

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 30, 1930.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, and Pannell, 3; absent, Councilmen Reed and Steck, 2.

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, and Pannell, 3; nays, none; Councilmen Reed and Steck absent.

The application of Phillip Bosche, through his architect, Roy L. Thomas, for permit to excavate under the alley in the rear of his building at 804-806 Congress Avenue was read and referred to the City Engineer for a report upon same.

The Mayor laid before the Council the following:

"Austin, Texas, October 29, 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 the estate of Mary J. Butler, et al., as presented by T.J. Butler, for a permit to construct and operate a drive-in tire and gasoline station on their property situated at the northeast corner of 1st Street and Congress Avenue.

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 is installed. Lines and grades shall 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 that portion extended over driveway shall 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 shall be installed in compliance with City and State Regulations governing such installations. All equipment shall 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 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 to 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-W-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 sidewalks in accordance with plan number 2-B-209, 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 the Plumbing Inspector for a special permit and shall give the 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. Rookwood, 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 to the estate of Mary J. Butler, represented by T. J. Butler, 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 gasoline 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 Mary J. Butler, represented by T. J. Butler, 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, and Pannell, 3; nays, none; Councilmen Reed and Steck, absent, 2.

The application of B. Tannenbaum, L. Cohn, and S. Winetraube for permit to erect a gasoline filling station at the corner of Seventh and San Jacinto Streets was read and referred to the Engineering Department and the Safety Committee for a report.

The Mayor laid before the Council the following resolution:

WHEREAS, A. D. Bolm has presented to the City Council a request for a permit to install a fuel oil tank in the alley which lies between 15th and 16th Streets, and between Guadalupe and Lavaca Streets; and

WHEREAS, the City Council has considered same and has expressed approval subject to definite terms of location and method of installation to be approved by the City Manager; and

WHEREAS, the City Manager has made an investigation and has recommended a location for said fuel tank; therefore,

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

That A. D. Bolm is hereby granted a permit to install a fuel tank in the alley which lies between 15th and 15th Streets and between Guadalupe and Lavaca Streets, the center of said tank to be 156 feet west of the west line of Lavaca Street and 3 feet south of the north line of said alley, the top of said tank to be not less than 1 foot below the bottom of any existing water pipe or not less than 1 foot below the bottom of any proposed water pipe location as established by the City Engineer; and

That A. D. Bolm shall, at his expense, provide a temporary by-pass for the water line now existing in said alley and shall work in conjunction with the Water Department of the City of Austin; and

That A. D. Bolm shall bear all expense and shall furnish such support as may be deemed necessary for the support of the water pipe which will have to be replaced after the installation of the fuel tank; and

That A. D. Bolm accepts notice that the City Council reserves the right to have said tank moved from the alley at any time that the City Council deems it necessary for the best public interest; and

That the work of repairing the alley and the restoration and maintenance of said alley after the tank has been installed shall be under the supervision and direction of the City Manager and all expense incurred by the City caused by the installation of said tank, or for repairs to said alley shall be borne by A.D. Bolm, owner of that portion of Division "E", Block 38, which lies north of and adjacent to the alley which runs east and west through said block, or by the assigns of said A. D. Bolm.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, and Pannell, 3; nays, none; Councilmen Reed and Steck absent.

The Mayor laid before the Council the following resolution:

"Austin, Texas, October 30, 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 the Texas Pacific Coal & Oil Company as presented by their agent, W. J. Costa, Engineer, for a permit to construct and operate a gasoline filling station, to be constructed on the property at the southwest corner of the intersection of West Sixth Street and West Avenue, said property having a frontage of 82 feet along the south line of West Sixth Street and 58 feet along the west line of West Avenue.

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 is installed. Lines and grades shall 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 that portion extended over driveway shall 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 shall 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 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 to 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 pipe connection from said sand trap to the nearest City storm sewer or to Shoal Creek 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, curbs and sidewalks in accordance with plan number 2-H-129, 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 the Plumbing Inspector for a special permit and shall give the 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;
L. A. Palmer, City Plumbing Inspector. "

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

That permission shall be granted to the Texas Pacific Coal and Oil Company, Sixth Street and West Avenue, 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 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 the Texas Pacific Coal & Oil 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 and Pannell, 3; nays, none; Councilmen Reed and Steck absent.

The Mayor laid before the Council the following resolution:

THAT the building line for the west side of Guadalupe Street between Twenty fourth and Twenty-Sixth Streets is hereby established as follows:

Seventy-eight one-hundredths of one foot (0.78') east of the west line of Guadalupe Street, or said building line shall be two-hundred-and-three and ninety-seven hundredths feet (203.97') east of the monumented center line of San Antonio Street, and the face of no building shall be constructed on Guadalupe Street east of said established building line.

Reference is hereby made to Plan No.2-B-203 now on file in the City Engineer's office.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Pannell, 3; nays, none; Councilmen Reed and Steck absent, 2

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) A pole line in Cedar Street from East Twelfth Street to East Eighteenth Street, the center line of which pole line shall be 7 feet east of the west line of Cedar Street and parallel thereto.

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

The above resolution was adopted by the following vote: Ayes, Mayor McFadden Councilmen Mueller, Pannell, 3; nays, none; Councilmen Reed and Steck absent, 2.

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 Fifth Street, beginning at a point 22.5 feet north of and 20 feet west of the intersection of the south line of East Fifth Street and the east line of Waller Street;

Thence in an easterly direction, 22.5 feet north of and parallel to the south line of said East Fifth Street a distance of approximately one block to the east line of Medina Street, said gas main described above to 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 cut 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 franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Pannell, 3; nays, none; Councilmen Reed and Steck absent.

The application of Mrs. Rebecca A. Hearn to construct a gasoline filling station at the corner of Nineteenth and San Jacinto Streets was read the first time and laid over.

A report of H. R. F. Helland, Consulting Engineer, stating that Schwarzer & Lorey had completed the work under Contract No. 22, being the bridge over Waller Creek on Thirty-second Street, in accordance with the plans and specifications for same, was read. Mayor McFadden moved that the work done under said Contract No. 22 be accepted and final estimate paid. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Pannell, 3; nays, none; Councilmen Reed and Steck absent, 2.

The application of K. C. Miller to construct a gasoline filling station in Nowlin Heights at the corner of LaFayette Avenue and Manor Road, was read the first time and laid over.

A communication from W. P. Webb with reference to the proposed gasoline filling station ordinance was read and ordered filed.

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 TWENTY-THIRD
STREET AND SUNDRY OTHER
STREETS AND ALLEYS, IN THE
CITY OF AUSTIN, LETTING CON-
TRACT THEREFOR, APPROVING
CONTRACT AND BOND, AND PRO-
VIDING FOR THE PAYMENT OF
THE COST THEREOF, AND DE-
CLARING AN EMERGENCY.

The above ordinance was read the first time and laid over.
Councilman Reed entered the Council Chamber.

The Mayor laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING
AND LEVYING ASSESSMENTS FOR
PART OF THE COST OF IMPROV-
ING PORTIONS OF TWENTY-SIXTH
STREET AND SUNDRY OTHER STREETS
IN THE CITY OF AUSTIN, TEXAS,
FIXING A CHARGE AND LIEN AGAINST
PROPERTY ABUTTING THEREON AND
AGAINST THE OWNERS THEREOF, PRO-
VIDING FOR COLLECTION OF SUCH
ASSESSMENTS AND THE ISSUANCE
OF ASSIGNABLE CERTIFICATES IN
EVIDENCE THEREOF.

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