

No further business coming before the Council, Councilman Mueller 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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

APPROVED: *J. M. McFadden*  
Mayor.

**REGULAR MEETING OF THE CITY COUNCIL:**

Austin, Texas, September 1, 1932.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A written protest against the erection of a negro funeral home in the 1100 block on East Sixth Street, signed by thirty-three property owners in the vicinity, was read and the matter was referred to the City Manager and City Attorney for investigation of the situation.

The hearing on the revocation of Taxicab License No. 104, owned by E. L. Jackson, which was set for 10:00 o'clock A. M., was opened. Councilman Gillis moved that the complaint against the said E. L. Jackson be dismissed, in accordance with the recommendation of the City Attorney. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The application of Mrs. T. O. Bell, Agent for W. B. Odom, for permit to construct a rock wall in front of the property at No. 307 East 12th Street, was read. The following report of the City Engineer was also read:

"Austin, Texas, August 31, 1932.

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

Dear Sir:

Pursuant to your request, I have investigated the application for a permit made by Mrs. T. O. Bell, Agent for W. B. Odom, to be allowed to construct a rock wall two feet high adjacent to the south edge of the sidewalk in front of the property known as 307 East Twelfth Street and being more particularly described as Lot No. 9, Block No. 137 of the Original City of Austin.

I find that the south edge of the sidewalk on the south side of Twelfth Street is 22 feet north of the true property line of Lot No. 9.

If granted by the City Council, it will mean that the wall will be encroaching upon city property in the amount of 22 feet and will be the first encroachment in this block, although O. C. Spalding in the block immediately west has been permitted to encroach upon the street with a stone retaining wall. I believe that the permit should be merely a temporary permit and a condition should be set forth which would require the owner of the property in fee to remove the wall at his expense within 30 days after receiving notice from the City Council to remove same, and that said conditional permit should be drawn up in such form that it would be subject to being placed upon the Deed Records of Travis County.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,  
City Engineer.

The Mayor then laid before the Council the following resolution:

WHEREAS, the City Council has considered the request of W. B. Odom, owner of Lot No. 9 and the west one-half of Lot No. 8 of Block No. 137 of the Original City of Austin, for a permit to construct a retaining wall in Twelfth Street in front of said property; and

WHEREAS, the City Council favorably considered said request; therefore,

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

THAT permission is hereby granted to W. B. Odom, as owner of Lot No. 9 and the west one-half of Lot No. 8 of Block No. 137 of the Original City of Austin, to construct a rock retaining wall not over two feet in height in Twelfth Street, the north line of said retaining wall to be twenty-two feet north of and parallel to the south line of Twelfth Street, said permission being granted subject to W. B. Odom's first executing an instrument guaranteeing that he or his assigns will, upon notice from the City Council, remove said wall at his or their expense and that said wall shall be constructed in accordance with the instructions of the City Engineer of the City of Austin.

Said permit 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 W. B. Odom 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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor 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 lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; 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 lines in the following streets:

(1) A telephone pole line in OAKVIEW DRIVE or HAMPTON ROAD from the south line of East Thirty-Second Street northerly to a point 23 feet north of the north line of East Thirty-Fourth Street, the center line of which pole line shall be 12 feet west of and parallel to the east line of said Oakview Drive or Hampton Road.

(2) A telephone pole line in EAST THIRTY-FOURTH STREET or HARRIS AVENUE from the west line of Red River Street westerly to Waller Creek, the center line of which pole line shall be 8 feet south of and parallel to the north line of said East Thirty-Fourth Street or Harris Avenue.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

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,

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 MARIPOSA DRIVE, the center line of which gas main shall follow a line described as follows:

Beginning at a point in the west line of Travis Heights Boulevard, and from which point of beginning an iron stake at the intersection of said West line of Travis Heights Boulevard and the north line of Mariposa Drive bears N. 29°50' E. 35 feet, and also from which point of beginning an iron stake at the intersection of said west line of Travis Heights Boulevard and the south line of said Mariposa Drive bears S. 29°50' W. 15 feet, to-wit:

Thence N. 46°59' W. 177.6 feet to a point;

Thence N. 23°02' W. 245.25 feet to a point;

Thence N. 44°07' W. 223.62 feet to a point in the east line of Sunset Lane.

Said gas main described above shall have a cover of not less than 2½ 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 whenever 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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, August 30, 1932.

Honorable City Council,  
City of Austin,  
Austin, Texas.

Gentlemen:

I hereby petition the City Council to change the USE designation of my property

herein described from "A" Residence District to "C" Commercial District under the Zoning Ordinance, such property being described as Lots 1 and 2 of the Lauve Addition in Outlot 8, Division "Z" of the City of Austin and being that property situated between 9 $\frac{1}{2}$  Street and 10th Street and extending from West Lynn Street west 120 feet.

Yours very truly,

T. R. Pettway, M.D. "

WHEREAS, Dr. T. R. Pettway, owner of Lots 1 and 2 of the Lauve Addition in Outlot 8, Division "Z" of the City of Austin, said property being located between 9 $\frac{1}{2}$  Street and 10th Street and extending from West Lynn Street west 120 feet, has petitioned the City Council to amend the Zoning Ordinance so as to change the USE designation of such lots hereinabove described from "A" Residence District to "C" Commercial District; and

WHEREAS, under the terms of the Zoning Ordinance, such matters must be referred to the Board of Adjustment 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 matters be referred to the Board of Adjustment 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, September 22, 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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, August 30, 1932.

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

Dear Sir:

We have a 12-inch drain line running from the vicinity of our roundhouse down the west side of Canadian Street to Garden Street, thence along the south side of Garden Street to City property, upon which is located the City sewage disposal plant, thence along the west line of that property to an open ditch, which connects with the Colorado River.

This line formerly connected with the City sanitary sewer at Third and Canadian Streets. In December, 1925, the Council requested that we disconnect from the City sanitary sewer and extend our present line to the open ditch above mentioned. The location for the line was established under City ordinance dated December 12, 1925.

For reasons known to Mr. J. Bouldin Rector and Mr. Orin E. Metcalfe, we feel that it is desirable to connect our 12-inch line with the city storm sewer where it crosses Canadian Street in the vicinity of Third Street. We, therefore, pray that the Council will give us permission to make this connection and at the same time grant us permission to remove our 12-inch pipe line south of Third Street.

Yours truly,

(Sgd) J. H. Walsh. "

"Austin, Texas, August 31, 1932.

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

Dear Sir:

I have investigated the request of the Southern Pacific Lines as presented by their superintendent, Mr. J. H. Walsh, for a permit to connect their round house drain line to the City storm sewer in Canadian Street near Third Street in lieu of changing the grade of their present line and maintaining same so that the waste water is emptied onto the Sewage Disposal Plant grounds.

I find that it is practical for them to connect with our storm sewer manhole at Third and Canadian Streets and I recommend that they be permitted to make the connection, subject to the following conditions:

That before the emptying of any waste liquid into the City storm sewer, same shall be run through a combined sand and grease trap, which combined sand and grease trap shall be constructed and maintained of such size and design that all oils and sand will be separated from the other liquids.

That the expense of constructing and maintaining said grease trap shall be borne by the Southern Pacific Lines.

That before the commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be reconstructed within Canadian Street and the cost of the connection with the city storm sewer and shall deposit in escrow a sum equal to said estimate with the City Finance Director. The applicant is hereby put upon notice that the cost of said storm sewer pipe and connection shall be actual cost of materials and labor plus 10 per cent.

That the applicant shall uncover the present drain line in Canadian Street at such practical point as may be agreed upon by and between the Southern Pacific Division Engineer and the City Engineer at the expense of the applicant.

Respectfully submitted,

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

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

THAT the City Council hereby grants the Southern Pacific Lines a permit to have their drain line, now existing in Canadian Street between Garden and Fifth Streets, connected to the City storm sewer manhole located at Third and Canadian Streets, subject to the following conditions:

That before the emptying of any waste liquid into the city storm sewer same shall be run through a combined sand and grease trap, which combined sand and grease trap shall be constructed and maintained of such size and design that all oils and sand will be separated from the other liquids.

That the expense of constructing and maintaining said grease trap shall be borne by the Southern Pacific Lines.

That before the commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be reconstructed within Canadian Street and the cost of the connection with the City storm sewer and shall deposit in escrow a sum equal to said estimate with the City Finance Director. The applicant is hereby put upon notice that the cost of said storm sewer pipe and connection shall be actual cost of materials and labor plus 10 per cent.

That the applicant shall uncover the present drain line in Canadian Street at such practical point as may be agreed upon by and between the Southern Pacific Division Engineer and the City Engineer at the expense of the applicant.

AND BE IT FURTHER RESOLVED that the City Council of the City of Austin hereby authorizes the Southern Pacific Lines to salvage as much of its existing line as may be practical between First and Third Streets on Canadian Street and between Canadian Street and the Disposal Plant grounds on Garden Street, subject to the following condition:

That all of the street or other city property which is disturbed in the process of the reclamation of said pipe shall be restored to its original surface condition at the expense of the Southern Pacific Lines.

Said permits 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

Southern Pacific Lines have 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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The application of Mabrey Mason Love, 504 Bowie Street, for permit to operate as a taxicab a 1930 DeSoto Sedan, Engine #23038, State Highway License No. 671-940, was read. Councilman Gillis moved that the application be granted. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

No further business coming before the Council, Councilman Mueller moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved: *W. M. Fadden*  
Mayor.

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 8, 1932.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The Minutes of the last regular meeting were read and Councilman Alford 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, Councilman Mueller, 4; absent, Councilman Steck, 1.

Judge J. W. Wheeler, Attorney for Neal H. DeWitty and Willie Burns, Owner and Driver, respectively, of the taxicab bearing City License No. 202, appeared before the Council and asked that the hearing on the revocation of such license be postponed on account of the continued illness of one of the defendants. Councilman Gillis moved that the request be granted. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The hearing on the proposal of the City Council to amend the Zoning Ordinance of the City of Austin in the following particulars:

(1) To amend the USE designation of Lots (E) and (F), Outlot 67, Division "D" of the City of Austin, said property being located at the northwest corner of the intersection of Rio Grande and West 28th Streets, so as to change same from "A" RESIDENCE DISTRICT to "B" RESIDENCE DISTRICT,

which was postponed from September 1st, was opened, and the following appeared and were heard: