

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 21, 1953
10:00 AM

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

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

Invocation was delivered by DR. MARVIN VANCE, Pastor, First Methodist Church.

Councilman Long moved that the Council continue the policy of dispensing with the reading of the Minutes at the meeting and approving the Minutes as sent out to the members of the Council. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Councilman White moved that the Minutes of May 19th, 1953, be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

MRS. JOHN CORDELL made inquiry about the water condition on Goodwin Avenue. The City Manager explained this situation in that the subdivider had sold these lots off by metes and bounds and his subdivision had not been approved by the Planning Commission. This was before it was brought into the City limits, and these families were without water. The City is arranging to furnish water to these families, but there will be limitations placed on any further connections until the developer has complied with the subdivision regulations. No building permits will be granted until he has an approved subdivision.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the west side of Burnet Road as a private gasoline plant, which property is owned by L. L. Myers and is designated as the west 140 feet of Lot 4, Block 1, Shoalmont Addition, in the City of Austin, Travis County, Texas, and hereby authorizes the said L. L. Myers to operate a private gasoline plant consisting of a 550 gallon underground tank and 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 L. L. Myers had failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 21, 1953

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

"Dear Sir:

"I, the undersigned, have considered the application of L. L. Myers for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the west side of Burnet Road, which property is designated as the west 140 feet of Lot 4, Block 1, Shoalmont Addition in the City of Austin, Travis County, Texas, and locally known as 5528-30 Burnet Road.

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

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

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

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and

no person shall be permitted to smoke on the premises where gasoline is handled or stored.

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

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

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

Councilman 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 STARK STREET, from a point 96 feet east of Wild Street westerly 103 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said STARK STREET.

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

(2) A gas main in WILD STREET, from Stark Street northerly 25 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said WILD STREET.

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

(3) A gas main in WEST 49TH STREET, from Finley Drive westerly 16 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST 49TH STREET.

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

(4) A gas main in FINLEY DRIVE, from West 49th Street northerly 16 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said FINLEY DRIVE.

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

(5) A gas main in SOUTH 7TH STREET, from a point 5 feet south of West Mary Street southerly 78 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east property line of said SOUTH 7TH STREET.

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

(6) A gas main in ATTAYAC STREET, from East 6th Street southerly 157 feet, the centerline of which gas main shall be 21 feet west of and parallel to the east property line of said ATTAYAC STREET.

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

(7) A gas main in MONTOPOLIS DRIVE, from Club Terrace southerly 475 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said MONTOPOLIS 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 Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there is a certain street within the City of Austin known as Foster Avenue, which street is shown upon the map or plat of Green Acres Subdivision of record in Book 4, page 333 of the Plat Records of Travis County, Texas; and

WHEREAS, in another part of the City of Austin there is another street known as Foster Avenue; and

WHEREAS, much confusion among delivery services in general is caused by having two different streets with the same name; and

WHEREAS, the abutting property owner on Foster Avenue in the Green Acres Subdivision has petitioned the City Council of the City of Austin to change the name of Foster Avenue to Ellise Avenue; and

WHEREAS, the City Council of the City of Austin has considered said petition; therefore

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

That that certain street known as Foster Avenue, as shown upon the map or plat of Green Acres Subdivision, with the City of Austin, Travis County, Texas, be known and designated hereafter as Ellise Avenue.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there is a certain street within the City of Austin known as Sandra Street, which street is shown upon the map or plat of Spillar and Greenwood Addition of record in Book 6, Page 82 of the Plat Records of Travis County, Texas; and

WHEREAS, there is another street near the City of Austin, also known as Sandra Street which street is shown upon the map or plat of Connie Lynn Addition of record in Book 4, Page 272 of the Plat Records of Travis County, Texas; and

WHEREAS, much confusion among delivery services in general is caused by having two different streets with the same name; and

WHEREAS, Felix Williams, developer of the Spillar and Greenwood Addition has requested the City Council of the City of Austin to change the name of Sandra Street to Kay Street; and

WHEREAS, the City Council of the City of Austin has considered said request; therefore,

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

That that certain street known as Sandra Street, as shown upon the map or plat of Spillar and Greenwood Addition, within the City of Austin, Travis County, Texas, be known and designated as Kay Street.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.30 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Long moved that the ordinance be passed to its second reading and published as provided in Article I, Section 6, of the Charter. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF DEXTER STREET, AS SHOWN ON THE PLAT OF SOUTH LUND PARK, SECTION ONE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, WHICH PLAT IS OF RECORD IN BOOK 6, AT PAGE 63 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

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

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING
A PORTION OF MORELOS STREET IN THE CITY OF
AUSTIN, TRAVIS COUNTY, TEXAS, AND SUSPENDING
THE ORDINANCE RULE REQUIRING THE READING OF
AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

The ordinance was read the second time and Councilman Long 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

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

The Mayor announced the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 19, 1953, for the construction of a sanitary sewer in Shoal Creek from West 49 1/2 Street to Northland Drive; and,

WHEREAS, such bids were as follows:

Joe Bland Construction Co.	\$ 68,121.85
Karl B. Wagner Engr. Const. Co.	74,248.55
Howard Stich	110,989.85

and,

WHEREAS, the bid of Joe Bland Construction Co. in the sum of \$68,121.85 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Joe Bland Construction Co. be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Joe Bland Construction Co. for the construction of a sanitary sewer in Shoal Creek from West 49 1/2 Street to Northland Drive on the basis of the Joe Bland Construction Co. bid of \$68,121.85.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager explained that this was an extension of the service in the northwest part of Austin. It was stated this contract would be completed in 100 working days. Discussion was held on cleaning up this area after the sewer was laid and making a park on the property dedicated by ADOLPH KOHN and on the property owned by the City

Councilman Pearson 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 "A Subdivision of the North Portion of Block E, Rosedale Estates", approved by the City Planning Commission of the City of Austin on May 14, 1953, 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, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Resubdivision of Portion of Blocks F, G & H, South Lund Park, Section 1", approved by the City Planning Commission of the City of Austin on May 14, 1953, 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, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Margaret G. Shelton Subdivision", approved by the City Planning Commission of the City of Austin on May 14, 1953, 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, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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 the Bastrop Highway and Montopolis Drive which property fronts 131.43 feet on the Bastrop Highway and 167.43 feet on Montopolis Drive, and being known as a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, and hereby authorizes the said Joe Pearce, Jr. to construct, maintain and operate a drive-in gasoline filling station and 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 Joe Pearce, Jr. has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"May 21, 1953

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Joe Pearce, Jr., lessee, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in connection therewith upon the property located at the southwest corner of the intersection of the Bastrop Highway and Montopolis Drive which property fronts 131.43 feet on the Bastrop Highway and 167.43 feet on Montopolis Drive and being known as a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by V. E. Grove and is under lease to Joe Pearce, Jr., 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 30" storm sewer pipe adjacent to the above location.

"We recommend that Joe Pearce, Jr. 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, buildings 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 - 1188.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1188 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway", and,

WHEREAS, the City Council has determined that public necessity requires the opening, construction and maintenance of turn-off lanes and right turn lanes from the "Interregional Highway" to intersecting streets; and

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purposes and that it is necessary to acquire said land for such street, highway and freeway and turn-off and right turn lanes thereto; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

All of Lots 10 and 11 of Block F of R. C.
Lambie's Resubdivision of Voss Addition a
subdivision of part of 0 tlots 54, 55 and

71 of Division 0 of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Voss Addition being of record in Book 2, page 167, Plat Records of Travis County, Texas, and a map or plat of said R. C. Lambie's Resubdivision of Voss Addition being of record in Book 3, page 85, Plat Records of Travis County, Texas, which lots 10 and 11 were described in that certain warranty deed dated November 26, 1935, of record in Volume 534, page 48, Deed Records of Travis County, Texas.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof, Now, Therefore,

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 file of cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purpose to the following described tract of land:

All of Lots 21, 22, 23, 24, 25 and 26 in Block F of R. C. Lambie's Resubdivision of Voss Addition, a subdivision of a portion of Outlots 54, 55 and 71 of Division 0 of the Government Outlots adjoining the original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Voss Addition being of record in Book 2, Page 167, Plat Records of Travis County, Texas, and a map or plat of said Lambie's Resubdivision being of record in Book 3, Page 85, Plat Records of Travis County, Texas, which Lots 21, 22, 23, 24, 25 and 26 were conveyed to Louis Bonugli, et ux by warranty deed

dated July 18, 1945 of record in Volume 764, Page 665, Deed Records of Travis County, Texas.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof, Now, Therefore,

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 file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purpose to the following described tract of land:

All of Lots 8 and 9 of Block 1 of Elm Grove a subdivision of a part of Outlots 54 and 55, in Division 0 of the Government Outlots Adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Elm Grove Addition being of record in Book 2, Page 241, Plat Records of Travis County, Texas, which Lots 8 and 9 were conveyed to Jake Silberstein by warranty deed dated July 16, 1943 of record in Volume 719, Page 341, Deed Records of Travis County, Texas.

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

The City Manager submitted the following 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 W. W. Boring Washateria is incorrect for the following reasons:

"The original rendition furnished information as to the cost new instead of the cost to the property owner. A revised rendition, with proper allowance for depreciation, has been submitted.

"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	Furniture and Fixtures	2,430	1,200

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

Councilman Long 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 W. W. Boring Washateria, 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>
1952	Furniture and Fixtures	2,430	1,200

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

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

MRS. GEORGE FRANCISCO commented on the housing conditions, stating there were 7,000 substandard homes in Austin, and one of the best housing projects in the country. She asked that the Council look into these substandard housing problems as it considered the new building code; and although there was no need for any more federal housing projects, there was a need to enforce the ordinances in effect now or pass others in this regard. Councilman Long thought the Council should make an inspection and study and try to get the owners of these substandard houses to move them, as they were dangerous and presented a health problem. MR. M. H. CROCKETT disagreed stating people should be permitted to live where they wanted to.

MR. M. H. CROCKETT asked the Council to do something about his zoning request which had been pending in the Zoning Board for sometime, or to pass a regulation that when the Board does not recommend within a certain time that the Council take action. He stated a great injustice was being done in the long delays in the Zoning and Planning Commissions.

MR. RANDY ALFORD, Austin Archery Club, stated the Club was asked by the Recreation Department to move off the tract in Zilker Park. They had used this tract for some time; spent time and money on the tract; had held two state championship tournaments within the past two years. The Audubon Society wanted this tract of land for a nature trail for bird observation. He stated the Archery Club had made a nationally approved field range, and it was one of the best in the south. In view of the fact this club was the older and more active, he did not think it should be asked to move. Councilman Long moved that the City Manager investigate this and report back to the Council as soon as possible and see if some equitable settlement can be made. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Thompson inquired about subdividers and the refund contracts and the procedure for these contracts and payment. The City Manager explained the procedure now in effect. He stated there was a study being made whereby the burden might be eased a bit.

Councilman Thompson inquired about the requirements the subdividers had to meet with regard to building streets in new subdivisions, as it was his impression there is a tremendous problem about dust and unpaved streets and bad conditions of the streets; and everytime a new subdivision went in with unpaved streets, it only added to the problem. Councilman Long stated for three and a half years she too had been interested in this matter. IT was stated more facts along this line would be presented. The City Attorney stated there was a new ordinance drawn providing for different requirements requiring the streets be paved and have proper drainage, and it would be presented to the Council soon.

The Council recognized and welcomed MRS. NITSCHKE'S class from the Austin High School.

The City Manager stated the Council set a fare rate for the Transit Company to be in effect for six months, and that time would be completed next week, and it would be necessary for the Council to take some action at this meeting. Councilman Long stated that in order to grant the new members an opportunity of looking over the audit, that an extension of the time should be made.

Mayor McAden then introduced the following ordinance:

AN ORDINANCE PRESCRIBING RATES AND FARES
TO BE CHARGED BY AUSTIN TRANSIT, INC.; RE-
PEALING ALL ORDINANCES IN CONFLICT HEREWITH;
AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

T. B. MARSHALL	2301 Leon Street	From "A" Residence, 1st Height & Area District
		To "B-1" Residence, 2nd Height and Area

The Council received a letter from the LONGHORN BOAT CLUB requesting permission to hold boat races. The City Manager explained the policy now being followed whereby boat races would be permitted in a given area permitting four club races and two open muffler races, for each club, and that the City Manager would issue the permits under that policy. Councilman Thompson felt that until such evidence was presented that the policy should not be follow, that it should

be continued. Councilman Long moved that the policy be continued, and the City Manager be authorized to grant the permit as requested. The motion, seconded by Councilman Thompson, carried by the following vote:

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

Councilman Long inquired about the spraying and fogging program. The City Health Officer reported on these activities, stating there were two spraying and two fogging machines, and extra help had been added. The rains had slowed down the program. Councilman Long reported the University area had a considerable number of flies, and there was a garbage disposal program in that area. She suggested spraying more often in that area. Councilman Thompson inquired if the citizens complied strictly with the ordinances as to proper storage of garbage, believing that proper care by the individuals would reduce the problem somewhat. He suggested checking to see if the individuals were complying with the ordinances. Councilman Long inquired about the service stations over the city and their used tires. Councilman White asked about the ordinance covering junk yards. The City Attorney stated that ordinance could be presented shortly. The Mayor stated the fogging and spraying activities were very good and decreased the amount of flies and mosquitoes. He stated there were some holes filled with water which were breeding places, and which nothing much could be done. The City Health Officer felt cooperation with the State could be obtained.

The Council went over the following pending matters:

(1) The City Manager stated he had a recommendation on permitting people with parking tickets to come to the Police Department and paying a nickel if they came within an hour after receiving the ticket. He stated that Temple, the closest city with this arrangement, was discontinuing the practice as it was bad on the enforcement angle.

(2) Action on the Ward Boundaries recommendation was postponed at this time as the Commissioners Court would act on the ward boundaries in August. The Mayor asked that the maps which have been prepared be sent out to the Council members.

(3) The matter of opening Cumberland Road between Wilson and Lamesa Drive was considered. The City Manager stated this would probably be in the budget next year, and the school will be built on South 1st; it is not in the budget this year, and there is a bridge that will be built at a cost of \$8,500 or \$9,000.

(4) The City Manager stated he would send the Council a list of the Boards and a list of those whose terms had expired.

(5) The City Manager stated he would send a report on the study of increasing fees and fines.

(6) With reference to consideration of report from the City Manager on Pay and Related Information on City employees and study of report submitted by Councilman Long, the Mayor stated the Council would look into this and promised early action on working out a solution; possibly the next week or the next.

(7) Councilman Thompson asked that more time be extended for study of the Fine Arts Association's request for damages. JUDGE J. M. McCLENDON appeared in this interest.

(8) As to the development of an area for a boat ramp, the Mayor stated there were two members on the Council working on this matter, and something would be worked out in the immediate future.

The Mayor brought up the matter of appointments that the City Council should make:

Councilman Thompson moved that MRS. ELSIE WOOSLEY be appointed City Clerk, and MRS. GRACE MONROE be appointed Deputy City Clerk. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman White moved that JUDGE JOE ROBERTS be appointed Judge of the Corporation Court; MR. W. A. WILLIAMSON, be appointed Clerk of the Corporation Court, and MRS. ANN BUTLER and MR. JACK ZIVLEY be appointed Deputy Clerks, Corporation Court. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Councilman Long stated there was another appointment to make--the City Health Officer. The City Attorney stated that under the new Charter, this appointment would be made by the City Manager. Councilman Long thought the State Law covered this appointment, which she felt was to be made by the Council. The City Attorney read the State Law covering this matter, and read the part in the Charter. No action was taken on this at this time.

MR. M. H. CROCKETT brought his problem of building on his property on Lamar Boulevard before the Council, stating that the Zoning Board of Adjustment after five months, decided to let his son build a building six feet wide. The Mayor stated he was familiar with this, and would take some kind of action on Mr. Crockett's request after the first of June when the new planner arrived.

The Council received a letter from the Secretary, Austin Building Trades Council, dated May 20, 1953, regarding prevailing wage scales. Councilman Long read the list of wages for each classification. (This communication and list is on file in the City Clerk's Office under WAGE RATES)

Councilman Long moved that the Council adjourn. The motion, seconded by Councilman Thompson, carried unanimously, and the Council adjourned at 12:40 P.M.

APPROVED:


Mayor

ATTEST:


City Clerk