

same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. 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.

The Council then recessed.

Approved: J. M. McFadden  
M a y o r .

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 16, 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, 1.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. 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.

A. C. Baldwin appeared before the Council and requested that the City have sidewalks put in on the north side of Fifth Street from Nueces to Rio Grande Streets and on Nueces or Rio Grande Streets from Fifth to Sixth Streets. The matter was referred to the City Manager for an investigation and report to the Council.

J. J. Hegman and others presented a petition signed by a large number of business firms of the City, asking that the number of carnivals allowed to show in the City be limited to one a year. M. H. Crockett was also heard in a vigorous protest against such action. The Council took no action in the matter.

The Mayor laid before the Council the following resolution:

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

1. THAT the sum of Nine Hundred (\$900.00) Dollars be and the same is hereby appropriated out of the Sanitary Sewer Bond Fund for the purpose of paying the consideration for the certain easement to construct and perpetually maintain a sanitary sewer line in, upon and across Lot No. 1, of the Subdivision of 252 acres of land out of the Southeast corner of the Geo. W. Spear League Survey, according to the map or plat of said Subdivision as recorded in the Travis County Deed Records, in Book "S", at Page 501, situated in the City of Austin, Travis County, Texas, the center line of said sanitary sewer line being described as follows:

Beginning at a stake on the east or southeast line of that tract which was conveyed to Margaret R. Holliday, a feme sole, by deed recorded in Travis County Deed Records, Book 253, Pages 107-108, and from which stake the original east or northeast corner of that certain tract or parcel of land conveyed to Margaret R. Holliday by George W. Brackenridge, as recorded in Travis County Deed Records, Book 253, Pages 107-108, bears N. 30°00' E. 1051.67 feet, and also from which point a concrete monument set in the east line of said Margaret R. Holliday tract bears N. 30°00' E. 1040.5 feet; thence N. 56°20' W. a distance of 762.05 feet to a point on the center line of Johnson's Branch, said point also being on the west line of said property. This west line also being the dividing line between Lots Nos. 1 and 2 of said subdivision.

2. That a warrant for the above amount be issued, payable to R. W. Monk, Mattie Monk, John M. Monk and J. D. Monk, the owners of above described property, and grantees of said easement, said warrant to be payable out of the Sanitary Sewer Bond Fund and to be delivered to said parties upon the delivery of the above mentioned deed of easement.

The above resolution was adopted 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:

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

That the sum of Twenty Thousand (\$20,000.00) Dollars be and the same is hereby transferred from the Water and Light Fund to the General Fund; said amount being part payment of loans to Water and Light Fund by General Fund.

The above resolution was adopted 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, due to an error in the assessment on which suit #43100 in the District Court of Travis County, Texas, for the collection of delinquent taxes on 56x122 feet of Outlet 61, Division "B" was based, court costs, amounting to \$20.20, were erroneously paid by Van M. Smith, representing Mrs. D. Daugherty;

Therefore,

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

That, in view of the above statement, the sum of \$20.20 be and the same is hereby appropriated out of the General Fund of the City of Austin as a refund to said Van M. Smith for said amount so paid.

The above resolution was adopted 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, 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 East Twenty-third Street from Red River Street to Oldham Street, the center line of which gas main shall be 18 feet south of the north line of said East Twenty-Third Street and parallel thereto. Said gas main 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; 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; and

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 franchises granted to said company by the City of Austin.

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

The Mayor laid before the Council resignation of W. L. Bradfield as a member of the City Planning Commission. Councilman Mueller moved that the resignation be accepted, with regrets, and the thanks of the Council extended to said W. L. Bradfield for the services already rendered in such capacity. Motion was seconded by Mayor McFadden, 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 ordinance:

AN ORDINANCE REGULATING THE STORAGE AND HANDLING OF GASOLINE AND OTHER VOLATILE LIQUIDS, PROHIBITING THE ERECTION, CONSTRUCTION, BUILDING, MAINTENANCE OR OPERATION OF GASOLINE FILLING STATIONS WITHOUT A PERMIT THEREFOR OBTAINED FROM THE CITY COUNCIL, PROHIBITING THE SALE, DELIVERY OR PURCHASE OF GASOLINE FROM TANK WAGONS OR OTHER MOVABLE TANKS, EXCEPT AS PROVIDED IN THIS ORDINANCE, PROHIBITING THE USE OF CERTAIN STREETS BY TANK WAGONS OR OTHER PORTABLE TANKS TRANSPORTING GASOLINE OR OTHER VOLATILE LIQUIDS, PROHIBITING THE WHOLESALE STORAGE OR HANDLING OF GASOLINE OR OTHER VOLATILE LIQUIDS WITHIN CERTAIN LIMITS, DESIGNATING THE TYPE OF BUILDING TO BE USED FOR STORAGE OR HANDLING OF GASOLINE OR OTHER VOLATILE LIQUIDS AND PROHIBITING THE USE OF SUCH BUILDINGS FOR ANY OTHER OCCUPANCY, PROHIBITING THE ERECTING OR MAINTENANCE OF GASOLINE FILLING STATIONS WITHIN A DESIGNATED DISTANCE OF ANY SCHOOL, CHURCH OR BUILDING USED FOR PUBLIC GATHERINGS WITHIN THE CITY OF AUSTIN, AND PROVIDING A PENALTY FOR THE VIOLATION OF ANY PART OF SAID ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

Councilman Mueller moved that the Council recess, subject to call of the Mayor. 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.

The Council then recessed.

APPROVED:

*P. W. McFadden*  
MAYOR.