

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

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

The Council then recessed.

Approved: J. H. McFadden  
Mayor.

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 3, 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 Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

M. H. Crockett appeared before the Council and requested that he be granted permission to have an entrance from his "Oceanwave Joy Road" on to the Barton Springs Road, and agreed to make the fill for the widening of the street at this point at 25¢ per yard. Councilman Reed moved that the matter be referred to the Safety Committee and that Mr. Crockett submit a plan of his proposed entrance to said Committee and that if such plan is found satisfactory that the City accept Mr. Crockett's offer to make the fill at 25¢ per yard, with ample provision for shrinkage; and, further, that the matter be attended to with all possible haste. 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.

Joe Martin, representing the citizens in the vicinity, petitioned the City Council to have the I&GN Railway Company place a crossing over their tracks at Third and Paul Streets. Councilman Steck moved that the City Manager be instructed to have the Railway Company put in such crossing. 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:

"Austin, Texas, Oct. 3, 1929.

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

Dear Sir:

This is to advise that the Southwest Bitulithic Company has completed paving and other improvements on San Antonio Street from the north line of West Second Street to the south line of West Sixth Street, being Unit No. 9, according to the plans and specifications adopted for these improvements.

I therefore recommend the acceptance of these improvements.

Yours very truly,

H. R. F. Helland,  
Consulting Engineer. "

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS  
CONSTRUCTED BY SOUTHWEST BITULITHIC  
COMPANY ON A PORTION OF SAN ANTONIO STREET  
IN THE CITY OF AUSTIN, PROVIDING FOR PAY-  
MENT OF ANY BALANCE DUE BY THE CITY FOR  
ITS PORTION OF THE COSTS OF SAID IMPROVE-  
MENTS AND FOR THE DELIVERY OF CERTIFICATES  
OF ASSESSMENTS AGAINST ABUTTING PROPERTY  
AND ITS OWNERS.

WHEREAS, on the 19th day of April, 1929, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

SAN ANTONIO STREET from the north line of West Second Street to the south line of West Sixth Street, known and designated as Unit or District No. 9; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said city;

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of San Antonio Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

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 there is hereby created an account to be known as ACCOUNT NO. 40801 - CLAIMS PAID, POLICE DEPARTMENT, for the purpose of paying Jno. W. Hornsby in full for fees due him in criminal cases appealed from the City Corporation Court to the County Court; and that a warrant for the sum of \$45.00, payable to said Jno. W. Hornsby, be issued out of the General Fund for said above purpose.

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

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 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 and 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 City Manager be and he is hereby authorized and directed to purchase from F. W. Hill for a cash consideration of Five Thousand (\$5000.00) Dollars, and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following described land, to wit: Lots Numbers Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16), in Block Number Four (4), in the Subdivision of Outlot Numbers Twenty-six (26), Twenty-seven (27) and Twenty-eight (28), in Division "D", in the City of Austin, Travis County, Texas, according to the map or plat of said Subdivision, of record in Plat Book No. 1, page 94, Travis County, Texas.

BE IT FURTHER RESOLVED:

That the sum of Five Thousand (\$5000.00) Dollars be and the same is hereby appropriated out of the Parks & Playgrounds Bond Fund, for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to F.W.Hill, and to be delivered to said party, after approval of title to said land by the City Attorney and delivery by said party of his general warranty deed to said land.

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 City Manager be and he is hereby authorized and directed to purchase from V. E. Taylor, for a cash consideration of Two Thousand One Hundred and Thirty-seven & 98/100 (\$2137.98) Dollars, and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof,

if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following described land, to-wit: A portion of Outlot No. 10, in Division "D" in the City of Austin, Travis County, Texas, and more particularly described as follows:

Beginning at an iron stake in the bed of Waller Creek, at the mouth of a ditch, from which the intersection of the South line of 26<sup>th</sup> Street with the West line of Duval Street is 70.0 feet in a southerly direction; thence with the West line of Duval Street in a northerly direction 139.0 feet to an iron stake; thence at a ninety degree angle with the West line of Duval Street, in a Westerly direction 20.0 feet to an iron stake; thence in a northwesterly direction with the East line of proposed boulevard, 114.6 feet to an iron stake in East line of alley; thence with East line of alley, in a southerly direction, 206.6 feet to an iron stake on North bank of Waller Creek; thence along North bank of Waller Creek, in a southeasterly direction, 72.3 feet to the point of beginning, containing 10,259 square feet of area.

BE IT FURTHER RESOLVED;

THAT the sum of Two Thousand One Hundred and Thirty-seven & 98/100 (\$2137.98) Dollars be and the same is hereby appropriated out of the Parks & Playgrounds Bond Fund, for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to V. E. Taylor, and to be delivered to said party, after approval of title to said land by the City Attorney, and delivery by said party of his general warranty deed to said land.

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, M. L. Pearson is the contractor for wrecking the Cactus Tea Room building for the construction of a reinforced concrete and brick building in its place to be located on Block 34, Outlot 35, Division "D" of the City of Austin, and desires a portion of the street and alley 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 M. L. Pearson, the boundaries of which are described as follows:

Alley Working Space.

Beginning at the southwest corner of said Lot 34; thence in a westerly direction a distance of 8 feet to a point; thence in a northerly direction and parallel to the west line of Lot 34 a distance of 50 feet to a point; thence in an easterly direction to the northwest corner of Lot 34; thence in a southerly direction along the west line of Lot 34 to the point of beginning.

Guadalupe Street Working Space.

Beginning at the northeast corner of Lot 34; thence in an easterly direction a distance of 26 feet to a point; thence in a southerly direction and parallel to the center line of Guadalupe Street, a distance of 50 feet to a point; thence in a westerly direction to the southeast corner of Lot 34; thence in a northerly direction along the east line of Lot 34 to the point of beginning.

2. That the above privileges and allotments of space are granted to said M.L. Pearson, hereinafter termed Contractor, on the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously and in good condition during the use of said space hereby allotted at and along the south, west and north boundaries of the alley working space a substantial guard rail at least 4 feet in height, and during all periods of darkness shall have red lanterns placed on the outermost parts of the guard rail.

(2) That the Contractor shall be allowed to maintain an opening in either the north or south boundaries of the alley working space, provided that while either of the two openings is in use the other shall be closed with a substantial guard rail.

(3) That the Contractor shall be permitted to use the Guadalupe Street working space within the limits above described, provided all of the alley space and private property available for use in connection with the work has been exhausted, said use of space to comply with the following conditions:

(4) That the Contractor shall construct along and inside of the north and east boundaries of the Guadalupe Street working space a substantial walkway at least  $3\frac{1}{2}$  feet wide and four feet high to be built according to the sketch marked "Exhibit A" hereto attached and made a part of this resolution.

(5) That the Contractor shall be permitted to maintain an opening in the south boundary of the Guadalupe Street working space for the ingress and egress of trucks and materials, provided that at all times when said opening is not being used there shall be placed a bar not less than 2"x4" across the opening.

(6) That during all periods of darkness the Contractor shall place red lanterns in the outermost parts of the walkway.

(7) That no vehicle shall be loaded or unloaded by the Contractor while parked on Guadalupe Street outside of the allotted working space.

(8) That storm waters shall be taken care of by the Contractor on both Guadalupe Street and in the alley.

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

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Five Hundred Dollars (\$2500.00) shall protect, indemnify and hold harmless the City of Austin of any claims for damages to any persons or property that may accrue to or be brought by any persons 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 utilities and public property disturbed or removed during construction work and shall further guarantee the construction of the 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.

(12) That the Contractor shall restore 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.

The Mayor laid before the Council the following resolution:

WHEREAS, A. W. Johns is the contractor for a building to be altered and repaired for Annie Bunton located on Lots 11 and 12, Block 111 of the Original 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 A. W. Johns, the boundaries of which are described as follows:

Beginning at the southeast corner of Lot 12, Block 111; thence in a southerly direction a distance of 25 feet to a point; thence in a westerly direction and parallel to the center line of East Ninth Street a distance of 100 feet to a point; thence in a northerly direction to the south line of Lot 12, Block 111; thence in an easterly direction along the south line of Lot 12, Block 111 to the point of beginning.

2. That the above privileges and allotments of space are granted to said A. W. Johns, hereinafter termed Contractor, upon the following express terms and conditions.

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the east, south and west boundaries of said working space a substantial guard rail at least four feet in height, such rail to have placed upon the outer edge and at each corner a red lantern during all periods of darkness.

(2) That the Contractor shall be permitted to maintain an opening in either the east or west boundary of said working space, provided that while either of the two boundaries is in use as an opening the other shall be closed with a substantial fence, and further provided that over the boundary being used as an opening for the ingress and egress of trucks and materials a 2" x 4" bar shall be placed when the opening is not in use.

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

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

(5) That storm waters shall be taken care of by the Contractor during the progress of the work.

(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 keep the present sidewalk on the north side of East Ninth Street clear of rubbish and materials at all times in order that pedestrians may use the sidewalk without danger to them.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of ONE THOUSAND (\$1,000.00) DOLLARS, which shall protect, indemnify and hold harmless the City of Austin of any claims for damages to any persons or property that may accrue to or be brought by any persons 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 the walkway and other safeguards during the occupancy of the space.

(9) That the Contractor shall remove all fences, barricades, walks, materials and other obstructions in the street immediately after the necessity for their existence in said street has ceased, such time to be determined by the City Manager.

(10) That the Contractor shall restore street to as good condition as same existed before the use of the space hereby granted to Contractor.

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The Mayor laid before the Council the following resolution:

WHEREAS, W. A. Fiegel is the contractor for repairs to be made on the awning of the building occupied by Snaman's Company, located on Lot 3, Block 70, of the Original City of Austin and desires a portion of the sidewalk abutting said premises during said construction to be used in the work and for the storage of

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The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.



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 W. A. Fiegel, the boundaries of which are described as follows:

Beginning at the northeast corner of Lot 3, Block 70; thence in an easterly direction a distance of 12 feet to a point; thence in a southerly direction and parallel to the center line of Congress Avenue a distance of 23 feet to a point; thence in a westerly direction to the east line of Lot 3, Block 70; thence in a northerly direction along the east line of Lot 3, Block 70 to the point of beginning.

2. That the above privileges and allotments of space are granted to said W. A. Fiegel, hereinafter termed Contractor, upon the following express terms and conditions:

(1) That the Contractor shall keep one-half the sidewalk clear of materials, scaffolds and debris in such a manner that pedestrians may continue to use the sidewalk without danger from obstructions on the sidewalk or of falling materials from above.

(2) That the Contractor shall furnish the City of Austin a surety bond in the sum of ONE THOUSAND (\$1,000.00) DOLLARS, which shall protect, indemnify and hold harmless the City of Austin of any claims for damages to any persons or property that may accrue to or be brought by any persons 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 the walkway and other safeguards during the occupancy of the space.

(3) That the Contractor shall remove all materials, debris and other obstructions on the sidewalk immediately after the necessity for their existence on the sidewalk has ceased, such time to be determined by the City Manager.

(4) That the Contractor shall restore the sidewalk 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.

Councilman Reed was excused from the Council Chamber.

A petition signed by the residents in the vicinity, asking that the bus of the Austin Street Railway Company be re-routed off of Avenue "H" from Fortieth to Forty-third Streets, was read, and the matter taken under advisement.

A communication from O. C. Williamson, for the Executive Committee of the Home Missions of the Presbyterian Church, with reference to having the alley in the block between Fourth and Fifth Streets and San Antonio and Nueces Streets officially vacated, was read and the matter referred to the City Manager for investigation and report.

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 Nine Hundred Twenty Dollars and Seventy-six Cents (\$920.76) be and the same is hereby appropriated out of the Parks & Playgrounds Bond Fund for the purpose of paying for the moving of five houses from off the property purchased by the City of Austin from the Austin Theological

Seminary to a point at Twenty-sixth and Wooldridge Streets, the placing of same on foundations and making connections with water and sanitary sewer mains, in accordance with agreement made by W. T. Caswell, Chairman of the Park Board, with the owners at the time of purchase, as follows:

B. O. Ludwig - moving houses - - - - -	\$ 500.00
Water and Electric Charges - - - - -	175.07
Sanitary Sewer - - - - -	161.32
Incidentals (inc. Gas Co. ) - - - - -	<u>84.37</u>

Total - \$ 920.76

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

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 \$4864.96 be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purpose of paying for street work adjacent to the City Hospital, one block each on Sabine Street, East Avenue, Fourteenth Street, and Fifteenth Street, as follows:

530 cu. yds. cut and fill, at \$0.60 - - - - -	\$ 498.00
1800 " " hauled fill at \$0.85 - - - - -	1530.00
1675 lin. ft. curb at \$0.50 - - - - -	837.50
1675 lin. ft. 18" gutter at \$0.30 - - - - -	502.50
6731 sq. ft. sidewalk at \$0.16 - - - - -	1076.96
4 storm sewer inlets at \$35.00 - - - - -	140.00
140 ft. storm sewer extension \$2.00 - - - - -	<u>280.00</u>

Total - \$4864.96

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

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 \$4237.68 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of paying for improvements at the City Hospital Grounds, as follows:

1500 cu. yds. cut and fill at \$0.60 - - - - -	\$ 900.00
800 cu. yds. hauled fill at \$0.85 - - - - -	680.00
1264 lin. ft. curb at \$0.50 - - - - -	632.00
1264 ft. 18 in. gutter at \$0.30 - - - - -	379.20
1728 sq. ft. sidewalk at \$0.16 - - - - -	276.48
4 storm sewer inlets at \$35.00 - - - - -	140.00
420 cu. yds. gravel base at \$1.80 - - - - -	756.00
1580 sq. yds. asphalt surface at \$0.30 - - - - -	<u>474.00</u>

Total - \$4237.68

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following report of the Safety Committee upon the application of Tom E. Short to erect a gasoline filling station at No. 1301 South Congress Avenue:

"Austin, Texas, September 19, 1929.

Hon. Mayor and City Council,  
Austin, Texas.

Gentlemen:

We, your committee, on the application of Tom E. Short to construct and operate a gasoline filling station and garage at 1301 South Congress Avenue, make the following report.

We, your committee, recommend that 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 way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence, except his own residence.

(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 all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(9) That the grades of the station shall be such that no waste oils or water or any floor washing water shall ever pass over the City sidewalk area and that all of said waste oils and water shall be concentrated into a combined grease and sand trap and shall be conducted from said sand trap to the nearest City storm sewer at the expense of the applicant.

(10) That a plan of the filling station hereto attached, marked 2-H-34, shall be followed 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 waters and oils.

(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-H-34.

(12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(13) That before using said station, the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

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

Geo. F. Krueger, Fire Marshal;

Orin E. Metcalfe, City Engineer

Tom Neal, Traffic Police Captain;

L. A. Palmer, Plumbing Inspector.

Approved:

Adam R. Johnson,  
City Manager.

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

That permission shall be granted, subject to the foregoing 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 Tom E. Short has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the application of the Consumers Home Ice Company for commercial driveways across the sidewalk in front of their place of business; also the following report of the Safety Committee upon same:

"Austin, Texas, September 26, 1929.

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

Dear Sir:

We, the members of the Safety Committee, have considered the request of the Consumers Home Ice Company as presented by A. M. Fitzpatrick, Secretary-Manager, for a permit to have commercial driveways across the City sidewalk on the east side of Guadalupe Street between Third and Fourth Streets, and also to have a special shaped sidewalk ramp for a portion of their property on Guadalupe Street between Third and Fourth Streets.

We, your Committee, have made investigations and have found that the driveway request is standard. The special ramp requested calls for the use of five feet of what is considered the regular sidewalk area and is not standard. The ramp, as proposed, will be separated from the sidewalk area to be used by vertical obstruction of not less than six inches in height. Inasmuch as this proposed improvement is in a strictly industrial district where the entire sidewalk area is in some places occupied by raised platforms, we recommend that the permit to construct a special ramp and driveways be granted, subject to same being done strictly in accordance with the attached plan No. 2-H-36, and that all grades and lines shall be secured from the City Engineer before the commencement of any construction and that grades shall be so arranged that no commercial waste water will flow across the City sidewalk area and that all waste water shall be concentrated into a sump on the property of the applicant and carried from said sump to the nearest City storm sewer at the expense of the applicant.

CITY SAFETY COMMITTEE

By J. E. Woody, Fire Chief;  
Geo. F. Krueger, Fire  
Marshal;  
Orin E. Metcalfe, City  
Engineer;  
Tom Neal, Traffic Police  
Captain;

L. A. Palmer, City Plumbing  
Inspector.

Approved:  
Adam R. Johnson,  
City Manager.

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

THAT permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in service 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 Consumers-Home Ice Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Councilman Mueller moved that the firm of T. B. Trotter & Company be employed to audit the books of the City for the year 1929. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The application of Paul O. Simms Company for permit to erect "Community Center" at Nineteenth and Lavaca Streets was read and Mayor McFadden moved that same be referred to the Safety Committee for their approval. 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.

A. J. Zilker requested permission to build a spur track to the property owned by the Capital Ice Company. The matter was referred to the City Attorney for proper ordinance granting such permission.

The Mayor laid before the Council the following resolution:

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

That the City Manager be and he is hereby authorized and directed to purchase from Julius F. Johnson and wife, Mary E. Johnson, for a cash consideration of Two Thousand Six Hundred and Sixty-three & 06/100 (\$2663.06) Dollars, and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following described land, to-wit:

**FIRST TRACT:** A part of Outlot No. 71, in Division "O" in the City of Austin, Travis County, Texas, more particularly described, as follows: Beginning at a point on the east line of East Avenue at its intersection with the south line of Flores Street; thence S. 66°53' E. 325.68 feet for a corner; thence S. 22°53' W. 315 feet for a corner; thence S. 66°53' E. 300 feet for a corner; thence S. 22°53' W. 100 feet for a corner; thence S. 66°53' E. 394.55 feet to a point in the west line of Waller Street for a corner; thence S. 23° W. 108.75 feet, with the west line of Waller Street, to stake on north line of State of Texas Sand Beach Reserve, for corner; thence with said line N. 63° W. 992.23 feet to a point in the East line of East Avenue for a corner; thence N. 19° E. with the east line of East Avenue 458.72 feet to the point of beginning, and containing 5.37 acres.

**SECOND TRACT:** Being part of the Outlot No. 73, in Division "E" in said City of Austin, containing 3.25 acres, more or less, and known and designated as the "J. B. Webb 3.25 acres" of four tracts conveyed by J. B. Webb and wife to W.A. Harper by deed dated June 1, 1918, and recorded in Book No. 304, Pages 29 to 31, Deed Records of Travis County, Texas, the property herein conveyed being the said "J. B. Webb 3.25 acres", reference being made to said deed and plat therein for full description of the 3.25 acres, located from East Avenue to Rainey Street and

from alley to river, and being the same property conveyed to me by deed recorded in Book No. 396, Page 489 of the Deed Records of Travis County, Texas; same being a part of the S. E. corner of the David Thomas Survey.

BE IT FURTHER RESOLVED:

That the sum of Two Thousand Six Hundred and Sixty-three and 6/100 (\$2663.06) Dollars be and the same is hereby appropriated out of the Parks & Playgrounds Bond Fund, for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to Julius F. Johnson and wife, Mary E. Johnson, and to be delivered to said parties, after approval of title to said land by the City Attorney and delivery by said parties of their general warranty deed to said land.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

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

The Council then recessed.

Approved :

  
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 10, 1929.

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

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

A written protest from citizens and property owners in the vicinity of 400 West Eighth Street, against the erection of a dry cleaning establishment at this site, was read and ordered filed.

Councilman Mueller moved that the request of P. B. Bailey to change the alley between Thirty-second and Thirty-third Streets, east of King Street, be granted and that proper resolution be drawn covering the matter and presented to the Council for adoption. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Mueller, Reed, and Steck, 4; nays, none; Mayor McFadden absent, 1.