

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 5, 1949
10 A.M.

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; and R. D. Thorp, Chief of Police.

Councilman Johnson moved that the following applications for Taxicab Operator's Permits, duly approved by the City Manager, be granted:

| | | |
|-----------------|--------------------|---|
| D. F. Samuel, | 1500 Newning, | 1948 Oldsmobile, Motor No. 8A22435, License No. KK-9194 |
| D. F. Samuel, | 1500 Newning, | 1947 Chevrolet Sedan, Motor No. EAC508148, License No. FL-5014 |
| Monte W. Ewell, | 102 East 15th st., | 1948 4-door Chevrolet Sedan, Motor No. FAA62416, License No. KL-2655. |

The motion carried by the following vote:

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

Councilman MacCorkle moved that the following applications for Taxicab Driver's Permit, duly approved by the City Manager, be granted:

| | |
|---------------------|----------------------|
| Paul Ted Barnett, | 102 East 19th street |
| William J. Barnett, | 1812 South Congress |
| Byron A. Denman, | 2511 Willow |

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 beer and wine permits, duly approved by the City Manager, be granted:

| | | |
|--------------|------------|---------------------|
| The Terrace, | W. H. Low, | 2317 South Congress |
|--------------|------------|---------------------|

The Kampus Kove, Hy Frankel & E. B. Gober, 304 West 19th street
 Milicia Gardens, Domenico Milicia, 2713 East 5th street
 Rendezvous, Mickey Abraham, 2910 Guadalupe street
 Rosebud No. 2, Chesterman Goodman, 1618 Rosewood Avenue

The motion carried by the following vote:

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

Noes: None

Councilman MacCorkle moved that the following application for a Retail Dealer's "Off Premises" Beer License, duly approved by the City Manager, be granted:

Fraternal Order of Eagles, Aerie No. 2851, A. S. Hull, Pres., 302 East 1st st.

The motion carried by the following vote:

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

Noes: None

Councilman Johnson moved that the following application for a Boat License be granted:

F. K. Edelbach, 1512 Woodlawn, Cabincraft, Houseboat, Outboard Motor

The motion carried by the following vote:

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

Noes: None

The Minutes of the last Council meeting were read and Councilman MacCorkle moved that they be adopted as read. The motion carried by the following vote:

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

Noes: None

John A. Barclay, President of the Austin Junior Chamber of Commerce, presented the following resolution:

(RESOLUTION)

WHEREAS, the sewage, water and electrical plants of the City of Austin will be inadequate to meet the future needs of Austin; and

WHEREAS, the Austin Junior Chamber of Commerce, being vitally interested in the welfare of Austin; and

WHEREAS, unsanitary and inadequate utility conditions do now exist; and

WHEREAS, this issue is of vital concern to all the people of Austin and is a public responsibility;

THEREFORE, we of the Austin Junior Chamber of Commerce hereby resolve to support the bond issue of \$7,150,000.00, for the betterment of the City of Austin and with all of our energies and assistance in making this issue clear to the people of Austin, will stand solidly behind the City Council in the election on May 16th, 1949.

The Mayor thanked Mr. Barclay for the interest evidenced by his organization in the coming Bond election for the vital and very important enlargement of the utilities system and expressed appreciation of their offer to help.

Albert Gould, speaking for a group of builders and property owners, requested the Council to call public hearings on the decontrol of rent controls in Austin. The Mayor advised Mr. Gould that the Council would have to await the action of the State Legislature on this question before the City could do anything about it.

The Mayor read the following resolution from the Austin Kennel Club, Inc.:

BE IT RESOLVED AS FOLLOWS:

The Austin Kennel Club, Inc., being interested in those things that afford better protection to dogs, the owners thereof, and to the public in general, and believing that the health and general welfare of the public will only be adequately protected when all dog owners assume their responsibilities of ownership;

NOW, THEREFORE, the Austin Kennel Club, Inc. recommends that the City Council of Austin pass a permanent ordinance requiring that all owners of dogs keep their dogs confined on the owner's premises or keep them on leashes.

The Council after discussing this resolution agreed to study the request, the ordinance now in force expires July 1, 1949. Chief of Police reported that more than 5,000 stray dogs have been impounded since January 1, 1949. The Chief of Police was instructed to continue this work with diligence.

The Mayor 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 ORDINANCE BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS, AND SECTIONS 23(d), 22(e), AND 22(f) OF ARTICLE IV RELATING RESPECTIVELY TO LOADING ZONE, ONE HOUR PARKING AND TWO HOUR PARKING LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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 Drake 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 then announced that the ordinance had been duly passed.

Councilman Drake suggested that the Council have separate meetings to handle zoning matters only at that time; for instance, a meeting twice a month, on Tuesday. This would eliminate the necessity of citizens interested in zoning matters having to wait for several hours on Thursday, at the regular Council meeting. The Council agreed to study this and make a decision at a later date.

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 final plat of the subdivision known as "Park View Subdivision", approved by the City Plan Commission of the City of Austin on November 18, 1948, 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.

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)

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

THAT the final plat of the subdivision known as "Violet Crown Heights Section No. II Resubdivision", approved by the City Plan Commission of the City of Austin on April 14, 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.

The motion carried by the following vote:

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

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:

THAT the City of Austin hereby waives any claim it has or may have against the owners of the building or buildings now located or to be located under law-

ful permit on Lot No. 12, Block No. 3, Gammel and Taylor Subdivision to the City of Austin, for any real or supposed encroachment on the alley abutting said lot, provided such encroachment, if any, shall not exceed one foot.

The motion carried by the following vote:

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

Noes: None

A representative of the Lulac Club appeared and again requested relief from the bad drainage condition existing in the area bounded by 6th street, Canadian, 1st street and Pleasant Valley Road. He stated that a petition had been filed sometime ago asking for this, and also for street lights in this area.

The Mayor advised that the street lights would be installed as soon as the material is available, which should not be too long, but that the drainage problem was very expensive and the City did not have sufficient money to do this work at the present time. However, such relief as is possible with the funds available will be given.

Councilman Drake 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 CLAY AVENUE, from a point 1206 feet north of Houston Street northerly 108 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said CLAY AVENUE.

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

(2) A gas main in EAST 21st STREET, from a point 89 feet west of Leona Street westerly 109 feet, the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said EAST 21st STREET.

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

(3) A gas main in CHOTE AVENUE, from a point 190 feet north of Lyons Road northerly 90 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 CHOTE AVENUE.

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

(4) A gas main in KEATING LANE, from a point 368 feet north of Windsor Road northerly 41 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 KEATING LANE.

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

(5) A gas main in WEST LIVE OAK STREET, from a point 148 feet east of South 5th Street, westerly 34 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet north of and parallel to the south property line of said WEST LIVE OAK 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 franchises 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

The City Manager presented a letter he had received from Giesecke, Kuehne and Brooks, Architects, in which they stated that the Clinic Building at the Cerebral Palsy Center was complete, with the exception of a few small items which cannot be installed until the material is received and this should be within a week or ten days. The total cost of the Clinic is \$13,185.51.

The City Manager stated he had received a letter from the Pioneer Air Lines, Inc. stating that they were going to remain in Houston permanently, therefore, there would be no need for further negotiations regarding the use of a portion of the Municipal Airport. They expressed their appreciation for the courtesies extended them by the City of Austin.

Councilman Long, seconded by Councilman Drake, moved that the week of May 8 thru 14 be proclaimed "National Hospital Week". The motion carried by the following vote:

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

The City Manager presented the following memorandum from J. E. Motheral, Director of Public Works:

"May 3, 1949

Memorandum to: Guiton Morgan, City Manager

Memorandum from: J. E. Motheral, Director of Public Works

Re: Addition to Joe Bland Sanitary Sewer Contract "N"

Sanitary sewers have been requested in Cherico Street from Gonzales Street north to Sellers Avenue; Gunter Street from Gonzales Street north to Sellers Avenue; Gunter Street from Gonzales Street south to 7th Street Highway. These sewers will range from 8 feet to 16 feet in depth.

There are at the present time 5 houses to be served in Cherico Street, 2 houses in Gunter Street south of Gonzales Street and 11 houses in Gunter Street north of Gonzales Street making a total of 18 houses. It is our understanding that plans are in progress for the construction of additional houses in Gunter Street north of Gonzales Street.

Approximately 1650 feet of sewer will be required to serve these houses. These sewers will connect to the sewer in Gonzales Street which is now under construction and I recommend that this work be added to Joe Bland's sewer contract.

This work will cost approximately \$7,650.00. "

Councilman Johnson moved that the recommendation of the City Manager and Director of Public Works to increase the Joe Bland Contract for sanitary sewer installation in the Govalle area, in the amount of \$7,650.00, be approved. The motion carried by the following vote:

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

Councilman Long stated that she had received a letter from Patton's, Inc. requesting that the Council to consider a revision of the existing Taxicab Ordinance with special reference to the maximum taxicab fare in Austin.

The City Attorney was instructed to make a study of this request and confer with the taxicab companies in Austin relative to the revision of our present Taxicab Ordinance, and then prepare a new ordinance, with such changes as may be mutually agreed upon, for consideration by the Council.

Councilman Drake moved that the following applications for change of zoning be set for public hearing on June 2, 1949, at 11 A. M.:

Mr. and Mrs. Norman G. Anderson
Theodore Ernest Thornquist

change from "A" Residence to "C" Commercial, the property located at 2901 East Avenue, and 2905 East Avenue.

Board of Adjustment RECOMMENDED this change.

Simon D. Lewis

change from "A" Residence to "C" Commercial, the property located at 88 and 90 East Avenue.

Board of Adjustment DID NOT recommend this change.

Mrs. John L. Martin

change from "B" Residence to "C" Commercial, the property located at 1601 Congress Avenue.

Board of Adjustment DID NOT recommend this change.

M. H. Crockett

change from "A" Residence to "C" Commercial, the property located at 4308 and 4312 Lamar Boulevard.

Board of Adjustment DID NOT recommend this change.

Jac L. Gubbels

change from "A" Residence to "C" Commercial, the property located at 4414 and 4416 Lamar Boulevard.

Board of Adjustment DID NOT recommend this change.

Jack H. Key

change from "A" Residence to "C" Commercial, the property located at 4418 and 4420 Lamar Boulevard.

Board of Adjustment DID NOT recommend this change.

E. C. McClure & Lem Scarbrough

change from "A" Residence to "C" Commercial, the property located at 4200 thru 4306 Lamar Boulevard.

Board of Adjustment DID NOT recommend this change.

The motion carried by the following vote:

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

Noes: None

Johnson

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

S. R. Fulmore, Agent for Mrs. C. Rivera,
A. Milicia, A. Gonzales, S. Rauber, Mrs.
R. Rios, L. H. Coker, W. B. Abadie, and
Mrs. R. Goebels,

change from "A" Residence to "C" Commercial, the property located at 1701 thru 1719 East 7th street.

Thomas Owens,

change from "A" Residence to "C" Commercial, the property located at 2411 and 2413 Cole Avenue.

The motion carried by the following vote:

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

Noes: None

Public hearings on the following applications were advertised for 11 A. M. this date.

Upon the request of Jake Silberstein, the hearing scheduled for this date for a change from "C" Commercial to "C-1" Commercial, on the south one-half of Lot 23, located at 1014-1016 East 11th street, was postponed for one week, or until May 12, 1949, at 11 A. M.

W. Murray Graham

change from "A" to "C", the property located in the 5700 and 5800 blocks of Montview and the 5700 and 5800 blocks of Burnet Road.

W. Murray Graham appeared for this change, and no one appeared to protest.

Councilman Johnson moved that the recommendation of the Board of Adjustment be sustained and the change GRANTED as requested and the City Attorney instructed to prepare an ordinance. The motion carried by the following vote:

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

MRS. E. M. Barton,

change from "A" to "C" Commercial, the property located at 1400 and 1401 Cedar Avenue.

Mrs. E. M. Barton appeared for this change. Several adjoining property owners appeared and stated that they did not object to this change but they did not want beer sold at this location. After being assured that this change did not permit such use, they were not opposed to the change. Mrs. Barton agreed to see that her tenant did not burn trash in the street as complained of by these parties, and to see that the place is kept clean and sanitary.

Councilman Long moved that the recommendation of the Board of Adjustment be sustained and the change GRANTED as requested and the City Attorney be instructed to prepare an ordinance. The motion carried by the following vote:

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

Mr and Mrs Philip Benoit, E. L.
Bauer and S. P. Kinser,

change from "C" Commercial to "C-1" Commercial, all of the property on the west side of South Congress, in the 2800 and 2900 blocks.

Mr. Emmett Shelton, attorney for the applicants, appeared and stated that his clients had contacted all property owners within 200 feet of this property and also the members of the faculty of St. Edwards College, and all were agreeable to this change. No one appeared to protest the change.

Councilman Drake moved that the recommendation of the Board of Adjustment be not sustained and the change GRANTED as requested and the City Attorney instructed to prepare an ordinance. The motion carried by the following vote:

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

W. E. Thompson,

change from "A" Residence to "C" Commercial, Lots 29 and 30, located at 807 and 809 Capitol Court Street.

Mr. Thompson appeared for the change. A number of property owners on this street, which is a short, deadend street, appeared and protested this change because this is a narrow, short, deadend street, and not suitable for a business street; further that they built their homes there and their children's lives would be endangered if this is changed to commercial.

After hearing the discussion, pro and con, the Council advised Mr. Thompson that they would withhold their decision until May 12th so that the members of the Council could make a personal investigation of this location.

The following applications are for property located on East Avenue or what is known as the Interstate Highway and the Board of Adjustment did NOT make any recommendations regarding the changes requested.

Philip Bashara by Geo. E.
Shelly, attorney,

change from "A" Residence to "C" Commercial, the property located at 3501 and 3503 East Avenue.

Mrs. Joe Gilbert,

change from "A" Residence to "C" Commercial, the property located at 4008 and 4010 East Avenue.

Ida Huber,

change from "A" Residence to "C" Commercial, the property located at 913 Clayton Lane.

Woodrow W. Knape,

change from "A" Residence to "C" Commercial, the property located at 3409 and 3411 East Avenue.

Virginia Lucy by Geo. E.
Shelly, attorney,

change from "A" Residence to "C" Commercial, the property located on the west side of the Interstate Highway, in the 7200 and 7300 blocks.

R. L. Roberts, et al.,

change from "A" Residence to "C" Commercial, the property located at 3505 thru 3511 East Avenue.

S. T. Wells,

change from "A" Residence to "C" Commercial, 127 feet in the 4600 block of East Avenue, on the west side of the street.

There were no protestants on the above requested changes, and all of the proponents were either present, or represented by their attorneys.

The Council advised these citizens that if the changes were granted they would have to be granted subject to any setback requirements that may be passed by the Council at a later date. This was agreed to, as most of the applicants said they did not intend to use their property for commercial purposes until after the new highway is built.

Councilman Long moved that the above requests for change in zoning from "A" Residence to "C" Commercial, of the above described property be GRANTED, subject to any setback requirements that may be passed by the City Council, and the City Attorney instructed to prepare an ordinance. The motion carried by the following vote:

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

City Manager read letter which he had received from the Associated Contractors, Austin Chapter, requesting information about the proposed Bond Program and the election to be held May 16, for improvements to the Water, Electric and Sewer systems.

The Mayor introduced the following ordinance:

AN ORDINANCE VACATING AND CLOSING AN ALLEY TRAVERSING BLOCK 5, FRUTH ADDITION, A SUBDIVISION OF OUTLOTS 14 AND 73, DIVISION "D", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long 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 Long 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 then announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin now maintains several utility lines over and under Block 14 of the Christian-Fellman Addition to the City of Austin, Texas, a plat of which addition is of record in Book 1, Page 73 of the Travis County, Texas, Plat Records; and

WHEREAS, there is no record title in the said City of any right or authority to maintain said utility lines thereunder except in and upon an alleyway referred to and described in a resolution dated October 18, 1930, by the City Council of the City of Austin, of record in Vol. 460, Paged 117-118 of the Travis County, Texas, Deed Records; and

WHEREAS, it would be to the best interest of the owners of the said Block 14 and to the public to clarify the status of any existing rights which the City claims in connection therewith; Now, therefore,

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

THAT the City of Austin hereby releases and relinquishes to the present owners of Block 14 of the Christian-Fellman Addition as above described, their heirs and assigns, any and all rights, titles, interests or easements in and to all or any part of said block of land, provided, however, that all existing utility lines presently maintained under or over said land shall be permitted to remain until moved by the City of Austin; and

BE IT FURTHER RESOLVED:

THAT the present owners and their heirs, or assigns, shall have the right to erect buildings over or under said utility lines at any time, provided that the City of Austin, Texas, shall be permitted to reinforce said lines or replace them prior to the erection of any such buildings at no expense to the owner and shall be given reasonable notice of the intention to erect buildings over or under said lines, and shall, so long as said lines exist under or over said property, repair and maintain said lines in a manner so as not to damage the property of the owner.

G. J. Wirtz
Proctor

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)

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

THAT the City Manager be and he is hereby authorized and directed to enter into a contract with the East Texas Airlines, Incorporated, with respect to the uses to be made by said Company of the Austin Municipal Airport and its facilities; said contract to be effective May 1, 1949, and to be in accordance with the terms and provisions of a copy of such contract attached herewith and made a part of this resolution for all purposes.
(Copy of Contract attached to Resolution).

The motion carried by the following vote:

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

Upon motion made, and duly seconded, the name of George L. Walling was submitted as a member of the City Plan Commission to fill the unexpired term of Dr. Stuart MacCorkle who resigned to accept the nomination as a member of the City Council. The motion carried by the following vote:

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

There being no further business, upon motion of Councilman MacCorkle, the meeting was recessed at 12:35 P. M., subject to call of the Mayor.

APPROVED:

Taylor E. Lane
Mayor

ATTEST:

Helen K. Busch
Acting City Clerk