

## MINUTES OF THE CITY COUNCIL

## CITY OF AUSTIN, TEXAS

## Regular Meeting

October 20, 1949  
10:00 AM

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

## Roll Call:

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

Present also: Gulton Morgan, City Manager; W. T. Williams, Jr., Assistant City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police, J. D. Huffman, Jr., Director of Finance.

Reading of the Minutes of the previous meeting was dispensed with.

The Council greeted and welcomed a seventh grade Civics class from Allen Junior High School.

MR. CHRIS LANIER appeared before the Council stating that the State Plumbing Code passed in 1947, and amended in 1949 now permits people who can not read and write to pass the examination; and that cities more or less have given up their right of examination, leaving it up to the State under this law. He stated appliance dealers would sell washing machines and dish-washing machines, and any plumber was allowed to connect these, and many connect to the sewer with improper connections, and sewer gas comes right back into the machines. He stated some of these plumbers had passed the Master Plumber examination, and could not read--they had worked for him and others and had been fired--then they went into business for themselves. He asked if it were not possible for the City to reinstate their examination--or that very close inspections be made, and the appliance dealers give a list of the people to whom they sell these machines. About 10,000 machines had been sold since 1946; and with a charge of 75¢ per inspection, \$7,500.00 could have been collected--enough to put on an extra inspector. Mr. Lanier explained that the State Plumbing Board gave the examinations for the whole state; and that the standards were high in the original law, but the amendments had lowered the standards. He knew of people who had tried for 15 years to get a license under city regulations; but now they can get a Master Plumbers license under State law. He pointed out that the Dallas and Houston regulations were

more rigid, and they had an inspection division of their own and charged a fee to make these inspections. MAYOR GLASS stated the Council would look into this and see if the City can check all the plumbing installations--find out where they are being installed, and require that permits be obtained where anything is tied into a sewer line; perhaps work something out where there will be a reporting system and have our inspectors see that these appliances are installed correctly. The Mayor stated the public should be protected.

PHILLIP BAKER appeared before the Council inquiring about the property he is purchasing from the city and asking for a contract on this tax-title property. This matter was referred to the City Attorney, as he had the complete file on this, having already obtained information from the Tax Department, and the City Attorney was instructed to work this out in good shape for presentation to the Council.

The City Manager explained the investment of the Construction Fund monies of the \$7,150,000 Revenue Bond money, stating \$1,571,000.00 could go to Series D Savings Notes cashable anytime within four months; and that these would be held from eighteen to twenty-four months. He stated this schedule was worked out in accordance with the schedule the City would have to meet estimates; that they matured as the money was needed. He said that some of the Water and Sewer money was not tied down on a definite schedule and that money could be obtained anytime after four months. This would all be done at a known yield on a maturity schedule and that the City was not going into the market and there was no market gamble, and these would be handled through the banks with maturity dates. He explained that \$900,000 would not be used, as it would be used to reimburse the City's own money which had been advanced. The City would not pay anything except market value. The City Manager also pointed out that the resolution pertaining to this investment also appointed the CITIZENS' ADVISORY COMMITTEE composed of DONALD D. JAMES, E. P. CRAVENS, and WILLARD HOUSER, who had worked this schedule out for the City.

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has sold and delivered \$7,150,000 Electric Light and Power, Water Works and Sewer Systems Improvement and Extension Revenue Bonds, Series 1949, and as a result of such sale and delivery now has on hand funds aggregating \$7,150,000 in the Construction Fund of such bond proceeds; and

WHEREAS, the money in said Construction Fund will be needed for capital expenditures in installments only, extending over a period of twelve (12) to twenty-four (24) months and measured by progress of construction work paid for from said Fund; and

WHEREAS, it is deemed by the City Council advisable and expedient to invest idle and unused monies in the Construction Fund in securities of the United States of America at the most favorable interest rate obtainable in order to off-set, to the extent possible, interest rates which the City of Austin is obligated to pay on the outstanding revenue bonds; Now, Therefore,

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

That the City Manager, the Finance Director, and the City Attorney are hereby authorized and directed to make all necessary arrangements for the investment of the Construction Fund monies of the \$7,150,000 Electric Light and Power, Water Works and Sewer Systems Improvement and Extensions Revenue Bonds, Series 1949, in securities of the United States of America of such nature and with such maturities and in such amounts as shall appear to said officers to yield the greatest benefit, interest and availability of funds for use in construction being considered, to the City of Austin; and in arriving at their conclusions, said officers are authorized and directed to consult and advise with a Citizens' Bond Advisory Committee hereby appointed and designated as follows: DONALD D. JAMES, Austin National Bank; E. P. CRAVENS, Capital National Bank; and WILLARD HOUSER, American National Bank. The City Manager is directed to report to the City Council for approval the schedule of investments decided upon by the officers appointed hereunder.

Which motion, seconded by Councilman MacCorkle, carried by the following vote:  
Ayes: Councilman Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

Councilman Drake moved that the City Manager be authorized to invest the Construction Fund monies as per the schedule worked out by him and the Citizens' Advisory Committee, which schedule is as follows:

500 m	Bills	December 8	@ 0.94
480 m	C. I.	1½s 1/1/50	@ 0.96
850 m	C. I.	1½s 2/1/50	@ 1.00
900 m	C. I.	1½s 3/1/50	@ 1.01
950 m	Notes	1 3/8s 4/1/50	@ 1.04
280 m	C. I.	1½s 6/1/50	@ 1.06
390 m	C. I.	1½s 7/1/50	@ 1.06
100 m	C. I.	1 1/8s 10/1/50	@ 1.08
794 m			
<u>777</u> m			
1571 m	Series D Savings Notes		

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

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

The Council thanked the Citizens' Advisory Committee for their help in working with the City in this respect.

Councilman Long 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" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON LOT 2, OUTLOT 23, DIVISION C, UNPLATTED, LESS 75' x 120' OUT OF THE SOUTHWEST CORNER; AND CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOT 8 AND 5.1 x 80 FEET OF LOT 7, BLOCK 131, ORIGINAL CITY; ALL OF SAID PROPERTY 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, 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 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 Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

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 Drake, Johnson, Long, MacCorkle, Mayor Glass  
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 WILSON STREET, from a point 188 feet north of El Paso Street south to El Paso Street, the centerline of which gas main shall be 8 feet west of and parallel to the east property line of said WILSON STREET.

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

(2) A gas main in EL PASO STREET, from Wilson Street to South 1st Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said EL PASO STREET.

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

(3) A gas main in SOUTH 1st STREET, from El Paso Street to Cumberland Road, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said SOUTH 1st STREET.

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

(4) A gas main in CUMBERLAND ROAD, from Oak Crest Avenue to South 1st Street, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said CUMBERLAND ROAD.

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

(5) A gas main in OAK CREST AVENUE, from Cumberland Road southerly 838 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said OAK CREST AVENUE.

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

(6) A gas main in EAST 12th STREET, from a point 220 feet east of Hargrave Street easterly 1207 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet north of and parallel to the south property line of EAST 12th STREET.

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

(7) A gas main in WOODROW AVENUE, from St. Johns Avenue to Piedmont Avenue, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said WOODROW AVENUE.

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

(8) A gas main in PIEDMONT AVENUE, from Woodrow Avenue to Grover Avenue, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said PIEDMONT AVENUE.

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

(9) A gas main in McCULLOUGH STREET, from a point 15 feet west of Exposition Boulevard easterly 67 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said McCULLOUGH STREET.

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

(10) A gas main in EXPOSITION BOULEVARD, from McCullough Street northerly 435 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said EXPOSITION BOULEVARD.

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

(11) A gas main in HIGGINS STREET, from a point 40 feet west of Airport Boulevard easterly to Airport Boulevard, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said HIGGINS STREET.

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

(12) A gas main in AIRPORT BOULEVARD, from Higgins Street to East 19th Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet east of and parallel to the west property line of said AIRPORT BOULEVARD.

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

(13) A gas main in EAST 19th STREET, from Sanchez Street to Airport Boulevard, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said EAST 19th STREET.

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

(14) A gas main in SANCHEZ STREET, from East 19th Street southerly 382 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said SANCHEZ STREET.

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

(15) A gas main in FORD STREET, from Bluebonnet Lane westerly 898 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said FORD STREET.

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

(16) A gas main in GOVALLIE AVENUE, from Gunter Street westerly 1233 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north property line of said GOVALLIE AVENUE.

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

(17) A gas main in WEBBERVILLE ROAD, from a point 159 feet west of Harvard Street easterly 277 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said WEBBERVILLE 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 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 street, 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.

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

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

MR. ROBERT H. BURCK, JR., representing BRANIFF INTERNATIONAL AIRWAYS and MR. R. E. MADDUX of the Pioneer Air Lines, Inc., appeared before the Council regarding the taxi-cab problem at the Airport, stating they had the following complaints:

1. The service - condition of cabs, types of drivers, and these cabs rush to the airport and get the closest parking spaces, and leave no good places for the limousines.
2. The fares are not consistent. Some charge \$1.00; some \$.75; and others \$.50.
3. A number of the cab drivers stand around, using bad language and pitching quarters on the sidewalk, creating a bad impression of Austin on the passengers.

The Council referred the third complaint to the City Manager to request the Police Department to put a stop to. With respect to the other complaints, it was explained that the City Council could not grant an exclusive franchise nor give special parking privileges on public property; but that perhaps under the proposed new taxi-ordinance, much of the trouble might be cleared up; and asked MR. BURCK, the spokesman for the two Airlines, to wait until the ordinance was drawn up to see how it would help.

Councilman Long moved that the following applications for change of zoning, already having been heard by the Zoning Board, be advertised for public hearing at 11:00 A.M. November 10, 1949:

JACK SPARKS for J. NOVY	Lots 1 thru 32, Blk. 26, The Highlands Addition 5301-5315 Evans	From "A" Residential To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment
M. K. HAGE, JR. & SAM HAGE, by ROBT. C. SNEED, Atty.	100' x 660', approxi- mately of a 5.56 acre tract, Isaac Decker League, 1522- 1526 Barton Springs Road	From "A" 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

There being no further business, the Council upon motion of Councilman Johnson, duly seconded, and carried, recessed at 11:30, subject to the call of the Mayor.

APPROVED: Taylor B. Glass  
Mayor

ATTEST:

Elmer Woolley

City Clerk