

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 7, 1937.

The meeting was called to order at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, and Mayor Tom Miller, 3; absent, Councilmen C. F. Alford and Oswald G. Wolf, 2.

The reading of the Minutes was dispensed with.

A committee of University of Texas students, sponsored by the Editor of the Daily Texan and the President of the Students Association, petitioned the City Council for a more rigid inspection of all food establishments in the neighborhood of the University. The Mayor advised the Committee that the City would cooperate to the fullest extent in the matter.

C. M. Cassidy submitted a request that provision be made in the new pure food ordinance for a more rigid inspection of plumbing in all food establishments. The matter was taken under advisement.

Councilman Gillis offered the following resolution:

"Austin, Texas
October 7, 1937

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of D. B. Lane, acting by and through H. F. Kuehne, architect, for permission to construct, maintain and operate a drive-in gasoline filling station, and to construct commercial driveways in conjunction therewith, upon property located at the northwest intersection of East Avenue and East 20 $\frac{1}{2}$ Street known as Lot 1 and the south 16 feet of Lot 2 of Block 17, Christian-Fellman Addition, within the City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

A storm sewer exists on the north side of 20 $\frac{1}{2}$ Street adjacent to this filling station site. The construction of driveways as requested by the said D. B. Lane and H. F. Kuehne will necessitate moving a storm sewer inlet now existing on the north curb line of East 20 $\frac{1}{2}$ Street at the west property line of East Avenue.

We recommend that D. B. Lane, acting by and through H. F. Kuehne, architect, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, 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 is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-569.

(5) Expansion joints shall be constructed as shown upon the plan hereto

attached marked 2-M-569 and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector. "

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest intersection of East Avenue and East 20 $\frac{1}{2}$ Street, which property is owned by D. B. Lane and known as Lot 1 and the south 16 feet of Lot 2, Block 17, Christian-Fellman Addition, within the City of Austin, Travis County, Texas, and hereby authorizes the said D. B. Lane, acting by and through H. F. Kuehne, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, 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 the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said D. B. Lane has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, Anton Kutalek, acting by and through Newton Wilson, owner of property in the Raymond Addition, within the City of Austin, Travis County, Texas, which property is situated at the northwest intersection of West 6th Street and Ruiz Street, has made application to the City Council of the City of Austin for permission to construct commercial driveways across the north sidewalk area of West 6th Street and the west sidewalk of Ruiz Street, at the above described location, as shown upon the plan hereto attached marked 2-C-711, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT Anton Kutalek, acting by and through Newton Wilson, owner of property in the Raymond Addition, within the City of Austin, Travis County, Texas, is hereby permitted to construct commercial driveways across the north sidewalk area of West 6th Street and the west sidewalk of Ruiz Street, subject to the construction of concrete

ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-711, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

Councilman Gillis offered the following resolution:

"Austin, Texas
October 7, 1937

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Frank Barron for permission to construct, maintain and operate a drive-in gasoline filling station upon the west 60 feet of Lots 1, 2 and 3, Block 9, Hyde Park #1, a subdivision within the City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of Guadalupe Street and West 45th Street, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

A storm sewer exists on the north side of said West 45th Street opposite the above described property.

We recommend that Frank Barron be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, 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 is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.
- (2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinances prohibiting the disposal of commercial water or oils upon the City streets.
- (3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.
- (4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-C-192.
- (5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-192 and shall be of the pre-moulded type.
- (6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southeast corner of the intersection of Guadalupe Street and West 45th Street, which property is owned by Frank Barron, and is designated as the west 60 feet of Lots 1, 2 and 3, Block 9, Hyde Park #1, a subdivision within the City of Austin, Travis County, Texas, and hereby authorizes the said Frank Barron to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, 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 the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Frank Barron has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

Councilman Gillis offered 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 underground conduits 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 underground conduits in the following streets:

(1) An underground telephone conduit in SOUTH CONGRESS AVENUE from Monroe Street to Live Oak Street, the centerline of which underground conduit shall be 6 1/2 feet west of and parallel to the east line of said South Congress Avenue.

(2) An underground telephone conduit in WEST LIVE OAK STREET from South Congress Avenue west 100 feet, the centerline of which underground conduit shall be 8 feet south of and parallel to the north line of said West Live Oak Street.

(3) An underground telephone conduit in EAST LIVE OAK STREET from South Congress Avenue to Post Road, sometimes called San Antonio Road, the centerline of which underground conduit shall be 8 feet south of and parallel to the north line of said East Live Oak Street.

THAT the work and construction of said underground conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

Councilman Gillis offered 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 gas main in WEST 29th STREET westerly 62 feet from a point 344 feet west of the west line of Harris Boulevard, the centerline of which gas main shall be 7-1/2 feet south of and parallel to the north line of said West 29th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in BRIAR STREET from West Milton Street south 50 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Briar Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in WEST MILTON STREET across Briar Street intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West Milton Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(4) A gas main in EAST 19TH STREET from Chicon Street westerly 724 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 19th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(5) A gas main in SALINA STREET from East 19th Street south 425 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Salina Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(6) A gas main in EAST 22ND STREET easterly 83 feet from a point 185 feet east of the east line of Curtiss Avenue, the centerline of which gas main shall be 9 feet south of and parallel to the north line of said East 22nd Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(7) A gas main in LINCOLN STREET from Peoples Street south 20 feet, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Lincoln Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(8) A gas main in PEOPLES STREET from Lincoln Street easterly 45 feet, the centerline of which gas main shall be 6½ feet south of and parallel to the north line of said Peoples Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(9) A gas main in HARTFORD ROAD from Watchhill Road south 58 feet, the centerline of which gas main shall be 25 feet east of and parallel to the west line of said Hartford Road.

Said gas main described above shall have a covering of not less than 2½ feet.

(10) A gas main in GLENVIEW AVENUE northerly 60 feet from a point 300 feet north of the north line of West 30th Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Glenview Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(11) A gas main in DRAKE AVENUE from The Circle 75 feet south to connect with the dead end of an existing main, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Drake Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(12) A gas main in THE CIRCLE from Drake Avenue northerly a distance of 200 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said The Circle.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ 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 not 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.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

Councilman Gillis offered 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 gas main in WEST 22ND STREET from Guadalupe Street westerly 116 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West 22nd Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(2) A gas main in EDGECLIFF TERRACE easterly 120 feet from a point 239 feet west of the west line of Alta Vista Avenue, the centerline of which gas main shall be $7\frac{1}{2}$ feet north of and parallel to the south line of said Edgecliff Terrace.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ 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 not 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.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

The application of Dan F. Craddock for a change in the zoning of property owned by him on West Sixth Street, being Lots 1 and 2, Block 2, Graham's Addition, from Residence "B" District to Commercial "C" District, was received, and upon motion of Councilman Gillis the matter was referred to the Board of Adjustment for recommendation by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

Upon motion, duly seconded and carried, the City Manager was instructed to accept the offer of C. G. Levander for the purchase of Lot No. 6 of Shoal Creek Boulevard Lots Addition, for the sum of \$500.

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved: _____

Tom Miller
Mayor

Attest:

Harris McKeen
City Clerk