

City Manager Johnson submitted to the Council plans for the organization of an engineering corps to handle the construction work for storm and sanitary sewers and street paving in the expenditure of the bond money recently voted; and , also, the appointment of Hons Helland as Consulting Engineer for this work, at a salary of \$400.00 per month. Councilman Mueller moved that the plans as outlined by the City Manager be approved. 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.

City Manager Johnson was authorized by the Council to call for bids for a new pumper and aerial ladder truck for the Fire Department.

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

The Council then recessed.

Approved: J. W. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 14th, 1928.

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 Pannell moved that same be adopted as read. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

A. A. Mundt presented a petition to the City Council, signed by a number of residents and taxpayers of Austin, asking that the Council build a substantial, permanent bridge across Shoal Creek at 5th Street. The petition was received and filed and the Council assured said Mundt that the matter would be given as early consideration as possible.

A petition signed by a number of citizens, protesting against the employment of out-of-town men by superintendents on the city's work, was read to the Council, and Councilman Steck moved that the matter be referred to the City Manager for investigation and report to the Council. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, and Steck, 3; nays, Councilman Pannell; Councilman Reed absent.

Mayor McFadden laid before the Council the following resolution:

REVISING ASSIGNMENT OF SPACE FOR GAS MAIN
ON PARK LANE.

WHEREAS, Austin Gas Company has presented to the City Council a map showing the proposed location of a gas main on Park Lane from Nickerson Street to a point 51 feet east of the east line of Drake Avenue; and

WHEREAS, a resolution was passed by the City Council of the City of Austin, Texas, on the 24th day of May, 1928, which resolution was recorded in Minute Book No. 10, page 446, said resolution assigning space 10 feet south of the established center line of Park Lane; and

WHEREAS, in the course of attempted construction a water main was found already existing 10 feet south of the established center line of Park Lane; therefore,

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

THAT the Austin Gas Company be and the same is hereby permitted to lay and construct its gas mains in and under the following streets:

A 4 inch gas main on Park Lane beginning at a point in Nickerson Street where the space assigned for gas will intersect the hereinafter described line;

Thence easterly along a line 11 feet south of and parallel to the established center line of Park Lane to a point which is 25 feet west of an angle point as described in the field notes of said Park Lane center line, said angle point being northeasterly from the common corner between Lots 5 and 6, Block 12 of Fairview Park.

Thence easterly 25 feet, more or less, to a point which is S. 42° 11' W. 3.5 feet from the aforementioned angle point.

Thence easterly 25 feet to a point which is 10 feet south of the established center line of Park Lane.

Thence 10 feet south of and parallel to the center line of Park Lane to a point which is 51 feet east of the east line of Drake Avenue.

The Gas Company is specifically put on notice that this street has been recently regravelled and rolled and that the assignment will require the cutting of some of the new gravel which should be put back in as pure and smooth condition as that now existing and that the said gas line shall have not less than 1½ feet of cover.

That the work and laying of said gas main, including the excavation of the streets and the restoration and maintenance of said streets after said main has 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 Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Austin Gas 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 Austin Gas Company be and the same is hereby permitted to lay and construct gas mains in and under the following streets:

- (1) A 4 inch gas main on Avenue "D", beginning at a point 80 feet south of and 26 feet east of the intersection of the west line of Avenue "D" and the south line of 45th Street.

Thence northerly along a line 26 feet east of and parallel to the west line of Avenue "D" to the south line of 45th Street, said gas main to have not less than 2 feet of cover.

- (2) A 4 inch gas main on 45th Street, beginning at a point 41 feet north of and 24 feet west of the intersection of the east line of Avenue "D" and the south line of 45th Street.

Thence easterly along a line 41 feet north of and parallel to the south line of 45th Street to the west line of Avenue "E", said gas line to have not less than 2 feet of cover.

- (3) A 4 inch gas main on Avenue "A", beginning at a point in the north line of 42nd Street, said point being 34 feet west of the intersection of the east line of Avenue "A" and the north line of 42nd Street.

Thence northerly along a line 34 feet west of and parallel to the east line of Avenue "A" to a point in the south line of 44th Street, said gas line to have not less than 2 feet of cover.

- (4) A 4 inch gas main on 43rd Street, beginning at a point 24 feet south of and 34 feet west of the intersection of the north line of 43rd Street and the east line of Avenue "A";

Thence easterly along a line 24 feet south of and parallel to the north line of 43rd Street to a point in the east line of Avenue "B", said gas line to have not less than 2 feet of cover at all points, except at the Avenue "A" intersection, where cover should be not more than 1½ feet in order to clear proposed storm sewer.

The Austin Gas Company is hereby given notice that this gas main must clear proposed storm sewer, grades for which have not been selected at this time.

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

Mayor McFadden laid before the Council for its third reading the following ordinance:

**AN ORDINANCE PROHIBITING
NEGLIGENT COLLISIONS, DEFINING
NEGLIGENCE, AND PROVIDING A
PENALTY FOR THE VIOLATION
THEREOF.**

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. 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.

Mayor McFadden laid before the Council for its third reading the following ordinance:

**AN ORDINANCE CREATING THE ZONING
COMMISSION, AND DEFINING ITS
MEMBERSHIP, PURPOSES AND FUNCTIONS.**

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.

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

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

The ordinance was read the second time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its third reading. 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 ordinance was read the third time and Councilman Mueller moved that same be finally passed. 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.

Mayor McFadden nominated the following as members of the Parks and Playgrounds Commission:

H. F. Kuehne; ✓
A. P. Wooldridge; ✓
W. T. Caswell; ✓
Martin Andersen; ✓
A. F. Martin; ✓
B. C. Tharp; ✓
T. A. Gullett; ✓
Mrs. Noyes D. Smith; ✓
Mrs. Herman Pressler. ✓

Councilman Pannell moved that the Committee as nominated by the Mayor be appointed. Motion was seconded by Councilman Mueller, 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.

Councilman Reed moved that the Council approve the recommendations of Architect Kuehne and City Health Officer Edens for the erection of a new building at the City Hospital to take the place of the old hospital building, and that the City Manager be directed to dispose of the old building. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Bids from the following firms for a pumper and aerial truck for the Fire Department were opened and read:

American LaFrance Fire Engine Co,
Mack Fire Apparatus Company;
Ahrens-Fox Company ;
Seagrave Company .

The bids were referred to the City Manager for consideration.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, on June 5th, 1926, in Cause No. 41643 in the District Court of Travis County, Texas, the City of Austin recovered judgment against the Sarah E. Herbert Estate, et al. for \$814.30, for city taxes against the East One-half of Lot 1, Block 3, Outlot 56, Division "B", City of Austin, for the years 1894 to 1923, both inclusive, and under order of sale issued out of said Court on said judgment, said property was sold to the City of Austin to satisfy said judgment; and

WHEREAS, A. A. Scroggins has offered to pay the City of Austin \$771.89 in satisfaction for the taxes of said years, in consideration that the City give said Scroggins a quitclaim deed to said property;

Therefore,

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

THAT the City Manager be and he is hereby authorized to execute to said A. A. Scroggins the quitclaim deed of the City to said property in consideration of the payment to the City of the sum of \$771.59; provided, however, that the taxes on said property for the years 1924 to 1927, both inclusive, shall be paid and satisfied as a part of the same transaction and as a condition precedent to the delivery to said Scroggins of said deed; and upon payment of said amount as above mentioned, and also said taxes, the City Tax Assessor and Collector is authorized to make the proper entries on his books to show satisfaction thereof.

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

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE PROHIBITING THE SALE, DELIVERY OR PURCHASE OF GASOLINE FROM TANK WAGONS OR OTHER MOVABLE TANKS EXCEPT AS PROVIDED IN SAID ORDINANCE, PRESCRIBING PENALTIES, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The ordinance was read the first time and laid over.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE CREATING THE OFFICE OF CITY GAS INSPECTOR, AND DEFINING THE DUTIES OF SUCH OFFICE; CREATING A BOARD FOR THE EXAMINATION OF GAS-FITTERS, AND PROVIDING FOR THE EXAMINATION AND LICENSE OF GAS-FITTERS; PROVIDING FOR THE INSPECTION OF GAS AND GAS METERS; PRESCRIBING RULES AND REGULATIONS FOR THE QUALITY, PRESSURE AND MEASURE OF GAS SUPPLIED TO CONSUMERS, AND FOR THE ENFORCEMENT THEREOF; PROVIDING RULES AND REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF GAS PIPING AND FIXTURES; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE.

The ordinance was read the first time and laid over.

Mayor McFadden laid before the Council the following:

" Austin, Texas, June 14, 1928.

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

Dear Sir:

We wish to make application for a permit to erect a drive-in service station with real estate office in connection therewith. These buildings are to be erected on Guadalupe between 35th and 36th Streets on Lot 129 feet wide. The building is to be of wood with cement floor except in the real estate office. This building will be built in accordance with the ordinance governing buildings to be used for such purposes.

Very truly yours,

(Sgd) T. E. Hiett

" H. A. Wolfson. "

"Austin, Texas,

Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of T. E. Hiett and H. A. Wolfson, asking permission to install and operate a drive-in gasoline filling station at 3510 Guadalupe Street, make the following report:

We, the Committee, recommend that this permission 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 manner obstruct the sidewalk, street or alleyway. The pumps shall be at least ten feet inside the property line.

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 provision shall be made to take care of waste oils and water by having the proper connections with storm or sanitary sewer. Connections to be made under the supervision of the City Engineering Department.

9.a That a plan of the filling station, showing the proposed location of pumps, driveways and methods of draining away waste water and oils shall be filed with and approved by the City Engineer before the commencement of construction.

9 b. That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector.

9 c. That at no time shall any occupancy constituting a special fire hazard be placed within 30 feet of any part of the above filling station.

10. That permission shall be granted subject to the above 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 said T. E. Hiett and H. A. Wolfson have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody,
Fire Chief.

R. F. Rockwood,
Fire Marshal.

Orin E. Metcalfe,
City Engineer.

J. Bouldin Rector,
City Attorney.

CITY SAFETY COMMITTEE. "

Councilman Reed moved that said permit be granted, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

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

THAT there is hereby created a fund, to be known as the CONSTRUCTION ENGINEERS BOND FUND, into which fund shall be placed all moneys to be used for expenses of the Construction Engineers Department, and there is hereby appropriated out of the General Fund the sum of Five Thousand Dollars (\$5,000.00) to be placed to the credit of said Construction Engineers Bonds Fund; provided, however, that said amount shall be reimbursed to the General Fund from the proceeds of bonds of the City which will hereafter be sold.

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

Councilman Reed moved that \$220.00 be appropriated out of the Water & Light Fund to pay the salaries of extra meter readers for said Department during the vacation period. 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.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion prevailed by the following vote: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: *P. M. Fadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 21, 1928.

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.

Councilman Mueller moved that the City Manager be authorized to enter into a contract with the American La France Fire Engine Company for the purchase of a pumper and aerial truck for the Fire Department, at a cost of \$24,117.60, this being the lowest and best bid submitted. 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.

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

AN ORDINANCE CREATING THE OFFICE OF CITY GAS INSPECTOR, AND DEFINING THE DUTIES OF SUCH OFFICE; CREATING A BOARD FOR THE EXAMINATION OF GAS-FITTERS? AND PROVIDING FOR THE EXAMINATION AND LICENSE OF GAS-FITTERS; PROVIDING FOR THE INSPECTION OF GAS AND GAS METERS; PRESCRIBING RULES AND REGULATIONS FOR THE QUALITY, PRESSURE AND MEASURE OF GAS SUPPLIED TO CONSUMERS, AND FOR THE ENFORCEMENT THEREOF; PROVIDING RULES AND REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF GAS PIPING AND FIXTURES; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE.

The ordinance was read the second time and laid over.

A committee, composed of Roy Bedichek and others, presented a petition to the City Council, signed by the property owners on 23rd Street between East Avenue and Red River Streets, asking that the City pave this street. The petition was read and ordered filed and assurance given the committee that same would have due con-