

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 27th, 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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Before opening bids for the erection of the new unit to the City Hospital for Mexican and Negro patients, the Mayor stated to the bidders present that owing to delay in tearing down the old hospital building, work on the new structure would not be started as soon as first contemplated, and stated that if any bidder present wished to withdraw his bid for that reason, he was privileged to do so. None of the bidders desiring to do so, the Council then proceeded with the opening of the following bids:

<u>PLUMBING</u>	<u>Basic Bid</u>	<u>Deduction for Omitting Plumbing in South Wing of Basement</u>
J. O. Andrewartha -	\$4,525.00	\$ 158.35
Harper & Linscomb -	3,583.00	175.00
W. Dunham -	3,986.00	178.30
John Wattinger	3,940.00	1,650.00
 <u>WIRING</u>	 <u>Basic Bid</u>	 <u>Deduction for Omitting Nurses Call in Basement</u>
J. O. Andrewartha -	\$1,703.00	\$ 65.00
Harper & Linscomb -	1,673.00	94.00
 <u>HEATING</u>	 <u>Basic Bid</u>	
J. O. Andrewartha -	\$2,217.70	-
Donnelly & White -	2,176.00	-
John Wattinger -	2,640.00	-

HOSPITAL BIDS - Continued

<u>GENERAL CONSTRUCTION</u>	<u>Basic Bid</u>	<u>Deductions</u>		<u>Tile Mains - coat Utili-</u>
		<u>For Connecting Passage-</u>	<u>For Partitions in Basement Wing - For Suspended Ceiling - For Cast Stone -</u>	
		<u>\$1,450.65</u>	<u>-0-</u>	<u>\$200.85</u>
A. A. Mundt -	\$35,270.00			
H. E. Wattering -	31,545.00	1,400.00	100.00	100.00
J. F. Johnson	35,480.00	2,430.00	-0-	260.00
Brydson Lumber Co. -	38,647.00	1,659.00	250.00	250.00
Scott Yeamans -	36,500.00	1,650.00	240.00	240.00
Rundell & Reich -	35,580.00	1,360.00	250.00	316.40
J. R. Blackmore -	33,800.00	1,243.00	375.00	250.00
Walter Schmidt -	33,000.00	800.00	265.00	317.00
J. J. Wattering -	33,100.00	1,735.00	60.00	210.00
		<u>1,175.00</u>		
<u>ELEVATOR</u>				
Westinghouse	\$6,260.00			
Warner Elevator Co. -	4,735.00			
Sheppard Elevator Co. -	5,850.00			
Otis Elevator Co. -	4,950.00			
Montgomery Elevator Co. -	4,357.00			
American Elevator Co. -	4,354.00			
		<u>\$4,300.00</u>		
		<u>3,675.00</u>		
		<u>4,446.00</u>		
		<u>4,137.00</u>		
		<u>3,959.00</u>		
		<u>-0-</u>		
		<u>Car Switch Control</u>		

The above and foregoing bids were referred to Architect Kuehne and Building Inspector Moore for tabulation and report to the Council later in the meeting.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, the alley traversing Block No. 5, Seiders Addition, City of Austin, Travis County, Texas, has been closed and is not being used for alley purposes; and

WHEREAS, said alley is entirely surrounded by property owned by M. A. Jarrell; and

WHEREAS, the City Council has reviewed all of the facts and deems that said alley is not needed by the City of Austin; therefore,

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

THAT said alley be and the same is hereby vacated and closed.

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:

REVISING ASSIGNMENT OF SPACE ON BRAZOS STREET.

WHEREAS, Austin Gas Company has presented to the City Council a map showing the proposed location of a gas main on Brazos Street between 13th and 14th Streets, and 13th Street alley east from Brazos Street; and

WHEREAS, a resolution was passed by the City Council of the City of Austin, Texas, on the 13th day of September, 1928, which resolution was recorded in Minute Book No. 10, page 536, said resolution assigning space 27 feet west of the east line of Brazos Street; and 5 feet north of the south line of 13th Street alley; and

WHEREAS, in the course of attempted construction, it was found impracticable to enter the Capitol Power House by the route first submitted, 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:

- (1) A 4 inch gas main on Brazos Street, beginning at a point 30 feet south of and 17 feet west of the intersection of the north line of E. 14th Street and the east line of Brazos Street;

Thence southerly along a line 17 feet distant from and parallel to the east line of Brazos Street to the point 17 feet south of the north line of E. 13th Street, said gas main to have a cover of not less than 1 1/2 feet.

- (2) A 4 inch gas main on E. 13th Street, beginning at a point 17 feet south of and 17 feet west of the intersection of the east line of Brazos Street and the north line of E. 13th Street;

Thence easterly 140 feet along a line 17 feet distant from and parallel to the north line of E. 13th Street, said gas line to have a cover of not less than 1 1/2 feet.

The above assignments place gas line 3 feet back of the curb.

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, 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 tentative maps and plans showing the proposed construction of its pole line 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 pole line in the following streets:

On San Gabriel Street, said line to be 8 feet east of the west line of San Gabriel Street and extending from W. 28 $\frac{1}{2}$ Street to W. 29th Street. Poles are to be placed on division lines between lots, the first pole north of W. 28 $\frac{1}{2}$ Street to be on the dividing line between lots 25 and 24, Shoal Crest Addition.

THAT the work of the 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, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, H. E. Wattinger is the contractor for the construction of a building for E. H. Perry, to be situated on Lot 3, Block 42, City of Austin and desires to occupy a portion of the street abutting the east curb of Congress Avenue to be used for the storage of materials and for construction purposes; said space to be bounded as follows: Beginning on the east line of Congress Avenue at the mid point of Lot 2, Block 42; thence in a westerly direction a distance of thirty (30) feet to a point; thence in a northerly direction and parallel to the center line of Congress Avenue, a distance of sixty-nine (69) feet to a point; thence in an easterly direction to the east line of Congress Avenue; thence in a southerly direction to the point of beginning.

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

1. THAT space for the use hereinabove named be granted to said H.E. Wattinger.
2. THAT the above privilege and allotment of space be granted to said H. E. Wattinger, hereinafter termed "Contractor", upon the following express conditions:

(1) THAT a substantial board walkway three feet 6 inches wide and with guard rails on each side four feet high be constructed on Congress Avenue running parallel to the center line of the street and a distance of 30 feet from the east line of Congress Avenue, said walkway to extend along and inside of the west boundary of the above described working space.

(2) THAT the sidewalk on the east side of Congress Avenue be fenced off at right angles to the direction of the sidewalk opposite the extremities of the board walkway.

(3) THAT no opening be left in the above described board walkway at any point in its entire length for the ingress or egress of trucks or material.

(4) THAT all trucks or vehicles enter the space allotted the contractor through an opening at the south boundary of this space, and leave through an opening at the north boundary of said space, and further that when these openings are not in use there shall be a guard rail or barrier built across the openings to prevent entrance of pedestrians into the building site.

(5) THAT contractor shall make sufficient bond in the sum of Ten Thousand Dollars (\$10,000.00) to indemnify the City of Austin against all damages to persons and property arising by virtue of the privileges hereinabove granted.

(6) THAT the Contractor must remove all fences, barricades, walks, materials, and other obstructions from the street immediately after the necessity for their existence in said street has ceased, such time to be determined by the City Manager, and shall restore said street to as good condition as same existed before the use of space hereby granted to the contractor.

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:

"Austin, Texas, September 21, 1928.

Hon. Mayor and City Council,
City of Austin.

Gentlemen:

I herewith wish to file application for permission to construct a combination drive-in gasoline filling station and garage on my property located at E. 5th and Trinity Streets, Lots No. 7 and 8, Block 40.

Plans and specifications were filed this day with the City Building Inspector.

Thanking you for favorable attention, I remain,

Very truly yours,

(Sgd) Herman Becker. "

"Austin, Texas,

Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of Herman Becker asking permission to install and operate a drive-in gasoline filling station at East 5th and Trinity 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, 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.

9a. 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.

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

9c. That all walks, ramps, gutters and curbs shall be constructed of concrete, and all construction shall conform to the attached plan of the development, marked "Exhibit A".

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 Herman Becker 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

CITY SAFETY COMMITTEE. "

Councilman Mueller moved that permit be granted to said Herman Becker, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilmen 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:

WHEREAS, the improvements on 100x132 feet of Block 1-C and 132x160 feet out of the J. E. Bouldin Addition were assessed against Mrs. W. O. Rutledge for the year 1927 in the amounts of \$845.00 and \$660.00, respectively; and

WHEREAS, upon investigation by the Board of Equalization, it is found that this valuation is too high and they recommend that same be reduced to \$400.00 and \$250.00, respectively,

Therefore,

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

THAT, in view of the facts as stated above, the improvements on said 100x132 feet of Block 1-C be reduced from \$845.00 to \$400.00, and the improvements on said 132x160 feet out of the J. E. Bouldin Addition be reduced from \$660.00 to \$250.00, and the Assessor and Collector is hereby authorized to change his rolls accordingly.

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 situated on Lots 6 to 11 and 22 to 27, Block 8, Hyde Park #1 were assessed against the Hyde Park Floral Company for the year 1927 in the amount of \$10,440.00; and

WHEREAS, it appears from the attached affidavit of Buford Hall that these improvements are too high and that the Board of Equalization in its appraisal fixed the valuation of same at \$4,335.00, and that these improvements are in a run-down condition;

Therefore,

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

That, in view of the facts as stated above, the improvements on said Lots 6 to 11 and 22 to 27, Block No. 8, Hyde Park #1 be reduced from \$10,440.00 to \$4,335.00, and the Assessor and Collector is hereby authorized to change his rolls accordingly.

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 expense account of the City Manager to Asheville, North Carolina, amounting to \$142.00, in attendance upon the City Managers Convention, be approved and ordered paid. 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.

Councilman Mueller moved that the City Manager be authorized to purchase Lots 7, 8, 9, 10, and 11, in Block 2, Outlot 44, Division "E", Gammell & Taylor Addition to the City of Austin, for a community playground, the consideration for same to be \$5,000.00. 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.

Councilman Pannell moved that the City Manager be authorized to pay the account of Joe Macken, in the sum of \$2,320.74, for the removal of dirt from the old reservoir site, preparatory to the erection of a fire station on this ground, out of the Fire Stations Bond Fund, and that a resolution be drawn to that effect. 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.

The Council authorized the City Manager to assign the contract of the City with the United Engineers and Constructors, Inc. of Philadelphia, to the U.G.I. Contracting Company of Philadelphia, Pa.

City Manager Johnson submitted to the Council an estimate for the building of two asphalt tennis courts at Pease Park, at a cost of \$1631.76, and the installation of two flood lights, at a cost of \$260.00. Councilman Reed moved that this work be approved and allowed, subject to the approval of the Park Commission. 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.

Horace Barnhart, Attorney for Clarence Martin, appeared before the Council and asked that the costs assessed against said Clarence Martin in Cause #24954 for violation of the Traffic Signal Ordinance, on the 6th day of July, 1925, and amounting to \$9.50, be remitted. Councilman Reed moved that in view of the City's policy in remitting the costs in such cases at that time, that the same be remitted, and that City Warrant for said amount be issued to said Clarence Martin in payment of such refund. 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.

City Manager Johnson was authorized by the Council to negotiate with the owners for the purchase of land abutting the Barton Springs Road for the purpose of widening same from South Congress Avenue to the Barton Springs bridge.

The Committee brought in their report on the tabulation of bids referred to them earlier in the meeting, and Councilman Reed moved that, it appearing that the bids of H. E. Wattering for general construction, Harper & Linscomb for plumbing and wiring, Donnelly & White for heating, and the American Elevator Company for elevator were the lowest and best bids submitted, the contracts be awarded to said firms. 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.

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

The Council then recessed.

Approved: 
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 4, 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 Steck moved the adoption of same. 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.

The following bids for storm sewer work were opened and read:

Contract #1 - Guadalupe Street Storm Sewer System:

<u>Contractor</u>	<u>Rectangular Boxes</u>	<u>Precast Pipe</u>	<u>Monolithic Pipe</u>
Janes Construction Company -	\$ 74,654.01	\$ 78,997.26	\$ 75,143.85
Dozier Construction Company -	75,535.77		
Carl Pleasant -	78,777.52	83,128.03	80,044.19
Frank Parrott -	81,597.28	83,986.75	83,528.85
McKenzie Construction Company -	82,534.85	84,668.85	83,110.85
Klein Bros.	85,042.85		85,618.85
Kirkwood, Wharton & Lee -	87,474.48	88,905.08	86,849.63
R. J. Windrow -	90,284.24		
Brown & Root -	95,938.08	97,839.45	95,627.83
Dellone Construction Company -	97,360.25	99,498.50	99,361.06
C. F. Kennedy -	104,767.85	104,922.85	105,127.85