

The ordinance was read the first time and Councilman Alford moved that the rule be suspended and the ordinance be placed on its second reading. The motion was adopted 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 Alford moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion was adopted 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 Alford moved that same be finally passed. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Upon motion of Councilman Bartholomew, the City Manager was directed to extend the privilege of a holiday on Good Friday, March 30th, to all employees of the City who desired a religious observance of the day.

There being no further business, Councilman Alford moved to recess, subject to call of the Mayor. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed.

Attest

Allen McKeen
City Clerk

Approved

Tom Miller
Mayor

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 5, 1934.

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

By general consent, the reading of the Minutes of the last regular meeting was deferred until the next regular meeting.

The Mayor laid before the Council the application of W. L. Wilson, 1508 San Jacinto Street, for license to operate as a taxicab a two-door Chevrolet Sedan, 1929 Model, Factory No. 16855, State Highway License No. 957-184. Councilman Gillis moved that the application be granted, subject to the maximum of taxicabs allowed not being exceeded. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the application of W. E. Griffith, 708 West 22nd Street, for license to operate as a taxicab a two-door Ford Sedan, 1931 Model, Factory No. A-4732622, State Highway License No. 959-634. Councilman Gillis moved that the application be granted, subject to the maximum of taxicabs allowed not being exceeded. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A letter from E. E. McAdams, Acting Secretary of the League of Texas Municipalities, inviting the City of Austin to become a member of this organization, was read, and upon motion of Councilman Bartholomew, the City Manager was directed to make an investigation of the merits of the proposition and report to the Council at its next meeting.

B. D. Gilliland, Manager of the Typewriter Service Company, submitted a request for a loading zone in front of his place of business at 114 West 5th Street. The matter was referred to the City Manager, with instructions to grant the request if upon investigation it is deemed advisable to do so.

A committee representing the Parent Teachers Associations for the Colored presented a petition asking for the opening of Leona Street north of 12th Street and the improvement of same south of 12th Street, and for the placing of street lights near the various Negro schools. The matter was referred to the City Manager, with instructions to have an estimate made of the approximate cost of such street lights and the proper locations for same.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE DETERMINING WHEN TAXES DUE THE CITY OF AUSTIN BECOME DELINQUENT; PROVIDING THAT SAME SHALL THEREAFTER BEAR INTEREST, ASSESSING A PENALTY FOR DEFAULT AFTER THE NAMED DATE, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE."

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

The Mayor laid before the Council the following:

"Austin, Texas,
April 4, 1934.

Mr. Guiton Morgan
City Manager
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of Mrs. Prudence Bailey, acting by and through the Robbins Company of the City of Austin, Texas, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs and ramps in conjunction therewith at the northeast corner of the intersection of West Fifth Street and Colorado Street, which improvements are to be located upon a portion of Lot 12, Block 55, of the Original City of Austin, Travis County, Texas, and which property is locally known as 501 Colorado 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 on the zoning maps of the City of Austin.

A storm sewer exists on the west side of Colorado Street to which the drains from this filling station must be connected.

We recommend that Mrs. Prudence Bailey, acting by and through the Robbins Company, of the City of Austin, Texas, be granted permission to construct, maintain and operate said filling station and to construct curbs and ramps 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 she 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-361.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-361 and shall be of the pre-moulded type.

(6) If when construction is begun, the sidewalk in place proves to be unsatisfactory, in the opinion of the City Engineer, that portion across the driveways shall be replaced in accordance with City specifications and at the expense of the applicant.

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

Respectfully submitted,

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

G. S. Moore,
Building Inspector. "

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 5th Street and Colorado Street, which property comprises a part of Lot 12, Block 55, of the Original City of Austin, Travis County, Texas, same being locally known as 501 Colorado Street, and hereby authorizes Mrs. Prudence Bailey, acting by and through the Robbins Company of the City of Austin, Texas, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs and driveways 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 Mrs. Prudence Bailey has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

The Mayor laid before the Council the following:

"Austin, Texas
April 4, 1934

Mr. Guiton Morgan
City Manager
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of Dan P. Craddock for permission to construct, maintain and operate a drive-in gasoline filling station and grease rack, and a store building in conjunction therewith, and a curb setback from the regular curb line on East 15th Street for a distance of 22 feet 6 inches in front of said store building, which improvements are to be located upon property owned by said Dan P. Craddock, same being a lot 60 feet by 70.5 feet in the southeast corner of Outlot 68, Division "E", of the Government outlots adjoining the Original City of Austin, Travis County, Texas, which property fronts 70.5 feet on East 15th Street and 60 feet on East Avenue, and being at the northwest corner of the intersection of said East 15th Street with East Avenue, and we hereby advise that the following conditions exist:

At a special meeting of the City Council of the City of Austin, Texas, March 6, 1931, the above described property, which was owned by Mrs. T. A. Stromquist at that time, was placed within the "C" Commercial Use District by action of said City Council on that day provided that any building that may be erected upon said property shall front on East 15th Street.

A storm sewer exists in East Avenue near the west property line thereof.

The area created by the setback will act as a widening of the paving on East 15th Street and will be a benefit to the users of this street by allowing a greater width of travelway.

We recommend that Dan P. Craddock be granted permission to construct, maintain, and operate a gasoline filling station and grease rack, and a store building in conjunction therewith, and to set the curb back from the established curb line on East 15th Street adjacent to said store building, 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 connected 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-360.
- (5) That the reconstruction of the setback area on East 15th Street shall be constructed in accordance with the accompanying plan marked 2-H-360, and that all such widened area, driveways or ramps and curbs, and a sidewalk between the property line and the curb line, shall be constructed of concrete at the expense of the applicant.
- (6) 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.
- (7) That the concrete curb adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inches thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-360.
- (8) That all such expansion joints shall be of the pre-moulded type.
- (9) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (10) 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 or her expense.
- (11) 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.

G. S. Moore, Building Inspector. "

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 and a store building site the property situated at the northwest corner of the intersection of East 15th Street and East Avenue, which property is described as the southeast portion of Outlot 68, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and being 60 feet by 70.5 feet in size and fronting 60 feet on East Avenue and 70.5 feet on East 15th Street, and being property of Dan P. Craddock, and hereby authorizes the said Dan P. Craddock to construct, maintain and operate a drive-in gasoline filling station and grease rack and a store building in conjunction therewith, and to set the curb back from the established curb line of East 15th Street for a distance of 22.5 feet opposite said store building, subject to all improvements 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 Dan P. Craddock has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

The Mayor laid before the Council the following resolution:

WHEREAS, Frank R. Rundell is the Contractor for the alteration of a building located at 501 Colorado Street and desires a portion of the sidewalk and street space abutting the west 53.3 feet of Lot 12, Block 55, of the Original City of Austin, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Frank R. Rundell, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at the southwest corner of the above described lot; thence in a northerly direction along the east line of Colorado Street a distance of 46 feet; thence in a westerly direction and at right angles to the centerline of Colorado Street a distance to a point 10 feet west of the east curb line of Colorado Street; thence in a southerly direction and parallel with the centerline of Colorado Street a distance of 43 feet; thence in a south-easterly direction and at a 45° angle with the centerline of Colorado Street a distance to a point 10 feet south of the north curb line of West 5th Street; thence in an easterly direction and parallel with the centerline of West 5th Street, a distance to a point 53.3 feet east of the east line of Colorado Street; thence in a northerly direction and at right angles to the centerline of West 5th Street a distance to the north line of West 5th Street; thence in a westerly direction along the north line of West 5th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Frank R. Rundell, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct walkways in Colorado Street and in West 5th Street within the above described working space, such walkways to be protected on each side with guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than May 31, 1934.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

The Mayor laid before the Council 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 MARATHON BOULEVARD ALLEY north 140 feet from West 41st Street, the centerline of which gas main shall be 5 feet west of and parallel to the east line of said Marathon Boulevard Alley.

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 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.

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

The Mayor laid before the Council 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) One telephone pole in WEST FIFTH STREET, at a point 132 feet east of the east line of Bowie Street, the center of which telephone pole shall be 22 feet north of the centerline of said West Fifth Street.

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.

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

The Mayor laid before the Council the following resolution:

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

THAT the City Manager be instructed to withhold payment of debts, demands, or claims against the City of Austin to any person, firm, or corporation which person, firm, or corporation is at the time indebted in any capacity to the City of Austin.

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

The Mayor laid before the Council the following resolution:

WHEREAS, W. F. Searight has been compelled to recover from Felton Stephens the North 45 feet of Lot 32 (B), West End Heights, City of Austin, and has discovered that City taxes for the year 1932, in the amount of \$32.93, plus \$1.64 penalty, has accrued while said property was under the ownership of his debtor; and

WHEREAS, It is deemed equitable and expedient that under the above facts the penalty on said taxes should be remitted; therefore,

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