

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

That we, the members of the City Council, as friends and colleagues of Councilman E. L. Steck, extend to him our deepest sympathy and condolence in the loss of his mother, Mrs. G. J. Steck, and direct that a copy of this expression be sent to Councilman Steck.

The above resolution was adopted 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 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. W. McFadden
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 11, 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 meeting were read and Councilman Gillis moved the adoption of same. 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 petition of Theta Xi Association of Texas, Inc., asking for a change in the zoning of their property at the northwest corner of Twenty-eighth and Rio Grande Streets, from Residence "A" to Residence "B", was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, the Theta Xi Association of Texas, Incorporated, by R. W. Byram, Secretary, owner 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, with a frontage of 102.9 feet on West 28th Street and a frontage of 132 feet on Rio Grande Street, 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 "B" RESIDENCE 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 1, 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 application of Ralph Fitzgerald for a license to operate as a taxicab for hire a 1930 Chevrolet Coach, Factory No. 1600253, State Highway License No. 433-741, was read. Councilman Mueller 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.

A communication from Capt. Tom Neal of the Traffic Division, asking that an ordinance be passed specifying from what lane of traffic right and left turns can be made at street intersections, was read, and the matter was referred to the City Attorney to have the proper ordinance prepared.

The Mayor laid before the Council the following resolution:

WHEREAS, certain securities have been deposited by Investors Syndicate of Minneapolis, Minnesota, with the Treasurer of the State of Texas, at Austin, and were assessed by the City of Austin for the year 1930 at the value of \$40,335.00, and for the year 1931 at the value of \$40,000.00; and

WHEREAS, it has been ascertained that said securities have been over-assessed for said years, and that said assessments should be corrected in the particulars that the assessment for the year 1930 should have been \$17,110.00 and for the year 1931 it should have been \$17,110.00; therefore,

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

THAT the City Assessor and Collector of Taxes be instructed to correct said assessments respectively in the particulars above set out, on condition that the taxes for said years be promptly paid, but on account of the facts above stated that no penalties or interest be required.

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

A large committee, in behalf of the Boy Scouts Organization of the City, appeared before the Council and asked that said organization be permitted to use the northwest end of the Zilker tract, recently acquired by the City, for their activities. Their request was also submitted in writing, which was received and filed, and the Council advised the Committee that the matter would be taken under advisement for a conference with the Park Board.

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 SABINE STREET ALLEY from East 22nd Street to East 23rd Street, the center line of which gas main shall be 4 feet west of and parallel to the east line of said Sabine Street Alley. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in QUARRY ROAD from Winsted Lane to Meriden Lane, the center line of which gas main shall be 6 feet south of and parallel to the north line of said Quarry Road. Said gas main described above shall have a cover of not less than 2½ feet.

(3) A regulator pit in EAST FORTY-FOURTH STREET, the center of which regulator pit shall be 15 feet south of the north line of said East 44th Street and 10 feet east of the east line of Red River Street.

The regulator pit mentioned above shall be constructed in such a manner that one axis of same will be parallel to the north line of said East 44th Street.

(4) A regulator pit at the intersection of EAST FORTY-FIFTH STREET AND CASWELL AVENUE, the center of which regulator pit shall be 15 feet west of the east line of Caswell Avenue and 15 feet south of the north line of 44th Street.

The regulator pit mentioned above shall be constructed in such a manner that one axis of same will be parallel to the east line of Caswell Avenue.

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.

A letter from H. E. Wattinger & Company, Contractor for the Austin Public Library Building, asking that their claim for an additional \$151.36 owing them on estimate for work done on the Library Building be paid, was read. Councilman Mueller moved that, in view of the facts in the case, the claim be not allowed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilman 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 HARTFORD ROAD from Enfield Road to Niles Road, the center line of which gas main shall be 25 feet east of and parallel to the west line of said Hartford Road. 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 whenever pavement is out 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.

A resolution approving and adopting the revised budget of the Park Board, totalling \$159,150.00, was read and same was taken under advisement.

The Mayor laid before the Council the following:

"Austin, Texas, August 4, 1932.

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

Dear Sir:

We have considered the application of Mrs. Rebecca Hearn for permission to construct, maintain and operate a drive-in gasoline filling station to be located at the northwest corner of San Jacinto and 18th Streets, same being legally described as being a portion of Outlet 51, Division "E" of the Government Outlots adjoining the City of Austin, and hereby advise that the following conditions exist:

- (a) She proposes to construct her filling station on property which is shown on the zoning map as being located within the "C" Commercial Use District.
- (b) A storm sewer exists in such a place that it can be reached without cutting any permanent paving and into which waste water can be concentrated.
- (c) Mrs. Rebecca Hearn proposes to comply with all ordinances regulating filling stations.
- (d) The filling station improvements will be less than 100 feet distant from church property but the filling station building will be greater than 100 feet distant from church property.

Aside from calling your attention to this fact, we recommend that Mrs. Rebecca Hearn be granted a permit to construct and operate said filling station 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. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relating to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, Zoning Ordinance, Filling Station Ordinance and in accord with the Ordinance prohibiting the disposal of commercial water or oil upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washing shall ever pass over the City sidewalk area, and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146, and shall be conducted by a pipe connection from said sand trap to the nearest practical storm sewer at the expense of the applicant. Before 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 built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That pumps shall be located as shown on the plan hereto attached marked 2-H-282.

(5) That all adjacent sidewalks, ramps and curb returns and all gutters on 18th Street adjacent to that property to be developed as a filling station shall be constructed of concrete and in accordance with the revised plan 2-H-282 as set forth in crayon and not in accordance with the plan submitted with the application and said revised plan, which is hereto attached, is made a part of this recommendation.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,
City Engineer.

G. S. Moore,
Building Inspector. "

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

That the City Council of the City of Austin hereby approves the northwest corner of San Jacinto and 18th Streets as a gasoline filling station site, same being legally described as being a portion of Outlot 51, Division "E" of the Government Outlots adjoining the City of Austin, and hereby authorizes Mrs. Rebecca Hearn to construct and operate a filling station subject to same's being constructed and conforming with all the Ordinances relating thereto, and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling 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 Mrs. Rebecca Hearn 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.

A communication from the Community Welfare Association and the Negro Citizens Council, asking that the City appropriate \$20,000.00 to build a library for the colored citizens and to purchase additional grounds therefor, was read. Councilman Mueller moved that the matter be referred to the City Manager for a reply. 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.

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: _____

Mayor.