

City Manager Johnson submitted to the Council the following communication:

"Austin, Texas, July 5, 1929.

City Council,
Austin, Texas.

Gentlemen:

I have reappointed the following Heads of Departments, which I hope will be agreeable to you:

J. Bouldin Rector - City Attorney
W. H. Bridges - Director of Finance
T. B. Marshall - City Tax Assessor and Collector
Miss Hallie McKellar - City Clerk
John S. Durham - Purchasing Agent
O. E. Metcalfe - City Engineer
R. R. F. Helland - Consulting Engineer for Bond Fund
L. A. Palmer - Sewer Engineer
E. O. Chimene - Assistant Health Officer
Mrs. E. Schulz - Superintendent City Hospital
R. D. Thorp - Chief of Police
J. E. Woody - Fire Chief
Jas. A. Garrison - Superintendent of Recreation
H. K. Humes - City Gas Inspector
E. O. Munro - Office Superintendent
W. E. Seaholm - Electrical Engineer
A. R. Davis - Water Engineer
H. L. Newton - Plant Superintendent
T. O. Green - Filtration Plant Superintendent
Miss Helen Kelleher - Secretary, City Manager.

These reappointments were made on Friday, May 3rd, but I overlooked making my report to you.

Yours truly,

Adam R. Johnson,
City Manager. "

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, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: 
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 11, 1929.

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

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

Dr. A. L. Aulick and other members of a committee from the University Baptist Church, presented a protest against the proposed erection of a gasoline filling station at 21st and Guadalupe Streets. After fully considering the matter, Mayor McFadden moved that owing to the hazard to pedestrians that would be created

thereby, permit be refused Paul O. Simms Company for the erection of a filling station at this location. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed and Steck, 4; nays, none, Councilman Mueller absent.

J. O. Powell appeared before the Council and presented a protest in writing against the nuisance created by stock pens recently located across the street from his residence. The Council assured Mr. Powell that the matter would be taken under advisement and directed the City Manager and City Attorney to ascertain what relief could be given and bring their recommendations before the Council .

A committee from the School Board presented a petition with 1365 signatures asking that Ninth Street from Neches to Trinity Streets be closed. Councilman Pannell moved that the City Attorney be directed to draw an ordinance in compliance with this request and present same to the Council. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller 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 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 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 Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

The Mayor announced that the hearing of abutting property owners and other interested parties with reference to the paving of South Congress Avenue from the north property line of Nellie Street to the north property line of Live Oak Street, and San Antonio Street from the north property line of West Second Street to the south property line of West Sixth Street, which was continued from the last regular meeting would now be opened.

No one appearing to protest, W. M. Graham was thereupon called as a witness and being duly sworn testified that he had resided in the City of Austin for several years; that he was well acquainted with the values of 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 constructed upon said Unit or District 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 Unit or District of Improvement.

No other witnesses being offered or desiring to be heard, and no interested parties or owners having requested to be heard, the hearing was then closed; and thereupon the Mayor introduced the following ordinances:

ORDINANCE CLOSING HEARING
AND LEVYING ASSESSMENTS
FOR PART OF THE COST OF
IMPROVING A PORTION OF
SOUTH CONGRESS AVENUE IN
THE CITY OF AUSTIN, TEXAS,
FIXING A CHARGE AND LIEN
AGAINST PROPERTY ABUTTING
THEREON AND AGAINST THE
OWNERS THEREOF, PROVIDING
FOR THE COLLECTION OF SUCH
ASSESSMENTS AND THE ISSUANCE
OF ASSIGNABLE CERTIFICATES
IN EVIDENCE THEREOF.

The ordinance was read the first time and Councilman Steck 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 Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

The ordinance was read the second time and Councilman Steck 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 Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

The ordinance was read the third time and Councilman Steck moved that same be finally passed. 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.

ORDINANCE CLOSING HEARING
AND LEVYING ASSESSMENTS FOR
PART OF THE COST OF IMPROVING
PORTIONS OF SAN ANTONIO STREET
AND SUNDRY OTHER STREETS IN THE
CITY OF AUSTIN, TEXAS, FIXING A
CHARGE AND LIEN AGAINST PROPERTY
ABUTTING THEREON AND AGAINST THE
OWNERS THEREOF, PROVIDING FOR THE
COLLECTION OF SUCH ASSESSMENTS
AND THE ISSUANCE OF ASSIGNABLE
CERTIFICATES IN EVIDENCE THEREOF.

The 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 Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

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The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

The Mayor laid before the Council the following resolution:

WHEREAS, the Tax Rolls of the City of Austin, Assessment No. 9936, show that a Ford coupe was assessed in the name of Mrs. H. L. Preston for the year 1928 in the amount of \$150.00; and

WHEREAS, it is shown by the affidavit of said Mrs. H. L. Preston herewith attached that this was a 1921 model and that she sold same in June, 1928, for the sum of \$75.00;

Therefore,

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

That, in view of the above facts, the assessment against said automobile for the year 1928 be reduced from \$150.00 to \$50.00, and the Assessor and Collector be authorized to change his rolls accordingly.

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

A report from Orin E. Metcalfe, City Engineer, stating that the steps to the sidewalk on the northwest corner of Seventh and Lavaca Streets were in a safe condition, which matter had been referred to him for investigation, was read and ordered filed.

The application of M. G. Parrish for permit to erect a drive-in grocery store, restaurant and confectionery at Whitis Avenue and Twenty-sixth Street was read and laid over.

The Mayor laid before the Council the following resolution:

WHEREAS, Frank R. Rundell is the Contractor for the construction of a building for Dr. W. E. McCaleb to be situated on Original Block 53, Lots 5 and 6 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 Frank R. Rundell, the boundaries of which are described as follows:

BEGINNING at the point where the west line of Lot 6, Block 53 meets the north line of West Fifth Street; thence along the north line of West Fifth Street to the west line of Lavaca Street; thence in a northerly direction along the west line of Lavaca Street a distance of 82 feet; thence in an easterly direction a distance of $14\frac{1}{2}$ feet to a point; thence in a southerly direction and parallel to the center line of Lavaca Street a distance of 68 feet; thence in a southwesterly direction and along a line making a 45° angle with the center line of Lavaca Street to a point $14\frac{1}{2}$ feet south of the north line of West Fifth Street; thence in a westerly direction and parallel to the center line of West Fifth Street to a point opposite the west line of Lot 6, Block 53; thence in a northerly direction to the point of beginning.

2. That the above privileges and allotments of space are granted to said Frank R. Rundell hereinafter termed "Contractor" upon the following express conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the east and south boundaries of said working space a substantial walkway at least $3\frac{1}{2}$ feet wide and 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 openings in the barrier around said working space only at the terminations of the barrier on the north and west ends. A section of the walkway may be moved temporarily at any time to allow for ingress or egress of large structural members that cannot be let in at the ends of the barrier.

(3) That the Contractor shall be allowed to construct any temporary work office or store house within the above described working space, provided that no wall of said work office or warehouse shall be within 22 feet of the southeast corner of Lot 6, Block 53.

(4) 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 or alley has ceased, such time to be determined by the City Manager. The Contractor shall restore said street to as good condition as same existed before use of the space hereby granted to the Contractor.

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

The Mayor laid before the Council the following resolution:

WHEREAS, Scott Yeamans is the contractor for the construction of a building for Dr. R. W. Shipp to be situated on Lots 7 and 8, Original Block 108 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 Scott Yeamans, the boundaries of which are defined as follows:

Beginning on the west line of Lavaca Street at a point 128 feet south of the south line of West 10th Street; thence in a northerly direction along the west line of Lavaca Street a distance of 128 feet to a point; thence in an easterly direction a distance of 144 feet to a point; thence in a southerly direction and parallel to the center line of Lavaca Street a distance of 128 feet to a point; thence in a westerly direction to the point of beginning.

2. That the above privilege and allotment of space is granted to Scott Yeamans hereinafter termed "Contractor" upon the following express conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the east boundary of said working space a substantial walkway at least 3½ feet wide and 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 openings in the barrier around said working space only at the terminations of the barriers on the north and south ends. A section of the walkway may be moved temporarily at any time to allow for ingress and egress of large structural members that can not be let in at the ends of the barriers.

(3) That the Contractor shall be allowed to construct any temporary work office or storehouse within the above described working space provided that no wall of said work office or storehouse shall be within 22 feet of the northeast corner of Lot 7, Block 108.

(4) 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 or alley has ceased, such time to be determined by the City Manager. The Contractor shall restore said street to as good condition as same existed before use of the space hereby granted to the Contractor.

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

The Mayor laid before the Council the following resolution:

WHEREAS, H. E. Wattinger is the contractor for the construction of a building for Ben Walker to be situated on the north part of Lots 1 and 2, Original Block 58, City of Austin, Texas, 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 H.E. Wattinger, the boundaries of which are defined as follows:

Beginning at the northwest corner of Lot 1, Block 58; thence in an easterly direction along the north line of Lots 1 and 2, a distance of 128 feet; thence in a northerly direction a distance of 5 feet to a point; thence in a westerly direction and parallel to the north line of Lots 1 and 2, a distance of 140 feet to a point; thence in a southerly direction and parallel to the center line of San Jacinto Street a distance of 60 feet to a point; thence in an easterly direction to the west line of Lot 1, Block 58; thence in a northerly direction along the west line of Lot 1, Block 58, to the point of beginning.

2. That the above privileges and allotments of space are granted to said H. E. Wattinger hereinafter termed "Contractor" upon the following express conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the north barrier of said working space a substantial guard rail at least 4 feet in height which may be removed only by wrecking.

(2) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the west boundary of said working space a substantial walkway at least $3\frac{1}{2}$ feet wide and 4 feet high to be built according to the sketch marked Exhibit "A" hereto attached and made a part of this resolution.

(3) That the Contractor shall maintain openings and a barrier around said working space only at the terminations of the west barrier on the north and south ends. A section of the walkway may be moved temporarily at any time to allow for ingress or egress of large structural members that cannot be let in at the ends of the barrier.

(4) That the Contractor shall be allowed to construct any temporary work office or store house within the above described working space, provided that no wall of said work office or warehouse shall be within 22 feet of the northwest corner of Lot 1, Block 58.

(5) 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 or alley has ceased, such time to be determined by the City Manager. The Contractor shall restore said street to as good condition as same existed before use of the space hereby granted to the Contractor.

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

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 main on Northwood Road, beginning at a point 19 feet east of the west line of Waverly Avenue and 19 feet south of the north line of Northwood Road, said point being the end of present 8 inch main on said Northwood Road;

Thence in a westerly direction 19 feet distant from and parallel to the north line of Northwood Road a distance of approximately 1050 feet, said line is to have a cover of not less than 1½ feet.

(2) A 4 inch gas main on West Twelfth and one-half Street, beginning at the end of present 4 inch main which is 10 feet south of the north line of West Twelfth and one-half Street;

Thence in a westerly direction 10 feet distant from and parallel to the north line of West Twelfth and one-half Street, a distance of approximately 164 feet.

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

The Mayor laid before the Council the following ordinance:

AN ORDINANCE ESTABLISHING THE FIRE LIMITS OF THE CITY OF AUSTIN; DIVIDING SUCH FIRE LIMITS INTO FIRE ZONES AND DESIGNATING AND NUMBERING SUCH FIRE ZONES, RESPECTIVELY; PRESCRIBING THE KIND, TYPE AND QUALITY OF BUILDINGS, STRUCTURES, AND IMPROVEMENTS TO BE ERECTED THEREIN; PROVIDING FOR THE ERECTION THEREIN OF BUILDINGS OF CERTAIN FIRE-RESISTIVE CONSTRUCTION; PROHIBITING THE REMOVAL OF CERTAIN KINDS OF BUILDINGS WITHIN OR INTO SAID FIRE ZONES; REGULATING THE REPAIRS, ALTERATIONS AND ADDITIONS OF CERTAIN KINDS OF BUILDINGS WITHIN SAID FIRE ZONES; PRESCRIBING A PENALTY FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

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:  Mayor.