

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 25, 1929.

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

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Councilman Reed entered the Council Chamber.

W. Stachely appeared before the Council and presented a written protest against the closing of East Ninth Street from Trinity to Neches Streets. Action upon the matter was deferred until the next regular meeting.

The matter of granting a permit to M. C. Parrish to erect a drive-in grocery store and confectionery at 2510 Whitis Avenue came up for discussion. L.T. Bellmont, representing All Saints Episcopal Church, entered a protest against same. Action upon the matter was deferred until the next regular meeting.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in certain Units or Districts of Improvement as follows:

Guadalupe Street from the north property line of West Sixth Street to the south property line of West Eighth Street, known and designated as Unit or District No. 10;

Guadalupe Street from the south property line of West Eighth Street to the south property line of Nineteenth Street, known and designated as Unit or District No. 10A;

all as awarded to the Southwest Bitulithic Company,

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned street and within the limits above stated, or who desired to be heard with reference to the amount proposed to be assessed against said property, the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing, would now be heard from and thereupon all parties protesting were heard by the Council as follows:

On Guadalupe Street from Sixth to Eighth Streets, against the widening of the street; also the repaving of portion of street already paved:

W. L. Stark  
Hale M. Houston  
M. C. Parrish

On Guadalupe Street from Eighth to Nineteenth Streets, Miss Effie Whitehand protested that her property would not be enhanced in value; that she would have to mortgage same to pay for the paving; and that the noise resulting from increased traffic and the heat reflected from the pavement would be unbearable.

Thereupon L. A. Robbins and Gillespie Stacy were each called as a witness and each testified that he has resided in the City of Austin several years; that he is a real estate agent and is well acquainted with the values of the property abutting upon each of the Units or Districts as to which this hearing was being held; that he is acquainted with the type of paving which is proposed to be con-

structed upon said Units or Districts as to which this hearing was being held; and that in his opinion each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll on file relating to such Units or Districts of Improvement.

No other witnesses being offered or desiring to be heard, and no other interested parties or owners having requested to be heard, Councilman Steck moved that the hearing be continued until the next regular meeting and that the Council take the matter of widening Guadalupe Street from Sixth to Eighth Streets under advisement. 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 Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) Six (6) poles on West Thirty-first Street commencing west of San Gabriel Street and 8.5 feet south of the north line of West Thirty-first Street;

Thence in a westerly direction 8.5 feet distant from and parallel to the north line of West Thirty-first Street a distance of approximately 780 feet.

(2) Four (4) poles on East Fifth Street commencing at Pedernales Street and 2.5 feet north of the south line of East Fifth Street;

Thence in a westerly direction 2.5 feet distant from and parallel to the south line of East Fifth Street a distance of one block.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

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 Forty Thousand (\$40,000.00) 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 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:

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 on West Thirtieth Street, beginning at a point 29 feet east of and 13 feet south of the intersection of the west line of Guadalupe Street and the north line of West Thirtieth Street;

Thence in a westerly direction 13 feet distant from and parallel to the north line of West Thirtieth Street to a point 13 feet south of and 25 feet west of the intersection of the north line of West Thirtieth Street and the east line of Rio Grande Street, said point being where a 2 inch gas main on West Thirtieth Street connects with a 4-inch gas main on Rio Grande Street;

Said gas main described above is to have a cover of not less than 3 feet for the most easterly 50 feet thereof, and all other portions of said main to have a cover of not less than 2 feet; and that the top 6 inches of backfill shall be composed of new gravel thoroughly graded and rolled in place.

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 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 6 inch high pressure gas main on Forty-fifth Street, beginning at a point 15 feet south of the intersection of the north line of Forty-fifth Street and the east line of the alley west of Caswell Avenue;

Thence in a westerly direction 15 feet distant from and parallel to the north line of Forty-fifth Street to a point 11 feet east of and 15 feet south of the intersection of the center line of Duval Street and the north line of Forty-fifth Street;

Thence in a southerly direction 11 feet distant from and parallel to the center line of Duval Street to a point 11 feet east of and 10 feet south of the intersection of the center line of Duval Street, and the center line of that portion of Forty-fifth Street west of Duval Street;

Thence in a westerly direction 10 feet distant from and parallel to the center line of Forty-fifth Street to a point 10 feet south of the intersection of the east line of Avenue "D" and the center line of Forty-fifth Street;

Thence in a northerly direction in line with the east line of Avenue "D" to a point 20 feet south of the intersection of the north line of Forty-fifth Street and the east line of Avenue "D";

Thence in a westerly direction 20 feet distant from and parallel to the north line of Forty-fifth Street to the east line of Guadalupe Street;

Said gas main described above is to have a cover of not less than 3 feet in Duval Street and not less than 2 feet on Forty-fifth Street;

(2) A 4-inch low pressure gas main on Duval Street, beginning at house number 4310 Duval Street;

Thence in an easterly direction to a point 21 feet east of the center line of Duval Street;

Thence in a northerly direction 21 feet distant from and parallel to the center line of Duval Street to the north line of that portion of Forty-fifth Street west of Duval Street;

(3) A 2-inch low pressure gas main on Forty-fifth Street, beginning at a point 21 feet east of and 10 feet south of the intersection of the center line of Duval Street and the center line of that portion of Forty-fifth Street west of Duval Street;

Thence in a westerly direction 10 feet distant from and parallel to the center line of Forty-fifth Street to a point 20 feet west of the west line of Duval Street;

Said gas main described above is to have a cover of not less than 3 feet in Duval Street and not less than 2 feet elsewhere.

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 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 Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) Two (2) poles on Landon Lane commencing east of Harris Park Avenue and eight (8) feet north of the south line of Landon Lane;

Thence in an easterly direction eight (8) feet distant from and parallel to the south line of Landon Lane a distance of one block;

(2) One (1) pole at the northwest corner of Garden and Comal Streets;

Said pole is to be 8 feet south of and 8 feet east of the intersection of the west line of Comal Street and the north line of Garden Street;

That the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

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 Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

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

That the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) 2 poles on Guadalupe Street south one block from West Second Street, center line to be 2 feet east of face of present curb on west side of Guadalupe Street.

That the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

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 residents and property owners, asking for relief from storm water on Canterbury and Lynn Streets, was read and ordered filed.

The application of Henry Wukasch to erect a drive-in gasoline filling station at 26th and Guadalupe Streets was read and laid over for one week.

The Mayor laid before the Council the following resolution:

WHEREAS, J. J. Wattinger is the contractor for alterations to be made on the Bohn Bros. store building on Lot 5, Block 56 of the Original City of the City of Austin, and desires a portion of the street abutting said premises during said construction to be used in the work and for the storage of materials therefor,

Therefore,

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

1. That space for the uses hereinabove enumerated be granted to J.J.Wattinger, the boundaries of which are described as follows:

ALLEY WORKING SPACE.

Beginning at the northeast corner of Lot 5, Block 56; thence in an easterly direction at right angles to the center line of the alley lying between Congress Avenue and Brazos Street to the east line of said alley; thence in a southerly direction along the east line of said alley a distance of forty-one (41) feet to a point; thence in a westerly direction to the southeast corner of Lot 5, Block 56; thence in a northerly direction along the east line of Lot 5, Block 56 to the point of beginning.

CONGRESS AVENUE WORKING SPACE.

Beginning at the northwest corner of Lot 5, Block 56; thence in a westerly direction and at right angles to the center line of Congress Avenue a distance of thirty (30) feet to a point; thence in a southerly direction and parallel to the center line of Congress Avenue a distance of forty-six (46) feet to a point; thence in an easterly direction to the east line of Congress Avenue; thence in a northerly direction along the east line of Congress Avenue to the point of beginning.

2. That the above privileges and allotments of space are granted to said J. J. Wattinger, hereinafter termed contractor, upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously and in good con-

dition during the use of said space hereby allotted along and inside of the south, west and north boundaries of the Congress Avenue working space a substantial walkway at least three and one-half ( $3\frac{1}{2}$ ) feet wide and four (4) feet high, to be built according to the sketch marked Exhibit "A" hereto attached and made a part of this resolution.

(2) That the Contractor shall maintain an opening in the barrier around said working space only in the north barrier of said working space, provided, that at all times when this portion of the barrier is opened there shall be not less than a 2"x4" bar placed across the opening to prevent pedestrians from coming into the building site.

(3) That the Contractor shall be allowed to construct a temporary work office and storehouse within the Congress Avenue working space.

(4) That no vehicles shall be loaded or unloaded by the Contractor while parked on Congress Avenue outside of the allotted working space.

(5) That storm waters shall be taken care of by the Contractor on both Congress Avenue and in the alley.

(6) That any public utilities disturbed during the construction shall be replaced in as good condition as same existed when the work started.

(7) That the Contractor shall maintain along the north and south barriers of the alley working space during such times that he is using this space a light barrier in the form of a rail or grill which could be easily wrecked by a fire truck in gaining access to the alley.

(8) That in the use of this space the Contractor will be required, in addition to maintenance of the light barrier herein described, to confine his operations to the west side of the alley in such a manner that no stored materials or equipment would become an obstruction in the event that a fire truck should wish to gain access to the alley.

(9) That the Contractor will be required to cooperate and assist in carrying supplies to and from Voss & Kooch Company and assist the City Trash and Garbage Department in removing trash and refuse from the rear of the Voss & Kooch building.

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of Ten Thousand (\$10,000.00) Dollars which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any persons or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City and shall guarantee the replacement of all sidewalk, pavement and all other public property and public utilities disturbed or removed during construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

(11) That the Contractor shall remove all fences, barricades, walks, materials and other obstructions in the street or alley immediately after the necessity for their existence in said street or alley has ceased, such time to be determined by the City Manager. The Contractor shall restore said street and alley to as good condition as same existed before the use of the space hereby granted the Contractor.

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



A communication from G. F. Zimmerman with reference to the opening of streets through Edgemont Addition was read and ordered filed.

Councilman Pannell moved that the Council recess, subject to call of the Mayor. 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 Council then recessed.

Approved: *J. M. McFadden*  
Mayor.

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 1, 1929.

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

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The application of Walling, Bradfield & Brush, Agents for the owners of the property at 1010 Lavaca Street, for permission to erect a drive-in tire and oil station at this location was read and laid over for one week.

The application of P. J. Anthony for permission to install a gasoline filling station and storage garage at 2403 San Antonio Street was read and laid over for one week.

A protest from Judge James R. Hamilton and wife against the erection of a gasoline filling station at the above named site was read and ordered filed.

The Mayor laid before the Council the following report of the Safety Committee upon the application of Henry Wukasch to erect a drive-in gasoline filling station at the northwest corner of Guadalupe and Twenty-sixth Streets:

"Austin, Texas, August 1, 1929.

Hon. Mayor and City Council,  
Austin, Texas.

Gentlemen:

We, your committee on the application of Henry Wukasch, asking permission to erect and operate a drive-in filling station at the northwest corner of Guadalupe and Twenty-sixth Streets, make the following report:

We first refer you to our report submitted July 25th, 1929, in which we made the recommendation that the site did not present any particular hazard. Since that time the owner has presented plans showing the layout of his proposed station and we are therefore submitting our final report, subject, however, to your tentative approval.