

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 29, 1949  
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-Tem Drake presiding.

## Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Absent: Mayor Glass

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

The Minutes were read; and upon motion of Councilman Long, duly seconded, were approved by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

MRS. J. D. MacFARLAND appeared before the Council, along with representatives of the PTA from Baker, Robert E. Lee, Rigetop, Rosedale Schools and the North Austin Civic Club, to request that the Country Club building be used as a Little Athletic Club, so that children from the Northeast section of Austin, and others as well, will have a convenient place to participate in various activities that could be carried out there. She asked that this be done when the City receives possession of the building on January 1, 1950. MR. WOODROW PATTERSON stated that the main idea of the group is to get something started by the first of next year. He said that they have gone over the grounds pretty carefully, and are of the opinion that there is ample space available to carry out a program such as they have in mind. MR. PAUL H. PFEIFFER stated that he represents the North Austin Civic Club and that his organization is interested in seeing that the Country Club property be put in the permanent park and recreation fund so that no subsequent Council can resell the property. He pointed out that there are no buildings anywhere in Austin where a small group can meet without expense and he would like to see an arrangement for meetings to be held there. He also stated that his group is interested in getting a pay swimming pool located on this property. MRS. LEE P. CLARK of the Violet Crown Garden Club

asked that her club be allowed to meet at the Country Club if the Council decides to allow civic clubs of Austin to hold meetings there. The Council asked these different groups to get together and submit in writing to the City Manager their requests and give definite information as to what activities and programs they desire to be carried out at the Country Club property.

MRS. LOIS FUGLER, American Gold Star Mothers, appeared before the Council to ask if the Council could give a final decision on a site for their War Memorial. The City Manager reported that a survey and study had been made, and that it was found that the memorial could be erected on the triangle at 11th and Colorado Streets without causing a traffic hazard, if the Gold Star Mothers would agree to reduce the width of the memorial. Councilman MacCorkle moved that they be granted permission to erect the memorial at this location -- 11th and Colorado Streets island. Councilman Long amended the motion to grant them this location if they would work out plans with the City Manager. The motion, as amended, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

MRS. W. TRENCCKMANN submitted a petition, carrying 41 signatures, to the Council requesting a traffic light at the intersection of 23rd and Red River Streets. She asked that the Council consider cutting down the high curb in front of the Kappa Alpha Fraternity House to eliminate the blind corner it causes. The Council instructed the City Manager to ask the Police Department to check this intersection.

ALBERT JOE DUKES appeared before the Council to appeal the administrative body's denial of his taxi driver permit. The City Manager advised the Council that Dukes' permit was turned down under the amended ordinance covering taxi driver permits. Dukes had been convicted of theft six years ago. The City Attorney explained that this provision does not apply to the Council's granting a permit, but to the granting of the permit by the administrative body. The City Manager stated that if the matter were left with him, he would recommend that the Council grant the permit. He stated that this new ordinance has been in effect about six weeks and he would like to go into this and suggest some things to the Council as to how the ordinance can be amended to be more fair and effective. The Council instructed the City Manager to prepare a recommendation as to what amendments should be made to the ordinance. Councilman Long moved that the permit be granted, with a 90 days' probation period. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

JESSE JAMES PARK, JR. appeared before the Council to appeal the administrative body's denial of his taxi driver permit. Police Chief Thorp advised that this man's driver's license and taxi driver permit were revoked in 1948. Park has received 17 traffic violations since 1944. Councilman MacCorkle moved that the Council deny this application for taxi driver permit. The motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

TROY MILTON SPARKS (col) appeared before the Council to appeal denial of his taxi driver permit by the administrative body. The City Manager advised that this application was denied under the terms of the ordinance, as he is only 19 years of age. The Council advised Sparks to return to the Council at a later date.

Councilman Long introduced the following ordinance:

AN ORDINANCE PROVIDING FOR CLASSIFICATION OF ALL POLICEMEN IN THE CITY OF AUSTIN; AND PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; AND ESTABLISHING THE OFFICES AND POSITIONS IN THE POLICE DEPARTMENT OF THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND SUSPENDING THE RULE REQUIRING THIS ORDINANCE TO BE READ ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Johnson introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF CERTAIN STREETS OR PORTIONS THEREOF IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, INVOKING THE PROCEDURE PROVIDED BY ARTICLE XXIV OF THE CITY CHARTER AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40th LEGISLATURE OF TEXAS, DETERMINING THE PROPORTIONATE PART OF THE COSTS TO BE BORNE BY THE CITY AND THE PART TO BE BORNE BY THE ABUTTING PROPERTIES AND THE OWNERS THEREOF, PROVIDING FOR THE ASSESSMENT OF THE PORTION OF THE COSTS TO BE BORNE BY PROPERTY OWNERS, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, AND DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS.

Councilman Long 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 18(b) OF ARTICLE IV RELATING TO PARKING ADJACENT TO SCHOOLS, AND ADDING SECTION 18(c) TO ARTICLE IV RELATING TO PARKING ON PORTIONS OF CONGESTED STREETS BETWEEN THE HOURS OF 7:00 A. M. AND 9:30 A.M.; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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, duly seconded, carried by the following vote:

Ayes: Councilmen, Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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

Councilman MacCorkle 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 "B-1" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON LOTS 1 AND 2, TARRYTOWN NO. 5, AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON THE SOUTH 111 FEET OF LOT 11, BLOCK M, BOULDIN 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 Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Mayor Pro-Tem Drake 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 the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with D. C. Clarke, for the laying of certain water mains and other pipes in Bowling Green Subdivision, in accordance with the terms and provisions of a certain contract, a copy of which is attached to this Resolution and made a part hereof for all purposes.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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 enter into a contract on behalf of the City of Austin with Knox Wright, for the laying of certain water mains, sanitary sewer mains, and other pipes in Knox Wright Subdivision, in accordance with the terms and provisions of a certain contract, a copy of which is attached to this Resolution and made a part thereof for all purposes.

Which motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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 Ernest Joseph, for the laying of certain water mains, sanitary sewer mains, and other pipes in the I. P. Jones Subdivision, in accordance with the terms and provisions of a certain contract, a copy of which is attached to this Resolution and made a part hereof for all purposes.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Long 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 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS, AMENDING SECTIONS 22(f) AND 23(d) OF ARTICLE IV RELATING RESPECTIVELY TO TWO-HOUR PARKING AND LOADING ZONE LOCATIONS, AND ADDING SECTION 22(e) TO ARTICLE IV RELATING TO NO-PARKING ZONES BETWEEN HOURS OF 6:00 A.M. AND 6:00 P.M.; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT

HEREWITH; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Mayor Pro-Tem Drake then announced that the ordinance had been finally passed.

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 certain resolution heretofore duly passed and adopted by the City Council April 20, 1949, fixing rental rates for the City Coliseum be and the same is hereby amended in the first resolve thereof (pertaining to rates) by adding at the end of said resolve the following:

"Provided, however, that for the rental of the livestock annex (west end) only, a charge of Fifty Dollars (\$50.00) per day is hereby fixed."

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

Councilman Long moved that the following application for change of zone be referred to the Zoning Board for consideration and recommendation:

W. R. HOOPER

1225 South Congress  
and 109 Academy Drive

From "B"  
To "C"

The motion, duly seconded by Councilman Johnson, carried by the following vote:

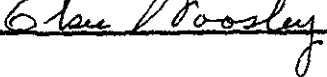
Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake  
Noes: None  
Absent: Mayor Glass

There being no further business, upon motion of Councilman Johnson, duly seconded, the Council recessed subject to call of the Mayor.

  
\_\_\_\_\_  
Mayor Pro-tem

ATTEST:

CITY CLERK

By  \_\_\_\_\_