

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 27, 1955  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

## Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. JOSEPH BRADISS, Congregation Agudas Achim Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of January 13th and 20th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

MR. AMOS L. HEROLD submitted for the Council's consideration for submission to the voters in the Election of April, 1955, two proposed amendments to the City Charter of 1953--(1) Compensation of Councilmen--whereas council members devote about half of their time to council business, each member shall be paid five thousand dollars a year, and the councilman serving as mayor shall be paid an additional one thousand dollars yearly. (2) The judge of the Corporation Court shall be elected by Austin voters for a term of two years. If the Council creates additional Corporation Courts, the judges shall be elected in the same way. The council, however, may fill vacant judgeships in the corporation court.

MR. GROVER SIMPSON, State Game Warden, appeared asking for a public shooting range at the City Municipal Park--about 20 acres. He presented a petition of about 1,000 names making this request. Councilman Pearson asked about the proposal--how much expense would be involved and would the rod and gun clubs take over that expense. Mr. Simpson stated the starting point was obtaining the land; that if the City did not see fit to put a man in charge, that it allow them to put up a high fence, and that the sportmen of Austin would do it right. Councilman Long asked if there were any reason that this should not be set aside. The City Manager stated there was not any objections to setting one aside, but the City was concerned about the safety of such a range. The Mayor suggested this matter be presented to the Park and Recreation Board. MR. TOM KELLAM stated this matter had been taken up with MR. N. L. GAULT, County Commissioner; MR. SEAHOLM, MR. SHEFFIELD, MR. PROUSE, the POLICE DEPARTMENT and MR. WILLIAMS, and they had gotten as far as the question of public liability protection. Mr. Williams had approached a number of insurance people, and the matter being new and novel, he was unable to get a satisfactory answer from them. After more discussion, the Mayor appointed COUNCILMAN LONG and COUNCILMAN PEARSON, MR. TERRELL BLODGETT and MR. W. T. WILLIAMS, JR., to look into this matter with Mr. Kellam and Mr. Simpson and others, and bring back a report on this. The Committee decided to meet at 2:00 P.M. Friday in the Council room.

MR. A. W. PENN appeared asking the City not to lower the lake, if it were merely to control the weeds. He presented a petition with approximately 500 signatures requesting that Lake Austin not be drained or lowered during the calendar year 1955. The City Manager stated the lake was being lowered to control the weeds and also to check and do some work on one of the lines at the Water Plant. Mr. Penn stated the spawning season of the fish would be ruined as it was last year when the lake was lowered; and if it were just the matter of the weeds, he stated they were not present. The City Manager stated the intakes were installed last year, and this is the first time they have been inspected. Councilman White inquired if it would have to be done every year. The City Manager stated he felt the lake should be lowered annually, as it was the simplest and easiest and most economical way to control the weeds. Others were interested in the lake for boating, skiing and swimming. The Navigation Board indicated it had a recommendation coming up in which it would very definitely recommend that this be an annual proposition. He stated it should not be done at the time it would interfere with spawning; but as a matter of public safety it should be done. MR. PENN stated if it were necessary in the future to drain the lake not to do it in February, March or April. The City Manager felt that the summer would be the best time for lowering the lake, but that would affect the enjoyment of the people using the lake at that time; that they had been advised that February was a good month so far as the spawning season was concerned--or January. Mr. Penn stated if it were necessary for the good of the plant, the fishermen would not care, but did object just for the weed control. The City Manager outlined the technical reasons for making the inspection of the release valve. The Mayor, after more discussion, stated they would get the lake down and back up as quickly as possible. Councilman White asked if it would have to be lowered as much as it was last year. The City Manager did not think it would have to be.

DR. EVERETT GIVENS presented some matters which he stated had been promised last March: (1) traffic lights at East Avenue and 11th; East Avenue

and 12th Streets; (2) a request for Olive Street playground--swimming pool and wading pool; (3) additional policemen for the area on ROSEWOOD between Chicon and Comal, where there are six or seven taverns and no policemen in the area; also for the 7th Street area down to Swenson beyond the oil mills. He asked permission to hold a carnival sponsored by the ARBEBA TEMPLE NO. 1, ANCIENT ORDER OF THE MYSTIC SHRINE at the new Downs Field. The City Manager recommended that this be granted. Councilman Pearson moved that the Arbeba Temple No. 1, Ancient Order of the Mystic Shrine be granted permission to hold a carnival at the new Downs Field if it meets all requirements of the Recreation Department. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Thompson asked Dr. Givens to list some of the things that had been accomplished in East Austin, such as the large expansion of the swimming pool now in progress. Dr. Givens listed the items of improvement under the City Manager form of government--the library, Rosewood Park, Doris Miller Auditorium and others. Councilman Thompson did not want the impression left that East Austin did not have the concern of the Council, because it looked as though constant attention had been given to the needs of East Austin. Dr. Givens replied that justice and equity had been administered, and the city is to be congratulated that at no time had any one of the city managers been accused of corruption or graft; nor any member of the Council accused of any act that was unbecoming to the city. Councilman Pearson told Dr. Givens that the lights would be in shortly after the highway was finished; that it was going to be torn up right away, and they were trying to keep from losing several thousand dollars. He felt that the Traffic Department had made many traffic improvements in that section already.

Pursuant to published notice thereof the following zoning application was publicly heard:

H. J. WATSON & CAL MARSHALL By Bob Bright	51-55 San Marcos 1000-02 Lambie 1004-08 & 1100-02 Lambie	From "A" Residence 1st Height & Area To "O" Office 2nd Height & Area RECOMMENDED by the Planning Commission
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The Use change had been approved on December 16th and the Mayor asked those who wished to uphold the recommendation and grant the change from 1st Height and Area to 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced the change had been granted had been granted from 1st Height and Area to 2nd Height and Area as recommended by the Plan Commission.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE

PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 21 THROUGH 27, BLOCK 2, ELM GROVE ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. HORACE D. AINSWORTH appeared, asking for water in Lincoln Gardens. His lot was somewhat over 600' from the water main, and although there were some houses between, that could be served, there was one vacant lot. The matter was referred to the Water Department for report back to the Council at this meeting. MR. TERRELL BLODGETT made a report on this on information from the Water Department. The Mayor appointed COUNCILMEN WHITE and PEARSON to go over this matter with MR. AINSWORTH and MR. DAVIS in the Water Department and bring back a recommendation next week.

The ordinance annexing RIDGEVIEW WEST SUBDIVISION was before the Council. The City Attorney reviewed the matter of agreement between Mr. Leiper and the other parties. MR. JOHN COATS, Attorney for Mr. Leiper, had a cashier's check payable to Mr. Armstrong, but there are two others to be included, and it was necessary to get the property annexed, and the proper contracts made. Councilman Thompson asked if everyone was in perfect agreement and that it was better to get the property annexed first. Mr. Coats stated that was correct. Councilman White asked if the other two men would get their portion of the refund that was made out to Mr. Armstrong. Mr. Coats stated that was right.

Mayor McAden then brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 11.50 ACRES OF LAND, MORE OR LESS, OUT OF THE HENRY P. HILL LEAGUE, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

*Ridgeview West*

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. B. P. TRAYNOR, representing Hillard's Rent-a-car of Austin, inquired about their request for space at the Airport. (Application on file under AIRPORTS) After discussion, Councilman Long moved that HILLARD'S RENT-A-CAR be granted space at the Airport, and that the City Manager be authorized to enter into an agreement with them similar to the one that we have now with the other company, and giving particular attention to the parking situation, because we do not want to get in a jam there. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Regarding the term of the Contract, the City Manager recommended a three-year period, at this time.

Mayor McAden brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL

TERRITORY CONSISTING OF 12.9 ACRES OF LAND,  
MORE OR LESS, SAME BEING OUT OF AND A PART  
OF THAT CERTAIN TRACT OF LAND OUT OF THE  
A. B. SPEAR SURVEY, IN TRAVIS COUNTY, TEXAS,  
WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT  
TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF  
THE CITY OF AUSTIN, IN PARTICULARS STATED IN  
THE ORDINANCE.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Mayor McAden brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF  
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN  
AND THE ANNEXATION OF CERTAIN ADDITIONAL  
TERRITORY CONSISTING OF 37.46 ACRES OF LAND,  
SAME BEING OUT OF AND A PART OF THAT CERTAIN  
TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE  
GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID  
ADDITIONAL TERRITORY LIES ADJACENT TO AND AD-  
JOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF  
AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Planning Commission of the City and the City Council are desirous of developing a comprehensive master plan of the City in accordance with the provisions of the City Charter; and,

WHEREAS, it has been determined that the services of a Consultant are necessary to the proper and efficient development of the plan; and,

WHEREAS, the Commission and the Council have interviewed numerous Consultants, and have considered their qualifications and capabilities; and,

WHEREAS, the Planning Commission has recommended the employment of Harold F. Wise, Associates, for such consulting service, and the City Council has approved such recommendation; Now, Therefore,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized on behalf of the City to enter into a contract with Harold F. Wise, Associates, a copy of which contract accompanies this Resolution, and shall be identified and filed in the office of the City Clerk. (On file under MASTER PLAN)

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Pearson made the following statement regarding his vote:

"In view of the recommendation of the Planning Commission, I will vote 'aye', although I did not get to interview all of these people."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of an order of sale issued out of the District Court of Travis County, Texas, in Cause No. 10,353, styled City of Austin v. Andrew Jackson, the hereinafter described property was sold for taxes by the Sheriff of Travis County, Texas, to the City of Austin on the 3rd day of August, 1892; and,

WHEREAS, the taxes on said property which were involved in the tax suit upon which said sale was based, and all costs accrued in said suit and said sale have been fully paid unto the City of Austin; and,

WHEREAS, the successors in title of the said Andrew Jackson have requested a Quitclaim Deed from the City of Austin to remove the cloud from their title which has arisen by virtue of said suit and deed; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized and directed to execute a Quitclaim Deed in the name and on behalf of the City of Austin, quitclaiming to Andrew Jackson, his heirs, assigns and successors in title, all the right, title and interest that the City of Austin may have, in and to the following described tract or parcel of land, under such deed;

100 ft. x 169 ft. of Lot No. 4 of Outlot No. 55  
Division "B" of the City of Austin, Travis  
County, Texas.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain electric line easement, in upon and across two strips of land, each five feet in width, and being out of and a part of Block 9 of Green Acres, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, was granted to the City of Austin by instrument dated June 5, 1948, of record in Volume 914 at pages 88-89, Deed Records of Travis County, Texas; and;

WHEREAS, the hereinafter described portion of such easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of portions of such electric line easement located on the hereinafter described tracts of land, to wit:

Two (2) strips of land, each five (5) feet in width, each being out of and a part of Block 9 of Green Acres, a subdivision of a portion of the George W. Spear League and a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, and each of said strips of land five (5) feet in width being more particularly described as follows:

- (1) The east five (5) feet of Lot 29 of said Block 9 of Green Acres.
- (2) The west five (5) feet of Lot 30 of said Block 9 of Green Acres.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None



The City Manager submitted the following:

"January 25, 1955

"Subject: 24" Water Main - Oltorf and South Congress to Parker Lane  
and Woodland Avenue

"Proposals for the installation of 3510 feet of 24" Cast Iron and 3975 feet of 24" Steel Cylinder concrete Water Main were received until 10:00 A.M., January 25, 1955 and then publicly opened and read. The following proposals were received.

Karl B. Wagner Engineering Construction, Inc.

P. O. Box 4116 Austin, Texas

\$ 97,952.80 50 working days

Joe Bland Construction Company

P. O. Box 1158 Austin, Texas

98,738.95 60 working days

Austin Engineering Company

203 Riverside Drive Austin, Texas

111,394.35 70 working days

"The above proposals have been checked and analyzed and found to be correct and in accordance with the specifications.

"It is my recommendation that this contract be awarded to Karl B. Wagner Engineering Company as the lowest and best bid received.

"Albert R. Davis

Superintendent

Water and Sewer Department

"Approved:

(Sgd) WES

City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 25, 1955, for the installation of 3510 feet of 24" cast iron and 3975 feet of 24" steel cylinder concrete water main, from Oltorf and South Congress to Parker Lane and Woodland Avenue; and,

WHEREAS, the bid of Karl B. Wagner Engineering Construction, Inc. in the sum of \$97,952.80 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Karl B. Wagner Engineering Construction, Inc. in the sum of \$97,952.80 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Karl B. Wagner Engineering Construction, Inc.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long moved that the matter of the Southern Union Gas Company's request for new general service rates be referred to MR. HONAKER for study and consideration, and that a date for hearing be set at a later time. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Pearson voted for this assuming the charges would be in line as had been charged for the telephone company.

The City Manager explained the paving proposal he was recommending for consideration. Copies of the resolution were passed out to the members of the Council. Discussion on the paving of intersections was held--one intersection to be added to one block, and the cost of paving that one intersection would be prorated among the property owners, the city taking 10% of the cost. The City Manager added that any utility work would be done by the city or the other public utilities, as that would be a cost to be borne by the utilities. Councilman Thompson inquired if there was about \$80,000 that could be put into a project if this went through. The City Manager stated there was. The Council deferred action on this Resolution until the following week.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the west side of South Lamar Boulevard as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by the BarnettPie Company, and is the 112.5 x 172 unplatted portion of Lot 11, Evergreen Heights, of the City of Austin, Travis County, Texas, and hereby authorizes the said Barnett Pie Company to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant 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 Barnett Pie Company has failed and refused, and will

continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
January 27, 1955

"Mr. Walter E. Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Barnett Pie Company, through their agent, H. G. Massey, for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the west side of South Lamar Boulevard, which property is designated as the 112.5 x 172 unplatted portion of Lot 11, Evergreen Heights, in the City of Austin, Travis County, Texas, and locally known as 1516 South Lamar Boulevard.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,  
(Sgd) J. E. Eckert  
Building Inspector"

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Thompson asked about the time the Council would act on the telephone company's rate request. The Mayor stated this could be taken up sometime after next week.

Councilman Long stated that when the fire truck and Austin Transit Company bus had a collision, there were a few men who had their cars parked on the street--two of whom were janitors at the Austin Savings and Loan Assn. They have filed their claims with the City but have not gotten any assurance that they will receive anything for the damage to their cars which were demolished. The City Attorney stated they were advised to file their claims just as a matter of record, but they were assured that his office would recommend that the claims be denied. Councilman Long thought there would be some moral obligation. The men could not get any help from anyone; they could not get a report from the Police Department. Councilman White saw the accident right after it happened, and it looked to him as though the Bus Company was the cause of the accident. As to the City's filing a claim with the Transit Company, The City Manager stated the full cost of damage to the truck had not be ascertained, and the analyses are not completed yet. The City Attorney stated the claim could be filed within two years. Councilman Pearson stated that all had a personal desire to do what was right toward these people involved, but there were other cases pending; and when one is paid, all the others would have to be paid. Councilman Thompson asked if it were the practice of cities that the municipality had no responsibility for damage done by police cars. The City Attorney explained this, and stated that any attempt to pay would be purely a donation of public funds without jurisdiction; that proposed legislation had been offered in nearly every session, and so far the Legislature had not seen fit to change the law because the costs to the taxpayers would be unbearable. The City Manager stated the City would be liable in a proprietary function, but not in a police or fire function.

Councilman Long inquired if there were any plans to straighten out the curves on Manchaca Road. The Director of Public Works stated that right-of-way was being obtained but they were not obtaining right-of-way for straightening out the curves. Councilman Long suggested that since Fort View and Manchaca Road were extremely busy intersections, that a traffic count be made and possibly four-way stop signs be installed. Councilman Thompson suggested that this might be a matter for the Master Plan Consultant.

Councilman Long suggested a signal light at 32nd and Red River, as it was a blind corner.

Councilman Long suggested that the tree on Duval be repainted, as it needed it badly. The City Manager stated that was on schedule.

Councilman Pearson inquired about the petition to change the name of East 37th Street. Councilman Thompson suggested moving with caution on changing the names of the streets. No action was taken on this.

Councilman Pearson suggested that the City should begin to look and acquire a new garbage dump and proceed using this sanitary fill (St. Edwards College Fill) until such time as other property is acquired, and that it is possible that it may be necessary to use it until the end of this year; but

in the meantime every effort should be made to keep it as orderly as possible. The City Manager stated this was under contract with the college. Councilman Pearson moved that the city proceed immediately to acquire a new sanitary fill and that these people be notified that this fill will be abandoned by the end of the year and earlier if we can get a release from the present contract and if in case another fill is acquired, and that the City Manager be asked to give special instructions to those people to take extra good care of this fill pending consummation of this deal. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long moved that the City Manager be instructed to have all the signs and all the arrows and all the names around our places of recreation--historical signs repainted and put up for public display. The sign by the Capitol is a disgrace to the City. The sign at Elizabeth Ney is so crusty it can hardly be seen. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman White noted at the Commission for the Blind that there were at least 50 people crossing that highway everyday. He asked if some kind of signal light could be put out there, or some way of checking that traffic. The City Manager stated he would look into the matter.

There being no further business the Council adjourned at 12:40 P. M. subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk