

front foot to be assessed against abutting property and its owners is \$6.969.

SAN JACINTO STREET from the North property line of East Fifteenth Street to the South property line of East Nineteenth Street, known and designated as Unit or District No. 38. Estimated cost of improvements is \$20,681.33. Estimated amount per front foot to be assessed for curb and gutter is \$ .70 (70¢). Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$6.269. Total estimated amount per front foot to be assessed against abutting property and its owners is \$6.969.

### 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 29th day of May, 1930, at 10:00 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 above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller moved that the Council recess until Saturday, May 17th, at ten o'clock A.M. Motion was seconded by Mayor McFadden and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: J. M. McFadden

#### SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, May 17, 1930.

The Council was called to order by the Mayor. Roll call showed the following members present; Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; absent, Councilman Steck, 1.

The Minutes of the regular meeting of May 8th and the special meeting of May 9th 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 Reed, 4; nays, none; Councilman Steck absent.

Rev. H. F. Oliver appeared before the Council and requested that before authorizing the Austin Street Railway to remove their tracks from Twenty-seventh Street north through Hyde Park, the Council make a thorough investigation to ascertain what other cities in the country were doing in the matter. The Council took no action upon same.

The Mayor laid before the Council the following:

"Austin, Texas, May 16, 1930

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

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have investigated the application of O. A. Newberg, owner of Lot 1, "Morseland", an addition to the City of Austin, at 2500 East Sixth Street, for a permit to reconstruct and operate an existing gasoline drive-in filling station.

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. That the length of all water hose shall be such that any water leaking from same can not reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service can not 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 as specifically shown on Plan No. 2-H-51 shall be constructed of concrete before station is used.
- (10) That the applicant shall construct all ramps, gutters, curbs and sidewalk in accordance with plan No. 2-H-51, 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

(Sgd) J. E. Woody, Fire Chief;  
 R. F. Rockwood, Fire Marshal;  
 Orin E. Metcalfe, City Engineer;  
 Tom Neal, Traffic Police Captain;  
 L. A. Palmer, City 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, 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 O. A. Newberg 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, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council the application of E. P. James to remodel and repair residence and filling station at the corner of West 38th and Guadalupe Streets; also the following reports of the Safety Committee upon same:

"Austin, Texas, May 16, 1930.

Mr. Adam R. Johnson,  
 City Manager,

Dear Sir:

We, the undersigned members of the Safety Committee, have not signed the recommendation for the permit of E. P. James, as it has always been our policy to discourage the combining of a residence and gasoline filling station or garage, as is contemplated in this instance. We do not think that it is proper to approve the use of any portion of a building for living quarters if said building is also used for the storage or handling of gasoline.

Respectfully,

(Sgd) J. E. Woody, Fire Chief;  
 R. F. Rockwood, Fire Marshal. "

"Austin, Texas, May 15, 1930.

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

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have investigated the application of E. P. James, owner of the property situated at the southwest corner of the intersection of Guadalupe and 38th Streets, for a permit to rebuild and operate an existing drive-in gasoline filling station.

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 can not 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 in accordance with plan No. 2-H-80 at the same time that other concrete curb and gutter work is done on Guadalupe Street in the proposed paving program for Guadalupe Street.

(10) Plan No. 2-H-80 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.

CITY SAFETY COMMITTEE:

(Sgd) Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City 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, 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 E. P. James has failed and refused and will continue to fail and refuse to per-

form any such conditions, regulations and ordinances .

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

A 4-inch gas main in Nickerson Street, beginning at a point on the north line of East Mary Street, which point of beginning is 20 feet west of the east line of Nickerson Street;

Thence in a southerly direction, 20 feet west of and parallel to the east line of Nickerson Street, a distance of approximately one block to the north line of East Johanna Street. Said gas main described above shall have a cover of not less than 2½ feet.

That 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, and Reed, 4; nays, none; Councilman Steck absent.

The Mayor laid before the Council for its second reading the following ordinance:

AN ORDINANCE CREATING THE  
PUBLIC LIBRARY COMMISSION,  
AND DEFINING ITS MEMBERSHIP,  
PURPOSES AND FUNCTIONS.

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

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent.

The Council then recessed.

Approved:

*J. N. McFadden*  
M a y o r .