

authorized to enter into a contract with said Dozier Construction Company for said work at said prices. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

The Council then recessed.

Approved: J. H. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 28, 1929.

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 meetings, and also those of the Night Session of March 14th, 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.

Mayor McFadden moved that the recommendation of the Park Commission for the purchase of certain tracts of land south of the River for a park site be approved, said tracts of land being in the Travis Heights Addition, the Pleasant View Addition, the Blue Bonnet Hills, Paul H. Pfeifer's Addition, and the Fairview Park Addition in the City of Austin, at a price of \$27,250.00, and that the City Manager be authorized to enter into contracts for the purchase of same, provided payment can be arranged to be made when funds are available in the Parks and Playgrounds Bond Fund. 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 letter from Stillman Evans, Vice President Texas Air Transport, Inc., advising of the arrival of the inauguration plane for passenger service in this city, was read, and Councilman Pannell moved that the matter be referred to the Chamber of Commerce Aviation Committee, with the request that a program of reception be arranged. 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.

Geo. Mendell, Attorney, and a committee of local produce dealers, appeared before the Council and asked that an ordinance be passed regulating the sale of produce by itinerate produce dealers. Councilman Mueller moved that the matter be referred to the City Attorney and City Manager for proper ordinance. 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.

J. H. Walsh, Superintendent Austin Division of the Southern Pacific Lines, was heard with reference to having the portion of their tracks recently taken into the city limits excluded from same. The Council took the matter under advisement.

Councilman Reed moved that the City Manager be authorized to purchase, through the U.G.I. Contracting Company, from the Birmingham Boiler and Engineering Company, 83,755 pounds of structural steel for boiler construction at the Power Plant, at a price of \$4816.00. 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.

Councilman Reed moved that the City Manager be authorized to purchase, through the U. G. I. Contracting Company, from San Antonio Machine & Supply Company, one portable Ingersoll-Rand Air Compressor, Type 20, for the price of \$1715.00, less 2%. 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 Reed moved that the City Manager be authorized to purchase, through the U.G.I. Contracting Company, from Grisoom-Russell Company three (3) extraction steam water heaters for the sum of \$2947.00, less 1%. 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.

Councilman Reed moved that the City Manager be authorized to purchase from the United States Cast Iron Pipe & Foundry Company 24" water pipe to be laid from the Power Plant to Barton Springs Road, and to contract with Janes Contracting Company for the laying of same, said Company to furnish the lead and leadite for sealing the joints, the total cost of this project to be approximately \$31,000.00, of which \$8,610.00 is to be paid the Janes Contracting Company for installation. 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.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, it has been shown that there was error in the assessment for city taxes for the year 1927, of 5-73/100 acres out of the George W. Spear League in the City of Austin, as owned by J. W. and Anita Quinlan, in that the land was assessed at a valuation of Five Thousand, Six Hundred and Forty (\$5,640.00) Dollars, whereas said land should have been assessed at Two Thousand and Sixty-five (\$2,065.00) Dollars, which latter figure will equalize same with the values assessed against the adjoining land; and

WHEREAS, it appears that said owners have paid, under protest, the taxes for said year 1927, at the valuation first assessed; and

WHEREAS, it is deemed proper that the assessment for said year on said land be corrected as above set out, and that the owners should be refunded the excess of taxes paid thereon; therefore,

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

THAT the assessment on said land for said year be placed at the valuation of

Two Thousand and Sixty-five (\$2,065.00) Dollars, and the City Assessor & Collector of taxes be instructed to enter said correction on his books; and that the sum of \$75.98 be and the same is hereby appropriated out of the General Fund for the purpose of refunding to said owners the excess of taxes, penalties and interest paid by said owners, and that a warrant issue payable to said owners for such sum of money.

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, Lots Fourteen (14) and Fifteen (15), in Block Two (2), Outlot 31/32, in Division "O" of the City of Austin, appear on the City tax rolls as assessed for taxes for the year 1928, against Young Men's Society & Church, University Y. M. C. A., Austin; but as a matter of fact, these described lots were owned and used by the Austin Boy Scouts of America on the 1st day of January of said year, and are now, and have been continuously since said date, so owned and used; and

WHEREAS, the State Statutes exempt from taxation all property of the organization known as the Boy Scouts of America, or any local organization affiliated with such organization; therefore, -

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

That said property is hereby declared to be exempt from taxation by the City of Austin and that such exemption shall continue so long as said property is owned and used by the Austin Boy Scouts of America, and the City Assessor and Collector of taxes be and he is hereby directed to strike said property from the tax rolls for the year 1928, and to take credit therefor, and to mark same as exempt from taxation on his books.

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, there appears in the assessment for city taxes for the year 1928, against Southland-Red Ball Motor Bus Company, the item "Automobiles and delivery equipment, \$150,000.00"; and

WHEREAS, it has been shown that all of said property, except one automobile, which has a value for taxation purposes of Four Hundred (\$400.00) Dollars, is used by said Company in its transportation business between the City of Austin and other cities, and that such property has no permanent situs in the City of Austin, in that same is used continuously on the highways, and in that the permanent residence and home office of said Company is situated in San Antonio, Bexar County, Texas; therefore,

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

That the assessment against said Company for said year is hereby changed and amended by striking out the figures, "\$150,000.00" and inserting in lieu thereof the figures \$400.00; and that the City Assessor and Collector of taxes be and he is hereby directed 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.

Mayor McFadden laid before the Council the following reports of the City Engineer and Safety Committee upon the application of the Robert Mueller Estate for the erection of a drive-in garage at 507 Lavaca Street:

"Austin, Texas, March 28, 1929.

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

Dear Sir:

In connection with a report on the application of the Robert Mueller Estate for a permit to construct and operate a drive-in garage using a portion of the city sidewalk at 507 Lavaca Street on Lot No. 12, Block No. 54 of the City of Austin, the plan has been prepared and presented marked 2-G-118. This plan is made on the basis of the following recommendation: That Lavaca Street, from Fourth Street to Seventh Street, should be changed in paving width from 40 to 60 feet between curbs. This is in accordance with previous recommendations and also in accordance with a request recently submitted by the Postmaster of the City of Austin. Only one-quarter of the block between Fourth and Fifth Streets will have to be changed to produce this result. The Postal Department which controls one-quarter of the block between Sixth and Seventh Streets has already signified their desire to have same widened and Mr. Bartholomew, owner of the property opposite the Post Office, has said that he was willing to make the change at any time that the balance of the people in his block would go ahead with their portion of the work.

In granting this permit to the Mueller Estate, we recommend that this plan be adopted which shows the curb lines moved back to the proposed new paving width.

Yours very truly,

Orin E. Metcalfe,
City Engineer. "

"Austin, Texas,

Hon. Mayor and City Council:

Gentlemen:

We, your committee on the application of Robert Mueller Estate asking permission to install and operate a drive-in garage at 507 Lavaca Street, 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 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, or if an awning shall be supported from the wall in accordance with a plan to be submitted to and approved by the City Building Inspector.
3. 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.
4. That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.
5. 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.
6. That provision shall be made to take care of waste oils and water by having the floor of the garage so constructed that said waste can be concentrated and put through a grease and sand trap and that a drain shall be constructed at the expense of the owner from said concentration point to the nearest storm sewer.
7. That plan of the garage showing the proposed location of the driveways and methods of draining away waste water and oils marked 2-G-118, which accompanies this recommendation shall be followed during construction.
8. That a plan of the garage, showing the proposed location of driveways and methods of draining away waste water and oils shall be filed with and approved by the City Engineer before the commencement of construction.
9. That all waste oil and water drains, dumps, sand and grease traps and pipe connecting same with city storm sewer shall be inspected and approved by the City Plumbing Inspector and that the applicant shall make special application to the

Plumbing Inspector for instructions as to method of installations and for inspections.

10. 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 garages, 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 Robert Mueller Estate has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Signed: J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer. "

Councilman Pannell moved that permit be granted to said Robert Mueller Estate subject to the above recommendations of the City Engineer and Safety Committee. 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 following communication from the City Engineer in the matter of the curb line for J. T. Bowman property on 19th Street and resolution covering same were laid before the Council:

"Austin, Texas, March 28, 1929.

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

Dear Sir:

In accordance with your suggestion I have made a study of the request of Mr. J. T. Bowman that he be permitted to establish a curb line ten feet farther north than the present curb line on Nineteenth Street immediately east of Nueces Street. Mr. Bowman's proposal was that he would pay all expenses of paving the area between the present gutter line and the proposed new curb line. This curb line will be in front of a new store building recently leased to Clarence Saunders and is immediately west of property recently purchased by the City of Austin for a proposed fire station. I have made a survey and prepared a plan marked IA360, which shows the proposed sidewalk, the proposed curb, all in proper relation to the curb to be removed and the old gutter, as well as the existing property lines.

Inasmuch as the parking of automobiles in front of Mr. Bowman's property will be increased and inasmuch as the moving back of the curb line would permit an easier operation of a fire station on the adjacent block, I recommend that his request be granted subject to the following restrictions:

That all work necessitated by the change shall be done in accordance with the plan as adopted by the City Council under the direction of the City Engineer, and that the expense of same shall be borne by the property owner.

That the sidewalk and curb shall be constructed of concrete in accordance with the city ordinance and that the paving between the existing gutter and the proposed new curb shall be constructed of concrete not less than 6 inches in thickness of the following proportions: 1 part cement, 2 parts sand and 4 parts of screened gravel or rock.

That the expense of changing any electrical installation shall be borne by the applicant.

A resolution adopting the new proposed curb line has been prepared in the event the City Council desires to take favorable action.

Yours very truly,

Orin E. Metcalfe, City Engineer."

WHEREAS, J. T. Bowman, owner of a portion of Block No. 23 of the Louis Horst Addition of the City of Austin, Texas, said property being east of Nueces Street and north of Nineteenth Street, has made an application for a wider parking space on Nineteenth Street; and

WHEREAS, the City of Austin has purchased property for a fire station use immediately east of and adjacent to said Bowman property; and

WHEREAS, a report of the City Engineer and the City Manager has recommended setting the curb 10 feet north of the present curb line and the City Council has made a study of same and considers it proper that same should be done; therefore,

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

THAT the curb line on Nineteenth Street, beginning at a point 30 feet north of the center line of Nineteenth Street and 15 feet east of the center line of Nueces Street shall hereafter run easterly 30 feet north of and parallel to the center line of Nineteenth Street to the intersection of the alley on the east boundary of Lot No. 21 of the Louis Horst Addition.

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

Mayor McFadden laid before the Council the following resolution:

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

THAT the polling place for the Second Ward in the City of Austin, at the election to be held on April 1st, 1929, be and the same is hereby changed from 104 West 6th Street, as heretofore designated by the City Council, to 308 West Sixth Street, City of Austin, Texas.

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 application of Paul Koenig to erect a gasoline filling station at 2015 East First Street; also the following recommendation of the Safety Committee upon same:

"Hon. Mayor and City Council:

Gentlemen:

We, your committee on the application of Paul Koenig, asking permission to install and operate a drive-in gasoline filling station at 2015 East First Street, 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 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 manner obstruct the sidewalk, street or alleyway. 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 sewer. Connections to be made under the supervision of the City Engineering Department.
9. That a plan of the filling station hereto attached, marked 2-H15, showing the proposed location of pumps, driveways and methods of draining away waste water and oils indicates the layout agreed to by the applicant and shall be followed during construction.

9b. That all gasoline pumps, tanks, equipment, pipes connecting thereto shall be inspected and approved by the City Plumbing Inspector and that the applicant shall make special application to the Plumbing Inspector for instructions as to method of installations and for inspections.

10. That all curbs, ramps, gutters and sidewalks adjacent to this station shall be constructed of concrete at the expense of the applicant.

10a. That the applicant shall construct or have constructed at his expense, a drain to the nearest storm sewer for the purpose of carrying away waste oils and water.

10. 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 Paul Koenig has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Signed: J. E. Woody, Fire Chief

R. F. Rockwood, Fire Marshal

Orin E. Metcalfe, City Engineer

CITY SAFETY COMMITTEE."

Councilman Mueller moved that permit be granted to said Paul Koenig, 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.

Mayor McFadden laid before the Council the following communication from the Safety Committee :

"Austin, Texas, March 28, 1929.

City Manager,
Hon. Mayor and City Council.

Gentlemen:

We, your committee, on the application of the Consumers Home Ice Company by W. F. Gohlke, Vice President, to construct an ice vault on the northeast corner of East Avenue and East Twenty-second Street, make the following report:

The plan submitted with their request shows a proposed use of a city sidewalk and street for servicing of cars. We recommend that their request to continue the use of the city sidewalk for the servicing of ice customers at this place be denied.

We wish to advise you of similar conditions where a request was denied. One on Twenty-third Street a short distance east of East Avenue, which place was in competition with the site now under consideration. Also, the site of A. J. Zilker, Jr. on Colorado Street north of Third Street. There has not been any case where the Safety Committee has recommended the use of any city sidewalk by automobiles or trucks as a place for service within the past two years.

Yours very truly,

Signed: 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 the above report of the Safety Committee be adopted and permit refused in accordance with same. 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.

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 Seven Hundred Thirty Dollars (\$730.00) be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purpose of paying Jessie Ramsey Murray, Euphie Ramsey Taylor, and Winnie Ramsey Nitschke, the agreed consideration for the purchase of 73/100 acre of land out of the Isaac Decker League in the City of Austin, Texas, said land having been purchased by the City of Austin for the purpose of widening the Barton Springs Road, and that a warrant issue therefor, payable to Hilliare F. Nitschke, Agent, and be delivered to said party upon delivery by him of a general warranty deed to said land, free from all liens and incumbrances.

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 Four Hundred Twenty Dollars (\$420.00) be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purpose of paying R. P. Toomey the agreed consideration for the purchase of 42/100 acre of land out of the Isaac Decker League in the City of Austin, Texas, said land having been purchased by the City of Austin for the purpose of widening the Barton Springs Road, and that a warrant issue therefor, payable to said R. P. Toomey, and be delivered to said party upon delivery by him of a general warranty deed to said land, free from all liens and incumbrances.

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 Two Hundred Twenty-five Dollars (\$225.00) be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purpose of paying J. T. Plumley the agreed consideration for the purchase of 1/10 acre of land out of the Isaac Decker League in the City of Austin, Texas, One Hundred Dollars of said amount being for the purchase of the land, and One Hundred and Twenty-five Dollars (\$125.00) being for the expense of moving the improvements from said land so purchased, said land having been purchased by the City of Austin for the purpose of widening the Barton Springs Road, and that a warrant issue therefor, payable to said J. T. Plumley, and be delivered to said party upon delivery by him of a general warranty deed to said land, free from all liens and incumbrances.

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

The application of L. B. Burnett for permit to erect a gasoline filling station at the southwest corner of 41st Street and Speedway was referred to the Safety Committee.

Councilman Pannell moved that the request of H. Bascom Owens for a reduction in the assessment against his property, same being Lot 12, Block 7, Division 1, Plat 65, for the year 1928 be disallowed, as it is shown upon investigation that this property is equalized with adjoining property. 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.

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 Nine Thousand (\$9,000.00) Dollars be and the same is hereby appropriated out of the Water & Light Fund, for the purpose of placing same to the Job Account of the U.G.I. Contracting Company, to be used for the payment of labor and materials in connection with the construction at the Water & Light Plant, 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.

Mayor McFadden moved that, upon the recommendation of C. P. Ledbetter, Deputy Tax Assessor, the improvements on 72x147 ft. N.W. (A), Block 4, Division "O", Plat 23, be changed from \$1715.00 to \$1425.00, and the Assessor and Collector be authorized to change his rolls accordingly. 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:

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 gas mains in and under the following streets:

(1) A 4 inch gas main on W. Ninth Street, beginning at a point 151 feet west of and 27 feet south of the intersection of the west line of Blanco Street and the north line of W. Ninth Street;

Thence westerly 200 feet along a line 27 feet distant from and parallel to the north line of West Ninth Street, said gas main to have a cover of not less than 1½ feet.

(2) A 2 inch high pressure gas main on Sabine Street, beginning at a point 6 feet north of and 22 feet west of the intersection of the center line of E. Thirteenth Street and the east line of Sabine Street;

Thence northerly along a line 22 feet distant from and parallel to the east line of Sabine Street to the south line of E. 14th Street, said gas main to have a cover of not less than 1½ feet.

(3) A 4 inch high pressure gas main on Blanco Street, beginning at a point 12.5 feet north of and 17 feet west of the intersection of the south line of W. 34th Street and the east line of Blanco Street;

Thence northerly along a line 17 feet distant from and parallel to the east line of Blanco Street to the south line of State Street, said gas main to have a cover of not less than 1½ 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 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.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR, AND ORDERING AND PROVIDING FOR, THE IMPROVEMENT OF A PORTION OF WEST FIRST STREET AND PORTIONS OF SUNDRY OTHER STREETS AND HIGHWAYS IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR,

APPROVING CONTRACT AND BOND,
PROVIDING FOR THE PAYMENT
OF THE COST THEREOF AND
MAKING AN APPROPRIATION TO
PAY THE CITY OF AUSTIN'S
PORTION OF SUCH COST.

The above ordinance was read the first time and laid over.

Councilman Pannell moved that a page of the Minutes of this meeting be set aside for the recording of the following resolution upon the death of S. W. Mabry III, ex-Finance Director of the City of Austin. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pallenn, Reed, and Steck, 5; nays, none.

R E S O L U T I O N

The death of Seth W. Mabry brings to an abrupt end a useful and upright life. We can understand that those who have reached ripe years and finished their tasks should pass on to another sphere, but it is beyond our understanding when we see the young die, with purposes unfulfilled and work yet to be done.

Mr. Mabry was for something over two years an honored official of the City of Austin. As Director of Finance, he brought a high degree of efficiency and constructive ability into his office, and left the City's service of his own volition to engage in the private practice of his profession, with the respect of all and a distinct sense of loss to this administration.

It is Resolved, that public expression be thus given, and spread upon the minutes of the City Council on a page set apart for such purpose, as a tribute to the worth of Mr. Mabry and an indication of the grief of the members at his untimely passing:

Councilman Reed moved that the use of the grounds at Barton Springs as a tourist camp be discontinued. 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. H. McFadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 4th, 1929.

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

The regular order of business was suspended in order to hear the protest of a large committee present against the erection of a filling station on the corner of 41st and Speedway.

Councilman Mueller then moved that the application of L. B. Burnette to erect such filling station at 41st and Speedway be refused. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

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 and Reed, 4; nays, none, Councilman Steck absent.

Mayor McFadden moved that Architect Kuehne be directed to include a diet kitchen in the new hospital building for Negro and Mexican patients, at an approximate cost of \$325.00. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

A communication from the Tax Assessor & Collector, showing that the property of the University Park Addition, consisting of fifty-seven lots and parts of lots, in order to be equalized with other property, should be assessed at a valuation of \$12,080.00, full value, for the years 1927 and 1928, ^{was read} and Councilman Mueller moved that the recommendation of the Tax Assessor & Collector be adopted, and that he be authorized to change his rolls accordingly. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent.

A communication from A. H. Schneider, protesting against the contemplated change