

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 6th, 1949  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

## Roll call:

Present: Councilman Drake, Johnson, Long, MacCorkle, Mayor Glass  
Absent: None

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; John Eckert, Building Inspector.

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

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

The Council recognized and greeted two Civic classes from Austin High School as they visited the Council.

MR. BYRON LOCKHART and MR. CHESTER SNYDER from the Junior Chamber of Commerce, in the interest of getting out a large vote on November 8th on the Constitutional amendments, appeared before the Council and submitted the following resolution and asked that the Mayor proclaim November 1st through November 7th CONSTITUTIONAL AMENDMENTS WEEK:

"WHEREAS, on November 8th the people of Austin and of Texas will vote on ten proposed changes to the State Constitution -- which is our basic governing document as established in the American democratic form of government; and

"WHEREAS, the keystone to our cherished American freedoms is the right of our citizenship to govern itself by vote and through elected representatives; and

"WHEREAS, people can make the best decisions of government when they are informed and understand the facts relative to the decisions being made;

"THEREFORE, BE IT RESOLVED THAT We do proclaim the seven days, November 1st through November 7th, to be Constitutional Amendments Week in Austin; during which time all citizens are urged to study the proposed constitutional amendments and to vote on Tuesday, November 8th."

Councilman Long moved that the Council go on record as favoring this resolution for the Mayor's proclamation. The motion, duly seconded, carried by the following vote:

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

MR. BILL MACE, Youth Welfare Committee, Junior Chamber of Commerce, appeared before the Council, asking for permission to have a Halloween Parade for the students of the Austin Public Schools. The Civitan Organization is also a co-sponsor of this parade. Councilman MacCorkle moved that the two organizations be granted permission to have this parade with all details and plans to be worked out with the City Manager and Chief of Police. The motion, seconded by Councilman Johnson, carried by the following vote:

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

MR. FORREST BLACK, RIO GRANDE COURTS on South Congress, appeared before the Council, stating he had sixteen units, all on septic tanks; and that there were sewage mains across the street, and he had permission of the property owners to let him tap in. The Council referred this matter to the City Manager; who in turn arranged an appointment with the Director of Public Works at 1:30 or 2:00 this date, to work this matter out with Mr. Black.

MR. PAUL PFEIFER appeared before the Council submitting recommendations from representatives of the P.T.A. of University Junior High School, Wooldridge, Rosedale, Baker, Ridgetop, and Austin Lions Club, P.T.A. Robert E. Lee, and Ramsey's Mother Recreation Club, for the uses of the Country Club when it comes into the City's possession on January 1, 1950. Their recommendations included requests that it be used for a community center; that the present golf course be maintained; that the 1950 Budget provide an adequate staff to conduct a general recreation program similar to the one at the Austin Athletic Club, including the Tiny Tot Activities, Boys Sport Group, Girls Tap, Ballet, and Acrobatic Dance Classes, Women's Fundamental Exercise Classes, Square Dance Classes, Family Night Square Dances, Nut Hut Club Activities, and others; that a portion of grounds suitable for picnicing space be cleaned, and tables benches, and barbecue tables be provided and playground apparatus be installed. COUNCILMAN DRAKE inquired whether or not the group had considered the use of the kitchen; but MR. PFEIFER stated it had been considered, but was not included in their recommendation as the group felt it would be costly and there were more activities of more importance. COUNCILMAN DRAKE inquired if the property were dedicated to park

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purposes, could the streets be widened; and it was brought out the dedication could be conditioned upon widening certain streets. MR. PFEIFER stated it might not be necessary to dedicate the whole acreage, but only the part that was necessary for the present time, and the rest be studied for dedication at a future time. The Mayor thanked the group for all the interest it had taken and for all the helpful suggestions, and an appointment was made with the City Manager and Director of Recreation to meet with representatives of this group to go into further detail at a later time.

The City Manager submitted the question of the request of MR. EDWARD JOSEPH for set-back parking at an angle on his property on Guadalupe and 34th Street. The City Manager stated everything had been checked and approved by the Highway Department, Utility and Public Works Departments, and that Mr. Joseph was to pay all costs and understood it might be a temporary arrangement.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Edward Joseph, owner of certain property at the northeast corner of 34th and Guadalupe Streets, has requested permission to construct at his own expense, setback parking space and to provide angle parking in front of these businesses; and

WHEREAS, this proposal has been checked with Mr. Edward Joseph and he has agreed to pay all costs involved, including street lights and light poles, etc., that may have to be moved and it is further agreed that he understands that this arrangement is temporary and may have to revert to parallel parking in the future; and

WHEREAS, the proposal is in conformity with the State Traffic Code as to width of streets on state highways where angle parking is permitted; 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 enter into an agreement with Mr. Edward Joseph providing for setback angle parking space in front of the property referred to and conditional upon all costs of same being paid by Mr. Edward Joseph, and further conditioned on the execution of an easement providing for the necessary public sidewalk.

Which motion, seconded by Councilman Drake, carried by the following vote:

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

Noes: None

COUNCILMAN DRAKE asked that the traffic light at 34th and Guadalupe be studied to see if the angle parking in front of Mr. Eddie Joseph's property would change the traffic and necessitate the changing of the light system.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the alteration of a building located at 319-21 West 6th Street and desires a portion of the sidewalk and street space abutting Lots 12 and west 7' of 11, Block 53, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Guadalupe Street to a point 14 feet west of the east curb line; thence in a northerly direction and parallel with the centerline of Guadalupe Street approximately 128 feet to a point; thence in an easterly direction and at right angles to the centerline of Guadalupe Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2). That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3). That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4). That "No Parking" signs shall be placed on the street side of the barricades.

(5). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than April 1, 1950.

(10). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, of public utilities, shall be replaced or repaired at the Contractor's expense.

(13). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, T. A. Webb is the Contractor for the alteration of a building at 200 East 6th Street and desires a portion of the sidewalk space abutting Lot 1, Block 68, Original City, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said T. A. Webb, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Brazos Street to a point 5 feet east of the east curb line; thence in a southerly direction and parallel with the centerline of Brazos Street approximately 128 feet to a point; thence approximately at a 45 degree angle and 5 feet back of the north curb line of East 6th Street; thence in an easterly direction and parallel with the centerline of East 6th Street approximately 46 feet to a point; thence in a northerly direction and at right angles to the centerline of East 6th Street to the southeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said T. A. Webb, hereinafter termed "contractor", upon the following express terms and conditions:

(1). That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two parking meter spaces immediately in front of the entrance in the barricade, for the delivery or removal of materials during the construction work.

(2). That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(3). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(4). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(7). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 1, 1951.

(8). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(11). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

Noes: None

Councilman Long 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 OWNERS THEREOF, PROVIDING FOR THE ASSESSMENT OF THE PORTION OF THE COSTS TO BE BORNE BY THE 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.

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

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

Councilman Long introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING A PORTION OF BURNET ROAD, LYING SOUTH OF THE SOUTH LINE OF WEST 44th STREET AND NORTH OF THE WESTERLY PROLONGATION OF THE SOUTH LINE OF LOT 5, OF THE RESUBDIVISION OF LOT 1 OF THE LEWIS HANCOCK SUBDIVISION OF A PORTION OF THE GEORGE W. SPEAR LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Drake, Johnson, Long, MacCorkle, Mayor Glass  
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, duly seconded, carried by the following vote:

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

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



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

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

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

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

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

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

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

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

The City Manager presented the application of W. W. BENNETT to the Council stating the plans for construction had been approved by the Building Inspector; the L.C.R.A. was satisfied with the proposed construction; the Navigation Board had given approval with the condition that Mr. Bennett would provide at no cost a dock or pier to be used by the public but not to be used for commercial purposes. After consideration discussion as to whether or not this dock for public use should be used by Mr. Bennett's competitors commercially; and after Mr. Boake of Yacht Harbor had opposed the Council's granting a permit on City-owned property and extending Mr. Bennett such extensive rights, the Council decided to study this request more thoroughly and be ready to take action at the next meeting, October 13th.

The City Manager presented the question of the Taxi-cab ordinance revision stating one provision might be in changing the wording from the present ordinance from ten years for theft and felony down to five years. A general discussion on changing the whole taxi-cab ordinance was held. The City Manager brought out several ways in which it could be changed: by granting franchises to cab companies and limit the number and put the entire burden of the drivers up to the operators, as is done in the case of the Austin Transit Company. He stated some of the larger cities had handled the taxi-cab system in that manner, and made the conditions and responsibilities so severe that only companies with sound backing could meet the requirements, and the small taxi terminals would be out out. The franchise could force the cab companies to put on meters; force them to pay the city a per cent age of their gross receipts, and provide for the companies to select their own employees. It was suggested that the taxi-cab people might want the franchise method; and the franchise might be drawn up as where a company violating it would lose it; then the company would be careful in selecting its drivers. If the Company has final responsibility for every driver, then that problem is taken away from the City as long as the driver has a State's Chauffeurs license. The idea of raising the insurance to \$10,000 and \$20,000 was mentioned; installation of meters, rates fixed by the Council, a system of regular inspection and supervision of these cars, so that the public would be well served and the company make a reasonable amount of money on their investment was all discussed. COUNCILMAN MAC CORKLE stated he would like to have more time for study and perhaps have an opinion from the taxi-cab people; and perhaps a public hearing. COUNCILMAN MAC CORKLE moved that the City Manager and the City Attorney be instructed to draw up a rough draft of a new taxi-cab ordinance covering taxi cab franchise, meters, zones, rates, mechanical standards, etc., for study. The motion, seconded by Councilman Drake carried by the following vote:

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

Noes: None

The Mayor stated a public hearing would be held on this revised ordinance.

Councilman Long moved that the following applications for change of zoning be set for public hearing at 2:30, Thursday, October 27, 1949:

STANLEY S. SMITH	Lot 11, Blk. 68 Div. E, 1510 East Avenue	From "B" Residential To "C" Commercial RECOMMENDED by the Zoning Board if additional prop- erty included.
KNIGHTS OF COLUMBUS, By Edward Joseph, President	East $\frac{1}{2}$ of Lots 11 and 12, Blk. 173, 10 8 West 14th St.	From "B" Residential To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment

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

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

Noes: None

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

M. K. HAGE, JR. &

SAM HAGE by

ROBERT SNEED, Atty.

1522-1526 Barton Springs  
Road

From "A" Residential  
To "C" Commercial

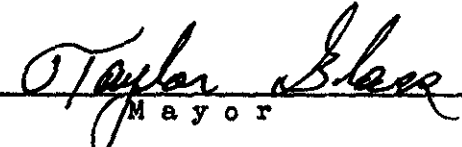
The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacGorkle, Mayor Glass

Noes: None

The City Manager stated that St. Edwards University Compost manufacturing plan was working out very satisfactorily and that St. Edwards wanted to speed it up, and perhaps buy some equipment. The City Manager stated he would have information gathered and furnished to the Council for study.

There being no further business, the Council upon motion of Councilman Drake, seconded by Councilman Long, recessed subject to the call of the Mayor.

  
Mayor

ATTEST:

  
Acting City Clerk