

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 20, 1928.

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 Mueller moved that same be adopted. 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 Council set Thursday, December 27th, at 7:30 P. M., as the time for hearing written tax protests. 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 report of Orin E. Metcalfe, City Engineer, in the matter of the application of A. J. Zilker to use twelve feet of the street in the erection of a platform at his proposed cold storage plant, was read and filed.

Mayor McFadden then laid before the Council the following resolution:

A RESOLUTION GRANTING TO ANDREW J. ZILKER, JR., AND HIS ASSIGNS PERMISSION TO CONSTRUCT AN ELEVATED PLATFORM ALONG THE NORTH SIDE OF LOT NO. TWELVE IN BLOCK NO. TWENTY-NINE OF THE CITY OF AUSTIN, TEXAS, AND PRESCRIBING CONDITIONS INCIDENT TO SUCH CONSTRUCTION.

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

That there be and is hereby granted a permit to Andrew J. Zilker, Jr., and his assigns, to construct an elevated platform along the north line of Lot No. Twelve (12) in Block No. Twenty-nine (29) of the City of Austin, to be used in connection with improvements to be erected on the adjacent premises thereto. Said platform shall be constructed under the supervision and according to the directions of the City Engineer of the City of Austin, and shall conform to the following specifications:

1. Said platform may extend from the west line of said Lot No. 12 to the east line thereof, or for such shorter distance as may be desired by the holder of this privilege.
2. There shall be erected at each end of said platform such steps as may be necessary to gain access thereto, so that same may be used for sidewalk purposes by the public.
3. Said platform shall be erected at an elevation of not exceeding forty-eight (48) inches above the street level, and shall be in width not exceeding nine (9) feet.
4. Said platform shall be constructed of reinforced concrete, or such other character of construction and material as may be acceptable to the City Engineer; and same, after being constructed, shall be kept and maintained in good repair and conditions, and shall be left open at all times for the use of pedestrians as a sidewalk or pass-way along said street occupied thereby.

That the rights granted and obligations imposed by the terms of this privilege shall enure to and be binding upon said Andrew J. Zilker, Jr., his heirs, assigns and legal representatives; provided, the City Council may revoke the rights herein granted at any time, and cause the removal of said platform, after reasonable notice, if in the judgment of the City Council same interferes with the use of the public way immediately south of said lot.

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

Mayor McFadden laid before the Council the following resolution:

WHEREAS, on Assessment #3735, 31.54 acres of land out of the Spear League were assessed in the name of M. O. Parrish, Trustee, for the year 1927, at a valuation of \$41,545.00; and

WHEREAS, it appears from the attached affidavit of the said M. O. Parrish, Trustee, that this property was purchased for \$15,000.00, and that the improvements on said property were not there on January 1st, 1927, and therefore not taxable against said property for said year;

Therefore,

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

That in view of the above facts, the valuation of \$41,545.00 placed upon the above described property for the year 1927 is excessive and should be greatly reduced; and

BE IT FURTHER RESOLVED:

That said valuation of \$41,545.00 on the said above described property be and the same is hereby reduced to \$15,000.00, and the Assessor and Collector is hereby instructed to change his rolls for 1927 accordingly.

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

Mayor McFadden laid before the Council the following resolution:

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

THAT the sum of Six Thousand, Two Hundred, Thirty-nine Dollars and Sixty Cents (\$6,239.60) be and the same is hereby transferred from the Water and Light Fund and credited to the General Fund to reimburse said General Fund for the following expenditures made against it:

To Expenses incident to the sale of the City's bonds voted May 18, 1928 ----- \$ 511.38

To cover expense of publication in connection with the Charter Amendments ----- 5,728.22

Total - \$6,239.60

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

Mayor McFadden laid before the Council the following resolution:

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

That the various premises situated on the west side of Duval Street between East 34th and East 36th Streets shall hereafter be numbered according to the following plan:

The following lots, all being in Block 9, Grooms Addition, of the Thomas Gray Survey, City of Austin, shall be numbered as follows:

Lot 1 to have No. 3400

Lot 2 to have No. 3402

Lot 3 to have No. 3404

Lot 4 to have No. 3406

Lot 5 to have No. 3408

Lot 6 to have No. 3410

Lot 7 to have No. 3412

A plat of said plan of numbering, marked 2-0-192 hereto attached, is 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.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Austin Gas 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 Austin Gas Company be and the same is hereby permitted to lay and construct its gas mains in and under the following streets:

(1) A 4 inch gas main on Avenue G, beginning at a point 23 feet west of and 199 feet north of the intersection of the east line of Avenue "G" and the north line of East 42nd Street;

Thence northerly along a line 23 feet distant from and parallel to the east line of Avenue "G" to the south line of East 43rd Street, said gas main to have a cover of not less than 1 1/2 feet;

(2) A 2 inch gas main on Wilson Street beginning at a point 38 feet west of and 50 feet south of the intersection of the east line of Willow Street and the south line of West Johanna Street.

Thence northerly 88 feet along a line 38 feet distant from and parallel to the east line of Wilson Street to a point on the existing west Johanna Street main, said gas main to have a cover of not less than 1 1/2 feet.

(3) A 1 1/4" gas main in the alley between Congress Avenue and Brazos Street, beginning at a point 30.5 feet south of and 5 feet east of the intersection of the north line of East 14th Street and the west line of said alley;

Thence southerly along a line 5 feet distant from and parallel to the west line of the alley between Congress Avenue and Brazos Street to the north line of the alley south of East 14th Street, said gas line to have a cover of not less than 1 1/2 feet.

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 communication from H. R. F. Helland, Consulting Engineer, recommending that the City purchase an excavating machine, of standard make, with trenching and skimmer attachments, for use in the street improvement work to be done under the bond issue, the cost of same to be less than \$7,000.00, was read, and Councilman Pannell moved that the City Manager call for bids for the type of machine recommended by the Consulting Engineer. 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 application of W. T. Caswell for permit to install an auto laundry and filling station on the southeast corner of Nineteenth and Guadalupe Streets was read; also the following report of the Safety Committee upon same:

"Austin, Texas,  
December 20, 1928

Hon. Mayor and City Council,  
Austin, Texas.

We, your committee on the application of W. T. Caswell, asking permission to erect and operate an Auto Laundry and Filling Station at the southeast corner of 19th and Guadalupe Streets, being Lot No. 12 and the West 1/2 of Lot No. 11 in Out-lot No. 35, Division "E" of the City of Austin, Travis County, make the following report:

We, the committee, recommend that this permission 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 is 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 plaster on metal lathe. 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 manner obstruct the sidewalk, street or alley way. The pumps shall be at least ten feet inside the property line.
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 provision shall be made to take care of waste oils and water by having the proper connections with storm or sanitary sewer. Connections to be made under the supervision of the City Engineering Department.
9. That not less than an 8 inch drain line shall be constructed at the expense of the applicant from the nearest storm sewer to the point of selection by the owner for commercial waste water. This installation shall be under the direction of the City Engineer, or, if constructed by the City, shall be done upon the basis of cost of labor and material plus 10 per cent, a deposit to be made in escrow with the City Finance Director based upon an estimate furnished by the City Engineer.
10. That a plan of the filling station and auto laundry, hereto attached, marked Exhibit "A" indicates the layout of the driveways and the use of the City streets and sidewalk which must be followed during construction. That the drain pipes, catch basins and inlets as shown on the plan shall be so constructed that all waste water and oils and wash water from the station shall concentrate into said catch basins and shall be followed in the construction of this station. That all curbs, sidewalks, ramps and gutter adjacent to the curbs shall be constructed of concrete at the expense of the applicant.
11. That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector.
12. That the Electrical Superintendent shall be given a reasonable notice for the excavation of any concrete curb or gutter in which there is any electric cable now existing.
13. That permission shall be granted, subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, 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 the said W. T. Caswell has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;  
R. F. Rockwood, Fire Marshal;  
Orin E. Metcalfe, City Engineer;  
J. Bouldin Rector, City Attorney,  
CITY SAFETY COMMITTEE. "

Councilman Mueller moved that permit be granted to said W. T. Caswell, subject to the above recommendations of the Safety Committee. 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 policy adopted by the City Manager in refusing to grant permission to Orrill O'Reilly to operate free moving pictures under the auspices of the City Recreation Department was indorsed by the City Council.

The claim of Judge Jno. W. Hornsby, in the amount of \$155.00, for fees due him in appeal cases convicted in the county court several years ago, was referred to the City Attorney and City Manager for settlement.

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

The Council then recessed.

Approved: L. W. McFadden  
Mayor.

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 27, 1928.

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 Mueller moved the adoption of same. 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.

Mayor McFadden laid before the Council the following resolution:

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

THAT the City Manager be authorized and directed to enter into a contract, on behalf of the City of Austin, with A. C. Bull, City Treasurer, and Texas Bank & Trust Company, whereby the proceeds from the sale of Street Improvement Bonds, School Bonds, Fire Stations Bonds, Hospital Bonds, Sanitary Sewer Bonds, Parks and Playgrounds Bonds, and Airport Bonds, Series of 1928, recently sold, shall be deposited and secured in the same manner and under the same terms and conditions as are provided in the certain contract between said parties, dated August 30, 1927, for the deposit and handling of the City's funds generally, the contract herein authorized to be supplementary to said contract dated August 30, 1927.

The above resolution was adopted by the following vote: Ayes, Mayor