

to refer the matter to the Park Board for attention.

No further business coming before the Council, Councilman Steck 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, Councilman Gillis, Mayor McFadden, Councilmen Mueller and Steck, 4; nays, none; Councilman Alford absent, 1.

The Council then recessed.

Approved: *O. N. McFadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 7, 1932.

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

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the Architect for the Austin Public Library Building be instructed to include in the specifications for said building the following provision: That contract will be awarded to Austin tax-paying contractors and Austin labor only, and, all things being equal, that preference be given to Austin material. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following :

"Austin, Texas, April 7, 1932.

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

Dear Sir:

The following is a comparison of the bids received for the sprinkling system to be placed in East Avenue Park between 8th and 14th Streets:

Bacons 2 in I Service - - - - -	\$2134.50
John Wattinger - - - - -	2145.00
Adolph Schutze - - - - -	2169.45
Fox-Schmidt - - - - -	2345.00
Geo. B. Brombaugh - - - - -	2373.00
N. A. Saigh Co. - - - - -	2975.00
John L. Martin - - - - -	2993.00

I recommend that the contract be awarded to the low bidder, Bacons 2 in I Service.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,
City Engineer. "

Councilman Mueller moved that the bid of Bacons 2 in I Service, in the amount of \$2134.50, for the installation of a sprinkling system in East Avenue Park between Eighth and Fourteenth Streets, be accepted, in accordance with the foregoing recommendation of the City Engineer, and that the City Manager be authorized to enter into contract with said firm accordingly. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, April 7, 1932.

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

Dear Sir:

The following is tabulation of bids received for the furnishing, hauling and dumping of top soil at Lamar Park east of Congress Avenue:

Pat Canion - 1200 cu. yds. at 30¢	- - - - -	\$360.00
Austin San & Gravel Co. - 1200 cu.yds. at 35¢	- - - - -	420.00
J. R. Blackmore - 1200 cu. yds. at 40¢	- - - - -	480.00

I have investigated the soil which Pat Canion proposes to furnish and find that same is satisfactory and is to be from the same pit as that previously furnished to the City of Austin and placed upon East 12th Street. I recommend that the contract be awarded to Pat Canion.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,
City Engineer. "

Councilman Gillis moved that the bid of Pat Canion, in the amount of \$360.00, for furnishing, hauling and dumping top soil for Lamar Park, be accepted, in accordance with the above recommendation of the City Engineer, and that the City Manager be authorized to enter into contract with the said Pat Canion accordingly. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none;

The Mayor laid before the Council the following resolution:

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

THAT the sum of One Hundred and Fifty Dollars (\$150.00) be and the same is hereby appropriated from the unencumbered General Fund of the City of Austin for the purpose of purchasing miscellaneous supplies for Robert Mueller Airport.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, April 6, 1932.

To the Honorable City Council
of the City of Austin,
City Hall,
Austin, Texas.

Dear Sirs:

Austin Dam, Inc. has received from the City Clerk a certified copy of an Ordinance entitled as follows:

"AN ORDINANCE adopting the certain agreement dated November 28, 1931, between Austin Dam, Inc., and City of Austin, and ordering said agreement to be recorded at length in the minutes of the City Council; granting to Austin Dam, Inc., its successors and assigns, the franchise to rehabilitate and complete the dam of the City of Austin across the Colorado River at its present location; also, the franchise to have the possession and use of said dam, power-house, equipment, machinery and appurtenances, and all of said hydro-electric plant, including lands, rights-of-way, easements, overflow rights, etc., for

the period of years herein specified; and also, the franchise to use and dispose of all power produced by said hydro-electric plant during said period; and to erect and maintain certain transmission lines; all in consideration of and subject to the terms and conditions expressed in this ordinance, and in the aforesaid agreement, and in the decree of court referred to in this ordinance. "

The Clerk has also advised that this Ordinance was finally passed by the City Council on February 4th, 1932, and that the full text of the Ordinance was published once each week for four consecutive weeks in the Austin Statesman, a daily newspaper published in the City of Austin, the publication having been made on the following dates: February 11th, February 18th, February 25th, and March 3d, 1932.

Section 15 of the Ordinance provides that it "shall become effective when the Austin Dam, Inc., its successors or assigns, shall have advised the City Council, in writing, on or before June 1, 1932, that this Ordinance is accepted. Such written acceptance, when so lodged with the City Council, shall be recorded by the Clerk in the Minutes of the City Council. "

For the purpose of complying with Section 15 of the Ordinance, the Austin Dam, Inc. hereby advises the City Council of the City of Austin that the Ordinance above referred to is accepted by Austin Dam, Inc.

Respectfully ,

AUSTIN DAM, INC.,

By (Sgd) Ira A. Hawkins, Jr.,
Vice-President. "

Attest:

(Sgd) Walter E. Beer, Jr.,
Secretary.

(SEAL)

Mayor McFadden moved that the above written acceptance of the Austin Dam, Inc. be received, filed and ordered recorded in the Minutes of this meeting. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Messrs. L. C. East, Produce Dealer, and Tom Miller, representing the butchers of the City, presented a petition to the Council, bearing fifty-three signatures, asking that the Council establish a lower tariff and price charge scale for the killing of animals for market purposes at the City Abattoir.

Councilman Mueller moved that the above matter be referred to the City Manager for detailed study and written report to the Council. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor announced that the hearing called for this day, by notice published in the Austin Statesman, a daily newspaper published in the City of Austin, on March 18, 1932, as required by the terms of the Zoning Ordinance, on the proposal of the City Council to amend the Zoning Ordinance in the following particulars, to-wit:

(1) To amend the USE designation of all that property fronting south on East 12th Street, extending from the north line of 12th Street to the south line of the alley lying between East 12th Street and East 13th Street and extending from the east line of Lot 2, Block 1, Outlot 38, Division "B" of the City of Austin to the west line of Lot 4, Block 3, Outlot 38, Division "B" of the City of Austin; and all of that property fronting north on East 12th Street, extending 150 feet south of the south line of East 12th Street and extending from the east line of Lot 4 (E), Block 7, Outlots 38 and 56, Division "B" of the City of Austin to the west line of Lot 4 (N) Block 9, Outlots 38 and 56, Division "B" of the City of Austin, so as to change same from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT,

would now be opened.

No one appearing to offer any objections to the above proposal, the Mayor laid before the Council the following communication of the City Plan Commission:

"Austin, Texas, April 6, 1932.

Honorable City Council
City of Austin,
Austin, Texas.

Gentlemen:

The following is an excerpt from the minutes of the City Plan Commission covering the meeting held on April 4, 1932, with reference to the change of USE designation of property on East 12th Street and West 19th Street:

"WHEREAS, the City Council, in accordance with the terms of the Zoning Ordinance, has submitted to the City Plan Commission for its consideration and recommendation an amendment to the Zoning Ordinance for providing for the change of the USE designation of all that property fronting south on East 12th Street, extending from the north line of East 12th Street and East 13th Street and extending from the east line of Lot 2, Block 1, Outlot 38, Division "B" of the City of Austin to the west line of Lot 4, Block 3, Outlot 38, Division "B" of the City of Austin; and all of that property fronting north on East 12th Street, extending 150 feet south of the south line of East 12th Street and extending from the east line of Lot 4 (E), Block 7, Outlots 38 and 56, Division "B" of the City of Austin to the west line of Lot 4 (N), Block 9, Outlots 38 and 56, Division "B" of the City of Austin, from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT; and

WHEREAS, no objections thereto were presented to the Commission; and

WHEREAS, the Commission carefully considered the proposed amendment and found the same to be reasonable and just and not adversely affecting any of the surrounding property;

Therefore,

BE IT RESOLVED BY THE CITY PLAN COMMISSION OF THE CITY OF AUSTIN:

THAT the above amendment to the Zoning Ordinance and change in the USE DISTRICT map be and the same is hereby approved and recommended to the City Council of the City of Austin. "

CITY PLAN COMMISSION

(Sgd) H. F. Kuehne, Chairman.

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The foregoing ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

A communication from Burt Brydson, asking for a reclassification of the property owned by him at the intersection of West Nineteenth and San Antonio Streets, changing the USE designation of same from RESIDENCE "B" to COMMERCIAL "C", was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, Mr. Burt Brydson has presented a petition to the City Council to amend the Zoning Ordinance so as to change the USE designation of his property located at the north-east corner of the intersection of Nineteenth Street with San Antonio Street, said property being described as Lot 37, Outlot 22, Division "D" of the City of Austin, by changing the designation of said property from "B" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT; and

WHEREAS, under the terms of the Zoning Ordinance, a public hearing must be held at which opportunity shall be given the public to offer any objections to said amendment;

Therefore,

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

THAT said matter be referred to the City Plan Commission for its consideration and report to the City Council; and that a public hearing be held thereon at the City Hall at 11:00 A. M. on Thursday, April 28, 1932, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

A petition signed by A. F. Sellers and J. E. Ponton, owners of the west one-half of Block 18 in South Heights Addition, asking that the zoning of same be changed from RESIDENCE "A" to COMMERCIAL "C", was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, the owners of at least 50 per cent of that property fronting west on the Fredericksburg Road and described as the west one-half of Block 18 of South Heights Addition of the City of Austin have petitioned the City Council to amend the Zoning Ordinance so as to change the USE designation of said property from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT; and

WHEREAS, under the terms of the Zoning Ordinance, such matters must be referred to the City Plan Commission for its consideration and action and that a public hearing be held at which opportunity shall be given the public to offer any objections to said amendment; therefore,

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

THAT said matter be referred to the City Plan Commission for its consideration and report to the City Council; and that a public hearing be held thereon at the City Hall at 11:00 A. M. on Thursday, April 28, 1932, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The application of Carl Scott, asking permission to operate a drive-in car storage service at 408 East Seventh Street, was read.

The Mayor laid before the Council the following:

"Austin, Texas, April 6, 1932.

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

Dear Sir:

Pursuant to your request, we have investigated the application of Carl Scott for a permit to operate a drive-in car storage service at 405 East Seventh Street to be operated on ~~lots 3 and 4~~, Block 87, of the Original City of Austin. This property has been shown on the USE District Zoning Map as Commercial "C" property, and the building he proposes to use has been used as a drive-in stable in former years.

An opening was left in the curb at the time this property was paved, and he does not ask for any additional sidewalk crossing.

We recommend that the permit be granted in accordance with the accompanying sketch and suggested resolution.

(Sgd) G. S. Moore,
Building Inspector.

Orin E. Metcalfe,
City Engineer. "

The Mayor laid before the Council the following resolution:

WHEREAS, Carl Scott, son-in-law and as an agent for Mrs. Scott Wear, owner of ^{the east part of original} Lot 3 ~~west part of original Lot~~ and ⁴ in Block 87 of the Original City of Austin, said location being known as 405 East Seventh Street, has made application to the City Council for a permit to operate a commercial drive-in car storage service; and

WHEREAS, the City Council has favorably considered the granting of said request; therefore,

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

THAT permission is hereby granted Mrs. Scott Wear, owner of the east part of Original Lot 3 and the west part of Original Lot 4, Block 87, of the Original City of Austin and being known as 405 East Seventh Street, to operate a drive-in car storage service station. But no permission is granted for the storage or sale of gasoline on any of said property and the premises shall not be used as a filling station and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of the drive-in car storage service station after full compliance with all of the provisions of this resolution, 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 Carl Scott has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service 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,

*the east part of original Lot 3 and the west part of original Lot 4,

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in GRAPEVINE STREET from Red River Street westerly approximately three blocks to the alley west of Caswell Avenue, the centerline of which gas main shall be 18 feet north of and parallel to the south line of said Grapevine Street. Said gas main described above shall have a cover of not less than 3 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT wherever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back-filling of the ditches.

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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, April 7, 1932.

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

Dear Sir:

In reference to the request of various parties who live in the Bluebonnet Hills Addition in South Austin for a westerly extension of Lockhart Drive between Newning Avenue and Brackenridge Street, I beg to advise that this would be of an advantage to about thirty lot owners of the Bluebonnet Hills Addition, but is not a necessity from a City standpoint. To secure this street the City would have to purchase from Joe St. John Lot #9. Mr. St. John's asking price is \$650.00 for this lot. The City would also have to acquire approximately two lots from T. C. Steiner. Mr. Steiner says that he will dedicate this street on the condition that the City construct a gravel street from Newning Avenue to Brackenridge Street. The development of this street would cost approximately \$600.00. There being considerable amount of rock to be excavated, means a total cost of about \$1250.00, none of which has been anticipated or provided for in the Street Department's budget. This can not be done out of the Street Department's budget unless more funds are allotted for same.

Mr. Steiner apparently needs this street for the further development of some land which he now owns. I am submitting with this report a sketch showing in crayon the proposed street.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,
City Engineer. "

The above matter was referred to the City Manager and City Engineer for further negotiations with T. C. Steiner.

The Mayor laid before the Council, for its second reading, the following ordinance:

AN ORDINANCE GRANTING TO THE INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY THE RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE A TRACK OVER AND THROUGH THE ALLEY RUNNING THROUGH BLOCKS 23 AND 22, AND OVER AND ACROSS SAN ANTONIO STREET, FOR THE PURPOSE OF SERVING BLOCKS 187 AND 188, IN THE CITY OF AUSTIN, SUBJECT TO CERTAIN CONDITIONS.

The above ordinance was read the second time and laid over.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON THE EAST SIDE OF COLORADO STREET, BETWEEN ITS INTERSECTION WITH EIGHTH STREET AND ITS INTERSECTION WITH NINTH STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING A PENALTY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The City Manager was instructed by the Council to have the proper resolution prepared covering the cost of cutting back the sidewalk in front of the City Hall in order to provide more parking space for automobiles.

Mayor McFadden nominated Otto Ebeling and C. P. Ledbetter as members of the Board of Equalization for the ensuing term of two years. Nomination was confirmed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council authorized the City Manager to instruct the Tax Department to allow a credit of \$102.44 to the account of the Gracy-Travis County Abstract Company, incident to a charge for tax certificates issued by the Tax Department that were found to be inaccurate, said credit to be given provided the remainder of the account held by the City of Austin against said Abstract Company is paid.

The Council authorized the City Manager to instruct the Tax Department to remit the penalty for the years 1926, 1928, 1929, and 1930, amounting to \$29.72, against the south One-half of Outlot 4, Division "Z", Flat 92, being 99-1/3 x 200 feet on Blanco Street, owned by Mrs. Rebecca Finks, and interest amounting to \$90.90, provided the total amount of delinquent taxes, amounting to \$766.68, is paid at once.

No further business coming before the Council, Councilman Alford moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved: 

Mayor.