

REGULAR MEETING OF THE CITY COUNCIL;

Austin, Texas, March 20, 1930.

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

The Mayor announced that the regular order of business would be suspended and the Council would proceed to open bids received for street paving. The following bids were then opened and read and referred to Consulting Engineer for tabulation:

L. E. Whitham & Company;
Southwest Bitulithic Company;
Brown & Root;
Uvalde Construction Company;
Dozier Construction Company.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the improvements on the north one-half of Lot 7 (B), Block 1, Outlot No. 6, Division "B", Plat 29, are assessed in the name of Lovie Martin for the year 1929 at a valuation of \$735.00; and

WHEREAS, it appears upon investigation and from the attached affidavit of said Lovie Martin that said improvements are very old and dilapidated and that the said valuation is too high and should be reduced to \$245.00;

THEREFORE,

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

THAT in view of the above facts, the valuation on said improvements be reduced from \$735.00 to \$245.00 for the year 1929, and that the Tax Assessor and Collector be authorized to change his rolls accordingly.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Commission of the City of Austin passed a resolution recommending the expenditure of \$4900.00 for the improvement of the central parking strips on Fifteenth Street between Congress Avenue and West Avenue, said resolution having been passed on the 4th day of February, 1930, and being recorded in Park Board Minutes on page 68; and

WHEREAS, the recommendation of the Park Board has been reviewed and approved by the City Council; therefore,

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

That the sum of \$4900.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of improving Fifteenth Street central parking area between Congress Avenue and West Avenue, said improvements to include the installation of a water system, the placing of suitable soil for parking purposes and for planting and sodding.

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

The Mayor laid before the Council the following:

"Austin, Texas, March 20, 1930.

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

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have investigated the application of Earl E. Simms for a permit to construct and operate a drive-in gasoline, oil and tire station at the southwest corner of Fifth and Brazos Streets.

We, the Safety Committee, recommend that said permit 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 way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence. That the length of all water hose shall be such that any water leaking from same cannot reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service can not be served while any portion of said car is on the City sidewalk area.
- (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 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-48, and shall be conducted by a pipe connection from said sand trap to the nearest city 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.
- (9) That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete before the station is used.
- (10) That the applicant shall construct all ramps, gutters and curbs and alley paving in accordance with plan No. 2-G-145, which plan is hereby made a part of this resolution.
- (11) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.
- (12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.
- (13) That before using said station the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

CITY SAFETY COMMITTEE.

(Sgd) J. E. Woody, Fire Chief;
R. F. Rockwood, Fire Marshal;
Orin E. Metcalfe, City Engineer;

(Sgd) Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing Inspector.

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

THAT permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, in the event gasoline pumps are installed, 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 Earl E. Simms 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, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the addition in South Austin, a part of the Isaac Decker League Survey known as LaPrelle Place, being bounded on the north by Live Oak Street, on the east by San Antonio Road, on the west by Wilson Street, and on the south by Chapman Street and the LaPrelle homestead, has been taken into the City by extension of the corporate limits; and

WHEREAS, the houses and premises have never been assigned house numbers; Therefore,

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

That the various premises situated on the south side of East Live Oak Street and West Live Oak Street shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution; and

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

THAT the various premises situated on the north side of Fletcher Street between Euclid Avenue and Wilson Street shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution; and

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

That the various premises situated on the east and west sides of Forrest Avenue from Fletcher Street to Chapman Street shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution; and

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

That the various premises situated on the east and west sides of Euclid Avenue from Live Oak Street to Chapman Street shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution; and

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

That the various premises situated on the east and west sides of Lindell Avenue from the south line of Live Oak Street to a point 550 feet south of the south line of Live Oak Street shall be numbered according to the numbers shown

on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution; and

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

THAT the various premises situated on the east and west sides of College Avenue a distance of 1200 feet south of the south line of Live Oak Street shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution; and

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

THAT the various premises situated on the west side of the San Antonio Road from the south line of Live Oak Street to a point which is 1200 feet south of same shall be numbered according to the numbers shown on the plat which accompanies this resolution marked 2-H-68 and which plat is hereby made a part of this resolution.

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

The application of A. M. Dieterich to erect a gasoline filling station at 2601 East 1st Street was read the first time and laid over.

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 Five Thousand (\$5000.00) Dollars be and the same is hereby appropriated out of the Water and Light Fund for the purpose of placing same to the job account of the United Engineers & Constructors, Inc., to be used for the payment of labor and materials in connection with construction for the Water, Light and Power Department, under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 Four Hundred Twenty-eight and 50/100 (\$428.50) be and the same is hereby appropriated out of the General Fund for the purpose of paying certain medical and professional bills in connection with injuries received by City of Austin employees while in service who were not covered by liability insurance, as follows:

<u>Employee</u>	<u>Amount</u>
Robert L. McCoy -	\$10.00
Lewis Slussler -	9.00
C. L. Wright -	<u>409.50</u>
Total -	\$428.50

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, Councilman Mueller, 1.

A letter from T. H. Markley, Administrator of C. F. Rumpel Estate, protesting against the cutting down of trees in the 2400 block on Nueces Street for the purpose of widening said street, was read and ordered filed.

The Mayor 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 purchase from Sigma Nu Home Association of Texas, a corporation, for a cash consideration of \$2,850.00, and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances as determined by the City Attorney, and upon delivery to the City of the owner's General Warranty Deed, the following described property, to-wit:

Being all of Lots Nos. 12 and 13 and a portion of Lot No. 11 of Archway, a subdivision of Outlot No. 9, Division "D" of Austin, in Travis County, Texas, as surveyed for the Park Board of Austin, and being described by metes and bounds as follows: Beginning at an iron pipe on the south line of Twenty-sixth Street, said iron pipe being located on the south line of Lot No. 11, a subdivision of Outlot No. 9, Division "D", City of Austin, and from which iron pipe the southwest corner of said Lot No. 11 bears westerly 13.75 feet; thence easterly along the south line of 26th Street, or the south line of Lots 11, 12, and 13 of Archway Subdivision, 182.25 feet to an iron pipe set in the center of West Waller Creek; thence up the center of West Waller Creek with its meanders to the original northeast corner of Lot No. 13 of Archway Subdivision; thence westerly with the south line of Twenty-sixth and One-half Street, 172.5 feet to a point on the east face of a garage building and from which point the northeast corner of Lot No. 11 bears easterly 38.5 feet; thence turning a deflection of 90° 51' to the left from the south line of Twenty-sixth and One-half Street a distance of 150.2 feet to the point of the beginning, and being a portion of that certain tract of land sold to the Sigma Nu Home Association of Texas by Jacob Wattinger by that certain warranty deed dated the 14th day of February, A. D. 1920, and recorded in Book 321, pages 267-69 of the Deed Records of Travis County, Texas,

BE IT FURTHER RESOLVED:

THAT the sum of \$2,850.00 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose above mentioned, and that a warrant in said amount issue therefor, payable to Sigma Nu Home Association of Texas, and be delivered to said party after approval of title to said land by the City Attorney and delivery by said party of its general warranty deed to said land.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 \$250.00 be and the same is hereby appropriated out of the Water & Light Fund for the purpose of reimbursing the M.K. & T. Land Company in said amount for the construction of certain sewer lines in Thirty-eighth and Fortieth Streets, and between Avenues "F", "G", and "H", and between Avenue "H" and Duval Street, in the City of Austin, Texas, according to the terms of the certain contract between the City of Austin and said Company, dated August 4, 1913, and that a warrant issue therefor, payable to said M. K. & T. Land Company, and to be delivered to said party upon delivery by it to the City of its full release of the City from all further obligation for the payment of money under said contract.

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

City Manager Johnson submitted to the Council request of Miss Ama B. Caperton that she be allowed to connect her premises in Brackenridge Heights Addition to the City's sanitary sewer line running through the Moses Jones tract to Penn Field. Councilman Reed moved that the City Manager be authorized to allow such connection, the details of same to be worked out satisfactorily by the City Manager. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, March 19, 1930.

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

Dear Sir:

This is to advise that Yeamans and Maufrais have completed their contract on the Mary Street bridge, being Street Improvement Bond Fund Contract No. 9, in accordance with the plans and specifications.

I therefore recommend the acceptance of this work.

Very truly yours,

(Sgd) H. R. F. Helland,
Consulting Engineer. "

Councilman Steck moved that the above bridge be accepted in accordance with the recommendations of the Consulting Engineer. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A report from H. R. F. Helland, Consulting Engineer, stating that the Southwest Bitulithic Company had completed the paving on Rio Grande Street in front of the premises of Judge Wm. Blakeslee, and recommending the acceptance of same, was read. The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF RIO GRANDE STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 19th day of April, 1929, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

Judge Blakeslee skip on east side of Rio Grande Street between 15th and 19th Streets; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City and have been found satisfactory and in accordance with the contract by the City Council of said city,

Therefore,

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

I. .

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Rio Grande Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

2.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

3.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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,

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 4 inch low pressure gas main in Wabash Street, beginning at a point on an existing 4 inch low pressure gas main, which point of beginning is 24 feet north of and 35 feet east of the intersection of the south line of West Thirty-sixth Street and the west line of Wabash Street;

Thence in a southerly direction 35 feet east of and parallel to the west line of Wabash Street a distance of one block. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A 2 inch high pressure gas main in West Monroe Street beginning at a point on an existing 4 inch high pressure gas main in Newton Street, which point of beginning is 20 feet east of and 22 feet south of the intersection of the west line of Newton Street and the north line of that portion of West Monroe Street that is east of Newton Street;

Thence in an easterly direction, 22 feet south of and parallel to the north line of West Monroe Street to the east line of Eva Street. Said gas main described above shall have a cover 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.

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 foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the 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 the 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 4 inch low pressure gas main in Kenwood Avenue, beginning at a point on an existing gas main in Fairmount Avenue, which point of beginning is 20 feet south of and 20 feet west of the intersection of the east line of Kenwood Avenue, and the north line of said Fairmount Avenue;

Thence in a northerly direction 20 feet west of and parallel to the east line of Kenwood Avenue to the south line of Woodland Avenue. Said gas main described above shall have a cover of not less than 2½ feet;

(2) A 4 inch low pressure gas main in West Forty-first Street, beginning at the dead end of an existing gas main, which point of beginning is 100 feet west of and 25 feet south of the intersection of the north line produced of said West Forty-first Street and a 4 inch low pressure gas main in Avenue "A";

Thence in a westerly direction, 25 feet south of and parallel to the north line of West Forty-first Street to the west line of Guadalupe 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 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.

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, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A written request from W. E. Babel, General Agent of the I&GN Railway Company, asking permission to lay a spur track to the proposed warehouse of the Calcasieu Lumber Company at the corner of Second and San Antonio Streets, and a report of the City Engineer recommending the granting of same, were read.

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING THE INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY TO CONSTRUCT, OPERATE AND MAINTAIN A SPUR TRACK OVER AND THROUGH THE WEST HALF OF THE ALLEY RUNNING THROUGH CITY BLOCK 22, FOR THE PURPOSE OF SERVING THE WEST PART OF THE SOUTH ONE-HALF OF CITY BLOCK 22, SUBJECT TO CERTAIN CONDITIONS.