

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 8, 1949

10:00 A.M.

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: Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police; J. D. Huffman, Jr., Director of Finance.

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

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

The City Manager presented the following tabulation of bids on Concrete Pressure Pipe:

"December 7, 1949

"The bids on Concrete Pressure Pipe, Contract No. 12, were duly opened on Tuesday, December 6, 1949.

"The tabulation of bids is as follows:

	Lock Joint Pipe Co. East Orange New Jersey	Gifford-Hill-American, Inc. Grand Prairie Texas
Item 1 - 736' Prestressed Concrete Pipe	\$15,824.00	\$16,720.00
Unit Price Per Foot	18.00	19.62
Delivery - Item 1	60 days	45 days
Delivery - Item 2 - Wall fittings	30 days	30 days
Delivery - Item 3 - Wall Fittings	30 days	45 days
Delivery - Item 4 - Closure Units	60 days	45 days

"We recommend that the City accept the Lock Joint Pipe Company's bid of of \$15,824.00 as the lowest and best bid.

"Sgd. Walter E. Seaholm
Director of Utilities

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and considered the bids of two (2) companies, for furnishing of concrete pressure pipe, to be installed in the New Power Plant; and

WHEREAS, the bid of Lock Joint Pipe Company, of East Orange, New Jersey, for the furnishing of 736 feet of prestressed concrete pipe and fittings, being for the sum of \$15,824.00, was found to be the best bid of the two bids submitted; Now, Therefore,

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

THAT Guiton Morgan, City Manager, be and he is hereby authorized and directed to enter into a contract with the Lock Joint Pipe Company, East Orange, New Jersey, for the purchase of concrete pressure pipe and fittings, which are to be installed in the New Power Plant.

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

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

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 23(d) OF ARTICLE IV RELATING TO LOADING ZONE LOCATIONS; 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 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 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.

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 "C-1" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT ON WEST HALF OF LOTS 1, 2, 3, 4, 5, 6, 8, & 9, OUTLOT 50, DIVISION "D", 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 OF 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 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.

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

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION OF TAXICABS AND TAXICAB DRIVERS IN THE CITY OF AUSTIN UNDER THE DIRECTOR OF PUBLIC SAFETY; PRESCRIBING LICENSE FEES FOR TAXICABS AND DRIVERS THEREOF; LICENSING AND REGULATING TAXICAB TERMINAL OPERATORS; PRESCRIBING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING A SAVING CLAUSE; REPEALING CONFLICTING ORDINANCES, EXCEPTING CERTAIN JITNEY ORDINANCES; AND DECLARING AN EMERGENCY", WHICH WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN DECEMBER 15, 1938, AND RECORDED IN ORDINANCE BOOK "K", PAGES 440-452, BY AMENDING SECTION 13 (a), PARAGRAPH 1, RELATIVE TO THE AGE REQUIREMENTS FOR DRIVERS OF TAXICABS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 Long, carried by the following vote:

Ayes: Councilman Johnson, Long, MacCorkle, Mayor Glass
Noes: Councilman Drake

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

Ayes: Councilman Johnson, Long, MacCorkle, Mayor Glass
Noes: Councilman Drake

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

COUNCILMAN MacCORKLE stated he would like to have several meetings this coming week to go over some matters, pertaining to the hospital; and pension system, to work out some of the problems. He stated it might be necessary to bring in some outside agency to make a study of the Brackenridge Hospital. He moved that the Mayor arrange a meeting with the Medical Staff of the Hospital; a meeting with the Administrative Staff of the Hospital; and another meeting with the actuaries of the State Pension System and the actuaries of the City pension system, at some time during the coming week. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long suggested after these three meetings were held, that the Council get together in a closed meeting and discuss these matters before the public hearing on the budget is held.

MRS. RUFUS WYNN appeared before the Council stating that her husband was hurt while employed by the City of Austin, and she was asking for financial aid for her family. The City Attorney explained the whole case, stating the City held no liability for this accident; and that \$200.00 had been paid to the family, and RUFUS WYNN had signed a release upon receipt of the \$200.00. He stated additional money had been given this family since this payment of the \$200.00. Dr. Primer stated the Welfare Department had helped them on numerous occasions; had paid their bills; and that the last he had heard of them, both were employed. The Mayor stated he knew of nothing the City could do; if it were a case of absolute need, the Welfare Department would handle the case. Councilman Johnson moved that this request be deferred until the next meeting, and that the City Manager get the complete file on this case for the Council's information. The motion carried by the following vote, after having been duly seconded:

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

Noes: None

MR. BERTRAM SIMON appeared before the Council and asked for an advance of \$2,500.00 for the Symphony Orchestra. Councilman Long moved that \$2,500.00 be appropriated to the Austin Symphony Orchestra with the understanding that the budget for 1950 would be reduced by that amount. The motion, duly seconded, carried by the following vote:

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

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the General Budget for the City of Austin, Texas, for the year 1950, has been prepared by Guiton Morgan, City Manager, and filed with the City Clerk in the manner and form as provided by the City Charter of the City of Austin, and open to public inspection; Now, Therefore,

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

That a meeting of said City Council be, and the same is hereby called to meet in its Council Chamber in its Municipal Building in the City of Austin at the regular weekly meeting of the City Council on the 22nd day of December, 1949, for the purpose of a public hearing on the General Budget of the City of Austin, at which hearing any taxpayer interested for or against the said Budget will be heard and at the conclusion of such hearing the budget will be acted upon by the City Council.

The motion, seconded by Councilman Drake, 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:

C. WENDLANDT & SONS		From "B" Residential
For MRS. L. STURDIVANT	709 Lamar Blvd.	To "C" Commercial

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

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

Noes: None

At 11:00 A.M., the Mayor stated there were two zoning applications which were advertised for public hearing, and that they would now be heard:

L. M. RANDOLPH &		From "C" Commercial
ANNIE MAE RANDOLPH	1212 Chicon Street	To "C-1" Commercial
		NOT Recommended by the
		Zoning Board of Adjustment

No one made appearance favoring the change. Several neighbors appeared in opposition. Councilman Johnson moved that the Council uphold the recommendation of the Zoning Board and NOT grant the requested change. The motion, seconded by Councilman Drake, carried by the following vote:

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

Noes: None

S. M. FULMORE, Agt.	3500, 3600 & 3700	From "A" Residential
I. E. McNEILL	Blocks on Lamar	To "C" Commercial
MRS. CORDELIA A.	Boulevard	THE ZONING BOARD Recommended
LENTHE, et al		"B" Residential

MR. S. R. FULMORE appeared before the Council asking that this area be zoned "C" Commercial, as it was not a good location for "B" Residential, and would never develop into a good apartment house location. MR. NICK HORNSBY appeared in opposition, stating he and those living there that wanted to make their homes there permanently did not want the commercial zone; and also for the good of the boulevard, he was in opposition to the change. He stated the terrain was not suitable for commercial zoning, and the steep hill would not be good for heavy traffic if there were cars parking and backing out from commercial establishments in that vicinity. He stated no major companies would select a location with such a slope; and if the large companies did not build, only small stands would be erected which would not enhance the beauty or value of the land. He stated Lamar already was crowded; and if there were commercial parking along, the thoroughfare would be narrowed. MR. JACOB LESSER asked that if the whole area were not changed to Commercial, he would like for his property to be changed, as he had some good offers from some excellent commercial interests. Mr. H. H. LENTHE asked that his property be changed, as he wanted to erect some signs there. MR. R. C. AMMANN stated this property was definitely commercial property, as the boulevard made it too dangerous for residential property. MR. H. L. OWEN

stated he wanted to sell his property and move, and he felt the boulevard made it too dangerous for his children to live there. He did not feel that it would be good residential property. MR. M. H. CROCKETT, JR., stated the required 25' set-back would take care of the parking situation if the area were zoned commercial; and with the off-street parking, there would be no parking problem. He stated it could not be developed until the zone was changed and he was in favor of the Commercial zone. MR. HORNSBY stated large signs erected would not enhance the beauty of the boulevard nor small commercial buildings, and that he was interested in the boulevard as a whole. The Council did not take action on this, but deferred it until the next meeting on the 15th of December in order to give the Council ample time to make a personal inspection of this particular area.

JESSE ALLEN SMITH appeared before the Council appealing the administrative decision on his taxicab operators permit. Councilman Long moved that his license be granted on CHEVROLET Four-Door, 1946 Fleetmaster, Motor DAAL7981, License No. KM-2404. The motion, seconded by Councilman Johnson, carried by the following vote:

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

WILLIAM DEWEY CROOKS, 70 East Avenue, appeared before the Council appealing the administrative denial of his application to drive a taxicab. Councilman Long moved that he be granted a permit to drive a taxi-cab. 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 MacCorkle, seconded by Councilman Johnson, recessed subject to the call of the Mayor, at 12:15.

APPROVED: Taylor Glass
Mayor

ATTEST:

Elvie Wassley
City Clerk