

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 9, 1953
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

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

Councilman Johnson moved that the Minutes of April 2nd, 1953, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson moved that the Minutes of March 26, 1953, be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council recognized five visiting city officials from Germany.

MR. TOM PINCKNEY, Austin Association of Fire Fighters, appeared before the Council representing the Association, and also joining with the Police Association, and requested consideration for a pay increase, for the firemen and

policemen. He filed a chart showing comparison of base rates of the largest six cities in Texas. He asked that the base rate be \$300.00. MR. STEEN SMITH presented figures of comparison of Austin with other cities in the United States, showing Austin's starting pay to be \$220 and the average starting pay in other cities \$249. Councilman Long asked about the study of the wage subject that was being made. The City Manager reported the compilation had been completed and he would have a report in a very short time. All members of the Council stated they were in sympathy with the request and appreciated the manner in which it had been presented through the proper channels. Councilman Johnson stated he was in favor of raising everyone and would like for the people to vote on the question as to the tax or whatever method necessary to provide this money. Later on in the meeting the matter was discussed further by the Council members. Councilman Long thought the Council should have a recommendation from the City Manager on the report from the study made. Councilman White wanted all the employees included in the recommendation. The City Manager asked if the Council wanted a recommendation or if it wanted to take the request and a report on what that would amount to and then work from that. The Mayor asked the Council if it wanted to take the firemen's request and figure a similar percentage wise increase for the other employees. Councilman Long suggested taking the figures to see what it would cost and study the overall prevailing wage. Councilman MacCorkle was interested in an overall study for all employees for the same percentage as the police and firemen were asking. The Mayor stated that it should be ascertained what amount of money that the Council should grant the employees and with that, then decide what it thought was the best possible means of finding the money. He stated some employees were not subject to the job evaluation and they were likewise equally below the prevailing scale in other cities; and that they should be taken into consideration at the same time. The City Manager stated he could get a complete picture of all the personnel and report on the basis as the fire and police had requested.

MR. JOHN MCKAY, representing the Rosedale area, appeared before the Council asking for traffic control in that area. He submitted a petition with approximately 100 names asking for traffic lights at the intersection of Northland Drive and Burnet Road; Koenig Lane and Burnet Road; Romeria and Burnet Road; and one caution light in front of the Burnet Theatre. He stated there were no traffic lights or anything to slow the out-of-town traffic coming into town or to let the east-west traffic cross. He reported on the wrecks and accidents just recently occurring. MR. GEORGE BUSBY, Chief of the Inspection Division of the Public Safety Department stated it was time for something to be done, and he thought the installation of proper traffic control was the basic thing to be done now. There are three schools in the area. A business man in the area spoke on the troubles children had crossing the highway to get the school bus, and that next fall, with the new high school there would be many on bicycles, and urging that something should be done in view of the many accidents in this area. MR. CECIL TAYLOR spoke in behalf of a gentleman who had been hurt the night before, stating he might not have been in this collision had a traffic signal been in that section. Later on in the meeting MR. J.D. SWANN spoke stating he had talked with the Engineer who told him lights had been authorized for Koenig Lane and Hancock Drive; that the one at Hancock Drive would not be installed because cooperation of the owner of the property could not be obtained. He asked if the decision rested upon the property

owner or the Traffic Engineer. It was his belief that the traffic control program should cover Hancock Drive as well as Koenig Lane and the shopping centers. The City Manager stated lights were planned for Hancock Drive and Koenig Lane; Lamar and Koenig Lane, and as a substitute until the lights were received, four-way stops could be installed. Koenig Lane will be closed for a few days for paving. Councilman Long stated the four-way stop signs had worked satisfactorily in Tarrytown, and she felt these would be the best thing now. Councilman Long moved that the City Manager be instructed to put some temporary controls (waiting for traffic actuated signals) out there and to leave it up to him as to the kind. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance will be prepared next Thursday.

The Council had before it the application of MRS. BERNICE C. SMITH for a day nursery at 4710 Ramsey Avenue. There was quite a bit of opposition from the property owners. MR. F. S. KUYKENDAHL appeared representing his sister who was opposed to the day nursery at this location. Opposition was expressed by Mrs. B. B. INGRAM, 4712 Ramsey Avenue and others. Mr. Kuykendahl filed a petition protesting the granting of this permit. Councilman MacCorkle moved that the permit be denied. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. LEO L. LEWIS came before the Council with information concerning his position and what it would be when Water District No. 5 is completed. He is now on the city water system, and did not want the new district to force him into it, as it would mean higher taxes and higher rates. He stated this applied to quite a few people in his area. He explained on a map, which was only a tentative plan of the Water Board.

Councilman Long inquired about the granting of permits to people to drill wells and wondered if the American Statesman had obtained a permit as yet; and if there was a possibility of industry coming in and drilling wells. The City Manager stated there were wells used for irrigation in parts of the city, but the water was not drinkable; and if industry wanted to use well water for their cooling systems, it probably would not be desirable, as it would be too warm as most of the wells were of sulphur water.

The Council set the following zoning applications for public hearing for April 30, 1953 at 11:00 A.M.:

MRS. MATTIE TAYLOR

A tract of land out of lots 9 and 10, Fortview Additionless the e.50' located on the noe corner So. 1st & Clark Streets, locally known

From "A" Residence To "B" Residence
RECOMMENDED by the Planning Commission

as 3911 South 1st Street.

E. L. STECK ESTATE

The w.58' of Lots 2 and 3, Block 1, Outlot 73, Div. D, Fruth Addition, locally known as 2905-07-09-11 Guadalupe

From "C-1" Commercial
To "C-2" Commercial
RECOMMENDED by the Planning Commission

TOM BRADFIELD

A parcel of land out of a 11.62 acre tract....beginning at a point on the west line of said tract 150' no. of the southwest corner of said tract; thence easterly and parallel to Hancock dr. 183'; thence southerly perpendicular to Hancock Dr. 150'; thence easterly along Hancock Drive 227'; thence northerly at right angles 110'; thence northwesterly 160' to a point in a line parallel to & 240' from Hancock Drive; thence westerly along said line 310' to a point in the west line of said tract, same being the east line of Memorial Park Cemetery; thence southerly along said line 90' to the pint of beginning. (2708-02 Hancock Drive.)

From "A" Residence
To "C" Commercial
RECOMMENDED by the Planning Commission.

ROY L. SCHNAUTZ

The east 72.75' of lots 11 & 12, Block 1, Outlot 1, Div. "Z", Pressler Addition locally known as 1407 W. 5th Street.

From "D" Industrial
To "C-1" Commercial
RECOMMENDED by the Planning Commission.

JOE O. PROWSE & FLOYD EDWARDS

Lots 2 & 3 (less portion now in the East 7th Street right-of-way, Blk. 11, Lincoln Place, locally known as 2315-2323 E. 7th Street.

From "B" Residence
To "C-2" Commercial
RECOMMENDED by the Planning Commission.

R. G. MUELLER

Lots 5 & 6, Blk. 7, Oakmont Addition, locally known as 1714-16 W. 35th Street.

From "A" Residence
To "C" Commercial
RECOMMENDED by the Planning Commission.

PITTS ICE COMPANY

Lots 9 & 10, Blk. 1, Riverside Add'n., Outlot 35, Div. "O", locally known as 1619-1621 E. 1st St.

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the Planning Commission.

Mr. J. E. McClain presented the two following resolutions adopted by Travis Post No. 76:

RESOLUTION

"To Paul H. Cook, Post Commander,
Travis Post No. 76, American Legion,
Austin, Texas.

"Your special Committee on resolutions of respect and appreciation presents herewith the following expression of the high regard in which our late friend, Captain Warren Wilson Blackman, of the Austin Police Department, was held and the deep regret at his untimely passing just a short time ago.

"As stated by the Preamble to the Constitution of the American Legion, one of the primary purposes for which the American Legion was formed was "To maintain law and order," and, as a consequence thereof, it was our pleasure to observe the daily activities of this fine Officer.

"He came to the Austin Police Department on January 1st, 1935, as a patrolman in the Traffic Department.

"By devoting unstintedly his talents, time and thought to his duties, he was successively appointed to positions of greater responsibility. In January 1939, he was promoted to Sergeant; in January 1942, to Lieutenant; and in March 1946 he was promoted to Captain and assigned as head of the Traffic Department.

"As citizens of our City, we saw him build an extremely efficient traffic control system for our City, which expedited the flow of traffic, avoided bottlenecks, and, at the same time, was so efficiently controlled that a very minimum of traffic accidents resulting in loss of life and property damage occurred during his administration of that office.

"During all of these years, Captain Blackman so conducted himself personally as to win the affectionate regard and respect, not only of the men of his department with whom he came in daily contact, but of the citizenry of Austin as a whole.

"Be it therefore resolved by TRAVIS POST No. 76, AMERICAN LEGION, that this expression of its appreciation and high regard for our deceased friend and fellow citizen; and our sympathy for his sorrowing family, be adopted and spread upon the minutes of this Post; and that copies thereof be transmitted to his family, and presented to the City Council of the City of Austin.

(Sgd) H. Paul Cook
Commander

"Respectfully submitted,
Signed
J. E. McClain
R. D. Thorp
V. F. Taylor
T. B. Kellum
Committee"

RESOLUTION

"To Paul H. Cook, Post Commander,
Travis Post No. 76, American Legion,
Austin, Texas.

"Your special Committee on Resolutions of respect and appreciation presents herewith the following expression of the high regard in which our late friend, Sergeant James Henry Joslin, of the Austin Police Department, was held and the deep regret at his untimely passing just a short time ago.

"As stated by the Preamble to the Constitution of the American Legion, one of the primary purposes for which the American Legion was formed was "to maintain law and order," and, as a consequence thereof, it was our pleasure to observe the daily activities of this fine Officer.

"He came to the Austin Police Department on April 20, 1942, and on January 1st, 1952, he was promoted to Sergeant.

"His assignment for duty was as School Safety Man, and he held this assignment from 1947 to the time of his passing.

"He supervised the traffic near and around our many schools, both through officers under his control and by the organization of School Safety Patrols.

"His chief claim to fame came through his work with the School Safety Patrols. He had endeared himself to the youngsters in our schools through this work, and we feel sure that his contribution to society through the building up of a respect for law and order and for safety consciousness on the part of the many school children with whom he came in daily contact, will be one that our citizenry will profit from long after his untimely passing.

"Be it therefore resolved by TRAVIS POST No. 76, AMERICAN LEGION, that this expression of its appreciation and high regard for our deceased friend and fellow citizen; and our sympathy for his sorrowing family, be adopted and spread upon the minutes of this Post; and that copies thereof be transmitted to his family, and presented to the City Council of the City of Austin.

(Sgd) H. Paul Cook
Commander

"Respectfully submitted,
Signed

J. E. McClain
R. D. Thorp
V. F. Taylor
T. B. Kellum
Committee"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, S. H. Dryden, M.D. has made application in writing for permission to operate a doctor's office and clinic for human being only on the north 1/2 of Lots 3 and 4, Block 165, of the Original City of Austin, Travis County, Texas, the same being on the west side of Sabine Street and locally known as 1302 Sabine Street, which property is located in a "B" Residence District and requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the operation and maintenance of a doctor's office and clinic for human beings only be granted to S. H. Dryden, M.D. with the following conditions:

1. That this clinic be used in the general practice of medicine, and that no mental or psychiatric patients be housed in such clinic.
2. That all regulations required in this zone and all building code provisions be complied with in the operation and maintenance of such building.

The motion, seconded by Councilman MacCorkle, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a contract with Nelson Puett on behalf of the City of Austin, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under SEWERS-Sanitary - Contract File No. 672-C)

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 12, 1939, V. G. Okie and wife, Margaret Daniel Okie, and Robert Payne and wife, Libby F. Payne, executed an instrument conveying to the City of Austin the right to construct and perpetually maintain a closed storm sewer or open storm water ditch, in, upon and across Lot 41, Okie Heights, along a centerline described in said instrument; and,

WHEREAS, said drainageway has been constructed along said centerline and no need exists for any easement rights in said Lot 41 except an area 7-1/2 feet in width on each side of said centerline, traversing said lot; and,

WHEREAS, on March 27, 1953, the City Manager of the City of Austin

executed an instrument defining the easement rights to be retained by the City and limiting the same to the area 7-1/2 feet wide on each side of said center-line, which instrument is recorded in Volume 1337 at page 516 of the Deed Records of Travis County, Texas; Now, Therefore,

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

That the instrument executed by W. E. Seaholm, City Manager, on March 27, 1953, and recorded as herein recited, defining the easement rights of the City in said Lot 41, be and the same is hereby ratified and confirmed.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain public utility and drainage easements were created and dedicated to the public in Flournoy Acres, a subdivision of a portion of the Theodore Bissell Survey in the City of Austin, Travis County, Texas, by a map or plat of said subdivision of record in Book 6, page 15, of the Plat Records of Travis County, Texas; and,

WHEREAS, those easement rights so dedicated, and hereinafter described, are not now needed and hereafter will not be required; 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 to execute a release of the easements and easement rights described as follows:

- No. 1: All easement rights in the north fifteen (15) feet of Lot 4 of said Flournoy Acres, except the right to use the north five (5) feet of the east twenty-five (25) feet of said lot for guying purposes.
- No. 2: All easement rights in the north fifteen (15) feet of Lot 8 of said Flournoy Acres.
- No. 3: All easement rights in the south five (5) feet of Lot 3 of said Flournoy Acres, except the right to use the east twenty-five (25) feet of said five (5) foot strip of said lot for guying purposes.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 21(b) OF ARTICLE IV, RELATING TO PARKING PROHIBITED AT ALL TIMES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas 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 Southern Union Gas 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 East 16th Street, from a point 65 feet east of Coletto Street easterly 59 feet, the centerline of which gas main shall be 13.5 feet north of and parallel to the south property line of said East 16th Street

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

(2) A gas main in Balcones Drive, from a point 80 feet north of the south property line of Lot 8, Colorado Foothills, Section 2 west, to the west property line of the Colorado Foothills, Section 2, the centerline of which gas main shall be 26 feet south of and parallel to the north property line of said Balcones Drive.

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

(3) A gas main in Balcones Drive, from the west property line of Colorado Foothills, Section 2 to Mt. Bonnell Drive, the centerline of which gas main shall be 13 feet south of and parallel to the north property line of said Balcones Drive.

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

(4) A gas main in Balcones Drive, from Mt. Bonnell Drive northerly 1440 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Balcones Drive.

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

(5) A gas main in Mt. Bonnell Drive, from Balcones Drive, easterly 53 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Mt. Bonnell Drive.

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

(6) A gas main in Mt. Bonnell Drive, from Balcones Drive westerly 341 feet, the centerline of which gas main shall be 18 feet south of and parallel to the north property line of said Mt. Bonnell Drive.

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

(7) A gas main in Mt. Barker Drive, from Balcones Drive westerly 98 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Mt. Barker Drive.

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

(8) A gas main in Crestway Drive, from Balcones Drive westerly 88 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Crestway Drive.

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

The Southern Union Gas 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 Southern Union Gas 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 Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas 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 franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; 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 telephone conduits in the following streets:

(1) An underground telephone conduit in Guadalupe Street, from a point 119 feet north of West 3rd Street northerly 11 feet, the centerline of which underground telephone conduit shall be 31.5 feet west of and parallel to the centerline of said Guadalupe Street.

(2) A 4' x 5' x 5.5' telephone manhole in Guadalupe Street the center of said man-hole to be 131 feet north of the north property line of West 3rd Street and 33.5 feet west of the centerline of Guadalupe Street.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone 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 motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson 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 as a filling station site the property located at the southwest corner of the intersection of Hether Street and South Lamar Boulevard which property fronts 174.13 feet on Hether Street and 112.58 feet on South Lamar Boulevard and being known as Lot 13 and a portion of Lot 14 of Staehely and Wendlandt's Resubdivision of Fredericksburg Road Acres No. 2, in the City of Austin, Travis County, Texas, and hereby authorizes the said Vincent Valdez to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all 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 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 Vincent Valdez has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"April 9, 1953

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Vincent Valdez for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial direways in conjunction therewith upon the property located at the southwest corner of the intersection of Hether Street and South Lamar Boulevard which property fronts 174.13 feet on Hether St. and 112.58 feet on South Lamar Boulevard and being known as Lot 13 and a portion of Lot 14 of Staehely and Wendlandt Resubdivision of Fredericksburg Road Acres No. 2 in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Vincent Valdez 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.

"The storm sewer and surface drainage from this filling station is to be emptied into a storm sewer inlet on the west side of South Lamar Boulevard north of the above location.

"We recommend that Vincent Valdez 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 Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and 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 accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils 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.

"(5) That all filling station improvements, pump islands, 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 Department of Public Works file number 2 - H - 1171.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1171 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Alfred B. Carlson is incorrect for the following reasons:

"According to the representation of Mr. P. S. Mangum, the developer of Forest Hills B Subdivision, the improvements referred to on the above property were only 50% completed as of January 1, 1952. The records of the Plumbing Inspector confirm this representation.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1952	Improvements on S.10' of Lot 9, all of Lot 10 & N.20' of Lot 11, O.L. 33, Div.C, Forest Hills B, Plat 245, Item 32-1, located at 3001 Cherrywood Road.	6,020	3,010

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Alfred B. Carlson, and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector had recommended the adjustment, Now Therefore,

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

That the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1952	Improvements on S.10' of Lot 9, all of Lot 10 & N.20' of Lot 11, D.L. 33, Division C, Forest Hills B, Plat 245, Item 32-1, located at 3001 Cherrywood Road.	6,020	3,010

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL"

"I certify that the tax assessment s for the property hereinafter described in the name of Sarah Kennedy Estate are incorrect for the following reasons:

According to the records of the Austin Fire Department, the improvements, referred to, burned on May 15, 1948. Consequently, assessments against improvements since that date should be removed from the tax rolls. Our appraisers have verified that there are no improvements on this property.

"I recommend that I be authorized to reduce the assessed valuations on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1949	Improvements on Lot 12, Block 1, Barton Springs Park, Plat 109, Item 27, located at 1504 Dexter Street.	40	0
1950	Ditto	40	0
1951	Ditto	40	0
1952	Ditto	50	0

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth in the name of Sarah Kennedy

Estate, and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now Therefore,

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

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1949	Improvements on Lot 12, Block 1, Barton Springs Park, Plat 109, Item 27, located at 1504 Dexter Street.	40	0
1950	Ditto	40	0
1951	Ditto	40	0
1952	Ditto	50	0

And the City Tax Assessor and Collector is authorized and directed to make such changes in the tax rolls.

The motion, seconded by Councilman Long, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described in the name of Captain John D. Conerly, Jr. are incorrect for the following reasons:

"After adjournment of the Board of Equalization, the property owner made a written protest of the proposed assessment of improvements for the year 1952. An inspection of the premises by our appraisers reveals an error in the area.

"An appeal to the Board of Equalization on the value of the property described below was not received until after the Board had adjourned, due to the fact that the owner of this property, who is in the armed services, was on maneuvers at the time he received our notice. Upon his return to this country, he came by the Tax Department and checked our appraisal records and asked that we reinspect this property as he believed the dimensions of the property as shown on our records was an error. Our inspection revealed that the measurements of the building were incorrect and that, as a result, he was overcharged 208 square feet.

"I recommend that I be authorized to reduce the assessed valuations on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1951	Improvements on Lot 88, Ridgelea, Plat 160, Item 146, located at 4002 Pete's Path.	2,750	2,400
1952	Ditto	3,090	2,700

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth in the name of Captain John D. Conerly, Jr., and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now, Therefore,

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

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1951	Improvements on Lot 88, Ridgelea, Plat 160, Item 146, located at 4002 Pete's Path	2,750	2,400
1952	Ditto	3,090	2,700

And the City Tax Assessor and Collector is authorized and directed to make such changes in the tax rolls.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Walter A. Baker is incorrect for the following reasons:

"The records of the Plumbing Inspector verify that, as of January 1, 1951, there were no improvements located on the above property.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1951	Improvements on Lot 19, Block 7, Silverton Heights, Plat 308, Item 69 located at 503 Kenniston Drive	1,410	0

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Walter A. Baker, and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now, Therefore,

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

That the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1951	Improvements on Lot 19, Block 7, Silverton Heights, Plat 308, Item 69, located at 503 Kenniston Drive	1,410	0

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman MacCorkle moved that the Mayor be instructed to contact JUDGE JACK ROBERTS to administer the oath of office to the new Council on May 15, 1953. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Council had received a letter from the City Planning Commission dated April 8th, 1953, asking that the position of Planning Engineer be filled immediately. The City Manager stated the applicant who was schedule to come this week for an interview had become ill, but he should be down soon.

The Council received a letter from the Zilker P.T.A. Park Site Committee thanking the City for securing the park area to be used by the Zilker community. The Mayor explained that this was the property which was being condemned. (The Cannizzo property)

The Mayor called a meeting of the Council for 2:30 P.M. Wednesday, April 15, 1953, to set prices for the Interregional Highway property; since the three appraisals were completed.

The City Manager stated that the paying policy to the City employees would be expedited with the I.B.M. System by paying every two weeks, changing it to paying every two weeks instead of on the 7th and 22nd. He stated it would place everybody on a per-diem basis, but they would receive the same amount of money over the year.

Councilman Long asked about the bridge crossing Rosewood just passed the Doris Miller Auditorium. When the new school is finished, the traffic will be worse and there should be a sidewalk area outside the bridge. The City Manager stated the bridge could be put in better shape before the time school started.

Councilman Long asked about the asphalt sprinkling program. The City Manager reported that now the area around the schools is being treated; then the bus routes and then other locations. Councilman Long asked for a report on how many miles are being done.

The City Manager stated that the parking area at the Coliseum had been treated with an emulsion treatment, but the wear and tear on the floor of the Coliseum had beentremendous and it would pay in the long run to cover this parking area with a double asphalt treatment, which would cost about \$6,000.

Councilman Long asked if the O Henry Home could be moved to a more accessible location, and put that same kind of treatment on that lot, and the parking lot on San Antonio Street. The City Manager stated the Park Board should have a recommendation for a site for the Home, and that it should be moved.

The Council did not consider at this meeting the amendment to the Zoning Text, pertaining to the Sixth Height and Area District.

Councilman Johnson moved that the Minutes of April 6, 1953, be approved. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Planning Commission:

ARTHUR J. SEEFEDA	2101-03 Rosewood Avenue	From "B" Residence To "C" Commercial
C. T. USELTON	6711 Burnet Road	From "A" Residence To "C-2" Commercial
PHILIP BASHARA	4411 Red River Street	From "A" Residence To "B" Residence

There being no further business, the Council adjourned subject to the call of the Mayor (12:40).

APPROVED: W. S. Drake

Mayor

ATTEST:

Clair Hossley
City Clerk