

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none. The Council then recessed.

Approved: J. M. Fadden
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 10, 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 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.

A committee, composed of G. F. Zimmermann and others, presented a written protest from a number of citizens and taxpayers against narrowing the paving width of South Congress Avenue from Nellie Street to the Bridge. The petition was received 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 sum of Thirty-five Thousand (\$35,000.00) Dollars be and the same is hereby transferred from the General Fund to the Water and Light Fund, said amount to be repaid the General Fund when available.

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 report of the Safety Committee:

"Austin, Texas, April 4, 1930.

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

Dear Sir:

Pursuant to your request, the Safety Committee has made an investigation of the request of Bryan Howard for a permit to construct a filling station on his lot at the northwest corner of Navasota and Myrtle Streets.

The members of the Safety Committee find it is impossible to place a pump on his lot without being in conflict with the principles of safety heretofore adopted by the City Safety Committee and approved by the City Council. One reason it cannot be built is because the gasoline filling equipment will be less than 30 feet distant from a residence. Another is that a pump would have to be so close that cars would

be upon the City sidewalk area while being served.

We, the members of the Safety Committee, recommend that this permit be refused.

I am sending a copy of this communication to Mr. Bryan Howard.

City Safety Committee,

By (Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing Inspector. "

Councilman Mueller moved that, in accordance with the above recommendations of the Safety Committee, permit be refused the said Bryan Howard. Motion was seconded by Councilman Pannell, 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, all of the owners of Lots 12 to 21, inclusive, and all of the owners of Lots 25 to 34, inclusive, of the Addition to Austin known as Enfield "B", said addition being partly out of the George W. Spear League and partly out of Division "C" of the Government Outlots of the City of Austin, have petitioned the City Council to close the alley lying between Lots 12 to 21, inclusive, and Lots 25 to 34, inclusive; and

WHEREAS, said alley as dedicated to the public is only 10 feet wide, which width has been found to be impractical to maintain as an alley for traffic purposes; and

WHEREAS, the City Engineer has recommended to the City Council that said alley be closed for all purposes except those which may be required for the installation and maintenance of all public utilities; therefore,

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

THAT the alley lying between Lots 12 to 21, inclusive, and Lots 25 to 34, inclusive, as shown of record in Travis County Deed Records in Plat Book 3, page 75, be and the same is hereby permanently vacated and closed, but there is reserved to the City of Austin the right and easement perpetually to enter said alley for the purpose of laying, constructing and maintaining its public utilities, or any other utilities controlled by the City without cost to the City of Austin for any damages that might occur to any improvements whatsoever placed by any property owner in said alley, and the adjacent owners are prohibited from placing any improvements on the ground shown as an alley by the plat recorded in Travis County Deed Records in Plat Book 3, Page 75, save and except fences.

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 Six Hundred (\$600.00) Dollars be and is hereby appropriated out of the Water and Light Fund for the purpose of crediting Water Distribution Division -

Capital Expenditure, Equipment (account No. 75962) for the purchase of the following:

EQUIPMENT

I only Pipe Cutter -	\$375.00
I only Portable Pump with Hose and Fittings -	<u>225.00</u>
	\$600.00

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 Five Thousand (\$5000.00) Dollars be and is hereby appropriated out of the Air Port Bond Fund, for the purpose of clearing, grading and rolling land, building office building, and installing telephone and lights at the Airport.

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 City Council has determined that all the sidewalk areas not now paved on Red River Street between its intersection with Seventh Street and its intersection with Eleventh Street in the City of Austin shall be paved with concrete for a width of four and one-half ($4\frac{1}{2}$) feet, at the grade to be fixed and according to the specifications required by the City of Austin; therefore,

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

1. THAT the owners of all property abutting on Red River Street between the intersections hereinabove stated, except where sidewalks now exist, be and they are hereby required to pave the sidewalks in front of their respective properties with concrete of four and one-half ($4\frac{1}{2}$) feet width, and at the grade fixed and according to the specifications provided and furnished by the City, within thirty days from the date of receipt of notice thereof.

2. Notice shall be given each such owner by service of a certified copy of this resolution upon him, return of such services to be made to the City Council at the next regular meeting thereof.

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, forty-two-hundredths ($\frac{42}{100}$) acre of land has been heretofore purchased by the City of Austin, from R. P. Toomey, for the consideration of Four Hundred & Twenty (\$420.00) Dollars, same being a strip of land out of said Toomey's property abutting Barton Springs Road, and to be used for widening said road at said point; and

WHEREAS, at the time of said purchase, the City did not pay said Toomey for trees on said strip of land, nor for removing certain posts situated thereon, as agreed; and it is now agreed between said parties that \$125.00 is a fair price to be paid for said trees, and \$35.00 is a fair price to be paid for removing said posts; therefore,

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

THAT the sum of One Hundred & Sixty-three (\$163.00) Dollars be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purpose of

paying said R. P. Toomey for said trees and moving of posts, and that a warrant issue therefor, payable to said party.

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 gas main in Comal Street beginning at a point on an existing 4 inch gas main in East Twelfth Street, which point of beginning is 18 feet south of and 27 feet west of the intersection of the north line of East Twelfth Street and the east line of Comal Street;

Thence in a northerly direction 27 feet west of and parallel to the east line of Comal Street a distance of approximately 300 feet to a point 18 feet south of the north line of East Thirteenth Street. Said gas main described above shall have a cover of not less than 2 feet.

(2) A 4 inch gas main in East Thirteenth Street, beginning at a point 18 feet south of and 27 feet west of the intersection of the east line produced of Comal Street and the north line of East Thirteenth Street;

Thence in an easterly direction 18 feet south of and parallel to the north line of East Thirteenth Street to the east line of Concho Street. Said gas main described above shall have a cover of not less than 2 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 Engineer, 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.

The Mayor laid before the Council the following communication from the Building Code Committee:

"Austin, Texas, April 3, 1930.

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

Gentlemen:

The Austin Building Code Committee has now completed its work.

We feel that it has been an honor to serve in this capacity, and wish to thank the City Administration for the opportunity that has been afforded us.

The resulting proposed Building Code , which we are now turning over to you, is our interpretation of the best ideas we could gather on building codes.

We feel that this Code will stimulate building of the superior kind and retard building of the inferior kind. We feel that this is a code that the people of Austin will be proud to have enforced, and in the years to come we will all be proud of the results which we feel sure it will accomplish.

Yours sincerely,

AUSTIN BUILDING CODE COMMITTEE,

By (Sgd) Munsey Wilson,
Chairman. "

The above report was ordered filed and the Mayor expressed the deep appreciation of the Council for the splendid services rendered by said Committee.

The request of E. B. Crowder for another hearing on his appeal from the assessment placed on Lot 38, Outlot 7-8, Enfield B, owned by him, was read, and Councilman Mueller moved that it, being shown by the Tax Rolls of the City that this property is assessed equally with adjoining property , the Council not consider the matter further. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A communication from the William B. Travis Chapter, Daughters of the Republic of Texas, indorsing the name of Sayers Park for the new park to be opened north of Kirby Hall, was read and ordered filed.

The Mayor laid before the Council the following:

"Austin, Texas, April 9, 1930.

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

Dear Sir:

This is to advise that Yeamans & Maufrais have completed their contract on the Seventh Street and Johnson Creek Bridge, being Street Improvement Bond Fund Contract No. 10, in accordance with plans and specifications, at a total cost of \$5,453.27.

I therefore recommend the acceptance of this work.

Yours very truly,

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

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

Councilman Pannell moved that the municipal airport be named in honor of the first member of the City Council who died while in service, Councilman Robert Mueller, and that the same be called the ROBERT MUELLER AIRPORT. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller present but not voting.

The Mayor laid before the Council the following resolution, which had been read at the last regular meeting and laid over:

RESOLUTION OF THE CITY OF AUSTIN,
TEXAS, APPROVING THE BID OF L.E.
WHITHAM & COMPANY AND AWARDING
THE CONTRACT FOR IMPROVING POR-
TIONS OF NUECES STREET IN THE
CITY OF AUSTIN, AND SETTING
ASIDE A FUND TO PAY THE PORTION
OF THE COST REQUIRED BY THE
TERMS OF SAID CONTRACT TO BE
PAID BY THE CITY OF AUSTIN.

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

THAT , whereas, after due advertisement for bids for the improvement of the street hereinafter set out and the due filing of bids for said work of improvement the City Council after carefully tabulating and inspecting the said bids is of the opinion that the bid of L. E. Whitham & Company is the lowest and best bid for the improvement of the following street:

NUECES STREET from the South line of Twenty-eighth Street to the West line of Guadalupe Street, known and designated as Unit or District No. 29.

Each unit or district shall be and constitute an entirely and wholly separate and independent unit of improvement, the same as if contracted for in separate and distinct contracts. The construction of said improvements in each separate unit or district shall be wholly independent of the construction in any other unit or district. The assessments to be levied in each unit or district shall be made according to the cost of the improvements in that particular unit or district, and in accordance with the benefits accruing to the property by reason of said improvements in that particular unit or district, wholly and entirely independent of the cost of the benefits accruing by reason of the improvements in any other unit or district; and, further,

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

That the bid of L. E. Whitham & Company for the improvement of said street be and the same is hereby accepted, and that the City Manager and City Clerk are instructed to enter into contract on behalf of the City of Austin with L. E. Whitham & Company for said improvements, in conformity with the terms of their said bid; further;

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

THAT there be and is hereby set aside out of the proceeds of bonds issued and sold for that purpose now on hand available for street improvements a sufficient sum to pay and defray all that portion of the cost of said improvements required by the terms of said contract to be paid by the City of Austin.

That this resolution shall take effect and be in force from and after its passage.

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

A report from Orin E. Metcalfe, City Engineer, recommending the paving of certain alleys in the business district was read and ordered filed.

The Mayor laid before the Council for its third reading 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.

The foregoing ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Reed, 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 for its third reading the following ordinance:

AN ORDINANCE AUTHORIZING THE INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY TO CONSTRUCT, OPERATE AND MAINTAIN A RAILROAD SPUR-TRACK IN WEST THIRD STREET, AT AND NEAR THE INTERSECTION OF FANNIN STREET, AND IN CROCKETT STREET, ABOUT SIXTY FEET SOUTH OF WEST THIRD STREET, IN THE CITY OF AUSTIN, SUBJECT TO SAID TERMS AND CONDITIONS.

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

Councilman Mueller moved that, on account of his moving from the City, the resignation of Martin Anderson as a member of the Park Board be accepted. 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 for its second reading the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF RED RIVER STREET FROM THE NORTH LINE OF NINETEENTH STREET TO THE NORTH LINE OF THIRTY-SECOND STREET, IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND DECLARING AN EMERGENCY.

The above ordinance was read the second time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

City Manager Johnson submitted to the Council the report of T. B. Trotter & Company of an audit of the City's books for the year 1929, and same was received and filed.

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

The Council then recessed.

Approved

J. W. McFadden
M a y o r .