

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 15, 1949

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: Guiton Morgan, City Manager; 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 approved as written, upon motion of Councilman Johnson, seconded by Councilman Long, by the following vote:

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

Noes: None

The City Manager presented the following Memorandum from the Director of Public Works, dated December 6, 1949:

"Memorandum to: Guiton Morgan, City Manager

Memorandum from: C. G. Levander, Director of Public Works

"Re: East 5th Street Resurfacing

"Bids were received and opened at 10:00 A.M., Tuesday, December 6th, for resurfacing East 5th Street from Congress Avenue to Trinity Street.

"The Collins Construction Company submitted the only bid, it being for \$7,800.00. Our estimate was \$8,000.00.

"I recommend that the Collins Construction Company be awarded the contract."

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were duly called for by the City of Austin and submitted by bidders for resurfacing East Fifth Street from the east line of Congress Avenue to the east line of Trinity Street; and

WHEREAS, the Collins Construction Company, with a bid price of Seven Thousand Eight Hundred Dollars (\$7,800.00), was the lowest and best bidder; 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 Collins Construction Company for the resurfacing of East Fifth Street from the east line of Congress Avenue to the east line of Trinity Street, in the City of Austin, in accordance with the terms of the City's invitation to bid and the bid submitted by the Collins Construction Company at a price of \$7800.00.

Which motion, duly seconded by Councilman Long, 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)

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 Paul Simms, Trustee, for the laying of certain water mains, sanitary sewer mains and other pipes in Herman Brown Addition, 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 MacCorkle, carried by the following vote:

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

MR. DAVID TISINGER appeared before the Council, representing Mr. MIKE BUTLER, JEFFERSON CHEMICAL COMPANY, and MR. HOLLAND PAGE in their request for closing all of Holland Boulevard in Hollandale Subdivision. The City Manager stated this was in accordance with an agreement about a year ago.

Mayor Glass then introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING ALL OF HOLLAND BOULEVARD IN HOLLANDALE SUBDIVISION OF THE CITY OF AUSTIN, SAVE AND EXCEPT A CERTAIN STRIP OF LAND SIXTY (60) FEET IN WIDTH DESCRIBED BY METES AND BOUNDS AT AND NEAR THE SOUTHWEST CORNER OF BLOCK "Z" OF HOLLANDALE SUBDIVISION; 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 seconded by Councilman Long, 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 by Councilman Long, 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, seconded by Councilman Long, 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 asked that when all agreements were made and signed that the Council be notified.

ROGER DALE HOVIS appeared before the Council appealing the administrative denial of his application to drive a taxi-cab. Councilman Drake moved that the application NOT be granted due to his police record and the recommendation of the Chief of Police, and others. The motion seconded by Councilman Long, carried by the following vote:

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

Councilman Drake suggested that the Council be furnished copies of the traffic count on Lamar Boulevard as prepared by Sergeant Lay.

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; 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 Drake 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 property situated on the west side of South 1st Street as a private gasoline plant, which property is owned by W. Raymond Canion, and is designated as Lot 11, Block A, South Heights Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said W. Raymond Canion to operate a private gasoline plant consisting of one 550 gallon underground tank and pump for the sold purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to

the same being operated 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 operation of this private gasoline plant after full compliance with all the provisions of this resolution, and 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, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. Raymond Canon has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

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

Councilman Drake 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 Phil A. Nelson, for the laying of certain water mains and other pipes on Riverside Drive and in South First Street, 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 Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Long 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 LEONA STREET, from a point 8 feet north of East 19th Street northerly 181 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 LEONA STREET.

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

(2) A gas main in GUNTER STREET, from a point 45 feet south of Thompson Street northerly 974 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 GUNTER STREET.

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

(3) A gas main in GOODWIN AVENUE, from Gunter Street easterly 216 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 GOODWIN AVENUE.

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

(4) A gas main in SOUTH 3RD STREET, from a point 62 feet north of Columbus Street northerly 65 feet, the centerline of which gas main shall be $17\frac{1}{2}$ feet west of and parallel to the east property line of said SOUTH 3rd STREET.

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

(5) A gas main in WASHINGTON AVENUE, from a point 73 feet east of Coleto Street easterly 51 feet, the centerline of which gas main shall be 12 feet south of and parallel to the north property line of said WASHINGTON AVENUE.

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

(6) A gas main in MARTIN AVENUE, from a point 120 feet north of East 54th Street northerly 34 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 MARTIN AVENUE.

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

(7) A gas main in ROSEWOOD AVENUE, from a point 353 feet east of Nile Street easterly 43 feet, the centerline of which gas main shall be 8 feet north of and parallel to the south property line of said ROSEWOOD AVENUE.

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

(8) A gas main in BOWLING GREEN DRIVE, from a point 134 feet south of Doris Drive southerly 338 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 BOWLING GREEN DRIVE.

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

(9) A gas main in LANCASTER COURT, from a point 381 feet north of East 51st Street northerly 20 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 LANCASTER COURT.

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

(10) A gas main in SHOAL CREEK BOULEVARD, from main south of Lamar Boulevard southerly 92 feet, the centerline of which gas main shall be 7 feet west of and parallel to the east property line of said SHOAL CREEK BOULEVARD.

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

(11) A gas main in DON ANN STREET, from a point 127 feet south of Bolm Road northerly 90 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 DON ANN STREET.

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 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 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

The file on RUFUS WYNN was reviewed by the Council. The Mayor stated this case had been before the Council several times and was a closed case as far as the Council was concerned; and if it were a welfare case, the Welfare Department would handle it as such.

The following report from the Equalization Board was received and read:

"City Council of the City of Austin
Municipal Building
Austin, Texas

Gentlemen and Lady:

"In conformity with the provisions of the Charter of the City of Austin, the Board of Equalization, heretofore appointed by you, herewith submits its final report to the City Council after completion of the Board's work on the tax rolls of the City of Austin for the year 1949.

"The Board of Equalization met for business as soon as the City Tax Assessor and Collector had compiled all or any one of the assessment rolls of the City and the Board carefully examined said rolls and has properly and equitably adjusted and equalized the taxable values thereon. Numerous protests were heard and adjustments were made where, in the opinion of the Board, such changes were necessary to conform with the policy of seeing that all tax assessments were uniform and equal as provided by law.

"The Board of Equalization stands adjourned, subject to call of the City Council to render any assistance the Council may desire.

Respectfully submitted,

(S) H. W. Bull
(S) L. Theo Bellmont
(S) Rickey Key, Chairman

Councilman Long moved that the report be accepted, and that the Council commend these gentlemen for the fine work they had performed. The motion, duly seconded, carried by the following vote:

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

Pursuant to authority vested in him by Section 5 of the Housing Authorities Law, Mayor Glass submitted to the Council for approval the reappointment by him of MR. E. H. PERRY, MR. A. J. WIRTZ, and MR. W. G. CLARKSON as Commissioners of the Housing Authority of the City of Austin for a two-year term beginning at the expiration of the present term, December 23, 1949.

Councilman Johnson moved that the appointments be approved. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Councilman Long suggested that these gentlemen be commended for their fine work, and that the Council was very glad to reappoint them.

The City Manager stated the request of Mr. J. M. ROWLEY for a one-way street south on Hampton Road from Harris Avenue to East 32nd Street had been studied, and he recommended that this Street be made one-way, stating it could be tried for thirty days to see if it was beneficial to the school children. He stated the one-way signs would be turned over to the School to be placed during the needed hours.

The Mayor then 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 34(b) OF ARTICLE V RELATING
TO ONE-WAY STREETS; 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.

The City Manager stated that MR. J. M. ROWLEY'S request for a traffic light at 32nd and Red River was considered, and it was found the traffic volume did not meet the minimum requirement set out by the National Safety Council for a light.

On the request of COUNCILMAN MacCORKLE for a check at Windsor Road and Exposition Boulevard to see whether or not a light was needed, the City Manager stated a traffic count had been made, and the traffic volume did not meet the minimum requirements for a light. He stated both streets were way below the minimum on traffic volume for lights.

The Mayor stated the Council would review the taxicab proposition at a later hour and instruct the City Attorney to draw up an instrument for introduction at the next meeting. The City Manager stated there would be many angles to be considered in this matter.

Councilman Johnson moved that the following request for change of zoning be set for public hearing, January 12, 1950, at 11:00 A.M:

E. M. VanDYKE	913 East 12th Street North-east one-fourth of Lot 17, Outlot 55, Div. B.	From "B" Residential To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment.
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The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The request of S. R. FULMORE, Agt., I. E. McNEILL, MRS. CORDELIA A. LENGTH, et al, for change of zoning in the 3500 to 3700 block on Lamar Boulevard was brought before the Council for final action. The Council publicly heard this request at the previous meeting. The Zoning Board recommended additional property to be included in this zoning, but recommended that it be "B" Residential instead of "C" Commercial. Councilman Johnson moved that the recommendation of the Zoning Board not be upheld, and that all property included in the legal advertisement for this zoning change be changed to "C" Commercial, and that the City Attorney be instructed to draw up the necessary ordinance. The motion, seconded by Councilman Long, carried by the following vote:

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

There being no further business, upon motion of Councilmen Johnson, the Council recessed at 11:15 to have a meeting with the Medical and Administrative Staffs of Brackenridge Hospital.

APPROVED:

Taylor Glass
Mayor

ATTEST:

Elsie Woosley
Elsie Woosley

11:15 MEETING

December 15, 1949

The City Council reconvened at 11:15 to have a meeting with the Medical and Administrative Staffs of Brackenridge Hospital. Mayor Glass was presiding.

Roll call:

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

Present also: Guiton Morgan, City Manager; City Attorney, Trueman E. O'Quinn;
Present Medical Staff: Dr. George M. Decherd, Jr., Dr. S. O. Baggett, Dr. Scott T. McGuire; Executive Committee: Dr. F. C. Lowry, Dr. Raleigh R. Ross: 1950
Medical Staff: Dr. T. F. Griffin; Executive Committee; Dr. E. K. Blewett, Dr. R. O. Swearingen; and Charles Weeg, Administrator, Carl Mueller, Accountant, and Mrs. Edith Turner, Director of Nurses.

After a thorough discussion, the Mayor asked that the Medical Staff prepare a written statement of their recommendations regarding the improvement of the Operating Room, the X-ray Division and the Drug room--whether or not the Drug Room should be leased; and whether or not the X-ray should be taken over by the Hospital instead of being leased. He asked for a written recommendation of improving the operation of the Laboratory, and any other recommendations.

The Council then recessed until 2:00 P.M. for a meeting with representatives from the Texas Municipal Retirement System, and of the City Pension System.

APPROVED: _____

Mayor

ATTEST:

Elmer Woosley
City Clerk

2:00 P.M. MEETING

December 15, 1949

The Council reconvened at 2:00 o'clock to have a meeting with the Director of the Texas Municipal Retirement System, MR. DEAN GORHAM, and the Actuary of the State Teacher Retirement System, MR. D. W. RUDD; and the Actuary of the City Retirement System, MR. MAX WERKENTHIN. After a detailed discussion, it was decided that the Council would discuss this further; and if it felt it might be more beneficial to go in the Texas Municipal Retirement System, it would get the City's information together and submit to Mr. Gorham and Mr. Rudd for a definite figure on the costs and benefits and then have something specific to work on.

There being no further business for the day, and the meetings completed with the Medical Staff and Administrative Staff of the Hospital, and the actuaries of the two retirement systems, Councilman Johnson moved that the Council recess subject to call of the Mayor. Councilman Drake seconded the motion, and it carried by the following vote:

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

APPROVED: _____

Taylor Glass
Mayor

ATTEST:

Elmer Woosley
City Clerk