

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 21, 1952  
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

## Roll Call:

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

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the Minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

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

MRS. EULA LEAR appeared before the Council in the interest of her application for a Convalescent Home at 2303 Red River, which had been denied last week. The Mayor explained that it had been the policy that when these special permits came before the Council that if there was quite a bit of objection, from the property owners, the Council turned them down.

MR. A. W. THIELEPAPE presented a petition, and his own claim regarding the paving in front of his property at 1111 Kinney Avenue, stating it was paved in 1937 or 1938; that the city ran some drain pipes through it two years ago and tore it up, and did not replace it. Now they have repaved the section in the current paving program, and he does not feel he should pay for the repaving. The Assistant Director of Public Works explained that in 1939 Mr. Thielepape was assessed \$21.00, which was 33 1/3¢ a foot for 63 feet of paving. The 63 feet of paving went up Kinney Avenue to Margaret Street. Now, from that point on up Kinney he has 45 feet, and this overlapped his other paving three feet, which was \$1.00. Mr. Thielepape stated the whole section was paved in front of his house and he thought he had paid for the whole thing, but the records showed he paid for only 63 feet in 1939. Councilman MacCorkle moved that the claim be

denied. Councilman Johnson asked that this matter be postponed for a week. In view of this request, Councilman MacCorkle withdrew his motion.

With reference to the request of MR. McNEELEY of last week to use a portion of city property north of the Memorial Park Cemetery for grazing purposes, the City Manager reported that the Director of Public Works and the Health Department had surveyed the situation, and recommended that the request be denied for sanitation reasons and for the reason it would set a bad precedent. The City Manager also recommended the request be denied. He suggested that Mr. McNeeley could harvest the hay crop at no charge. Mr. McNeeley did not think this could be done.

Councilman Long stated she intended to make a motion at this meeting concerning the bids received on the transformers; but the Attorney General was looking into this and there would be no need for further action of the Council, as she was sure all the records have been made available.

Councilman MacCorkle asked about the Mausoleum proposition. The City Manager stated this had not yet developed.

The Council set a joint meeting with the Plan Commission and the Zoning Commission for Tuesday, September 2nd, at 7:30 P.M.

Councilman Long inquired when a Planning Engineer would be secured. The City Manager stated he had one in mind, and it was going to be necessary to ask for an additional appropriation.

MR. JOE CROW made a statement with reference to the 4th Paving Program that he was in the real estate business in Austin and had been in that business since 1942; that he had become familiar with property values in the City of Austin and was qualified to pass on values of property in Austin. He further stated he had received a schedule of the streets to be paved in this program, and was familiar with the property abutting those streets. He had also received a schedule of the proposed rates to be applied to the paving of these streets, and he thought a great deal of benefit would be received by having pavement in front of this property, and it was his opinion that the enhancement in value to the property abutting these streets would be as much as the cost of the paving to the property owner. Councilman Long asked him his opinion as to the value of sidewalks. MR. CROW stated it would take an examination of the area and the particular project to really say on that; however, his off-hand opinion was that sidewalks were worth the money they cost. His study was primarily concerned with the paving, and he definitely believed the property would be enhanced as much as the paving would cost.

Mayor Drake introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; DETERMINING THAT IT IS IMPRACTICAL TO PROCEED WITH THE IMPROVEMENTS IN UNITS NOS. 2, 3, AND 9, AS PROPOSED AND ORDERING THE DIRECTOR OF PUBLIC WORKS TO AMEND THE PLANS AND SPECIFICATIONS FOR SUCH UNITS BY OMITTING SIDEWALKS THEREFROM AND TO PREPARE AMENDED ESTIMATES OF THE COST OF SUCH IMPROVEMENTS UNDER SUCH AMENDED PLANS AND SPECIFICATIONS; OVERRULING AND DENYING ALL OTHER PROTESTS AND OBJECTIONS OFFERED; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN SAID LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST SAID PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
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, seconded by Councilman White, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

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 700 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 1, Block 83, 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 a point on the south line of the above described property near the side entrance; thence in a southerly direction and at right angles to the centerline of West 7th Street to a point 12 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of West 7th Street approximately 45 feet to a point; thence in a northerly direction and at right angles to the centerline of West 7th Street to the south line 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 construct a four-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four feet high and substantially braced and anchored, and without wood strips or obstructions of any kind 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 "NO PARKING" signs shall be place on the street side of the barricades.

(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 September 15, 1952.

(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 of 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 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.

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

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

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at 509 Colorado Street and desires a portion of the alley working space abutting Lot 10, Block 55, of the Original City of Austin, Travis County, Texas, during the erection 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:

Alley Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and

at right angles to the centerline of the alley 5 feet to a point; thence in a southerly direction and parallel with the centerline of said alley approximately 46 feet to a point; thence in a westerly direction and at right angles to the centerline of the alley to the southeast 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 construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.
- (2). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.
- (3). 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.
- (4). That the Contractor shall place on the outside corners of any walkway, barricades or obstruction, red lights during all periods of darkness and provide lighting system for all tunnels.
- (5). 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 July 1, 1953.
- (6). 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.
- (7). 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.
- (8). 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.
- (9). 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.

The motion, seconded by Councilman Johnson, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Floyd Johns is the Contractor for the alteration of a building located at 722-24 Congress Avenue and desires a portion of the sidewalk space abutting Lot 6, Block 83, 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 Floyd Johns, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at a point on the north side of the above described property where the work of alteration will occur; thence in a northerly direction and at right angles to the centerline of West 8th Street to a point four feet south of the south curb line; thence in a westerly direction and parallel with the centerline of West 8th Street approximately 10 feet to a point; thence in a southerly direction and at right angles to the centerline of West 8th Street to the north line of the above described property.

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

(1). That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2). The Contractor will also be permitted to use one parking meter space for the delivery or removal of materials during construction work.

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

(4). 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.

(5). 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.

(6). 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 September 15, 1952.

(7). 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.

(8). 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.

(9). 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.

(10). 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.

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

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

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Floyd Johns is the Contractor for the alteration of a building located at 2236 Guadalupe Street and desires a portion of the sidewalk working space abutting Lot 33, Outlot 35, Division D, 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 Floyd Johns, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Guadalupe Street five feet to a point; thence in a southerly direction and parallel with the centerline of Guadalupe Street approximately 18 feet to a point; thence in a westerly direction and at right angles to the centerline of Guadalupe Street to the east line of the above described property.

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

- (1). That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.
- (2). That the Contractor will be permitted to use one parking meter space for the delivery or removal of materials during construction work.
- (3). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.
- (4). 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.
- (5). 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.
- (6). 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 September 15, 1952.
- (7). 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.
- (8). 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.
- (9). 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.
- (10). 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.

The motion, seconded by Councilman Johnson, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake brought up the following ordinance for its final reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ESTABLISHING PARKING METER ZONES IN THE CITY OF AUSTIN; AND PROVIDING FOR THE REGULATION OF TRAFFIC WHEREBY, WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN AUGUST 19, 1937, AND IS RECORDED IN BOOK "K", PAGES 281-286, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 8(a) AND 2, RELATING TO PARKING METER ZONES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Johnson, MacCorkle, Mayor Drake  
Noes: Councilmen Long, White

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF ST. JOHN'S AVENUE FROM THE WEST LINE OF LAMAR BOULEVARD WESTERLY 367.42 FEET TO THAT PORTION OF ST. JOHN'S AVENUE VACATED AND CLOSED BY THAT CERTAIN ORDINANCE PASSED NOVEMBER 15, 1951, AND RECORDED IN BOOK "Q", PAGE 735, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, TEXAS; RETAINING EASEMENTS FOR ALL UTILITIES IN THE CITY OF AUSTIN; PROVIDING FOR THE RELOCATION OF ALL PUBLIC UTILITIES; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson,

carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Drake 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 TO "C" COMMERCIAL DISTRICT ON THAT PORTION OF A LOT 100' X 300' OUT OF THE JAMES P. WALLACE SURVEY NOW ZONED "A" RESIDENCE, LOCATED AT THE REAR OF 6215 LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced the ordinance had been finally passed.

Mayor Drake 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 TO "C-1" COMMERCIAL DISTRICT AND FROM FIRST HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT ON SOUTH 50 FEET OF LOT 1, BLOCK 1, OUTLOT 28, DIVISION "O", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced the ordinance had been finally passed.

Mayor Drake 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 TO "D" INDUSTRIAL DISTRICT AND FROM FIRST HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT ON THE NORTH 100 FEET OF LOT 1, AND LOTS 2 THROUGH 6, BLOCK 1, OUTLOT 28, DIVISION "O", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

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

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

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

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

The Mayor announced 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 W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving lien on the east 11 feet of Lot 7 and all of Lot 8, Block 3, Steinle Addition to the City of Austin, Travis County, Texas, in consideration of the full payment of such paving assessment against such property by Henry R. Schacht, the apparent owner.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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 Vernon Cook in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 627-C )

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The City Manager submitted the following tabulation of bids for lease on City owned stockyards:

"Sealed bids were received on Friday afternoon, at 3 P.M., August 13, 1952, for the operation of the City owned stockyards, located adjacent to the Municipal Abattoir. The following bids were received:

<u>Bidder</u>	<u>Rental Per Month 2-Year Term</u>	<u>Rental Per Month 5-Year Term</u>
1. Roy L. Wyatt, Jr. Austin, Texas	\$360.25	No Bid
2. W. V. Hunt San Antonio, Texas	No Bid	\$100 for 1st month \$200 for duration plus all weighing fees 25¢ per head on cattle, 10¢ per head on sheep, goats, and hogs
3. Balagia Poultry and Market, Charles Balagia, Austin, Tex.	\$205.00	No Bid
4. Grady Roberts Austin, Texas	\$126.00	\$201.00

"Due to the indefiniteness of what weighing fees might be received for such services, it is very difficult to evaluate it. I would, therefore, recommend to the City Council that the lease for a 2-year period of operation of the Municipal Stockyard be given to Mr. Roy L. Wyatt, Jr., of Austin, Texas, on the best bid of \$360.25 per month rental payment."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 13, 1952, the City of Austin received sealed bids for a lease on the City owned stockyards located adjacent to the Municipal Abattoir in the City of Austin; and,

WHEREAS, the bid of Roy L. Wyatt, Jr., of Austin, Texas, by the terms of which he proposes to pay a rental of \$360.25 per month for a 2-year term, appears to be the highest and best bid received, and W. E. Seaholm, City Manager, has recommended the acceptance of such bid; Now, Therefore,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed, on behalf of the City, to enter into a lease contract with Roy L. Wyatt, Jr. for a 2-year term at a rental of \$360.25 per month, with such conditions and additional provisions as may seem proper.

The motion, seconded by Councilman Johnson, carried by the following vote:  
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
 Noes: None

MR. COLLINS, COLLINS CONSTRUCTION COMPANY, suggested separating the sidewalk program on Koenig Lane from the Paving Program, to cut down on the amount of paper work, and contact work, and also to insure the paving of Koenig Lane, as he feared the people would not sign for both the sidewalks and paving. After lengthy discussion, the City Manager stated he would like to have a survey made to see the trend on this street, and he would get up a report. The Mayor and Councilman Long were anxious to see this one worked out with the sidewalks, and asked Mr. Collins to come back next week, after the City Manager had his report.

Action on the application of ANDREW BAILEY for change of zoning at 1805 E. 14th from "A" Residence to "C" Commercial was deferred again until the following week.

The Council received notice that the following applications for change of zoning had been referred to the Zoning Commission.

R. L. HARKINS	8005-09 Burnet Road	From "A" Residence To "C-2" Commercial
MRS. DOROTHY E. FORESTER	1183A-1197A Springdale Road and 1176A-1198A Airport Blvd.	From "A" Residence To "C" Commercial
J. E. DAVIS	614 W. St. Johns Avenue	From "A" Residence To "C" Commercial
M. L. GARDNER	9201-9215 and 9301-07 McNeil Road	From "A" Residence To "E" Industrial
MRS. E. M. BARTON	1402 & 1403 Cedar	From "A" Residence To "C" Commercial

Councilman White moved that the City Manager be commended in his wise choice in selecting his Assistant, as MR. TERRELL BLODGETT is a very fine man. The motion, seconded by Councilman Johnson, carried by the following vote:

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

There being no further business, the Council adjourned at 11:15 subject to the call of the Mayor.

APPROVED:

W. S. Drake, Jr.  
Mayor

ATTEST:

Elmer Kinsley  
City Clerk