

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 24, 1930.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; absent, Councilman Reed.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A. C. Bull presented petitions to the Council signed by a number of property owners on East Seventh Street, requesting that the paving width of this street from San Jacinto to Red River Streets be made forty feet instead of the proposed fifty-six feet. The petitions were received and filed.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS,
DETERMINING THE NECESSITY FOR LEVYING
AN ASSESSMENT AGAINST THE PROPERTY AND
THE OWNERS THEREOF ON PORTIONS OF SAN
JACINTO STREET AND SUNDRY OTHER STREETS
IN THE CITY OF AUSTIN, FOR A PART OF THE
COST OF IMPROVING SAID STREETS, AND FIX-
ING A TIME FOR A HEARING OF THE OWNERS
OR AGENTS OF SAID OWNERS OF SAID PROPERTY,
OR OF ANY PERSONS INTERESTED IN SAID IM-
PROVEMENTS, AS PROVIDED BY THE CHARTER
OF THE CITY OF AUSTIN, AND DIRECTING THE
CITY MANAGER TO GIVE NOTICE OF SAID HEAR-
ING AND EXAMINING AND APPROVING THE ROLL
OR STATEMENT OF THE CONSULTING ENGINEER,
AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its second reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, on the 23rd day of May, 1929, the City Council granted James R. Hamilton permission to install and operate a drive-in gasoline filling station at 1011 Red River Street and said permit specified that the use of the sidewalks and the location of the pumps and other features of design would have to be in accordance with the plan which was made a part of the resolution and permit, said plan being marked 2-H-20; and

WHEREAS, said station was not fully developed at the time and James R. Hamilton has applied to the City Council for approval of a revised layout to be followed

in the construction of the filling station, which revised layout is to be in accordance with the plan hereto attached marked 2-H-20A; and

WHEREAS, the Safety Committee has reviewed and approved said map; therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT James R. Hamilton is hereby granted the right to substitute plan 2-H-20A in place of the plan 2-H-20 and to construct his filling station in accordance with all of the provisions of the permit granted May 23rd, 1929, and recorded in Minute Book 11, Page 261.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Councilman Mueller moved that the Minutes of the Regular Meeting of April 10th, 1930, recorded in Minute Book No. 11, pages 623-629, inclusive, be amended by striking out the word, "Seventh", in the resolution ordering the paving of sidewalk areas on Red River Street, recorded on page 625, and substituting therefor the word, "Sixth", as originally intended. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Councilman Reed entered the Council Chamber.

The Mayor laid before the Council the following resolution:

WHEREAS, A. D. Bolm is the owner in fee of a portion of Original City Block 38 on the east side of Guadalupe Street north of the alley which lies between Fifteenth and Sixteenth Streets; and

WHEREAS, the distance between the west face of the east curb and the property line is 20 feet and he has presented a petition to the City Council requesting a permit to set his curb back to a point which is 10 feet west of the east property line of Guadalupe Street and agreeing to construct a concrete driveway between the present gutter line and the proposed new curb line; and

WHEREAS, a plan has been prepared showing the proposed layout and said plan and petition 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 granted to A. D. Bolm, owner of the south 88 feet of Original Block 38 to reconstruct his curb and sidewalk areas adjacent to his property on the east side of Guadalupe Street north of Fifteenth Street alley, all reconstruction to be in accordance with plan to be prepared and approved by the City Engineer of the City of Austin marked 2-C-317, and said plan is hereby made a part of this resolution; and that this resolution is made subject to all work being done in accordance with the direction of the City Engineer and the expense of all work incident to said revised construction program shall be borne by the applicant.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the house numbers adopted by the various residents abutting Caswell Avenue between East Forty-fourth Street and East Forty-seventh Street are not in accordance with the system generally adopted for house numbers in the City of Austin and create great confusion; and

WHEREAS, the City Engineering Department has recommended a revised house numbering scheme and same has been considered by the City Council of the City of Austin, and has been approved by said City Council; therefore,

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

THAT the various premises situated on the east and west sides of Caswell Avenue between the north line of East Forty-fourth Street and the south line of East Forty-seventh Street shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-C-318, and which plat is hereby made a part of this resolution.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, April 24, 1930.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have been presented with a map of the proposed filling station to be constructed at the southwest corner of Sixteenth and San Jacinto Streets for final approval. The original application received from the Magnolia Petroleum Company dated January 7, 1930, was considered by the City Council on January 14th, 1930, and the site was tentatively approved by the City Council as a filling station site on January 14th 1930, as of record in the Minutes of the City Clerk.

We, the Safety Committee, recommend that said permit be granted 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 installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.

(2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.

(3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State Regulations governing such installations. All equipment to be inspected and approved before being placed in service.

(4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence. That the length of all water hose shall be such that any water leaking from same cannot reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service cannot be served while any portion of said car is on the City sidewalk area.

(5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(6) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(7) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency use.

(8) That the grades of the station shall be such that no waste oils or water or any floor washing 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-48, and shall be conducted by a pipe connection from said sand trap to the nearest city 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.

(9) That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete before the station is used.

(10) That the applicant shall construct all ramps, gutters and curbs and alley paving in accordance with plan No. 2-G-148, which plan is hereby made a part of this resolution.

(11) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(13) That before using said station the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

CITY SAFETY COMMITTEE

By (Sgd) Orin E. Metcalfe,
City Engineer.

Tom Neal,
Traffic Police Captain

L. A. Palmer,
Plumbing Inspector.

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

THAT permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, in the event gasoline pumps are installed, 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 Magnolia Petroleum Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 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 4 inch low pressure gas main in Chicon Street beginning at the end of an existing gas main which end is on the north line of East Twenty-first Street and 21 feet west of the east line of Chicon Street;

Thence in a southerly direction 21 feet west of and parallel to the east line of Chicon Street a distance of approximately 2 blocks to a point 27 feet south of the north line of East Nineteenth Street. Said gas main described above shall have a cover of not less than 3 feet.

(2) A 4 inch low pressure gas main in East Nineteenth Street beginning at a point on the east line of Salina Street, which point of beginning is 27 feet south of the north line of East Nineteenth Street;

Thence in an easterly direction 27 feet south of and parallel to the north line of East Nineteenth Street a distance of approximately 2 blocks to the west line of Poquito Street. Said gas main described above shall have a cover of not less than 3 feet.

(3) A 4 inch low pressure gas main in San Jacinto Street beginning at a point on an existing gas main in East First Street, which point of beginning is 22 feet south of and 27 feet west of the intersection of the east line of San Jacinto Street and the north line of East First Street;

Thence in a northerly direction 27 feet west of and parallel to the east line of San Jacinto Street a distance of approximately one block to a point on an existing gas main in East Second Street, which point is 28 feet north of the south line of said East Second Street. Said gas main described above shall have a cover of not less than 2½ feet.

(4) A 4 inch low pressure gas main in San Jacinto Street beginning at a point on an existing gas main in East Eighteenth Street, which point of beginning is 30 feet west of and 21 feet south of the intersection of the north line of East Eighteenth Street and the east line of San Jacinto Street;

Thence in a northerly direction 30 feet west of and parallel to the east line of San Jacinto Street a distance of approximately one block to tie in an existing gas main in East Nineteenth Street. Said gas main described above shall have a cover of not less than 2½ feet.

(5) A 4 inch low pressure gas main in East Forty-Sixth Street, beginning at a point on an existing gas main in Avenue "G", which point of beginning is 11 feet south of and 16 feet west of the intersection of the north line produced of East Forty-sixth Street and the east line of Avenue "G";

Thence in a westerly direction 11 feet south of and parallel to the north line of East Forty-Sixth Street a distance of approximately one block to a point 24 feet east of the west line of Avenue "F". Said gas main described above shall have a cover of not less than 2½ feet.

(6) A 4 inch low pressure gas main in Avenue "F" beginning at a point 24 feet east of and 11 feet south of the intersection of the west line produced of Avenue "F" and the north line of East Forty-Sixth Street;

Thence in a southerly direction 24 feet east of and parallel to the west line of Avenue "F", a distance of approximately one block to a point on an existing gas main in East Forty-Fifth Street. Said gas main described above shall have a cover of not less than 2½ feet.

(7) A 4 inch low pressure gas main in Tom Green Street beginning at a point on an existing 4 inch low pressure gas main in East Thirty-Second Street, which point of beginning is 23 feet south of and 20 feet west of the intersection of the east line of Tom Green Street and the north line of East Thirty-Second Street;

Thence in a northerly direction 20 feet west of and parallel to the east line of Tom Green Street a distance of approximately 2 blocks to tie in an existing gas main in East Thirty-Fourth Street, which gas main is 23 feet south of the north line of said East Thirty-Fourth Street. Said gas main described above shall have a cover of not less than 2½ 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 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.

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 above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A report of H. R. F. Helland, Consulting Engineer, showing the estimated cost of improving Nueces and San Antonio Streets from Nineteenth to Twenty-fourth Streets,

was read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION APPROVING AND ADOPTING ESTIMATE OF THE COST OF IMPROVEMENTS AND OF AMOUNTS TO BE ASSESSED FOR IMPROVEMENTS ON A PORTION OF NUECES STREET AND PORTIONS OF SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, FIXING TIME AND PLACE FOR HEARING TO THE OWNERS OF ABUTTING PROPERTY, AND DIRECTING THE CITY MANAGER TO GIVE NOTICE.

WHEREAS, the City Council of the City of Austin has heretofore ordered that the hereinbelow mentioned portions of highways be improved by raising, grading and filling, and installing concrete curbs and gutters, and by paving with 2 inch Warrenite Bitulithic Wearing Surface on a 6 inch concrete base, with necessary appurtenances, and contract therefor has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the City Engineer to prepare and file estimates of the cost of such improvements, and estimate of the amounts per front foot proposed to be assessed against abutting property and the owners thereof, and such estimates have been examined.

Therefore,

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

I.

That such estimates be and they are adopted and approved.

II.

That it is hereby found and determined that the cost of improvements on each such portion of highway, with the amount or amounts per front foot proposed to be assessed for such improvements against the abutting property and owners thereof, on each such portion of street or highway are as follows, to-wit:

NUECES STREET from the north property line of West Nineteenth Street to the south property line of West Twenty-Fourth Street, known and designated as Unit or District No. 27, estimated cost of improvements is \$20,933.32. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$4.016. Total estimated amount per front foot to be assessed against abutting property and its owners is \$4.716.

SAN ANTONIO STREET from the north property line of West Nineteenth Street to the south property line of West Twenty-Fourth Street, known and designated as Unit or District No. 28, estimated cost of improvements is \$21,248.33. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$3.927. Total estimated amount per front foot to be assessed against abutting property and its owners is \$4.627.

III.

That a hearing be given and held by and before the City Council of the City of Austin, Texas, to all owning or claiming any property abutting upon any of said portions of streets and highways, as well as all owning or claiming any interest in any such property. Such hearing shall be given and held on the 8th day of May, 1930, at 10 o'clock A. M., in the regular council meeting room in the City Hall in the City of Austin, Texas, and the City Manager is hereby directed to give notice of the time and place of such hearing, and of other matters and facts, in accordance with the terms and provisions of Article XXIV of the Charter of the City of Austin, which Article was added by amendment adopted at an election held on November 24th, 1928. Such notice shall be by advertisement inserted at least three times in a newspaper published in the City of Austin, Texas, the first publication to be made at least ten days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Article XXIV.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Reed was excused from the Council Chamber.

The Mayor laid before the Council the following resolution:

WHEREAS, it appears that funds are needed in the Sanitary Sewer Bond Fund to pay for work already under construction and for various other items which will be needed during this year; and

WHEREAS, funds are available in the Street Improvement Bond Fund which can be used for this purpose; therefore,

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

THAT the sum of \$10,000.00 be and the same is hereby transferred from the Street Improvement Bond Fund to the Sanitary Sewer Bond Fund for use until additional funds are issued against the Sanitary Sewer Bond Fund, at which time the said \$10,000.00 shall be paid back to the Street Improvement Bond Fund.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

As previously requested by the Council, H. R. F. Helland, Consulting Engineer, submitted an estimate showing the difference in cost between a 90-foot and a 76-foot paving width for South Congress Avenue from Nellie Street to the junction of the Barton Springs Road. The report was received and filed and the matter taken under advisement.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS,
DECLARING THE NECESSITY FOR AND ORDER-
ING AND PROVIDING FOR THE IMPROVEMENT
OF NORTH GUADALUPE STREET FROM THE
NORTH LINE OF TWENTY-SEVENTH STREET
EAST TO THE SOUTH LINE OF TWENTY-NINTH
STREET, IN THE CITY OF AUSTIN, LETTING
CONTRACT THEREFOR, APPROVING CONTRACT
AND BOND, AND PROVIDING FOR THE PAY-
MENT OF THE COST THEREOF, AND DECLARING
AN EMERGENCY.

The above ordinance was read the first time and laid over.

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 and he is hereby authorized and directed to purchase from M. C. Parrish, for a cash consideration of \$3,702.00, and upon showing of good and merchantable title in said owner at the time of conveyance and free from all liens and incumbrances, 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 owner's General Warranty Deed, the following described land, situated in the City of Austin, Travis County, Texas, to-wit: 1st tract, 3.199 acres, a portion of Outlot No. 2, in the George W. Spear League, located along the east bank of Shoal Creek, extending south from the crossing at Twenty-ninth Street; and 2nd tract, 4.205 acres, out of the John L. Haynes tract, a portion of the George W. Spear League, on the west side of Shoal Creek, extending from said creek to the top of the bluff, and situated approximately between the projected lines of crossings at Twenty-Eighth Street and Twenty-Sixth Street.

BE IT FURTHER RESOLVED:

That the sum of \$3,702.00 be and the same is hereby appropriated out of the Parks & Playgrounds Bond Fund, for the purpose mentioned above, and that a warrant