

the taxes are shown to be delinquent on the tax rolls.

Finally, it would appear from the facts presented in the statement of Judge Graves that on and since January 1, 1927, both of the above mentioned lots have been and are now being used exclusively for religious purposes, and for this reason both should be exempted from taxation, and such exemption should continue so long as they are used exclusively for such purposes.

Very truly yours,

(Sgd) J. Bouldin Rector,  
City Attorney."

Mayor McFadden moved that the above report of the City Attorney be adopted and that the Tax Collector be directed to proceed with the collection of taxes as set forth in said report. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council a petition signed by a large number of citizens, requesting a tax levy for the upkeep of the cemeteries. Councilman Reed moved that the petition be received and filed for further consideration with other proposed charter amendments. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none,

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

The Council then recessed.

*J. M. Fadden*

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 6, 1927.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; absent none.

The Minutes of the last meeting were read and Councilman Steck moved the adoption of same. Motion prevailed by the following vote: Ayes Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; Nays, none.

The Mayor laid before the Council the following Resolution:

WHEREAS, the owners of all the property abutting on both sides of West 2nd Street, between its intersections with Colorado Street and Lavaca Street, have petitioned the City Council to cause same to be improved by constructing thereon a gravel base and asphalt surfacing, upon condition that such property holders pay the entire cost of such improvement; and

WHEREAS, said property holders have filed with the City Manager their statement that such improvements will not be considered by them as a permanent improvement of said street, in event the City of Austin shall hereafter determine to pave same with permanent pavement; therefore,

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

THAT the City Manager be and he is hereby authorized and directed to cause West 2nd Street, between its intersections with Colorado Street and Lavaca Street, to be improved by constructing thereon a gravel base and asphalt surface, upon the condition that said property holders shall pay the entire cost and expense of same.

Councilman Reed moved the adoption of the above resolution, and same was seconded by Councilman Steck. Motion prevailed by the following vote: Ayes: Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; Nays none.

The Mayor laid before the Council the following Resolution:

WHEREAS, it has been determined as a fact by the City Council, upon evidence submitted, that the following Institutions and premises are used exclusively for school purposes, and are therefore exempt from taxation by the City of Austin, under the constitution and laws; Now, therefore,

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

THAT the City Assessor and Collector of Taxes be instructed and directed to do the following things:

1. To strike from the City tax rolls for the years 1922, 1923, 1924, 1925 and 1926, the property described as about 440 feet fronting on 27th street and running back to 29th street, situated on Outlots 12 and 13, Whitis Addition, in Division "D", same being the premises occupied by the "Scottish Rite Dormitory For Girls", and the grounds incident and necessary to the use and enjoyment thereof.

2. To strike from the City Tax Rolls for the years 1923, 1924, 1925 and 1926, Lot 46, Outlot 22, in Division "D", same being the premises occupied by "Newman Hall", and the grounds incident and necessary to the use and enjoyment thereof.

3. To strike from the City Tax Rolls for the years 1923, 1924, 1925 and 1926, Lots 11 to 13 inclusive, and 20 to 22 inclusive, in Block 10, Outlot 15/16/17, of "Whitis Addition", in Division "D", same being the premises occupied by "Grace Hall", and the grounds incident and necessary to the use and enjoyment thereof.

4. To strike from the City Tax Rolls for the years 1924, 1925 and 1926, Lots 1, 2, 3, 4, 15, 16, 17, and 18, in Block 3, of outlot 73, in Division "D", same being the premises occupied by "Helen M. Kirby Dormitory", and the grounds incident and necessary for the use and enjoyment thereof.

BE IT FURTHER RESOLVED,

THAT all City taxes charged against the premises above set out, respectively, be and the same are hereby cancelled and charged off the City books, and the City Tax Assessor and Collector is instructed to effect the same.

BE IT FURTHER RESOLVED,

THAT none of the properties respectively above described shall be carried on the tax rolls of the City of Austin in future so long as they or any of them are devoted exclusively to school purposes.

Mayor McFadden moved the adoption of the above Resolution, which was seconded by Councilman Steck. The motion prevailed by the following vote: Ayes: Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; Nays none.

The Mayor laid before the Council the following application of The Texas Company to install a storage tank on their property at 1300 East 4th street:

"Austin, Texas, September 30, 1927.

To the Honorable Mayor and Commissioners,  
City of Austin, Texas.

Gentlemen:

We, your petitioners, desire to install one storage tank, of 16,000 gallons capacity, at our wholesale plant, located at 1300 East 4th street, in the City of Austin, Texas, and would appreciate the issuance of a permit, at your hands, authorizing the installing of same.

For your fuller information on matter of the proposed work, may inform you that the tank is of plate steel, of 5/16 inch thickness, meeting the requirements of the Underwriters; the foundation is to be of three (3) piers of brick, each 12 feet in length; one foot, six inches in thickness, eight feet in height from ground surface; foundation depth, below surface of the ground, fourteen feet in length, two feet in depth, all footings for piers to be of concrete with 5/8 inch reinforcing steel.

With thanks for such consideration as you may bestow on our request as above, we remain,

Yours very truly,

(Sgd.) THE TEXAS COMPANY  
By Joseph A. O'Reilly.

The Mayor also laid before the Council the report of the Safety Committee on the above request.

"Austin, Texas,  
October 4, 1927.

Hon. Mayor and City Council:

Gentlemen:

We, your committee on the application of the Texas Company asking for permission to install a 16,000 gallon storage tank at their warehouse located at 1300 East 4th street, make the following report:

We, the committee, recommend that this permission be granted, subject to the following conditions:

1. That storage tank shall be located inside of the property line, and upon premises controlled by the applicant.
2. That storage tank shall be of an approved type, and constructed in accordance with the regulations governing the construction and installation of such storage tanks.
3. That storage tank shall be supported by steel or masonry supports, and shall be properly braced.
4. That storage tank shall be grounded as required in regulations.
5. That storage tank shall be kept in good condition at all times, as shall all pipes and connections used in connection therewith.
6. That "NO SMOKING" signs shall be prominently displayed at all times on premises where gasoline and oils are stored or handled.
7. That private fire protection shall be maintained on premises where gasoline or oils are stored or handled. Said private fire protection to consist of approved chemical fire extinguishers, which shall be kept in working order at all times.

8. That permission shall be granted subject to the above conditions and the present and future regulations and ordinances of the City of Austin, Texas, applying to or regulating the installation of above ground storage tank for gasoline or oils, 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 proper enforcement of gasoline and oil storage regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Texas Company has 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."

Approved: Adam R. Johnson,  
City Manager.

Councilman Mueller moved that the permit be granted, subject to the regulations and provisions of the report of the Safety Committee. Mayor McFadden seconded same, and the motion prevailed upon the following vote: Ayes; Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; Nays; none.

The Mayor laid before the Council the following request by the Bon Ton Baking Company for the installation of a gasoline tank and pump on their premises at 1307 Lavaca street:

"Austin, Texas, September 29, 1927.

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

Dear Sir:

We hereby apply for permission to be installed on our premises a gasoline tank and pump for same, to be used for the storage and pumping of gasoline for use in our trucks.

Very truly yours,

Bon Ton Baking Co.,  
by W. L. Cox,  
Secretary."

The Mayor laid before the Council the report of the Safety Committee on the above request:

"Austin, Texas, October 1, 1927.

Mayor and City Council:

Gentlemen:

We, your committee on the application of Bon Ton Baking Company, asking for permission to install an underground gasoline storage and pump, for use of storage of gasoline for trucks owned by company at 1307 Lavaca street, make the following report:

We, the committee, recommend that this permission be granted subject to the following conditions:

1. That gasoline storage tank and pump shall be used only for use stated in application (storage of gasoline for use in trucks owned by company) and said gasoline storage tank and pump shall be located inside of the property line. Any building that may be constructed for purpose of housing pump shall be constructed in compliance with "Fire Limits" building regulations.

2. That gasoline storage tank and pump shall be of an approved type and shall bear the label of the National Board of Fire Underwriters, and shall be installed in compliance with regulations governing such installations.

3. That gasoline pump shall be so located that cars receiving service therefrom will not in any manner obstruct the sidewalk, street or alleyway.

4. That electric light shall be used for lighting, and wiring shall be done in compliance with regulations governing wiring of gasoline filling stations.

5. That "NO SMOKING" sign shall be displayed at all times, and no person shall be permitted to smoke or have any open flame near gasoline tank or pump.

6. That chemical fire extinguisher shall be provided for emergency use.

7. That permission shall be granted subject to the above conditions, and the present and future rules, regulations and ordinances of the City of Austin, Texas, applying to or regulating the installation of gasoline storage tanks and pumps, 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 Bon Ton Baking Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations or ordinances.

Sgd. J. E. Woody,  
Fire Chief.  
R. F. Rockwood,  
Fire Marshal.  
Orin E. Metcalfe,  
City Engineer.  
J. Bouldin Rector, City Attorney."

Approved: Adam R. Johnson,  
City Manager.

Councilman Pannell moved that the request be granted, subject to the provisions and regulations contained in the report of the Safety Committee. Councilman Mueller seconded this motion, and same was adopted by the following vote: Ayes; Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; Nays, none.

City Manager Johnson read the following communication received from the City Treasurer, A. C. Bull:

"Austin, Texas, October 5, 1927.

Mr. S. W. Mabry, III,  
Director of Finance,  
City of Austin,  
Austin, Texas.

Dear Mr. Mabry:

This bank has made a contract with Jarrett and Company, of San Antonio, to purchase a certain amount of municipal bonds under their guarantee to redeem these bonds on ten days notice, paying therefor the price originally paid by us. We have similar arrangements with several other concerns. This is done in order to give us a ready outlet for our securities without risking market fluctuations.

In as much as Jarrett and Company expect to exchange these bonds from time to time, it is thought best to keep these bonds with the Guaranty State Bank at San Antonio, in order that they may be readily available for exchange by Jarrett and Company, and to eliminate shipping. The Guaranty State Bank will issue us their trust receipt for same.

We may desire to include a small amount of these bonds with our contract to the City of Austin, issuing to the City of Austin our trust receipt, subject to your order just as we do on your bonds kept in our vaults.

As we understand the existing contract had between this bank, the City Treasurer, and the City of Austin, this procedure is permissible, but before completing our arrangements we would like to have your official approval of same.

Thanking you to kindly advise us at your earliest opportunity your views relative to this plan, and with best wishes, we are

Yours very truly,

Sgd.

A. C. Bull,  
Vice President,  
Texas Bank and Trust Co."

The City Attorney advised that the City's contract with the City Treasurer did not provide for the above outlined procedure. The Council then directed the City Attorney to confer with the City Treasurer, Mr. Bull, and amend the contract so that the contemplated contract with Jarrett and Company of San Antonio regarding the keeping of the City Treasurer's securities in San Antonio would be legal and satisfactory.

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

RESUMED MEETING OF THE CITY COUNCIL:

*O. H. M. Fadden*  
Austin, Texas, October 6, 1927.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; absent, none.

The Mayor stated that the purpose of this meeting was to appoint a Director of the City Health Department.

Councilman Pannell nominated Dr. Lee Edens for the position of Director of the City Health Department. This nomination was seconded by Councilman Mueller, and confirmed 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 the call of the Mayor. The motion prevailed upon the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5, Nays, none.

The Council then recessed.

REGULAR MEETING OF THE CITY COUNCIL:

*P. H. McFadden*  
Austin, Texas, October 13, 1927.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; absent none.

The minutes of the last meeting were read and Councilman Steck moved their adoption, which was seconded by Councilman Mueller. The motion prevailed upon the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; nays, none.

Mayor McFadden announced that the oath of office would be administered to Dr. Lee Edens, Director of the City Health Department.

Judge Ed. R. Kone, Judge of the Corporation Court, then administered the oath of office to Dr. Lee Edens, Director of the City Health Department.

The Mayor then announced that the bids received in accordance with the request for bids on the paving of certain alleys in the City of Austin, and the excavation of same, would be opened. The following are the bids received:

C. A. MAUFRAIS.

ALLEY PAVING

20,000 square yards one course concrete pavement complete in place for -----	\$2.00
per square yard.	
2,000 cubic yards excavation hauled each extra quarter mile further than the first 1500 feet for -----	.15
per cubic yard per quarter.	
12,000 linear feet longitudinal expansion joints furnished complete in place for -----	.12
per linear foot.	
150 cubic yards solid rock excavation for -----	2.00
per cubic yard.	

OPTIONAL ITEMS

30,000 steel reinforcement mesh furnished and place for ---	.15
per pound.	
10,000 lbs. steel reinforcing bars furnished and placed for -----	.05
per lb..	

WALSH, BURNEY AND MOORE, INC.

ALLEY PAVING

20,000 square yards one course concrete pavement complete in place for -----	\$2.15
per square yard.	
2,000 cubic yards excavation hauled each extra quarter mile further than the first 1500 feet for -----	.08
12,000 linear feet longitudinal expansion joints furnished complete in place for -----	.10
per linear foot.	