

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 16, 1949

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

## Roll call:

Present: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Absent: None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; W. W. Blackman, Police Captain.

The minutes of the previous meeting were read and approved.

In accordance with published notice thereof, promptly at 10:00 o'clock, A.M. Mayor Glass announced that the time for submitting bids for the sale by the City of the North 100.2 feet of the old Nalle Lumber Company property on East 6th Street from Red River to Sabine Streets, together with improvements thereon, had expired; and the City Council would proceed with the opening of said bids.

There were no bidders at this time.

The City Council received a report from the City Manager outlining four different plans on the disposal of garbage. (Copy of report filed in City Clerk's files under SANITATION, Garbage Disposal, dated June 15, 1949) The City Manager recommended the following:

"... (4) A fourth possible method would be to enter into a cooperative agreement with St. Edwards University whereby a plan for the manufacture of composts could be undertaken. In this way, we could divert from the present incinerator about 40 to 50 tons per day to their manufacturing process. If this is done, and we now have a tentative agreement with the authorities at St. Edwards University to do this, the present incinerator would be operated at full capacity, the disposal site on the Bee Cave Road can be abandoned, and we could operate the composts manufacturing plan by purchasing the necessary trenching and back-filling equipment for \$21,000. The annual costs to the City for this operation

would be about \$9,000 and we would offset this additional operating cost by saving approximately \$9,000 in truck hauling, which would leave the overall operating cost of the department about where it is. In addition, we will save the equivalent of about \$5,000 per year in the time of the men, including the drivers and helpers on the sanitary trucks. This will not be an actual dollar saving, but it will mean that the efficiency of handling the collection of trash and garbage would be facilitated by this additional amount of actual collection time. I do believe that the composts manufacturing plan is feasible, the necessary arrangements and methods have been tentatively agreed upon between the City and St. Edwards University, and it should be possible to start this work by the first week in July. . . . I do recommend the plan outlined under No. 4 as having certain economical advantages and as being practical and a method which we can undertake in the very near future. One further advantage is that it will make no change and add no costs to our present methods of collection, which are about as economical as circumstances will permit. In the meantime, it will be necessary that the disposal site on the Bee Cave Road be maintained in the best condition possible until the equipment and detailed arrangements can be worked out for the composts manufacturing process. . . . I recommend that the City Council authorize me to proceed with the necessary arrangements with St. Edwards University. Councilman Long moved that the recommendation of the City Manager be accepted as a trial basis and that it is understood that the disposal site of the City will not be abandoned. The motion carried by the following vote:

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

Noes: None

CONRAD FATH, BEN McDONALD, BUDDY SMITH, and MARVIN CROW, representing a group of sportsmen; JOHN PRICE, Game Fish and Oyster Commission, and others, appeared before the Council requesting a location for a fishing site for children under sixteen, asking that the City furnish a site and supervision and regulation; and that the Game, Fish and Oyster Commission would stock this pond and have instruction and bring in sportsmen for exhibitions. The group suggested using Barton Creek, and having it fenced from the river with an electrified wire to keep the fish from going into the river. MR. FRANK ROSS, Capitol Rod and Gun Club, spoke stating this Club was interested in teaching the youngsters the different methods of fishing and casting, and that the members would take the boys fishing; but he offered cooperation of his club with this group of sportsmen in their program. The Council asked for time to study the proposition and instructed the City Manager to meet with this group Monday to work out some of the details.

SAM ALLRED, BEN WHITE, FRED HERRIN, JAMES HOLT, MR. S. J. HARRISON, C. R. BROWNLEE, LAWSON BOOTH, AND MR. WILSON, came before the Council, representing the South Austin Civic Club regarding the following:

(1) The railroad crossing at Mary Street--a need for an overpass or underpass.

(2) There is a problem of getting across South 1st Street and Orltorf to Orltorf Park, as there is no crossing. A bridge was asked for to have access to the Park.

(3) To remind the Council that the people of South Austin would like to see the hutments moved as soon as the housing shortage was over, and that they not be allowed to remain permanently.

(4) The people in South Austin would like to speak for the Auditorium to be built on the Butler Tract.

(5) A sharp, dangerous curve on the Burleson Road near the City limits, that should be straightened out.

(6) On East Monroe Street, there are three churches in two blocks. One side of the street is marked off for NO-PARKING; but people park on both sides during church hours, and the street is too narrow and crowded. It was requested that NO PARKING on one side of the street be reprinted, and that this be enforced.

(7) The people of South Austin are interested in a low water bridge so that Travis Heights will have a crossing.

MR. ALLRED was asked to send in written outlines of his request. The City Manager explained some of their difficulties, and stated the bridge at Orltorf could be studied and planned, and perhaps the sharp curve on Burleson could be worked out.

MURRIEL JANUARY, 706 West Mary, representing the South Austin Community Welfare Unit, came before the Council requesting a playground in South Austin. She stated the groups, Girl Scouts, Y.W.C.A., Welfare Unit, etc. had purchased a lot at 2510 South 1st, and wanted to give it to the City to make a playground for the colored youth. She stated they had an option on four adjoining lots at \$650.00 each. The Council instructed the City Manager to refer this matter to the Recreation Department and see what could be worked out.

JIM TARR came before the Council for information regarding the filling of the Lake, as the Boy Scouts had to cancel out one week of their camp as there was no water. It was suggested if the lake was not filled that perhaps water for the swimming pool could be pumped into the pool, using Fire Department equipment.

The Council received and read a letter from the City Plan Commission dated June 13, 1949, recommending the establishment of a uniform building setback line on the East 7th Street Extension from Chicon Street to the East City Limit line.

The Council reviewed the City Juvenile Program submitted at the meeting of June 9, 1949 by Mr. A. B. ROSSON. Councilman Long moved that Mr. Rossen be thanked in behalf of the Council for his interest in the youth and for his suggestions. The motion carried by the following vote:

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

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(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 KENMORE COURT, from a point 163 feet north of Windsor Road northerly 400 feet, the centerline of which gas main shall be  $9\frac{1}{2}$  feet east of and parallel to the west property line of said KENMORE COURT.

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

(2) A gas main in WEST 35th STREET, from a point 150 feet east of Alamo Boulevard westerly to Alamo Boulevard, the centerline of which gas main shall be  $13\frac{1}{2}$  feet south of and parallel to the north property line of said WEST 35th STREET.

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

(3) A gas main in ALAMO BOULEVARD, from West 35th Street northerly 111 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said ALAMO BOULEVARD.

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

(4) A gas main in DUVAL STREET, from East 31st Street southerly 150 feet, the centerline of which gas main shall be 8 feet east of and parallel to the west property line of said DUVAL STREET.

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

(5) A gas main in EAST ANNIE STREET, from a point 111 feet east of Drake Avenue easterly 86 feet, the centerline of which gas main shall be 21 feet south of and parallel to the north property line of said East ANNIE STREET.

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

(6) A gas main in RAE DELL AVENUE, from a point 10 feet north of La Casa Drive northerly 88 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said RAE DELL AVENUE.

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

(7) A gas main in ZENNIA STREET, from a point 100 feet east of Huisache Street easterly 114 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to said ZENNIA STREET.

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

(8) A gas main in LAIRD DRIVE, from Koenig Lane northerly 171 feet, the centerline of which gas main shall be 5 feet west of and parallel to the east property line of said LAIRD DRIVE.

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

(9) A gas main in NEWMAN DRIVE, from a point 108 feet south of West 8th Street southerly 48 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said NEWMAN DRIVE.

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

(10) A gas main in WEST 7th STREET, from Newman Drive easterly 121 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said WEST 7th STREET.

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

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

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

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said

mains have been laid shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

The motion carried by the following vote:

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

Noes: None

Councilman Drake 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 construction and maintenance of a private boat dock and retaining wall on the property owned by E. A. Bauhof abutting 93 feet on the west side of Lake Austin and listed in the Travis County Deed of Trust Records in Volume 670, pages 462-466, and hereby authorizes the said E. A. Bauhof to construct, maintain and operate this private boat and retaining wall subject to same being constructed 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 construction of this private boat dock and retaining wall after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said E. A. Bauhof has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The motion carried by the following vote:

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

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS on the Tax Roll for the year 1948 the merchandise, furniture fixtures and equipment of Reedy's Service Station was assessed at a valuation of \$5,000, and

WHEREAS, the inventory submitted by G. V. Reedy in this connection justifies a reduction of said assessment for the year 1948 as follows:

Merchandise	\$510
Furniture fixtures and equipment	<u>\$710</u>
Total assessment	\$1220

THEREFORE,

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

THAT the City Tax Assessor and Collector be authorized, and he is hereby so directed, to reduce said assessment for the year 1948 on said merchandise, furniture, fixtures and equipment from \$5,000 to \$1220, as itemized above.

The motion carried by the following vote:

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

Noes: None

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Resubdivision of Block K, Highland Park West", approved by the City Plan Commission of the City of Austin on June 9, 1949, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

Which motion prevailed by the following vote:

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

Noes: None

Mayor Glass introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING  
AN ALLEY TRAVERSING BLOCK 14 OF WHITIS ESTATE  
FROM WEST 27TH STREET TO WEST 29TH STREET IN THE CITY  
OF AUSTIN; AND SUSPENDING THE RULE REQUIRING  
THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

Noes: None

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

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

Noes: None

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Glass 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 DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON: (1) EAST HALF OF LOT 2 AND ALL OF LOTS 3 AND 4, HART ADDITION, BLOCK 16, OUTLOT 26, DIVISION C; (2) LOTS 14 AND 15, BLOCK 1, OUTLOT 29, DIVISION C, UNIVERSITY PARK; AND (3) LOTS 1, 2 & 3, BLOCK G, OUTLOT 28, DIVISION C, DANCY ADDITION; AND CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 20, BLOCK 1, DUVAL SUBDIVISION, OUTLOT 1, DIVISION Z; ALL OF SAID PROPERTY BEING IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; 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 the second reading. The motion carried by the following vote:

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

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

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



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

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

The Mayor announced that the ordinance had been finally passed.

It was moved by Councilman Johnson, duly seconded, and unanimously voted, that the Council go on record as expressing its thanks to the Lower Colorado River Authority for its cooperation in lowering the water of Lake Austin for the purpose of destroying moss, weeds, and other nuisance growths in the Lake.

It was discussed that certain work would be done for public boat landings while the lake was lowered, and the Director of Public Works was instructed to investigate the possibility of cleaning around these few places that the public could use for launching their boats.

Councilman Long moved that the following applications for change in zoning be referred to the Zoning Board of Adjustment for consideration and recommendation:

SAM SILBERSTEIN, by S. M. AMSTER	1613 East Avenue	From "C" Commercial To "C-2" Commercial
ESSIE B. COLQUITT	1913 Pennsylvania	From "A" Residential To "C" Commercial

The motion carried by the following vote:

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

Councilman Johnson moved that the following applications for Taxi-cab drivers permits be granted:

THEODORE C. SMITH (Col)	1903 E. 10th Street
PERCY McKINLEY (Col)	1912 Comal
THELMAN GRAY (C61)	2009 Tillotson
HOWARD LEE COFFEE	3100 Cherrywood Road

The motion carried by the following vote:

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

Councilman Long moved that the following application for taxi-cab driver permit be granted on a 90-day probation:

RUDOLPH CAMPBELL (Col)	90-day probation	911 Lydia Street
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The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, Mayor Glass  
Noes: Councilman MacCorkle

Councilman Johnson moved that the following taxi-cab operator licenses be granted:

D. F. SAMUEL	1500 Newning License No. KM2863, Motor No. DAA-54961 1946 Chevrolet Sedan
D. F. SAMUEL	1500 Newning 1947 Chevrolet Sedan, License No. KM-2859 Motor No. EAA-1451
D. F. SAMUEL	1500 Newning 1946 Chevrolet Sedan License No. KM2865 - Motor DAA 76745
D. F. SAMUEL	1500 Newning 1949 Oldsmobile Sedan - License KK 9194 Motor No. 8A-22435
WALTER OWENS	1311 W. 6th 1948 Chevrolet 4-door, Motor FAC101718 License No. FL5078
PLEAMAN SMITH NEAL	2410 Jarratt 1947 Chevrolet Sedan 4-door EAA 1937 FM 8594
THELMA GRAY (Col)	2009 Tillotson 1942 Ford Sedan - Motor No. 18-6907326 License KM 2620
ALLEN LEE JACKSON	507 West 38th Chevrolet 1947 Fleetmaster 4-door sedan Motor No. EAA-32642, License KK 5804
ALLEN LEE JACKSON	Chev. 1946 Fleetmaster, 4-Door Sedan Motor No. DAA 96613 License KK 5805
ELONZO CLARK (COL) 90-day Probation)	916 E. 11th 1946 Mercury 4-door sedan, Motor 843425 1949 License KM 2148

The motion carried by the following vote:

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

Noes: None

Councilman Drake moved that the following Beer and Wine permit be granted:

CHARLES CARAWAY, MOSS ROSE

714 Bradford Alley

The motion carried by the following vote:

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

Noes: None

Councilman Drake moved that the following Beer Retailers on Premise License be granted:

MENORA JAMES

JAMES DRIVE INN  
3100 Guadalupe

The motion carried by the following vote:

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

Noes: None

The following applications for Taxi-driver permits were not recommended by the City Manager, and Councilman Long moved that the Council accept the recommendation of the City Manager, and that the permits NOT be granted.

ALFRED ARNOLD (Col)

2101 East 9th

ACIE B. CHAMBERS (Col) 18 years old

1114 1/2 B East 11th

The motion carried by the following vote:

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

Noes: None

MR. A. E. SPEIR appeared before the Council in the interest of his application for Beer and Wine permit, previously tabled by the Council. The application was not recommended by the City Manager, and Councilman Johnson moved that the Council accept the recommendation of the City Manager, and the permit NOT be granted. The motion carried by the following vote:

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

Noes: None

Councilman MacCorkle moved that the following Boat licenses, duly approved by the City Manager, be granted:

E. M. ARREDONDO, JR.

Outboard Motor

F. I. BROWN

Row Boat

FRITZ CHRISTIAN

Outboard Motor

M. S. GRIFFITH, JR.

Hydroplane

JOHN A. CONNER

Fishing

TOM WYNN

Sail

Which motion prevailed by the following vote:

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

Noes: None

There being no further business, the Council adjourned, subject to call of the Mayor.

APPROVED

Taylor B. Bess  
Mayor

ATTEST

Elaine Mossley  
Acting City Clerk