

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 20, 1951  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

## Roll Call:

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

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

Councilman Johnson moved that the minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

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

MR. H. A. DUNN complimented the Council on its fine work accomplished the past year and noted the fine representation the citizens had in its Council. He had one request to make for 1952, and that was for the Council to ask for divine guidance before every meeting. At this time, REV. BARCLAY entered the Council Chamber and was asked to lead in Prayer.

MR. ED CLARK asked the Council to set a date for a hearing on the application of the Southwestern Bell Telephone Company for a rate increase. He read the statement presented by Councilman Johnson (Copy on file under TELEPHONE - RATES) and stated the information could be furnished by the Company or its auditors. The Mayor stated this matter was before the Council and was on the pending list.

Mayor Drake 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 THREE TRACTS OF LAND FRONTING 162.78 FEET ON LAKE AUSTIN BOULEVARD AND 190.11 FEET ON HEARN STREET, KNOWN AS 2500-02-04 LAKE AUSTIN BOULEVARD AND 500-06 HEARN STREET, 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 its second reading. The motion, seconded by Councilman White, carried by the following vote:

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

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

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

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

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

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

Mayor Drake 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 THE EAST 125 FEET OF THE NANNIE E. DAWSON HOME TRACT, KNOWN AS 908-914 SOUTH LAMAR BOULEVARD AND LOTS 1 THROUGH 8, OKIE HEIGHTS, ALL OF THE WEST ONE-HALF OF BLOCK 17, SOUTH HEIGHTS ADDITION, WEST 150 FEET OF THE PROPERTY LYING ON THE EAST SIDE OF SOUTH LAMAR BOULEVARD, EXTENDING FROM THE SOUTH LINE OF THE JOHN C. WENDE 2.93 ACRE TRACT OF LAND SOUTH TO THE NORTH LINE OF SOUTH HEIGHTS ADDITION, ALL 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 its second reading. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

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

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

Noes: None

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

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

Noes: None

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That Daniel M. Brown, Administrator of Brackenridge Hospital, be and he is hereby authorized to execute in behalf of the City of Austin, applications to the United States of America, for permits to use alcohol, free of tax, in Brackenridge Hospital, a hospital owned and operated by the City of Austin, in Austin, Texas.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
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 Manager be and he is hereby authorized and directed to execute a quitclaim deed in behalf of the City of Austin, quitclaiming to W. E. Deison the following described tract of land:

One (1) Acre of land, Abstract No. 697, Survey No. 7,  
Original Grantee, George W. Spear of the City of Austin,  
Travis County, Texas.

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

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE  
ENTITLED: "AN ORDINANCE REGULATING TRAFFIC  
UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN  
PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME,  
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES  
IN CONFLICT HERewith; AND DECLARING AN EMERGENCY,"  
WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF  
THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED  
IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE  
ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMEND-  
ING SECTIONS 23(b) AND 24(c) OF ARTICLE IV, RE-  
LATING TO PASSENGER ZONE AND BUS LOADING ZONE  
LOCATIONS, RESPECTIVELY; REPEALING ALL ORDINANCES  
OR PARTS OF ORDINANCES IN CONFLICT HERewith;  
DECLARING AN EMERGENCY AND SUSPENDING THE RULE  
REQUIRING THE READING OF ORDINANCES ON THREE  
SEPARATE DAYS.

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

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

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 MacCorkle, carried by the following vote:

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

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

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

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

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 23(b) AND 23(d) OF ARTICLE IV, RELATING TO PASSENGER ZONE AND LOADING ZONE LOCATIONS, RESPECTIVELY; REPEALING ALL ORDINANCES OR PARTS IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

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

Mayor Drake brought up the following ordinance for its second reading:

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 OR DINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 21 OF ARTICLE IV, RELATING TO NO PARKING LOCATIONS, AND SECTION 22 OF ARTICLE IV, RELATING TO TWO-HOUR PARKING LOCATIONS; REPEALING A CERTAIN SPECIFIED ORDINANCE AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Councilman Long moved that the ordinance be amended so as to delete the part pertaining to "No parking between 7 and 9 A.M. and between 4 to 6 P.M. on East 11th Street on the north and south sides from the west property line of San Jacinto Street west to the east property line of Brazos Street extending north from East Eleventh Street". The motion lost for lack of a second.

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

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

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

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

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

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING THE SPEED LIMIT FOR MOTOR VEHICLES IN THE CITY OF AUSTIN AND ESTABLISHING THE MAXIMUM, REASONABLE, AND PRUDENT SPEED LIMIT ON CERTAIN DEFINED STREETS; PROVIDING A PENALTY FOR THE VIOLATION OF SAME; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY,"

WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN SEPTEMBER 2, 1948, AND IS RECORDED IN BOOK "N", PAGES 291-293, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 2 RELATING TO SPEED LIMITS ON CERTAIN STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
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, 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 BECKER AVENUE, from a point 144 feet north of East 39th Street, southerly 45 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said BECKER AVENUE.

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

(2) A gas main in WEST MARY STREET, from South 1st Street easterly 47 feet, the centerline of which gas main shall be 12 feet south of and parallel to the north property line of said WEST MARY STREET.

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 Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the east side of Lavaca Street and north of West 13th Street which property fronts 128 feet on Lavaca Street and being known as Lot 1 and the west 13.26 feet of Lot 2, Block 158 of the Original City of Austin, Travis County, Texas, and hereby authorizes the said Roger Schieffer 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 the 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 Roger Schieffer has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"December 20, 1951

"Mr. Walter Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Roger Schieffer for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the east side of Lavaca Street and north of West 13th Street which property fronts 128 feet on Lavaca Street and being known as Lot 1 and the west 13.26 feet of Lot 2, Block 158 of the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be built is owned by Roger Schieffer 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.

There is a storm sewer in Lavaca Street adjacent to the above described property.

We recommend that Roger Schieffer be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

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

(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of the Underwriters Laboratories, Inc.; 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 accord with the ordinance prohibiting the disposal of the 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-1053.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-1053 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 before such filling station can be put into service.

Respectfully submitted,  
(Sgd) C. G. Levander  
Director of Public Works

(Sgd) J. C. Eckert  
Building Inspector "

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

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 final plat of the subdivision known as "Cherico Scenic Oaks", approved by the City Plan Commission of the City of Austin on December 13, 1951, 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 Johnson, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
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 "Morley Subdivision",

approved by the City Plan Commission of the City of Austin on December 13, 1951, 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 Johnson, carried by the following vote:

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

Noes: None

Pursuant to published notice thereof, public hearing was held on the proposed amendment to the Zoning Ordinance, amending Section 5, Item 4 to permit excess space in buildings used for headquarters of professions and clubs in "B" Residence to be used as offices for other professions and occupations. No one appeared in opposition.

Mayor Drake then introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED:  
"AN ORDINANCE AMENDING AN ORDINANCE ENTITLED 'AN  
ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS  
IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING  
AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE  
OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT  
THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND  
OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION  
AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE  
INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE  
CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING  
AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION,  
ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR  
LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM  
REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS  
OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND  
ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE  
SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA  
DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND  
PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR  
A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND  
PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN  
EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL  
ON APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", AT  
PAGES 301-318, OF THE ORDINANCE RECORDS OF THE CITY OF  
AUSTIN, BY ENACTING A COMPREHENSIVE REVISION, IMPROVEMENT,  
AND AMENDMENT OF SAID ORDINANCE; REPEALING ALL ORDINANCES  
OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING  
AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY  
COUNCIL ON JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK  
"I", AT PAGES 152-174, OF THE ORDINANCE RECORDS OF THE CITY  
OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY AMENDING SECTION 5  
SO AS TO PERMIT IN "B" RESIDENCE DISTRICTS BUILDINGS USED BY  
HEADQUARTERS OF PROFESSIONS, AND DEFINING THE TERMS "CLUB"  
AND PROFESSION"; AND SUSPENDING THE RULE REQUIRING THE  
READING OF ORDINANCES ON THREE SEPARATE DAYS," WHICH  
ORDINANCE WAS PASSED BY THE CITY COUNCIL ON MAY 17, 1951,  
AND RECORDED IN ORDINANCE BOOK "Q" AT PAGES 276-279, OF  
THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY

ORDINANCE HEREBY AMENDING SECTION 5, ITEM 4(c) SO AS TO PERMIT ANY EXCESS SPACE IN BUILDINGS USED PRIMARILY FOR HEADQUARTERS OF PROFESSIONS AND CLUBS IN "B" RESIDENCE DISTRICTS TO BE USED AS OFFICES FOR OTHER PROFESSIONS AND OCCUPATIONS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT NO. 1 AND TRACT NO. 2, SAID TRACT NO. 1 BEING OUT OF AND A PART OF THE ALBERT SILSBEE SURVEY, THE C. J. STROTHER SURVEY, AND THE DANIEL GILBERT SURVEY, AND SAID TRACT NO. 2 BEING OUT OF AND A PART OF THE GEORGE W. SPEAR LEAGUE AND THE GEORGE W. DAVIS SURVEY, 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. Area 1

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

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF  
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN  
AND THE ANNEXATION OF CERTAIN ADDITIONAL  
TERRITORY CONSISTING OF A TRACT OF LAND OUT OF (Area 2)  
THE JAMES P. WALLACE SURVEY AND THE JOHN APPELGAIT  
SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDI-  
TIONAL 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 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 Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF  
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN  
AND THE ANNEXATION OF CERTAIN ADDITIONAL  
TERRITORY CONSISTING OF A TRACT OF LAND OUT (Area 3)  
OF THE JAMES P. WALLACE SURVEY, THE D. SIMPSON  
SURVEY, THE THOMAS ELDRIDGE SURVEY, THE S. J.  
WHATLEY SURVEY, THE A. B. SPEAR SURVEY, THE A. W.  
CANEFIELD SURVEY, THE J. BURLESON SURVEY, THE  
J. C. TANNEHILL LEAGUE AND THE JOHN APPELGAIT  
SURVEY; ALL IN 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 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 Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF  
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN  
AND THE ANNEXATION OF CERTAIN ADDITIONAL  
TERRITORY CONSISTING OF A TRACT OF LAND OUT OF (Area 4)  
THE J. C. HARRELSON SURVEY, THE HENRY WARNELL  
SURVEY, THE J. C. TANNEHILL LEAGUE, IN TRAVIS

COUNTY, TEXAS, AND ALSO BEING OUT OF DIVISION A AND DIVISION B OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL 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 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 Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF LAND OUT OF (Area 5) THE J. C. TANNEHILL LEAGUE AND THE SANTIAGO DEL VALLE GRANT IN 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 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 Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT NO. 1 AND TRACT NO. 2, SAID TRACT NO. 1 BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, THE HENRY P. HILL LEAGUE, THE CHARLES H. RIDDLE SURVEY, AND THE JAMES TRAMMELL SURVEY, AND SAID TRACT NO. 2 BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY (Area 6)

LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS  
STATED IN THE ORDINANCE.

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

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

Mayor Drake brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF  
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN  
AND THE ANNEXATION OF CERTAIN ADDITIONAL (Area 7)  
TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND  
IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT  
NO. 1 AND TRACT NO. 2, EACH OF SAID TRACTS BEING  
OUT OF AND A PART OF THE HENRY P. HILL LEAGUE,  
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 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 Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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

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 Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with T. S. Torres, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On file under WATER MAIN EXTENSIONS - Contract No. 552-C )

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized to enter into contract on behalf of the City of Austin with W. T. Caswell by the terms of which the City of Austin will purchase and W. T. Caswell will sell to the City of Austin, for the sum of \$67,000.00, the following described tracts or parcels of land situated in Travis County, Texas, to wit:

Tract 1:

The south 61.1 feet of Lot 4 and the east 22.4 feet of the south 61.9 feet of Lot 3, of Block 167 of the Original City of Austin, and

Tract 2:

Lot 7 and all of Lot 8 less the west 56.2 feet of the south 30.5 feet of Lot 8 of Block 167 of the Original City of Austin.

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

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

MR. ROSWELL MILLER asked to appeal his tax values from the Equalization Board to the Council. He also brought out two cases which he claimed were inequities; one in Flat Book 158, Item 103, 0.16 acre, Spear League unplatted, belonging to Fred Sharp; and the other in Flat 158, Item 103, Spear League unplatted, 2.01 acres, belonging to Ireland Graves. The Mayor thanked him for his information, and stated he would be notified about his hearing on his appeal.

The application of JOSPHINE VISCARDI for change of zoning of the property at 407-11 East 15th Street, from "A" Residence to "C" Commercial was again brought before the Council for consideration. The Zoning Board of Adjustment had recommended that the change not be granted. The Mayor asked that all in favor of upholding the Zoning Board in its recommendation to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been denied.

Councilman MacCorkle asked the Council to proceed with declaring its policy with regard to future annexations.

Pursuant to published notice thereof, a public hearing was held on the Budget for 1952. The League of Women Voters, through its President, commended the City Manager on the fine budget. The following suggestions were made by the League:

- (1) An appropriation for an Executive Assistant to the Planning Engineer.
- (2) An appropriation to provide for reports to the public on City Planning.

MR. R. P. ROBERSON, representing the Travis County Junior Bar Association, offered a recommendation that an appropriation be included in the Budget for 1952 to take care of additional clerical help needed to revise and codify the City Ordinances next year.

MR. CARL EDWARD BOCH, and MR. GAYNOR KENDALL recommended some contract or some way be provided by which the Symphony Orchestra could receive an amount of money from the City which would enable them to continue the four children's concerts.

DR. BARCLAY, representing the Hospital Board, asked that the budget for the Hospital be passed as recommended.

There being no others desiring to be heard, Councilman Long moved that that the public hearing on the Budget for 1952 be closed. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman MacCorkle moved that the following applications for change of zoning be set for public hearing, January 10, 1952, at 11:00 A.M:

G. W. SEIDERS

Lot 7, Blk. 10, Outlot 73, Division "D", Fruth Addition, known as 3025 Guadalupe Street; and additional property as recommended by the Zoning Board--Lots 1-6, Blk. 10, Outlot 73, Div. "D" Fruth Addition; Lots 1 - 9, Blk. 1, Outlot 73, Div. "D" Fruth Add'n.; and a portion of Outlot 74, Div. "D", 300' x 150', being located on the east side of Guad. between W. 30th & W. 32nd; Original Lots 1-10, Blk. 1, Outlot 72, Div. "D", L. Brown Addition; a portion of Outlot 72, Div. D, of Gov't. Outlots adjoining the Original City of Austin, being on the West side of Guad.

From "C-1" Commercial  
To "C-2" Commercial  
Recommended by the  
Zoning Board of Adjustment on Oct. 30, 1951  
and Dec. 17, 1951, to  
include additional  
property

Street and extending from the north line of 30th St. to the south line of 31st St.; and a tract of land 170½' out of Outlot 75, Div. "D", Gov't. Outlots adjoining the original City, on the west side of Guadalupe and extending from the north line of W. 31st to the south line of W. 31½ Street.

V. A. CUNEO

So. 140' of Lot 28, Outlot 6,9 From "A" Residence  
Div. "C", Beau Site Subdivision, To "B" Residence  
locally known as 3204 Red River St. NOT Recommended by  
the Zoning Board  
of Adjustment on  
Dec. 10, and Dec.  
17, 1951.

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

Discussion was held on calling the Charter Amendment Election for January 26th. Councilman Long favored moving along and holding the Election. Mayor Drake suggested postponing it for the time being, as there was at least one proposal that needed to be changed--the one pertaining to the Board of Equalization and its duties. Councilman MacCorkle favored appointing a citizens committee to make recommendations on the amendments. Councilman White was willing to wait 30 days, but still felt the people had had plenty of time to study the amendments. MR. TRUEMAN E. O'QUINN asked consideration of appointment of a citizens committee, and FORMER MAYOR TAYLOR GLASS asked postponement of the election at this time as there was a need to submit an amendment with reference to electing Council members. MR. PERRY LEIGON, President, Trades Council, asked immediate passage of the ordinance. Councilman Long moved that action on this ordinance be postponed for a month to give our good citizens an opportunity to come in with those charter amendments that they were disappointed were not presented at this time. The motion was seconded by Councilman White. After discussion, Councilman Long withdrew the motion, and moved that the ordinance be amended setting the election for March 15, 1952. The motion, seconded by Councilman White, failed to carry by the following vote:

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

Councilman Long, then moved that action on the ordinance be postponed for thirty days. The motion, seconded by Councilman White, failed to carry by the following vote:

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

The following ordinance was then introduced:

AN ORDINANCE ORDERING AN ELECTION IN THE CITY OF AUSTIN, TEXAS, TO BE HELD ON JANUARY 26, 1952, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF AUSTIN, FOR ADOPTION OR REJECTION, CERTAIN AMENDMENTS TO THE EXISTING CHARTER OF SAID CITY.

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 White, failed to carry by the following vote:

Ayes: Councilmen Long, White

Noes: Councilmen Johnson, MacCorkle, Mayor Drake

Action on authorizing a contract with JIM NOVY for salvaging metal from the ash material, was postponed until the following week. The City Manager stated the former request of Mr. Wood had been discussed, and Mr. Wood and Mr. Novy were to sign a contract between themselves, but this contract would be with Mr. Novy, who in turn would sign with Mr. Wood.

The Council took note of the following letter addressed to the Honorable Mayor and City Council, under date of December 13, 1951.

"It is understood from newspaper accounts that the City may possibly dispose of that portion of the Old Country Club which is between Red River and the Interregional Highway and North of Forty-First Street.

"In the event that this property is put up for sale, it is requested that the congregation of the First Presbyterian Church be given opportunity to purchase a church site in the area.

"Our requirements indicate a plot of about 400 feet square, or not less than 3 (three) acres."

Yours sincerely,  
(S) Fred E. Brooks  
Fred E. Brooks, Pastor

Approved by the Board of  
Trustees; December 11, 1951  
Karl B. Wagner, Chairman  
George E. Hinds, Secretary "

The application of FRANK BUTLER for permission to reconvey to FRANK MORGAN 1/4 interest in the AMERICAN TAXI COMPANY was considered. Councilman Long moved that the application be approved as requested. The motion, seconded by Councilman White, carried by the following vote:

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

The Council decided to meet in an Executive Session at 2:30 Wednesday, December 26, 1951, to discuss the Budget for 1952.

Hearing on the two tax appeals of Roswell Miller and John Aycock, from the Board of Equalization, was set at 10:30 Thursday, December 27, 1951.

Councilman MacCorkle asked that the matter of appointing a Citizens Committee to make recommendations to the Council regarding amendments to the City Charter, be considered at next Thursday's meeting.

Councilman MacCorkle inquired about the contract for parking meters. The City Manager explained the contract which had been authorized the earlier part of the year, and explained that the older meters had to be revamped and this had to be done by the manufacturers of the particular meters.

There being no further business, the Council adjourned subject to the call of the Mayor. (1:00 P.M.)

APPROVED: \_\_\_\_\_

*W. S. Drake*  
Mayor

ATTEST:

*Chie Hooley*  
City Clerk