

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 17, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; absent, Councilman Mueller, 1.

The Minutes of the last regular meeting were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

Ed Rather appeared before the Council and asked that the ordinance prohibiting the sweeping of sidewalks after eight o'clock A. M. be modified or amended so as to enable the business houses in the University neighborhood to keep their premises in a cleanly condition. The matter was referred to the City Attorney to draw an amendment to the ordinance which would permit the sweeping of sidewalks after eight o'clock A. M. under certain regulations.

The Mayor laid before the Council the following resolution, which was introduced at the last regular meeting and laid over:

RESOLUTION DECLARING THE NECESSITY FOR AND PROVIDING FOR FLUSH COATING A PORTION OF SIXTEENTH STREET IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, AND APPROPRIATING MONEY TO PAY THE COST THEREOF.

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

I.

That a necessity exists that Sixteenth Street from the east line of Congress Avenue to the west line of Sabine Street in the City of Austin, Texas, be improved by flush coating the same with bitulithic double flush coating, in accordance with the specifications therefor on file with the City of Austin, Texas.

II.

That the bid of Southwest Bitulithic Company for such flush coating at and for the price of fifteen cents per square yard be and the same is accepted, and it is hereby ordered and provided that the contract for making such street improvement is hereby let to said Southwest Bitulithic Company, and the form for said contract having been submitted, together with a form of construction bond securing the performance of said contract, said forms of contract and bond are hereby approved and the City is hereby authorized and directed to execute a contract with said Southwest Bitulithic Company upon said form of contract in the name of the City of Austin, Texas, and to impress the corporate seal of said city thereon, and is authorized and directed to receive and approve a construction bond executed upon said form of bond, in the sum of \$520.00, upon presentation of said bond duly executed by said contractor and a surety company authorized to do business in the State of Texas.

It is ordered that any ordinance, resolution, rule or regulation requiring or providing for competitive bid shall be and the same is hereby waived and dispensed with and suspended for the purposes of the improvements herein ordered, and for the purpose of the contract hereby let.

III.

That the City of Austin shall and will pay in cash the entire cost of such flush coating, upon completion and acceptance thereof by the City of Austin.

IV.

That the sum of \$1050.00 is hereby appropriated out of the Street Improvement Fund of the City of Austin for the purpose of the cost of such flush coating, which amount is to be kept in a sacred fund and applied to the purpose named.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, Lots 1 and 2, Block "B", West End Addition, Plat 107, in the name of Katie M. Lockett are delinquent for the years 1922 through the year 1928; and

WHEREAS, said property was voted outside the city limits as of January 1, 1929, and it is deemed expedient to make an adjustment in order to effect the collection of said taxes; now, therefore,

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

THAT in consideration of the immediate payment of all unpaid taxes on Lots 1 and 2, Block "B", West End Addition, Plat 107, penalties, interest and court costs be remitted, and the Tax Assessor and Collector is hereby authorized to change his rolls accordingly.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

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 Twenty-five Hundred Dollars (\$2,500.00) be and the same is hereby appropriated from the unincumbered revenue of the Water and Light Department for the purpose of paying in full the account of Hawley, Freese and Nichols, Consulting Engineers, for professional services rendered in the Austin Dam Case.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

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 gas main in WEST FORTY-SECOND STREET from Marathon Boulevard to Morningside Avenue, the center line of which gas main shall be eight feet north of and parallel to the center line of said West Forty-Second Street. Said gas main described above shall have a cover of not less than 3 feet.

(2) A gas main in QUARRY ROAD from Meriden Lane to Elton Lane, the center line of which gas main shall be six feet south of and parallel to the north line of said Quarry Road. Said gas main described above shall have a cover of not less than 3 feet.

(3) A gas main in CHICON STREET from Holly Street to Riverview Street, the center line of which gas main shall be 25 feet west of and parallel to the east line of said Chicon Street. Said gas main shall have a cover of not less than 3 feet.

(4) A gas main in HASKELL STREET from Chicon Street to Chalmers Street, the center line of which gas main shall be twenty feet south of and parallel to the north line of said Haskell Street. Said gas main shall have a cover of not less than 3 feet.

(5) A gas main in EAST TENTH STREET from East Avenue to San Marcos Street, the center line of which gas main shall be three feet south of and parallel to the north line of said East Tenth Street. Said gas main shall have a cover of not less than three feet.

(6) A gas main in SAN MARCOS STREET from East Ninth Street to East Eleventh Street, the center line of which gas main shall be twenty-seven feet west of and parallel to the east line of said San Marcos Street. Said gas main shall have a cover of not less than three 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 the construction of lines named in this resolution.

AND THAT wherever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back filling 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 above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the premises abutting the east and west sides of Red River Street from the north line of East Eleventh Street to the south line of East Twelfth Street have never been numbered in accordance with the City of Austin's scheme of numbering houses; and

WHEREAS, the City Engineer has made a study of the situation and has prepared a map showing the recommended scheme of numbering said premises and said map has been considered by the City Council; therefore,

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

That the premises abutting the east and west sides of Red River Street from the north line of East Eleventh Street to the south line of East Twelfth Street be numbered in accordance with the recommended house numbers shown on the plan hereto attached marked 2-0-428, which plan is hereby made a part of this resolution.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, December 17, 1931.

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

Dear Sir:

We find that the City Council of the City of Austin heretofore approved as a filling station site the southwest corner of East Seventh Street and East Avenue and during the last few hours C. A. Peters has presented his plan for a filling station for final inspection and approval and requests that a formal permit be granted him to construct and operate a filling station on his property on the southwest corner of East Seventh Street and East Avenue. We find that the property is located upon land which has been placed within the "C" Commercial Use District by the City Council of the City of Austin.

We recommend that C. A. Peters be granted a permit to construct and operate said filling station subject to the following conditions:

(1) That all buildings constructed or remodeled and equipment shall be placed inside of the property line. Lines and grades to be obtained from the Engineering Department for entrances and driveways, building plans 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 sidewalk or adjacent streets before he starts any construction relating to the filling station.

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

(3) That the grades of the station shall be such that no waste oils or water or any floor washing 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 grease and sand trap to the nearest practical storm sewer at the expense of the applicant.

(4) That all pumps shall be located not less than 10 feet distant from any street line.

(5) That all ramps, curb returns and sidewalk area adjacent to the property shall be located in accordance with plan 2-B-233 and shall be constructed of concrete as shown by crayon colors on said plan 2-B-233, which plan is hereby made a part of this resolution.

(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.

(Sgd) G.S. Moore, Building Inspector
Orin E. Metcalfe, City Engineer."

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

THAT the City Council of the City of Austin hereby approves Lot 6, Block 63, of the Original City of Austin as a filling station site, and hereby authorizes C. A. Peters to construct and operate a filling station on his property at the southwest corner of East Seventh Street and East Avenue subject to same's being constructed according 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 of 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 C. A. Peters 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, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, according to a resolution of the City Council of the City of Austin, Dr. Goodall Wooten was granted a permit to set his curb back in front of property owned by him on Guadalupe Street north of 21st Street, as recorded in Minute Book 13, Page 140; and

WHEREAS, said Dr. Wooten now requests that he be granted the option of setting his curb back and paving same at his own expense in a regular manner in lieu of the approved set back; and

WHEREAS, the City Council has favorably considered this later request;

Now, therefore,

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

THAT permission be granted to Dr. Goodall Wooten, owner of Lots 31, 32, and 33, Outlot 22½, Division "D" of the Government Outlots adjoining the City of Austin, Travis County, Texas, to widen the paving and move the curb back in front of his property on the

west side of Guadalupe Street north of Twenty-first Street; all construction to be in accordance with the plans and specifications approved by the City Manager of the City of Austin, and said permission is given with the understanding that Dr. Goodall Wooten is to pay for all expense for and incidental to such street widening.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

Mayor McFadden moved that the request of the Austin Street Railway Company for permission to take up its track on East Sixth Street from Waller to Chicon Streets and substitute bus service for street car service be tentatively approved in order that said Company may proceed with the work of taking up its track, and that the City Attorney be directed to prepare an ordinance covering the matter and designating the route of bus service. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

H. H. Luedecke and other members of a committee from the Library Commission appeared before the Council and submitted general plans for a new library building as prepared by H. F. Kuehne, Architect, and asked that the Council offer the Library Bonds for sale as a separate unit immediately in order that the construction of said building may be started while prices and labor are cheap.

The Mayor then laid before the Council the following resolution:

WHEREAS, the Library Commission has presented to the City Council certain elevation and floor plans for the construction of a public library building, as prepared by H. F. Kuehne, Architect, and same have been examined and considered;

Therefore,

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

THAT said plans be and the same are hereby approved in principle, but subject to change in detail as may hereafter be decided; and

BE IT FURTHER RESOLVED:

That occasion is taken at this time to commend the very intelligent and active work of the Library Commission in its undertaking toward the building of a new library.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, and Steck, 4; nays, none, Councilman Mueller absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, H. F. Kuehne, who has heretofore been appointed as architect to prepare plans and specifications for the erection of a new library building, has submitted certain general plans to the City Council for its consideration, and said plans, as submitted, have been approved in principle; and

WHEREAS, under the terms of the City's contract with said architect there is now due him the sum of \$1,000.00 on his commission;

Therefore,

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

THAT the sum of \$1,000.00 be and the same is hereby appropriated out of the Water and Light Fund, which amount is to be repaid to the Water and Light Fund by the Library Bond Fund when the proceeds from the sale of the Library Bonds have been received, and that a warrant issue for said amount payable to the said H. F. Kuehne for said purpose.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

No further business coming before the Council, Councilman Steck moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Council then recessed.

Approved: J. W. McFadden
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 31, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; absent, none.

The Minutes of the special meeting of December 14th and the regular meeting of December 17th were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Noyes D. Smith appeared before the Council and asked that the McAlester Coal Company be allowed to continue their scales in the alley adjacent to their property on Colorado Street until such time as may be deemed necessary by the City to have same removed.

The following resolution was laid before the Council:

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

THAT permission is hereby given to the McAlester Coal Company to maintain scales in the alley immediately north of its place of business on Colorado Street provided that said grantee thoroughly renovate and place in first class condition said scales at the present location and construct a concrete surface on the weighing platform and bring said scales and platform to a grade flush with the grade of the alley after same has been paved and shall maintain said scales in such condition at all times during said occupancy; and provided further that this permit is temporary and may be revoked by the City Council at any time in its discretion.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the premises abutting the north and south sides of West Thirty-First Street from the east line of San Gabriel Street to the west line of King Street have never been numbered in accordance with the City of Austin's scheme of numbering houses; and