

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. Wattinger 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: *J. M. Fadden*
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

Contract #2 - Comal Street Storm Sewer System:

Contractor -	Horseshoe Section with Rectangular Box Alternates	Horseshoe Section with Precast Pipe Alternates	Horseshoe Section with Monolithic Pipe Alternates	96-Inch Pipe with Rectangu- lar Box Alternates	96-Inch Pipe with Precast Pipe Alternates	96-Inch Pipe with Monolithic Pipe Alternates
Janes Contracting Company, Dallas, Texas -	\$102,829.50	\$108,930.48	\$103,714.75	\$123,361.30	\$129,462.28	\$124,246.55
Carl Pleasant, Amarillo, Texas -	110,632.87	116,268.70	111,055.40	136,834.72	142,070.55	137,257.25
Dozier Construction Company, Austin, Texas -	113,941.90					
McKenzie Construction Company, San Antonio, Texas -	116,933.71	120,103.66	117,573.71	136,589.96	139,759.91	137,229.96
Frank Parrott, Amarillo, Texas -	117,122.25	119,996.25	119,403.75	128,621.20	131,495.20	130,902.70
Kirkwood, Wharton & Lee, San Antonio, Texas -	125,752.35	128,159.25	125,081.25	147,663.35	150,070.25	146,992.25
R. J. Windrow, Dallas, Texas -	126,217.39					
J. J. Wattinger, Austin, Texas -	134,119.64	135,657.95	135,791.95	139,442.64	140,980.95	141,114.95
C. F. Kennedy, Kenosha, Wis. -	143,422.25	143,722.25	143,822.25	143,672.25	143,972.25	144,072.25
Dellone Construction Company, Dallas, Texas -	145,835.50	149,299.00	147,920.00	168,241.50	171,435.00	170,056.00
Brown & Root, Austin, Texas -	153,304.15	157,629.55	155,011.55	158,413.65	162,739.05	160,121.05

After the reading of the foregoing bids, Mayor McFadden stated to the bidders present that the Council would meet in an afternoon session for the awarding of the contracts, and the bids were then referred to Hans Helland, Consulting Engineer, and Orin E. Metcalfe, City Engineer, for tabulation and report to the Council.

Harrie Gardner appeared before the Council and stated that the American Legion was sponsoring Fire Prevention Week beginning October 7th, and asked that the Mayor issue a proclamation calling for same. Councilman Mueller moved that the Mayor be authorized to issue such proclamation. 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.

A communication from W. T. Caswell, Chairman City Park Commission, asking that the City authorize the Park Commission to employ a landscape architect, was read, and the following resolution was then presented to the Council:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Park Commission of Austin, Texas, be and it is hereby authorized to employ the firm of Jac. L. Gubbels and H. L. Dunham of Houston, Texas, as landscape architects and general consultants and supervisors and directors of the park work ordered to be done by the City Park Commission with the approval of the City Council of the City of Austin, Texas, for the period of one year, from and after the 10th day of October, 1925, at the monthly salary of \$300.00.

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:

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

THAT the sum of \$2320.74 be and the same is hereby appropriated out of the General Contingent Fund and credited to the FIRE STATIONS BOND FUND for the purpose of paying for excavating the old Reservoir site, preparatory to the erection of a fire station thereon; this amount to be reimbursed to the General Fund from the proceeds of the sale of Fire Stations Bonds to be made at a later date.

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, the improvements on Lot 18, Block 30, Travis Heights Addition, were assessed in the name of Joe. L. Joseph, for the years 1925 and 1926 at a valuation of \$2565.00 for each of said years; and

WHEREAS, it appears from the attached affidavit of James A. Williams, Jr., now the owner of said property, that there were no improvements on this property in the year 1925, and that said improvements were only half completed on the 1st day of January, 1926, and should have been taxed for only one-half of their value for said year;

Therefore,

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

THAT, in view of the above facts, the improvements for the year 1925 on Lot 18, Block 30, Travis Heights Addition, be stricken from the tax rolls, and the valuation of said improvements for the year 1926 be changed from \$2565.00 to \$1165.00, 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, and Steck, 4; nays, none, Councilman Reed absent.

The application of Dr. Robt. W. Shipp to erect a gasoline filling station at 10th and Lavaca Streets was presented to the Council and Councilman Steck moved that same be referred to the City Plan Commission for recommendation and report to the Council. 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.

Mayor McFadden laid before the Council the following:

"Austin, Texas, October 2, 1928

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

Dear Sir:

Will you please accept this application for permit to install four 10-gallon visible pumps at the New Exide Battery Station located at 417-19 West 6th Street, Austin, Texas, now being operated by Mr. A.W. Whitten. Will appreciate you having this passed on at the first meeting of the Council, I am,

Yours very truly,

(Sgd) J. G. Gamel, Agent Simms Oil Co."

"Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of Simms Oil Company, asking permission to install and operate a drive-in gasoline filling station at 417-419 West 6th 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.

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.

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 Simms Oil Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) CITY SAFETY COMMITTEE,

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

Councilman Mueller moved that permit be granted to said Simms Oil Company, 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, and Steck, 4; nays, none. Councilman Reed absent.

Mayor McFadden laid before the Council the following:

" Austin, Texas, Sept. 28, 1928.

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

Dear Sir:

I hereby make application to establish and maintain a drive-in gasoline filling station at 16th and Lavaca Streets, Lot 6, Block 40, same being on the northeast corner of the street intersection.

We are going to put in three 10 gallon visible Wayne gasoline pumps and three 550 gallon underground storage tanks.

Plans and specifications have been placed with Mr. Moore, City Building Inspector.

Yours very truly,

CITIES SERVICE OIL COMPANY,

By (sgd) H. P. Brelsford, Agent. "

"Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of Cities Service Oil Company, asking permission to install and operate a drive-in gasoline filling station at 16th and Lavaca 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 standard concrete curb, driveways, curb returns and gutter shall be constructed before operation as a filling station, in accordance with the plan which has been submitted by the applicant and approved by the City Council.

9d. That the plan of the filling station as hereto attached which shows the proposed location of pumps, driveways, methods of drainage of waste waters has been recommended by this Committee and that same shall be followed in the construction and maintenance of the 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 Cities Service Oil 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 Marsh
Orin E. Metcalfe, City
Engineer;

CITY SAFETY COMMITTEE."

Mayor McFadden moved that permit be granted to said Cities Service Oil Company, 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, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE REGULATING
THE STANDING OF VEHICLES
ON A CERTAIN PORTION OF
COLORADO STREET, IN THE
CITY OF AUSTIN, REPEALING
ALL ORDINANCES IN CONFLICT
AND PRESCRIBING A PENALTY.

The ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance placed on its second reading. 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.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. 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.

The ordinance was read the third time and Councilman Pannell 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.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING RULE 19, UNDER SECTION 14, OF AN ORDINANCE ENTITLED "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.

Councilman Mueller moved that the City Manager be authorized to open such ballot boxes as may be necessary in order to procure therefrom the poll tax lists, and to seal said ballot boxes after same have been opened. 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.

Councilman Mueller moved that the following affidavit of publication of the certain resolution providing that notice be given of the intention of the City Council to submit to the qualified voters certain amendments to the existing City Charter, passed by the City Council on the 20th day of September, 1928, and recorded in the Minutes hereof, at pages 546-571, be spread upon the Minutes:

"AFFIDAVIT OF PUBLICATION."

THE STATE OF TEXAS)
COUNTY OF TRAVIS.)

Before me, the undersigned authority, a notary public in and for the County of Travis and State of Texas, on this day personally appeared G. Rose, who, after being duly sworn, says that she is the bookkeeper of the AUSTIN STATESMAN, a daily newspaper published in said County and State, and that the publication, to-wit, a Resolution of the City Council giving notice of intention to submit charter amendments, of which the annexed is a true copy, was published to-wit: September 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, 1928.

(Sgd) G. Rose.

Sworn and subscribed to before me, this the 1st day of October, A.D. 1928.

(Sgd) Louis N. Goldberg,
Notary Public in and for
the County of Travis and
State of Texas. "

The above 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 Council declined to recommend membership of the City in the Municipal Utilities League, as requested in letter of J. P. Greenwood, Secretary.

Councilman Mueller moved that the Council recess until 4 P.M. 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 Council then recessed.

AFTERNOON SESSION:

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 Mayor announced that the Council was ready to hear the report of the Engineers on the bids for storm sewer construction referred to them at the morning session. The report of said engineers was then submitted, which report showed that the Janes Contracting Company of Dallas, Texas, was the lowest and best bidder for both Contract #1 and Contract #2. Councilman Mueller moved that the bids of the said Janes Contracting Company on Contract #1, in the sum of \$74,654.01, and Contract #2, in the sum of \$102,829.50, be accepted, and the contract for said work be awarded to said Janes Contracting Company. 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 the following resolution:

WHEREAS, the furniture and fixtures belonging to the Gibraltar Savings Association were assessed for the year 1927 at a valuation of \$500.00; and

WHEREAS, it appears from the attached affidavit of A. B. Shierlow, Manager of said Association, that this property is six years old and cost when new only \$420.00; that an affidavit to this effect was made at the proper time, but was never acted upon; and further that this property is now assessed on the rolls of the Assessor and Collector at a valuation of \$250.00 for year 1928;

Therefore,

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

That, in view of the above facts, the assessment against the furniture and fixtures of the Gibraltar Savings Association for the year 1927 be changed from \$500.00 to \$250.00, and the Assessor & Collector is hereby authorized to change his rolls accordingly.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Councilman Pannell moved that the Council recess, subject to call of the Mayor. 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 Council then recessed.

Approved: _____

J. M. Fadden
Mayor.