

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 23, 1936.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen G. F. Alford, Simon Gillis, and Mayor Miller, 3; absent, Councilmen C. M. Bartholomew and Oswald G. Wolf, 2.

The reading of the Minutes was dispensed with.

Mr. C. H. Richter submitted a proposal that the City have the park at Lake Austin cleaned up and put in readiness for Centennial visitors who may desire automobile camping space, offering a donation of Fifty Dollars from the Junior Chamber of Commerce for the installation of sanitary facilities there. The matter was taken under advisement.

The complaint of W. J. Daugherty that his property at 21st and Nueces Streets had been damaged by reason of change in grade when Nueces Street was paved, was referred to the City Manager and the Engineering Department.

Councilman Gillis offered the following resolution:

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

THAT the sum of \$4250.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing furniture, rugs, draperies, and all other equipment necessary for the furnishing of the Nurses' Home at Brackenridge Hospital.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew 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 ALTA VISTA AVENUE, beginning at a point 9 feet south of the south line of Woodland Avenue and 20 feet west of the east line of said Alta Vista Avenue;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 20 feet west of and parallel to the east line of said Alta Vista Avenue, for a distance of 72 feet.

Said gas main described above shall have a cover of not less than 2½ 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis submitted the following:

"Austin, Texas
April 22, 1936

The Honorable Mayor & City Council
City of Austin
Austin, Texas

Dear Sirs:

We hereby make application to the City of Austin for permission to build a service station at 1007-09 South Congress as per our plans and specifications attached. The station to be built according to all City rules and regulations.

Yours truly,

Signed) J. L. Dunn, Agent,
Magnolia Pet. Co.
Austin, Texas. "

"Austin, Texas
April 22, 1936

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Magnolia Petroleum Company, acting by and through J. L. Dunn, Agent, owner of property abutting the east side of South Congress Avenue at a location north of Academy Drive, and being a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, and being locally known as 1007-09 South Congress Avenue, for permission to construct, maintain, and operate a drive-in gasoline filling station and wash rack, and to construct curbs, ramps, sidewalks and commercial driveways in conjunction therewith upon the above described property, and we hereby advise that the following conditions exist:

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

A natural drainageway exists on the east side of the property upon which this filling station is to be constructed.

We recommend that the Magnolia Petroleum Company be granted permission to construct, maintain and operate said drive-in gasoline filling station and wash rack, and to construct curbs, ramps, sidewalks and commercial driveways 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-G-85.

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

marked 2-G-85 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,

(Signed) J. E. Motheral
City Engineer

Lewis M. Hamby
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 abutting the east side of South Congress Avenue at a location north of Academy Drive, which property is owned by the Magnolia Petroleum Company and is designated as a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, and being locally known as 1007-1009 South Congress Avenue, and hereby authorizes the said Magnolia Petroleum Company to construct, maintain and operate a drive-in gasoline filling station and wash rack, and to construct curbs, ramps, sidewalks, and commercial driveways 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 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 Magnolia Petroleum Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinance.

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

Councilman Alford offered the following:

"Austin, Texas
April 20, 1936

City Council
Austin, Texas

Gentlemen:

We hereby make application to build two concrete driveways and one concrete walk at our place of business located on the Barton Springs Road, as per sketch herein enclosed.

CASH LUMBER CO.,

By (Signed) Coy L. Dobbins. "

(RESOLUTION)

WHEREAS, the Cash Lumber Company, acting by and through Coy L. Dobbins, owner of a parcel of land abutting the south side of Barton Springs Road west of South 1st Street, and being a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, has made application to the City Council of the City of Austin for permission to construct two commercial driveways across the south sidewalk area of Barton Springs Road at the above described location, as shown upon the plan hereto attached marked 2-C-623, 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 the Cash Lumber Company, acting by and through Coy L. Dobbins, owner of a parcel

of land abutting the south side of Barton Springs Road west of South 1st Street, and being a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, is hereby permitted to construct two commercial driveways across the south sidewalk area of Barton Springs Road at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-0-623, 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford offered the following resolution:

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

THAT the sum of \$18.75 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding J. Fred Richardson for taxicab license fees paid the City of Austin as follows: September 27, 1918, \$6.25; January 30, 1919, \$12.50.

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

Mayor Miller offered the following resolution:

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

THAT the activities of the Police Department in enforcing traffic regulations and in endeavoring to make the streets of Austin safer is supported one hundred per cent by the City Council; and

BE IT FURTHER RESOLVED:

THAT the City Council wishes to particularly commend the Police Department, and especially Officers Anderson and Kullenberg, for their splendid work in arresting the driver of the hit-and-run car that killed Eddie Kendall and seriously injured his brother, Gilbert Kendall, on the night of April 21, 1936.

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

Councilman Alford offered the following resolution:

WHEREAS, the International and Great Northern Railroad Company is the owner of Lots 1 and 12, Block 29, of the Original City of Austin, Travis County, Texas, and said Lots 1 and 12, Block 29, abut the north side of West 3rd Street between the east line of Colorado Street and the west line of Congress Avenue; and

WHEREAS, the building line of the north side of West 3rd Street from Colorado Street to Congress Avenue, as established upon the ground, is approximately 16 feet north of the theoretical north line of said West 3rd Street; and

WHEREAS, the area between the theoretical north line of said West 3rd Street and the building line of said street as established upon the ground from the east line of Colorado Street to the west line of Congress Avenue is used as a part of the traveled way of said West 3rd Street; and

WHEREAS, various railroad tracks have been constructed upon the north portion of West 3rd Street and upon the said 16 feet between the building line on the north side of West 3rd Street and the theoretical property line of said West 3rd Street; and

WHEREAS, there is an area between the theoretical north line of West 3rd Street and the north edge of the existing pavement on the north side of said West 3rd Street between the east line of Colorado Street and the west line of Congress Avenue that is not paved at this time; and

WHEREAS, it is deemed advantageous by the City of Austin at this time to pave all of that portion of said West 3rd Street between the east line of Colorado Street and the west line of Congress Avenue, and from the edge of the existing pavement on the north side of West 3rd Street to the present building line of West 3rd Street; and

WHEREAS, the International and Great Northern Railroad Company has agreed to pay for the paving of all of this area provided said pavement to be constructed upon those portions of Lots 1 and 12, Block 29, that are now used as a part of West 3rd Street shall in no way interfere with the free use of their property for the purpose of installing railroad tracks in, upon, or across the two parcels of said lots to be paved; therefore

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

THAT the pavement to be laid upon the south portion of Lots 1 and 12, Block 29, of the Original City of Austin, Travis County, Texas, now being used as a part of West 3rd Street from the east line of Colorado Street to the west line of Congress Avenue, which Lots 1 and 12, Block 29, are at this time owned by the International and Great Northern Railroad Company, will in no way interfere with the free use of this property by the said Railroad Company for the purpose of constructing railroad tracks in, upon, or across said property or in no way change the present status of this property for use as railroad yard purposes.

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

The proposed budget of Dr. O. E. Chimene, Assistant City Health Officer, was referred to the City Manager for consideration.

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

Approved: Tom Miller
M a y o r .

Attest:

Hallie McTear
City Clerk