the Plat Records of Travis County, Texas, to which reference is here made for all particulars; and a rectangular tract of land lying east of the above mentioned lots, and more particularly described as follows: Beginning at an iron stake in the north line of West 42nd Street, which is the Southeast corner of Lot No. 1, of Block No. 5, Rosedale B, and the Southwest corner of this tract; thence 400 feet in a northerly direction, with the east lines of Lots 1 to 8, inclusive, of said Block 5, to an iron stake, which is the northeast corner of said Lot No. 8, and the northwest corner of this tract; thence 135 feet in an easterly direction, parallel with the north line of West 42nd Street to an iron stake for the northeast corner of this tract; thence 400 feet in a southerly direction parallel with the west line of this tract to an iron stake in the north line of West 42nd Street for the southeast corner; thence 135 feet in a westerly direction with the north line of West 42nd Street to the place of beginning; and

**BE IT FURTHER RESOLVED:**

THAT the sum of Three Thousand Five Hundred Dollars (\$3500.00) be and the same is hereby appropriated out of the Parks & Playgrounds Bond Fund for the purpose of paying said cash consideration, and that a warrant for said amount be issued to the proper party or parties, upon the performance of the above conditions.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

WHEREAS, The Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in COMAL STREET from Gregory Street to East 11th Street, the centerline of which pole line shall be one foot west of and parallel to the east line of said Comal Street.

(2) A telephone pole line in GREGORY STREET from Comal Street to Lawson Lane, the centerline of which pole line shall be one foot south of and parallel to the north line of said Gregory Street.

(3) A telephone pole line in NEWNING AVENUE from Academy Drive to LeGrande Avenue, the centerline of which pole line shall be 9 feet west of and parallel to the east line of said Newning Avenue.

(4) A telephone pole line in LE GRANDE AVENUE from Newning Avenue to Hillside Drive, the centerline of which pole line shall be 8 feet south of and parallel to the north line of said LeGrande Avenue.

(5) A telephone pole line in CEDAR AVENUE from East 18th Street to East 19th Street, the centerline of which pole line shall be 7 feet east of and parallel to the west line of said Cedar Avenue.

(6) A telephone pole line in WEST SIXTH STREET ALLEY from Guadalupe Street to Lavaca Street, the centerline of which pole line shall be 2 feet south of and parallel to the north building line of said West Sixth Street Alley.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The application of Fred A. Stumpf for permit to construct a gasoline filling station at the corner of Thirtieth and Guadalupe Streets was read.

The Mayor then laid before the Council the following:

"Austin, Texas,  
December 13, 1933.

Mr. Guiton Morgan  
City Manager  
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of Fred A. Stumpf for a permit to construct, maintain and operate a drive-in gasoline filling station and grease rack at the northeast corner of the intersection of Guadalupe Street and West 30th Street, which filling station is to be located upon parts of Lots 1 and 2, Block 10 of Fruth Addition, and locally known as 3001-3003 Guadalupe Street, and we hereby advise that the following conditions exist:

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

A storm sewer crosses Guadalupe Street between West 30th Street and West 31st Street.

We recommend that Fred A. Stumpf be granted permission to construct, maintain and operate said filling station and grease rack 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 in crayon upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-349.

(5) 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

G. S. Moore. "

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 at the northeast corner of the intersection of West 30th Street and Guadalupe Street, which filling station site is to comprise parts of Lots 1 and 2,

Block 10 of Fruth Addition, same being locally known as 3001-3003 Guadalupe Street, and hereby authorizes Fred A. Stumpf to construct, maintain and operate a drive-in gasoline filling station and grease rack 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 Fred A. Stumpf has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A petition asking that one hour parking be established on East Fifth Street from Brazos to Trinity Streets was read.

The Mayor then introduced the following ordinance:

**AN ORDINANCE REGULATING TRAFFIC ON EAST FIFTH STREET BETWEEN ITS INTERSECTIONS WITH BRAZOS AND TRINITY STREETS IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING A PENALTY.**

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance passed to its second reading. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance placed on its third reading. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Gillis moved that the same be finally passed. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following ordinance:

**AN ORDINANCE REGULATING TRAFFIC ON CERTAIN STREETS AT CERTAIN INTERSECTIONS IN THE CITY OF AUSTIN, PROVIDING FOR STOP SIGNS AT SUCH POINTS, AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE ORDINANCE.**

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance placed on its second reading. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance placed on its third reading. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following bids for furnishing material and labor for the installation of piping for a 75,000 KW Steam Turbo at the Power Plant were opened and read:

Young & Pratt, in the amount of -----	\$36,750.00
Fox-Schmidt, " " " " -----	35,444.00

Councilman Gillis moved that the bid of Fox-Schmidt, in the amount of \$35,444.00, be accepted as the lowest and best bid and that the City Manager be directed to enter into contract with the said Fox-Schmidt accordingly, and that the certified check accompanying the bid of Young & Pratt be returned to said firm. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller introduced the following resolution:

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

THAT the sum of Three Hundred and Twenty-five (\$325.00) Dollars be and the same is hereby appropriated out of the Water, Light & Power Fund for the purpose of paying the judgment against the City of Austin, in Cause No. 43828, N. A. Kling vs City of Austin; and that a warrant be issued therefor to N. A. Kling and be delivered to him upon his release of said judgment.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

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

THAT the sum of Sixty-four (\$64.00) Dollars be and the same is hereby appropriated out of the Water, Light and Power Fund for the purpose of paying in full the costs of court in Cause No. 43828, N. A. Kling vs City of Austin; and that a warrant be issued for said amount to Geo. H. Templin, District Clerk, for said purpose.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, upon motion of Councilman Alford, the Council recessed subject to call of the Mayor, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Attest:

Helen McKellar City Clerk

Approved

Tom Miller  
Mayor