

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 12, 1952
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

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

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

MR. MARTIN HARRIS, representing the Austin Transit Company, asked the Council to set a hearing on the Austin Transit Company's request for rate increase. The Council was desirous of getting the Telephone Company's hearing off the docket before it set this hearing.

MRS. HERMAN KOCH, representing a group in the 3300 Block of Cherrywood Road, submitted a petition asking the Council to leave off the sidewalks on Cherrywood Road in connection with the paving. They did want the paving, however, but not the sidewalks at this time.

MR. PERRY JONES, representing MR. E. R. SCHIEFFER, again asked what could be done about the drainage problem on Mr. Schieffer's property (adjacent to the airport property), stating they wanted to get the filling station water off the property. The City Manager stated if Mrs. Jones' concern was the filling station only, something might be worked out in the particular case. Councilman MacCorkle moved that the City Manager be requested to give a definite recommendation regarding this waste water situation. The motion, seconded by Councilman Long, carried by the following vote :

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

MR. B. N. GAFFORD asked that some action be taken on his application to fill in front of his property on the lake. The City Manager explained the application was not before the Council yet, as it was necessary to get some pictures to determine some lines on the lake; and a field party will have to go in and get the pictures. He stated he had asked Mr. Gafford if he would be inconvenienced in this delay, and Mr. Gafford stated he would not. Councilman White suggested that Mr. Gafford wait until the line was established, so that he would not have to cut back any fill he might have put in. Along with this subject, Councilman Long asked that the city limit line be looked into on the lake as she had had complaints about the night spots playing loud music late into the night and it could not be determined whether or not they were in the city limits.

The application of MRS. IRMA BLAND and MRS. A. L. PATTEN for permission to operate a rest home or home for the aged at 2106 Nueces Street, was brought up before the Council. MR. SAM WINTERS, represented MRS. J. T. ROBINSON and the two applicants, stating this was permissible under the present "B" Zoning, and the house had been approved by the Fire Marshall and Health Officer. JUDGE C. A. WHEELER represented friends in this neighborhood, and opposed the establishment of a home for the aged. Further opposition was expressed by Mrs. J. W. BRADFIELD, Miss ANNIE HILL, RALPH G. KLUNKERT, MR. J. HIRSHFIELD; and through letters from MISS LENA CLARK JOHNSON, MR. HARRIS R. FENDER, MISS EMMA HARREL. Councilman MacCorkle moved that the application be denied. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long had a petition signed by 43 employees at the Power Plant stating they preferred a 40-hour week to a $7\frac{1}{2}\%$ increase. The City Manager stated the majority of employees wanted the increase rather than shorter hours; and that these petitioning employees wanted the present take-home pay with 40 hours, which would give a 20% increase, and that would throw the over-all schedule out of line. There were other departments on a 48-hour week basis that would have to be considered. Councilman Long moved that the City Manager be instructed to make a study of all city employees on the 48-hour week, looking toward a reduction in hours for next year in figuring the budget for 1953. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long inquired about the proposition worked out with Mr. A. B. Beddow on the drainage problem in Crestview. The City Manager stated they had reached an agreement, and the area was being surveyed now, and the figures would be ready by next week for Mr. Beddow.

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"June 4, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I hereby certify that the tax assessment on property described as N. 50' of Lots 11 and 11 $\frac{1}{2}$, Block 6, O.L. 48, Division "O", Riverside Subdivision, Plat 20, Item 198, located at 72 Chicon Street, Austin, assessed against First Pentecostal Church of God, for the year 1951, is incorrect because of erroneous information as follows:

"According to a signed statement made by Nathan Darby on behalf of the First Pentecostal Church of God, and substantiated by our investigation, these premeises were used exclusively for parsonage and Sunday school purposes.

"I recommend that I be authorized to adjust the assessed value from \$570.00 to zero on the tax roll for the year 1951.

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

Councilman Long then 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 and has found the same to be incorrect 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 in assessed value hereinafter indicated for said assessment, Now Therefore,

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

That the 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 Assessment</u>	<u>Adjusted Assessment</u>
1951	N. 50' of Lots 11. & 11 $\frac{1}{2}$, block 6, O.L. 48, Division "O", Riverside Subdivision, Plat 20, Item 198	\$570.00	\$ - 0 -

The motion, seconded by Councilman Johnson, 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 Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with W. C. Treadwell 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 File No. 595-C)

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)

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 CASEY STREET, from Russell Drive to Manchaca Road, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said Casey Street.

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

(2) A gas main in MERLE DRIVE, from Casey Street Southerly 1099 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Merle Drive.

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

(3) A gas main in MERLE DRIVE, from Casey Street Northerly 202 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Merle Drive.

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

(4) A gas main in MANCHACA ROAD, from Casey Street southerly 1220 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Manchaca Road.

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 required 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 White, carried by the following vote:

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

Noes: None

Councilman MacCorkle inquired about the pending matters of the Council. The City Manager stated work was being done on all of them; but at present, they were not in shape to present. The individual matters were depending upon the parties' coming in and working out the details.

The application of TED C. WALSH for permission to rebuild a rental boat dock was before the Council. MR. CARL HARDIN, attorney for MRS. WINBURY, expressed opposition. MRS. L. G. BLACKSTOCK, 1607 Scenic Drive, MRS. MATSON, 3612 Enfield Road, MR. F. K. FINCH, 1609 Scenic Drive, also expressed opposition.

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 the rebuilding of a rental boat dock on the property owned by Ted C. Walsh, which property is described as a part of the Walsh Estate abutting Lake Austin, near the intersection of Enfield Road with Scenic Drive, and hereby authorizes the said Ted C. Walsh to rebuild, maintain and operate this rental boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the rebuilding of this rental boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Ted C. Walsh has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"May 8, 1952

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

"Re: Boat Dock for Mr. Ted C. Walsh

"Dear Sir:

"I have the application of Mr. Ted C. Walsh for a permit to rebuild a rental boat dock on a part of the Walsh Estate abutting Lake Austin near the intersection of Enfield Road with Scenic Drive. The application further states that boat docks have been operated on this property for the past 35 years and under the zoning regulations is an existing non-conforming use.

"This dock will extend into the lake approximately twenty-five (25) feet and have six boat stalls covered with a roof. The construction details and specifications meet all requirements and if Mr. Ted C. Walsh is granted permission to rebuild a rental boat dock, I recommend that it be subject to the following conditions:

"(1). That nothing but creosoted or cedar piles and heavy iron bolts or concrete piers be used in the construction of this pier, dock or wharf.

"(2). That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3). That no structure shall extend into Lake Austin more than fifty (50) feet beyond normal high water, unless such structure is located in the area where a greater extension is permitted and has been approved by the Navigation Board, or more than one-third the distance from shore to shore

at point where structure is located, and not nearer than ten (10) feet to the side property or lease line.

"(4). That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(5). That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(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 White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, during the current year, there will accrue to the City of Austin from electric utility services additional revenue now estimated at One Hundred Thousand and no/100 (\$100,000.00) Dollars, which was not foreseen or contemplated, and was not included in the anticipated revenue for the year in the current budget; and

WHEREAS, in Account No. E 352 of the Electric utility fund, appearing in the current budget, provision was made for the purchase of Station Equipment from current electric utility earnings, and it has now been determined that Ninety Thousand and no/100 (\$90,000.00) Dollars of the funds so provided cannot and will not be used for that purpose within the year, NOW, THEREFORE,

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

That the Budget of the City of Austin for the year 1952 is hereby amended to reflect the increase in anticipated revenue hereinabove recited, and to transfer such anticipated revenue and the sum of \$90,000.00 from said Account No. E 352 to the wage and salary accounts of the various divisions and departments of the City to the extent required by the Wage and Salary Schedule established in that certain ordinance enacted by the City Council on June 5, 1952, and recorded in Book "R", page 384-85 of the Ordinance Records of 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 Long inquired about the study being made on the public boat dock for launching. The City Manager stated a plan was underway to acquire some additional land in connection with a subdivision plan and the straightening out of one of the streets, which would give more area. Councilman Long moved that the City Manager be instructed to make all efforts to secure a public boat launching dock area. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Councilman White inquired of Councilman MacCorkle about the progress that was being made on the traffic committee. Councilman MacCorkle stated some plans had been formulated, and the Chairman Dr. Snell was to take them back to the Traffic Committee and report back.

Councilman Long had two requests for East 13th Street to be graded, and she asked that the City Manager look into the ditch situation out there, as it seems to be getting dangerous. Also there is a dead-end street, and she thought signs should be placed there. The requests were made by OCTOBER MARIBELLE JACKSON, 2304 East 13th, and MRS. DOBBINS, 2310 E. 13th.

The Mayor called a special meeting for Monday, 10:30 A.M. for the purpose of considering the School Board request for the issuance of School Bonds.

The City Manager submitted the following Memorandum dated June 11, 1952, regarding the FIRE AND POLICE CIVIL SERVICE COMMISSION VACANCY:

This is to advise that I have received Mr. David T. Lamme, Jr.'s resignation as a member of the Fire and Police Civil Service Commission.

I would recommend that Mr. Lamme's resignation be accepted.

I would like to recommend Mr. Charles E. Green, Editor of the American Statesman, to fill the vacancy on our Fire and Police Civil Service Commission.

Councilman White moved that the nomination of MR. CHARLES E. GREEN as a member of the Civil Service Commission, filling the vacancy created by resignation of Mr. David Lamme, be confirmed. The motion, seconded by Councilman White, carried by the following vote:

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

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

KENNETH E. DAVIS	918 Reinli Street & 5800 Block Interregional Highway	From "A" Residence To "C" Commercial
M. K. HAGE, JR.	200 Chicon Street	From "C" Commercial To "D" Industrial

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

APPROVED: _____

W. S. Drake, Jr.
Mayor

ATTEST:

Elinor Hooley

City Clerk