

Mayor McFadden moved that the Council recess until 9:00 A. M., Friday, October 12th, 1928, for the purpose of passing the ordinance calling an election to submit to the voters of the City certain amendments to the existing charter of the City of Austin. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, and Steck, 3; nays, none, Councilmen Pannell and Reed absent.

The Council then recessed.

Approved: J. M. McFadden  
Mayor.

**SPECIAL MEETING OF THE CITY COUNCIL:**

Austin, Texas, October 12, 1928.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Pannell, and Steck, 3; absent, Councilmen Mueller and Reed.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE ORDERING AN ELECTION IN THE CITY OF AUSTIN, TEXAS, TO BE HELD ON NOVEMBER 24th, 1928, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY PROPOSITIONS TO ADOPT CERTAIN AMENDMENTS TO THE EXISTING CHARTER OF THE CITY OF AUSTIN.

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

City Manager Johnson submitted to the Council the following application of Sizms Oil Company, which had been referred to him at a previous meeting for investigation and report:

"Austin, Texas, October 9, 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 corner of 35th and Guadalupe Streets, known as Heitt and Wolfson place. I trust you can furnish me with this permit not later than Thursday, the first meeting of the Council.

Yours very truly,

SIMMS OIL COMPANY,

By (Sgd) J. G. Gamel, Agent."

"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 35th 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, 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 driveways 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) J. E. Woody, Fire Chief;  
R. F. Rockwood, Fire Marshal  
W. H. Wood, Acting City  
Engineer;  
J. Bouldin Rector, City  
Attorney. "

CITY SAFETY COMMITTEE."

Councilman Pannell moved that permit be granted to said Simms Oil Company, subject to the above recommendations of the Safety Committee, and further conditioned upon Heitt & Wolfson's complying with their agreement to accept the location of driveways as designated by the City Engineer, which agreement is contained on the sketch of said filling station attached to the recommendations of the Safety Committee and hereby made a part of same. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, and Steck, 3; nays, none, Councilmen Mueller and Reed absent.

Councilman Steck moved that the Council recess, subject to call of the Mayor. Motion was seconded by Mayor McFadden and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none, Councilmen Mueller and Reed absent.

The Council then recessed.

Approved:

*J. W. McFadden*  
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 18, 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 Pannell moved the adoption of same. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Pannell, 3; nays, none, Councilmen Reed and Steck absent.

Councilman Steck entered the Council Chamber.

W. E. Long and Rev. Williamson appeared before the Council and asked that the property of the Mexican Presbyterian Church, located at 401 Nueces Street, be exempt from taxation. The matter was referred to the City Manager for investigation and report to the Council.

Mayor McFadden laid before the Council the following resolution:

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 immediately advertise in the Bond Buyer of New York, the Dallas News, and the Austin American or Austin Statesman, for bids for the purchase of the bonds of the City of Austin, for the purposes and in the amounts hereinafter stated, to be issued under authority of the election held on May 18, 1928, said bids to be received and opened on November 15, 1928, to-wit: