

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 16, 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 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.

Mayor McFadden laid before the Council the following communication from Weed-Pelphrey for the erection of a funeral home at 1200 Lavaca Street:

"Austin, Texas, May 16, 1929.

To the Honorable City Council,  
City of Austin.

Permission is hereby requested to use the premises known as Lots Nos. 5 and 6 in Block No. 149 of the City of Austin, and situated at the northwest corner of the intersection of Lavaca and West 12th Streets, as a funeral home.

An agreement between the owner of these premises and the undersigned has been made by which the owner is to lease these premises to the undersigned for use as a funeral home, and the undersigned is obligated to expend at least \$2500.00 in beautifying the grounds and in remodeling the residence house now on the property. If these premises are occupied by us, we will beautify the grounds by planting appropriate shrubbery and flowers, resodding the lawn, installing a sprinkling system and constructing cement walks and drive-ways. The exterior of the residence will either be repainted or stuccoed. A drawing showing the proposed changes in the grounds and the location of the drive-ways and walks is submitted with this request for inspection and the information of the Council.

All loading and unloading will be done near the rear of the building. An appropriate grill screen work will be so constructed at the rear of the building that this loading and unloading cannot be seen from the street or from any of the adjoining properties.

All automobiles used by the undersigned and under their control will be kept within the grounds. In conducting funerals from the premises the vehicles will be driven into West 12th Street and thence turned to the right and proceed to Guadalupe Street.

In connection with this request we respectfully call your attention to the fact that the funeral home conducted by Mr. Charles B. Cook is located on Lavaca Street only one block from this site and that the funeral home of Mr. Thurlow B. Weed is also located on Lavaca Street about four blocks north of this site.

It is our intention to make the premises as attractive as possible and to make them appear to be a well-kept modern residence.

Your permission to use the premises for the purpose stated, and to install the walks and drive-ways shown on the attached drawing is respectfully requested.

Respectfully,

Weed-Pelphrey  
By J. D. Pelphrey, Manager."

Councilman Pannell moved that permit be granted to said Weed-Pelphrey, subject to the agreements contained in the above letter. 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 Reed moved that the City Manager be directed to have permit issued to M. L. Bowdoin to erect a store building at 2511 Nueces Street, subject to all legal requirements in the issuance of building permits. 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 Ten Thousand Dollars (\$10,000.00) 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.

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 Seven Thousand Dollars (\$7,000.00) be and the same is hereby transferred from the General Fund to the Parks and Playgrounds Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Parks and Playgrounds Bonds.

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 One Thousand Dollars (\$1,000.00) be and the same is hereby transferred from the General Fund to the Construction Engineers Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Bonds.

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 Twenty Thousand Dollars (\$20,000.00) be and the same is hereby transferred from the General Fund to the Sanitary Sewer Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Sanitary Sewer Bonds.

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 Fifteen Thousand Dollars (\$15,000.00) be and the same is hereby transferred from the General Fund to the Street Improvement Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Street Improvement Bonds.

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

A petition signed by a large number of citizens, asking for the repeal of the ordinance regulating fishing in the Colorado River within the city limits, was read, and Councilman Mueller moved that same be referred to the City Attorney for the preparation of an ordinance covering the matter. 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 Twenty-five Hundred Dollars (\$2,500.00) be and the same is hereby appropriated out of the Water and Light Fund for the purpose of paying WHITE, WILCOX and TAYLOR, as a retainer for legal services, said firm having been associated with the City Attorney in the litigation proceedings of the City of Austin with the Austin Dam, Incorporated, and involving matters connected with the Austin Dam, and that a warrant issue therefor payable to said WHITE, WILCOX AND TAYLOR.

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 REGULATING  
TRAFFIC ON EAST SIXTH STREET  
BETWEEN ITS INTERSECTION  
WITH BRAZOS STREET AND ITS  
INTERSECTION WITH SAN JACINTO  
STREET, IN THE CITY OF AUSTIN,  
CUMULATIVE OF CERTAIN ORDINANCES  
HERETOFORE ORDAINED, REPEALING  
ORDINANCES IN CONFLICT, AND  
PRESCRIBING PENALTIES.

The above ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance passed to its second reading. 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 ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. 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 ordinance was read the third time and Councilman Pannell moved that same be finally passed. 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 ordinance:

AN ORDINANCE REGULATING TRAFFIC  
ON WEST SEVENTH STREET, BETWEEN  
ITS INTERSECTION WITH COLORADO  
STREET AND ITS INTERSECTION WITH  
LAVACA STREET, IN THE CITY OF  
AUSTIN, CUMULATIVE OF CERTAIN  
ORDINANCES HERETOFORE ORDAINED,  
REPEALING ORDINANCES IN CONFLICT,  
AND PRESCRIBING PENALTIES.

The above ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance placed on its second reading. 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 ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. 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 ordinance was read the third time and Councilman Pannell moved that same be finally passed. 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:

"Austin, Texas, May 16, 1929.

Hon. Mayor and City Council,

Gentlemen:

WHEREAS, the City Council of Austin, Texas, passed a motion that a permit be granted to Magnolia Petroleum Company to erect a filling station at East First Street and Neches Street subject to the rules and regulations governing the installation of gasoline filling stations, we, the Safety Committee, recommend that this permit shall be 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 the storm sewer which exists on the south side of First Street at the expense of the applicant. Connections to be made under the supervision of the City Engineering Department.
9. That a plan of the filling station hereto attached marked 2-B-175 shall be following during construction and shall be considered a part of this resolution, said plan showing the proposed location of pumps, driveways and methods of draining away waste water and oils.
10. That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector.
11. That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete and all construction shall conform to the attached plan of the development, marked 2-B-175.
12. 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 said Magnolia Petroleum Company 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;

Orin E. Metcalfe, City Engineer;

J. Bouldin Rector, City Attorney.

Tom Neal, Traffic Police Captain.

CITY SAFETY COMMITTEE."

Councilman Pannell moved that permit be granted to said Magnolia Petroleum Company, subject to the above recommendations of the Safety Committee. 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 communication from M. H. Crockett, asking permission to erect a filling station on the southeast corner of the property located just south of the intersection of Duval and 29th Streets, was read, and Councilman Pannell moved that the matter be referred to the Park Board for consideration and report to the Council. 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.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING THE DISCONTINUANCE OF STREET CAR SERVICE OVER, AND THE TAKING UP OF THE STREET CAR TRACKS ALONG WHAT IS KNOWN AS THE SOUTH AUSTIN LINE BEGINNING AT A POINT 100-FEET NORTH OF THE STREET CAR TRACKS ON THE COLORADO RIVER BRIDGE, AND EXTENDING TO THE END OF SAID LINE ON SOUTH CONGRESS AVENUE; THE DISCONTINUANCE OF SERVICE OVER, AND TAKING UP OF THE TRACKS ALONG WHAT IS COMMONLY KNOWN AS THE TRAVIS HEIGHTS LINE, BEGINNING AT NELLIE STREET ON SOUTH CONGRESS AVENUE AND EXTENDING TO THE END OF SAID LINE ON MONROE STREET IN TRAVIS HEIGHTS; AND THE DISCONTINUANCE OF SERVICE OVER WHAT IS KNOWN AS THE DUVAL LINE AND TAKING UP OF THE TRACKS ON SAID LINE BEGINNING AT SAN JACINTO STREET TO THE END OF SAID LINE; AND SUBSTITUTING THEREFOR MOTOR-BUS SERVICE.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second 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 second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance 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 the 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.

Councilman Pannell 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, and Steck, 5; nays, none.

The Council then recessed.

Approved.

*O. M. Fadden*  
Mayor.