

Councilman Mueller moved that the Council recess, subject to the 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.

The Council then recessed.

Approved: *J. M. Fadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 23, 1928.

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 Mueller moved the adoption of same. Motion was seconded by Councilman Reed 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:

WHEREAS, C. M. Bartholomew has presented the City Council tentative plans showing the proposed construction of a drive-in tire station to be located on the west side of Lavaca Street and on the south side of the alley which is between 6th and 7th Streets, said tire station to be upon Lot No. 6, Original City Block No. 72, City of Austin, and said plans and maps and a report from the City Engineer have been considered by the City Council, therefore,

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

THAT, subject to the terms of the agreement of C. M. Bartholomew, as appears in writing and recorded in the Minutes of the City Council, he is hereby permitted to construct a slope driveway entrance on Lavaca Street to be used for the passage of vehicles in and out of the proposed tire station, said portion of Lavaca Street to be used for driveway purposes being described as follows:

Beginning at a point which is 7 feet south of the northeast corner of Lot No. 6, Original City Block No. 72;

Thence southerly with the west side of Lavaca Street 25.67 feet to a point;

Thence easterly at right angles to said westerly line of Lavaca Street 20 feet more or less to the east face of the west curb line of Lavaca Street;

Thence northerly parallel to the west side of Lavaca Street, 25.67 feet to a point;

Thence westerly 20 feet more or less to the place of beginning.

That said driveway shall be constructed of concrete in accordance with city ordinance referring to concrete curb and sidewalk work and that the radius of all curves of said driveway shall be in accordance with the instructions of the City Engineer.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pennell, Reed, and Stock. 5; Nays, none. Said agreement of C. M. Bartholomew is as follows:

"STATE OF TEXAS I
COUNTY OF TRAVIS. I

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, the City of Austin has granted me the privilege to construct an approach from Lavaca Street to my premises, 40 x 90 feet, situated at the corner of said street with the alley; and

WHEREAS, it is contemplated by the City that at some future date the present curb line will be changed in widening the street at said point;

Therefore, I agree by these presents that when the City undertakes the work of widening said street to its original width and changing the curb line, I will remove from the area now being improved such construction as I am now privileged to place, without cost to the City and without any claim for reimbursement for such expenditure.

WITNESS MY HAND this 23rd day of February, 1923.

(Sgd) C. M. Bartholomew."

Mayor McFadden laid before the Council the following:

"Austin, Texas, Feb. 16, 1923.

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

Dear Sir:

We desire to install a pump and underground tank for Mr. M.H. Eppright at 1521 West 6th Street. This equipment is to be installed in the back yard of this residence and is for Mr. Eppright's private use. We do not believe this pump will be a fire hazard in any way.

Trusting that this matter will receive your usual prompt attention, and thanking you for past favors, beg to remain,

Yours very truly,

(Sgd) O. D. Dabbs,
Agent. "

" Austin, Texas, February 17, 19

Hon. Mayor & City Council,

Gentlemen:

We, your committee on the application of M. H. Eppright asking permission to install an underground gasoline storage tank and pump on his premises, located at 1521 West 6th Street for private use, 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 located inside of the property line and at least 20 feet from any private residence.
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 City and State 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 alley.
4. That electric lights only shall be used for lighting and all electric wiring shall be approved by the City Electrical department.
5. That "NO SMOKING" sign shall be posted near pump, and no person shall be permitted to smoke or have any open fire near any 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 M.H. Eppright has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Mobay,
Fire Chief

R. F. Rockwood,
Fire Marshal

Orin E. Metcalfe,
City Engineer.

Approved:

(Sgd) Adam R. Johnson,
City Manager. "

CITY SAFETY COMMITTEE.

Councilman Reed moved that permit be granted to said M. H. Eppright, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Mueller 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:

"Austin, Texas, February 21, 1928.

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

Dear Sir:

I wish to make application for a permit to erect a drive-in gasoline filling station located at 40th and Guadalupe Streets, to be built in accordance with the city ordinances governing the erection of filling stations.

Very truly yours,

(Sgd) E. B. Bailey."

"Austin, Texas, February 21, 1928.

Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of Dr. E. B. Bailey asking for permission to erect a drive-in gasoline filling station at 40th and Guadalupe Streets, 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. Lines and grades to be obtained from City Engineering Department for entrances and driveways. Building plans to be approved by Building Inspector.

2. 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.

3. That gasoline storage tanks, pumps and other equipment used in connection with 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 alley.

4. That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with the regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

5. 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 handled.

6. That there shall be kept in an accessible place at all times, at least one chemical fire extinguisher for emergency use.

7. 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 Engineering Department.

8. 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 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 Dr. E. B. Bailey has failed and refused, and will continue to fail and refuse to perform and observe any such conditions, regulations and ordinances.

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

R. F. Rockwood,
Fire Marshal.

Approved:

(Sgd) Adam R. Johnson,
City Manager.

Orin E. Metcalfe,
City Engineer. "

Councilman Reed moved that permit be granted to said Dr. E. B. Bailey, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Mueller 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:

WHEREAS, Lot No. 20 of Barton Springs Heights and improvements thereon were assessed, on Assessment No. 7382, for taxation in the name of J. C. McAlpine for the year 1927 at a valuation of \$2,005.00; and

WHEREAS, it appears from Petition No. 6, filed by said J. C. McAlpine, that the said improvements were under construction on the 1st day of January, 1927, and that the value shown on said property should have been only \$1,410.00; therefore,

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

That the valuation of said property be changed from \$2,005.00 to \$1,410.00 and that the City Tax Assessor and Collector be and he is hereby instructed to change his rolls accordingly and to take credit therefor.

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 resolution:

WHEREAS, certain property described on Assessment No. 7873 was assessed against North Millican for the year 1927 at a valuation of \$12,925.00; and

WHEREAS, it appears from Petition No. 5 that said valuation was excessive; therefore,

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

That the valuation for taxable purposes for the year 1927 of said property be changed from \$12,925.00 to \$8,950.00, and that the Tax Assessor and Collector be and he is hereby instructed to correct his rolls accordingly and to take credit therefor.

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 resolution:

WHEREAS, the improvements on the south one-half of Block 59 in the City of Austin, Texas, were assessed, on Assessment No. 9696, against W.H. Richardson Estate at a valuation of \$5,520.00 for the year 1927; and

WHEREAS, it appears from Petition No. 7 that said valuation was excessive; therefore,

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

That the valuation of said property for taxable purposes for the year 1927 be changed from \$5,520.00 to \$3,950.00, and that the City Tax Assessor and

Collector be and he is hereby instructed to correct his rolls accordingly and to take credit therefor.

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 resolution:

WHEREAS, Austin Gas Company has presented to the City Council a map showing the proposed location of a gas main on Nueces Street from the south side of 26th Street to the south side of Guadalupe Street; and

WHEREAS, a resolution was passed by the City Council of the City of Austin, Texas, on the 19th day of January, 1928, which resolution was recorded in Minute Book No. 10, Page 235, said resolution assigning space 25 feet west of and parallel to the east side of Nueces Street; and

WHEREAS, in the course of attempted construction a gas main was found already existing 25 feet west of and parallel to the east side of Nueces Street between the south side of 26th Street and the south side of Guadalupe Street; 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 an additional gas main in and under Nueces Street from the south side of 26th Street to the south side of Guadalupe Street, said main to be $36\frac{1}{2}$ feet west of and parallel to the east line of Nueces Street, and to have not less than 2 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, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council a map showing the proposed location of underground conduits for their telephone lines 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 the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its conduits in the following streets and alleys:

- (1) A telephone conduit on West 4th Street Alley from a point in the west property line of Lavaca Street, said point being 18 inches north of the southwest corner of Lavaca Street and said West 4th Street Alley and running westwardly 18 inches north of the south line of said West 4th Street alley and parallel to same, to a point in the east line of Guadalupe Street, said point being 18 inches north of the southeast corner of Guadalupe Street and West 4th Street alley, said conduit to have not less than $3\frac{1}{2}$ feet of covering and to be placed under all existing storm sewers.
- (2) A telephone conduit on West 5th Street alley from a point in the west street line of Lavaca Street, said point being 18 inches north of the southwest corner of Lavaca Street and said West 5th Street alley and running westwardly 18 inches north of the south line of said West 5th Street alley and parallel to same, to a point in the east line of Guadalupe Street, said point being 18 inches north of the southeast corner of Guadalupe Street and West 5th Street alley; said conduit to have not less than $3\frac{1}{2}$ feet of covering and to be placed under all existing storm sewers.

- (3) A telephone conduit on West 3rd Street alley from a point in the west street line of Lavaca Street, said point being 18 inches north of the southwest corner of Lavaca Street and said West 3rd Street alley and running westwardly 18 inches north of and parallel with the south line of said West 3rd Street alley to a point in the east line of Guadalupe Street, said point being 18 inches north of the southeast corner of Guadalupe Street and West 3rd Street alley; said conduit to have not less than 3 1/2 feet of covering and placed under all existing storm sewers.
- (4) A telephone conduit on West 3rd Street alley from a point in the east street line of Lavaca Street, said point being 18 inches north of the southeast corner of Lavaca Street and said W. 3rd Street alley and running eastwardly 18 inches north and parallel with the south line of said West 3rd Street alley to a point in the west line of Colorado Street, said point being 18 inches north of the southwest corner of said Colorado Street and West 3rd Street alley; said conduit to have not less than 3 1/2 feet of covering and to be placed under all existing storm sewers.
- (5) A telephone conduit on Lavaca Street from a point on the south line of West 5th Street, 24 feet west of the southeast corner of said Lavaca Street and West 5th Street, better described as being the end of an existing conduit.
- Thence southwardly along a reverse curve to a point of tangent, said point being 25 feet south and 27.3 feet west of the southeast corner of said Lavaca and West 5th Streets;
- Thence southwardly 27.3 feet west of and parallel with the east line of Lavaca Street to a point 18 inches north and 27.3 feet west of the southeast corner of Lavaca Street and West 5th Street alley; said conduit to have not less than 3 1/2 feet of covering and to be placed under all existing storm sewers.
- (6) A telephone conduit across Lavaca Street from a point in the east line of said Lavaca Street, said point being 18 inches north of the southeast corner of Lavaca Street and West 3rd Street alley, to a point in the west line of Lavaca Street, said point being 18 inches north of the southwest corner of Lavaca Street and West 3rd Street alley; said conduit to have not less than 3 1/2 feet of covering and to be so placed as to not interfere or disturb the present location of any existing underground lines or structures.
- (7) A telephone conduit across Lavaca Street from a point in the east line of said Lavaca Street, said point being 18 inches north of the southeast corner of Lavaca Street and West 4th Street alley, to a point in the west line of Lavaca Street, said point being 18 inches north of the southwest corner of Lavaca Street and West 4th Street alley; said conduit to have not less than 3 1/2 feet of covering and to be so placed as to not interfere or disturb the present location of any existing underground lines or structures.
- (8) A telephone conduit across Lavaca Street from a point in the east line of said Lavaca Street, said point being 18 inches north of the southeast corner of Lavaca Street and West 5th Street alley, to a point in the west line of Lavaca Street, said point being 18 inches north of the southwest corner of Lavaca Street and West 5th Street alley; said conduit to have not less than 3 1/2 feet of covering and to be so placed as to not interfere or disturb the present location of any existing underground lines or structures.

That the work and laying of said conduits, including the excavation of the streets and the restoration and maintenance of said streets and alleys after said conduits have been laid, 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, Reed, and Steek, 5; nays, none.

Mayor McFadden laid before the Council the following:

"Austin, Texas, February 15, 1928.

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

Dear Sir:

We desire to install pump and underground tank for Mr. J.B. Branton inside of building located at 705 Red River Street. This station will comply with the city ordinance covering drive-in stations and garages.

Trusting that we may have your approval at your earliest convenience and thanking you for past favors along this line, beg to remain,

Yours truly,

(Sgd) C. E. Davis,
Agent. "

"Austin, Texas,

Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of J. B. Branton asking permission to install an underground gasoline storage tank and pump at his garage located at 705 Red River Street, make the following report:

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

1. That gasoline storage tank and pump shall be located inside of the property line, and that pump shall be at least 10 feet inside of property line.
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 City and State regulations governing such installations.
3. That gasoline pump shall be so located that cars receiving service therefrom will not in any way obstruct traffic on sidewalk, streets or alleys.
4. That electric lights only shall be used for lighting purposes, and all electric wiring shall be approved by the City Electrical Department.
5. That "NO SMOKING" signs shall be posted 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 necessary arrangements be made to take care of all waste water, grease and oil by having proper connections made with storm sewer or sanitary sewer, in accordance with instructions of the City Engineer.
8. That before installation a plan of the filling station, showing the proposed location of pumps, driveways, and methods of draining away waste water and oils which shall be filed with and approved by the City Engineer before the commencement of construction.
9. 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 auto gasoline filling stations and 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 J. B. Branton has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

R. F. Rockwood,
Fire Marshal

Approved:

(Sgd) Adam R. Johnson,
City Manager.

Orin T. Metcalfe,
City Engineer.

CITY SAFETY COMMITTEE."

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

City Manager Johnson was authorized by the Council to grant St. John's Orphan Home the same rate for light allowed the churches, and also to comply with their request for a yard light on their premises to burn all night at the City's expense, 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:

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 a gas main to be located on 34th Street from the east line of King Street to the west city limit line, said main to be located as follows:

From the east line of King Street to the west line of Pratt Avenue, the center of said line to be 20 feet south of and parallel to the north line of 34th Street;

Thence westerly in a straight line to a point which is 11 feet north of the northeast corner of that 7.44 acre tract of land which was conveyed to the City of Austin by John Bryant, known as the Bryant Gravel Pit;

Thence westerly 11 feet distant from and parallel to a point which is 11 feet north of the northwest corner of said 7.44 acre tract of land;

Thence westerly 11 feet distant from and parallel to the south line of 34th Street to the west city limit line.

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 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, 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.

Approved:

O. M. Fadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 1, 1928.

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 Mueller moved the adoption of same. Motion 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:

WHEREAS, on September 22, 1927, Peoples Utilities Texas Corporation deposited with the City of Austin its certified check for \$50,000.00, payable to the City Treasurer, conditioned that if said Corporation should be granted the franchise to distribute natural gas in the City of Austin, that such corporation would begin the distribution of same by March 1, 1928; and

WHEREAS, the name of said Corporation was thereafter changed to Austin Gas Company, and said Austin Gas Company has been granted the franchise to distribute natural gas in Austin, and the actual distribution of said natural gas was begun by said Company before March 1, 1928; therefore,

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

That in view of the compliance of the above condition by Austin Gas Company, the City Manager be and he is hereby instructed to return to Austin Gas Company said certified check.