

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, 1.

Councilman Steck moved that the Council recess, subject to call of the Mayor. 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, 1.

The Council then recessed.

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

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 20, 1930.

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

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same as read. 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 Mayor declared the hearing on the application of R. A. Spears to construct a gasoline filling station at the southeast corner of Twenty-ninth and Rio Grande Streets open. Mrs. O. B. Douglas, Messrs. Fred Morse, H. R. Bruck, and W. E. Ware, property owners in the vicinity, appeared to protest against the granting of this permit. R. A. Spears, Applicant, was also heard in the matter. The Council deferred action upon said permit until after the hearings on the Zoning Ordinance have been completed.

The Mayor declared the hearing on the application of B. Tannenbaum, L. Cohn, and S. Winetraube for permit to erect a gasoline filling station at the southwest corner of San Jacinto and Seventh Streets open. L. Cohn appeared and was heard in the matter. Councilman Mueller moved that the site for said station be approved. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, 3; nays, none; Councilmen Reed and Steck absent, 2.

A committee from the Chamber of Commerce appeared before the Council and requested that provision be made for the semi-annual payment of city taxes, to-wit, on the 1st day of April and the 1st day of October of each year, instead of annually. The Committee were requested to submit their proposition in writing, together with such data as might be obtained with reference to the policy pursued by other cities.

Another committee from the Chamber of Commerce presented a petition signed by a large number of citizens asking the City to proceed with the construction of the market house on the site purchased for this purpose at the corner of East Avenue and Seventh Street. The Mayor thanked the committee for their interest and stated that the matter would be given very earnest consideration by the City Council.

The above committee also presented a petition, signed by a large number of property owners in the vicinity, asking for the entire paving of East Avenue from First to Twenty-third Streets. The committee were advised that this street has been included in the paving program.

G. Flury presented a request to the Council that he be allowed some reduction in the paving assessment against a strip of ground owned by him fronting on Guadalupe Street near Thirty-ninth Street owing to certain conditions existing there which impair the value of the land. The Council took the matter under advisement.

The Mayor laid before the Council the following:

"Austin, Texas, November 13, 1930.

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

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the application of the McKean-Eilers Co. for a permit to construct a gasoline, tire, and battery station on Lot 6, Block 30, at the southeast corner of Congress Avenue and Fourth Street.

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, sidewalk grades to be secured from the Engineering Department before commencing any building construction.
- (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. That 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 purposes.
- (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.

(9a) That the applicant shall show upon his plans the proposed location of all service units to include the location of gasoline pumps and tanks, and that all pumps and other permanently located service units shall be located in accordance with location as shown on plan number 2-H-132.

(10) That the applicant shall construct all ramps, gutters and curbs and sidewalks in accordance with plan number 2-H-132, 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 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;

Tom Neal, Traffic Police Captain. "

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

That permission shall be granted to the McKean-Eilers Company to construct a gasoline, tire and battery station at the southeast corner of Congress Avenue and Fourth Street, 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 the McKean-Eilers 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, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the development of the park area on East Avenue from 4th to 8th Streets at an estimated cost of \$7011.58, and

WHEREAS, the recommendation of the Park Board has been reviewed and approved by the City Council; therefore,

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

That the sum of \$7,011.58 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of developing East Avenue from Fourth to Eighth Streets.

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:

WHEREAS, the Park Board of the City of Austin has recommended the development of Lamar Park at an estimated cost of \$2,453.00; and

WHEREAS, the recommendation of the Park Board has been reviewed and approved by the City Council; therefore,

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

That the sum of \$2453.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of developing Lamar Park.

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

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 to purchase from Geo. H. Harrington and wife, Zula Harrington, 1859.53 square feet of land out of Lot 72, Block 8, Division "D", City of Austin, Travis County, Texas, and more particularly described as follows:

Beginning at an iron stake in the south line of Hemphill Park, the same being the northwest corner of Lot 72, Block 8, Aldridge Place, in Outlots 73 and 74, Division "D" of the Government Outlots of the City of Austin, Travis County, Texas, according to a map or plat of said Aldridge Place as recorded in Travis County Court Records, Plat Book 2, Page 231, from which point of beginning a concrete monument known as "monument E", at the most southerly corner of said Lot 72 bears S. 1°59'30" W. 167.19 feet and S. 60°11'20" E. 90.8 feet;

Thence in a southeasterly direction following the south line of Hemphill Park, the same being the arc of a curve whose radius is 96 feet, whose intersection angle is 17°06', the long chord of which curve bears S. 80°43'30" E. 28.56 feet to an iron stake;

Thence S. 28°41' W. 63.09 feet across that certain tract or parcel of land which was conveyed to George H. Harrington, according to Travis County Deed Records Volume 344, Page 167, the same being Lot 72, Block 8, of Aldridge Place, to a point in the west line of said lot;

Thence N. 1°59'30" E. 60 feet following said west line to the place of the beginning containing 1859.53 sq. feet of land.

BE IT FURTHER RESOLVED:

That the sum of \$346.25 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of paying for such land and that a warrant issue to the proper parties therefor.

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:

WHEREAS, the premises abutting the west side of Guadalupe Street from the north line of West Twenty-First Street to the south line of West Twenty-Second Street is developing into business property, and said premises have never been numbered to conform to business use; and

WHEREAS, the City Engineer has prepared a map and made a study of the situation and has assigned a number to said premises in accordance with business use, and

said map has been reviewed by the City Council; therefore,

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

That the premises abutting the west side of Guadalupe Street between the north line of West Twenty-First Street and the south line of West Twenty-Second Street be numbered according to the numbering shown on the plat hereto attached marked 2-0-361, which plat is hereby made a part of this resolution.

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 residences on the north and south sides of East Eighth Street east one block from East Avenue have never been numbered in accordance with the City of Austin's scheme of numbering houses and great confusion is caused; and

WHEREAS, the City Engineer has prepared a map and made a study of the situation and has assigned a number for all premises abutting both the north and the south sides of East Eighth Street east one block from East Avenue, and said map has been reviewed by the City Council; therefore,

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

That all premises abutting both the north and the south sides of East Eighth Street east one block from East Avenue be numbered according to the numbering shown on the plat hereto attached marked 2-0-360, which plat is hereby made a part of this resolution.

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.

A report of the Southwest Bitulithic Company, stating that they had completed the paving on San Antonio Street from Nineteenth to Twenty-fourth Streets, known as Unit or District No. 28, was read and ordered filed.

A report of H. R. F. Helland, Consulting Engineer, recommending the acceptance of the above paving was also read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF SAN ANTONIO STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 17th day of April, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

SAN ANTONIO STREET from the north line of West 19th Street to the south line of West 24th Street, known and designated as Unit or District No. 28; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been

found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of San Antonio Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

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

A report of H. R. F. Helland, Consulting Engineer, with reference to the cost of beautifying Waller Creek from Seventh to Ninth Streets was read and ordered filed.

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

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF ALLEY IN BLOCK 67 AND OTHER ALLEYS, IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND DECLARING AN EMERGENCY.

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

The Mayor laid before the Council the following resolution:

WHEREAS, Lots 38 to 41, 52 to 55, 130 to 133, 144 to 147, 222 to 225, and 236 to 239 of Block A of Evergreen Cemetery, all in Outlot 25, Division "B" of the Government Outlots adjoining the City of Austin, which Block "A" is recorded in Travis County Deed Records in Plat Book No. 3, Page 124, have been resubdivided to be offered for sale for single spaces; and

WHEREAS, the City Engineer has presented a map of said resubdivision of a portion of said Block "A" of Evergreen Cemetery marked "Resubdivision X- 2-C-357" and

WHEREAS, the City Council has considered and approved said plan of subdivision; therefore,

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

That the map of the resubdivision of a portion of Block "A" of the Evergreen Cemetery marked Resubdivision "X" 2-C-357 be and the same is hereby adopted

as the official subdivision of said portion of Block "A" of Evergreen Cemetery; and

That the City Manager is hereby authorized and instructed to properly authenticate said map marked "Resubdivision "X" 2-C-357" and to have same filed, together with this resolution, for record in the office of the County Clerk of Travis County, Texas.

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, 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 San Jacinto Street between East Seventh Street and East Eighth Street, the center line of which gas main shall be 14 feet east of and parallel to the center line of said San Jacinto Street. Said gas main described above shall have a cover of not less than 2 feet.

(2) A 4 inch low pressure gas main in Gibson Street from the west line of South Congress Avenue to the east line of Newton Street, the center line of which gas main shall be 5 feet north of the center line of said Newton Street and parallel thereto.

Be it understood that right angle bends shall be used in connecting to the stub at South Congress Avenue, and that said gas main shall have a cover of not less than 2 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 wherever 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 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, 3; nays, none; Councilmen Reed and Steck absent, 2.

A petition signed by a large number of citizens, asking that East First Street be designated as a business street in the proposed zoning of the City, was read and filed for consideration at the hearing on zoning matters to be held Tuesday, November 25th at 7:30 P. M.