

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 3, 1949  
10:40 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call:

Present: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Absent: None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

Pete Edgar, representing a group of citizens in the Deep Eddy area, appeared and asked for better streets, better drainage, and a traffic light for the intersection of Lake Austin Boulevard and Deep Eddy Avenue.

After a discussion of this matter, the Council instructed the City Manager to investigate the complaints and have the street repaired, where possible, and have the Director of Public Works make an estimate of the cost of curb and gutter and contact the property owners regarding the installation of same as this would be a solution to the drainage problem. The Traffic Department will make a study of the traffic at intersection of Lake Austin Boulevard and Deep Eddy Avenue and make their recommendations to the City Manager. The City Manager stated that the cost of a traffic light was approximately \$800.00.

Pursuant to published notice thereof, the public hearing of the application of C. V. Anderson to amend the Zoning Ordinance in the following particular:

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District:

The north one-half (1/2) of Block 27 $\frac{1}{2}$ , The Highlands, and a tract of land adjoining said block on the west and being that portion of Eilers Avenue located between East 53rd Street and the Railroad track which was vacated by ordinance on January 8, 1948, all of said property being in the City of Austin, Travis County, Texas,

was duly opened.

C. V. Anderson appeared for the change, and W. W. Patterson also appeared

for the change. No one appeared against this change.

The Board of Adjustment did NOT recommend this change.

After duly considering this request, Councilman Bartholomew moved that the recommendation of the Board of Adjustment be NOT sustained and the change be GRANTED and the City Attorney instructed to prepare an ordinance. The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Johnson moved that a public hearing be set for March 24, 1949, at 11 A. M., on the following requests for zoning changes:

Mrs. Helen Attal, 600 Park Blvd., change from "A" Residence District to "C" Commercial District, property located at 801 East Avenue, Austin, Texas.

Zoning Board of Adjustment RECOMMENDS this change.

Mr and Mrs. W. C. Lear, 1003 W. 31st., change from "A" Residence District to "C" Commercial District, property located at 3008 and 3100 Lamar Boulevard, Austin, Texas.

Zoning Board of Adjustment RECOMMENDS this change.

E. C. McClure & Lem Scarbrough, change from "A" Residence District to "C" Commercial District, property located at 5209 and 5211 Eilers Avenue, Austin, Texas.

Zoning Board of Adjustment does NOT recommend this change.

(Zoning Board of Adjustment's reports attached to each of the above applications).

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

Jac C. Gubbels, 2315 Wooldridge, change from "A" Residence District to "D" Industrial District, property located in Paul Hornberger Tract - 1 acre with no frontage on street, only access through an easement through the W. P. Webb Tract. Property is 325.5' south of St. John's Avenue.

Mr & Mrs W. C. Lear, 1003 W. 31st, change from "A" Residence District to "C" Commercial District, property located at 2803 East Avenue, Austin, Texas.

Allen H. Leistico, 33rd at Red River, change from "A" Residence District to "C" Commercial District, the property located at 3812, 3814 East Avenue; 1013, 1015 East 39th street; and 1018, 1020 East 38½ Street.

The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Johnson offered the following ordinance and moved its passage:

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 ORDINANCE 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) TRACT 150 FEET WIDE OUT OF LEMUEL SCARBROUGH TRACT, FACING ON MIDDLE FISKVILLE ROAD A DISTANCE OF 2273.25 FEET AND LYING BETWEEN NORTH LINE OF BROOKS SUBDIVISION AND ATKINSON ROAD, (2) LOTS 2, 3, 4, AND 5, BLOCK 7, SILVERTON HEIGHTS, AND (3) WEST 60 FEET OF LOT 3, BLOCK R, RIDGETOP ADDITION; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 6, 7, 8, AND 9, BLOCK 2, OUTLOT 22, DIVISION O, CYPHER ADDITION; AND CHANGING THE USE DESIGNATION FROM "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA TO "C-2" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 4, 5, 6, AND 7, ARBOLES TERRACE; 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 Johnson moved that the rule be suspended and the ordinance passed to the second reading. The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

The Mayor then announced that the ordinance had been finally passed.

Jim Boswell, representing the Chamber of Commerce Agricultural Division, appeared and requested information about the Coliseum, the name that the Council had decided upon and when it would be completed and such pertinent

questions. The Mayor stated that upon the suggestion of Councilman Johnson the name of "City Coliseum" had been decided upon. This, the Council thought, would be the proper way to designate the Coliseum and then various activities could be held there. The City will install placques in the Coliseum honoring Messers. Walter Davis and Thos. H. Royder, both of whom had worked so faithfully to better farming conditions in Travis County and who had encouraged the 4-H Boys and Girls in their work. Mr. Boswell thought this was a very good way to handle the matter, and he felt sure the Committee would too.

Following this discussion, Councilman Johnson moved that the coliseum be called "City Coliseum". The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Milwaukee Baseball Club of the American Association will train in Austin between March 11th and April 7, 1949;

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

THAT the City of Austin take this occasion to extend to them an official and friendly welcome and invite them to use the recreational and cultural facilities of the City, in the hope that their time in the City of Austin will be both pleasant and profitable.

The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Bartholomew offered the following resolution and moved the adoption of same:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the northeast corner of East 5th Street and Vernont Road as a private gasoline plant, which property is owned by Bireley's Beverages and is designated as Lot 4, Block 1, Pipkin Addition #2, in the City of Austin, Travis County, Texas, and hereby authorizes the said Bireley's Beverages, through Mr. T. M. Clarke, Manager, to operate a private gasoline plant consisting of a 550-gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Bireley's Beverages have 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 Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Glass moved that John D. Miller be appointed to serve the unexpired term of Leo Kuhn, who resigned, as a member of the Policemen and Firemen's Civil Service Commission, the term expiring September 1, 1951. The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Johnson offered the following ordinance and moved its adoption:

AN ORDINANCE ORDERING A GENERAL ELECTION  
TO BE HELD APRIL 4, 1949, FOR THE PURPOSE  
OF ELECTING FIVE COUNCILMEN OF THE CITY OF  
AUSTIN FOR A TERM OF TWO YEARS BEGINNING  
MAY 1, 1949; DESIGNATING THE POLLING PLACES  
IN THE VARIOUS WARDS; AND PROVIDING THE  
PROCLAMATION OF SAID ELECTION.

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

The Mayor then announced that the ordinance had been finally passed.

The Mayor proclaimed March 6 thru 12 as "World Government Week" for the City of Austin in cooperation with Governor Jester who proclaimed the same Week for the State of Texas.

Councilman Glass moved that the following applications for boat license be granted:

Dudley Davis, 709 West 23rd street,	Rubbert boat
John W. Bradfield, 911 West 19th street,	Imperial Sportsman boat

The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes: None

Councilman Johnson offered 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 SECTIONS 12(a) AND 12(b) OF ARTICLE III, RELATING RESPECTIVELY TO SIGNAL LIGHT AND STOP SIGN LOCATIONS, AND SECTION 22(f) OF ARTICLE IV RELATING TO 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 Johnson moved that the rule be suspended and the ordinance passed to the second reading. The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

The Mayor then announced that the ordinance had been finally passed.

Councilman Long moved that the following applications for taxicab operator's license, duly approved by the City Manager, be granted:

Willie Bradshaw,	1613 East 9th st.	1941 Chevrolet Sedan, Motor No. AA559058, License No. JC-7449
Earl Dismuke,	17 Chicon,	4-door, 1946 Chevrolet Sedan, Motor No. DAA42372, License NO. CJ-9660
Ossie B. Gifford,	405 West 42nd st.,	Stylemaster Fordor, 1947 Chevrolet Sedan, Motor No. EAC220428, License No. EL-9006
Sylvester Hinton,	3202 Bailey Lane,	Fleetmaster 1947 Chevrolet, Motor No. EAA40193, License No. JC-5164
Chas. B. Jackson,	607 Patterson,	1947 Chevrolet Sedan, Motor No. EAA 130965, License No. JB-6105

Willard L. Pannell, 1609 West 8th st., 4-door, 1947 Hudson Sedan, Motor  
No. 17144718, License No. JD-7801

Which motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

Councilman Glass moved that the following applications for taxicab driver's permits, duly approved by the City Manager, be granted:

Cecil Lawrence Clar,	228 Oak Grove Courts
William Milton Collins,	900 Chicon
Raleigh Thomas Hammonds,	1007 Lydia
William Lorenzo Smith,	612 Driskill
William S. Tucker,	904 $\frac{1}{2}$ West Mary

The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

Councilman Glass moved that the application for a taxicab driver's permit of Robert Elmer Maddox, 65 Chicon street, be granted for a 90-day probationary period, as recommended by the City Manager. The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

Councilman Bartholomew moved that the following application for a beer and wine permit, duly approved by the City Manager, be granted:

Bunton's Package Store, Howell Bunton, 1920A East 12th street

The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes: None

The Council discussed the City's Master Plan. Charles Granger, consultant for the City's long-range plan, was present. The Mayor stated that what Austin really needs is to have the right kind of publicity, both newspaper and radio, as that is the only way the public will know what the City has planned and what part has already been accomplished. Recent newspaper stories have told of the need of the employment by the City of outside planning firms to assist in a Master Plan for the City. The Mayor said that after returning from a recent trip through the Southern and Eastern states, he was firmly convinced that Austin has the best planned city in the nation and has made more progress in the last ten years than any other city, all of which was done without outside help. The City Manager stated that the City's plan is to take care of the necessary things first, such as sewer, water and electric lines, streets, storm sewers, bridges, etc.; that the City's own organization has their plans for their various departments and they are carried out as quickly as possible, but some things have to be delayed on account of lack of funds, and also some materials cannot be obtained at present.

There being no further business, upon motion of Councilman Johnson, the meeting was recessed at 12:15 P. M., subject to call of the Mayor.

ATTEST:

*Helene J. Busch*  
Acting City Clerk

APPROVED:

*Tom Miller*  
Mayor