

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 2, 1950
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

Councilman Johnson moved that the minutes of the previous meeting be approved as written. The motion, duly seconded, carried by the following vote:

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

MR. JIM COCHRAN, Austin Insurance Exchange, submitted a revised schedule and explained the insurance and rates proposed. After discussion as to the length of time the insurance should be contracted for, the Council decided to go into this to see if a savings could be effected. Councilman Johnson moved that the City Manager, City Attorney, and Finance Director work out the details on this and submit them to the Council at its next meeting, February 9, 1950. The motion, duly seconded, carried by the following vote:

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

Councilman Drake moved that the City Manager be instructed to write the Insurance Exchange and the Associated General Contractors a letter of thanks for all the work they did in the insurance schedule and on appraising the buildings. The motion, seconded by Councilman Long, carried by the following vote:

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

MR. CARL HARDIN, JR., appeared before the Council to invite each member to be present at the station, Saturday, February 4th, to meet WANDA WILEY when she arrives in Austin. He asked that a police escort be provided for a parade, following the Boy Scout Parade. The Council expressed appreciation for this invitation.

MR. STEVE HEFFINGTON reported over \$32,000.00 had been received in the March of Dimes. He asked that citizens be permitted to drop dimes and pennies in the parking meters and those be collected and given to the March of Dimes. Councilman Johnson moved that all dimes and pennies dropped into the parking meters for the duration of the drive, be turned over to the March of Dimes. The motion, seconded by Councilman Long, carried by the following vote:

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

MR. CHESTER BURATTI, Austin Real Estate Board, stated before the Council that this organization was desirous of helping out in the March of Dimes Campaign and they were planning to organize a SOCIETY FOR THE OBSERVANCE OF FLYING SAUCERS, and were going to have a telescope on a platform. He asked first that Saturday, February 4th be proclaimed "FLYING SAUCER DAY". The Mayor signed the proclamation designating the day as FLYING SAUCER DAY. Mr. BURATTI asked also permission to park a vehicle at 610 Congress to serve as a platform. Councilman Long moved that they be granted permission to park the car at this location after all details had been worked out with the Police Department. The motion, seconded by Councilman Johnson, carried by the following vote:

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

MR. BOB TEASDALE and MR. JACK DISMUKES, JAYCEES, appeared before the Council, asking for permission to erect three tents, two behind the Coliseum and one across the road. He made inquiry about leveling the land and about extra lighting. It was stated the leveling of the land would be done with City equipment, and that the City had portable transformers that would be used to furnish lights. Councilman MacCorkle moved that the Jaycees be permitted to erect the three tents, providing proper insurance and bonds, etc., for the HOME AND TRADE SHOW on March 30, 31, and April 1, and 2nd. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Councilman Long stated she had a number of calls regarding the registration of dogs. She asked that the Press and Radio clarify the statement that was made that dog tags were issued at the City Hall only, and to publicize the fact that tags are issued ALSO by veterinarians.

COLONEL J. R. MARTZ and MR. HARRY PESNELL appeared before the Council requesting that favorable consideration be given to the sale of approximately two (2) acres of ground from a tract of land owned by the City in the northeast section for use as a site upon which to build a Baptist Church. The tract referred to is that land bounded on the North and West by Wilshire Boulevard, on the East by Airport Boulevard and on the South by Shieffer. It was stated by the Mayor that the Council had been requested to dedicate this as park land; however, the Council took the request of Colonel Martz and Mr. Pesnell under advisement, and stated they would give them an answer in two weeks, February 16th.

In view of the request of MR. JOHN E. ALLEN, South Austin Lion's Club, for permission to construct a Little League Baseball Stadium on City property, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the South Austin Lion's Club has submitted a proposal for the construction of a Little League Baseball Diamond in Butler Park adjacent to the City Soft Ball fields, and

WHEREAS, the plan has been considered and it is deemed a feasible and worthwhile improvement to the Recreation program, therefore,

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

That the proposal is hereby approved and authorization is hereby made for the construction and operation of a Little League Baseball Diamond, the activities to be conducted without cost to the City of Austin.

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

MR. JOHN E. ALLEN discussed the matter of advertising, and the Council left this matter up to the Lion's Club and the Recreation Department, with the provision that all advertising be on the inside of the fence.

MAYOR GLASS proclaimed FEBRUARY 6, 1950 to FEBRUARY 12, 1950, as BOY SCOUT WEEK.

Councilman Johnson moved that the following requests for zoning changes be set for public hearing THURSDAY, FEBRUARY 23, 1950, at 11:00 A.M.:

C. T. USELTON COMPANY for Jake Silberstein	Lots 3,4,5, and part of Lot 6, Blk. 119, Original City, known as 1000-1018 Red River	From "C-1" Commercial To "C-2" Commercial NOT Recommended by the Zoning Board
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JESS H. CUMMINGS

3707 Lake Austin Blvd.
Lot 1, Block 4, Lake
AdditionFrom "C-1" Commercial
To "C-2" Commercial
NOT Recommended by the
Zoning Board of Adjust-
ment.

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

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

Noes: None

On motion of Councilman Drake, duly seconded by Councilman Johnson, the City Council unanimously voted to withhold payment of \$175,000.00 to the Austin Independent School District out of the profits of the Water and Light Departments for the year 1949 as requested by the Board of Trustees of the Independent School District in a recent communication in compliance with ARTICLE XII, Section 2, Subsection (23), of the City Charter, as amended April 2, 1945, it being pointed out by Councilman Drake, in making the motion, that the City Council had been advised by both the Attorney General of Texas and by the City Attorney that payment of the \$175,000.00 as requested could not be made legally. By unanimous decision the City Council directed that the sum of \$175,000.00 be now shown as a contingency in the 1950 annual budget, to be kept in that status until further action and notice of the Council.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Board of Education of the Austin Public Schools has heretofore requested that steps be taken to reappraise the property outside of the corporate limits of the City of Austin, but within the corporate limits of the City for school purposes only, and

WHEREAS, the School Board has requested and received proposals outlining the procedure and cost of various firms, and

WHEREAS, the Board of Education has recommended to the City Council the award of the contract to the Texas Educational Service and Marvin Turner Engineers in the amount of \$31,250.00, same amount to be paid by the Board of Education, Therefore,

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

That the City Manager be and is hereby authorized and directed to enter into an agreement with the Texas Educational Service and Marvin Turner Engineers in accordance with Proposal No. 1 as submitted for the appraisal of property in the Austin Independent School District outside of the corporate limits of the City for all purposes, acting for and on behalf of the Board of Education of the Austin Independent School District.

The motion, seconded by Councilman MacCorkle, 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 execute on behalf of the City of Austin a warranty deed to Frank Trezell and wife, Esther Trezell, conveying to the said Frank Trezell and Esther Trezell for a consideration of One Thousand Two Hundred Dollars (\$1,200.00) in cash a tract of land 110.97 x 91.75 x 62.45 feet, being 2865 square feet of land out of Lot 1, Block C of Delwood, Section One, a subdivision of a portion of the Thomas Hawkins Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Delwood, Section One, of record in Book 4, Page 253, of the Plat Records of Travis County, Texas.

Which motion, duly seconded by Councilman Johnson, 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 Guiton Morgan, City Manager, be and he is hereby authorized and directed in behalf of the City of Austin to enter into a contract with the State of Texas for the construction by the State of a storm sewer to be built on the easement obtained by the City of Austin beginning at station 755+09 on East Avenue and extending east between Concordia Avenue and Edgewood Avenue a distance of approximately one thousand one hundred thirty feet (1,130') to the east line of Werner Avenue as shown on page 52 of plans approved by the City and the State and attached to said contract as Exhibit "A", and further obligating the City of Austin to pay 55% of the cost of construction of said sanitary sewer, which cost to the City is estimated to be \$10,400.00.

(Contract attached)

"C-15-13-1
FI 200 (5)
Travis County

"THE STATE OF TEXAS §

COUNTY OF TRAVIS §

THIS AGREEMENT, made this _____ day of _____, 1950, by and between the City of Austin, a municipal corporation situated in Travis County, Texas, hereinafter for convenience sometimes called the "City", acting by and through Guiton Morgan, its City Manager, hereunto duly authorized by resolution of the

City Council, and the State of Texas, hereinafter for convenience sometimes called the "State", acting by and through D. C. Greer, its State Highway Engineer, hereunto duly authorized by action of the State Highway Commission.

WHEREAS, work has been authorized on U. S. Highway 81 in the City of Austin which includes a storm sewer to be built on the easement obtained by the City of Austin beginning at station 755+09 on East Avenue and extending east between Concordia Avenue and Edgewood Avenue a distance of approximately one thousand one hundred thirty feet (1,130') to the east line of Werner Avenue as shown on page fifty-two (52) of the approved plans; and

WHEREAS, THE City has requested the State to perform Additional storm sewer work which is beneficial to the City; and

WHEREAS, it has been established that the State of Texas will pay forty-five percent (45%) of the cost of the said storm sewer work as outlined on the plans; and

WHEREAS, it has been established the City will pay fifty-five percent (55%) of the construction cost of the said storm sewer work as outlined on the plans including engineering and contingencies and it is estimated the City's share of this improvement is Ten Thousand Four Hundred and No/100 Dollars (\$10,400.00); and

WHEREAS, The City will be charged with the responsibility of maintaining that portion of the storm sewer work outside of the State right of way limits. The City will maintain this storm sewer in such a manner as to permit the proper out-flow of water.

NOW, THEREFORE, The City of Austin and the State of Texas contract and agree as follows:

(1) The proposed work covering the construction of the storm sewer described above will be constructed by the State in accordance with the plans approved by the City and the State, attached to this contract, marked Exhibit "A", and made a part hereof for all purposes; and the State will pay forty-five percent (45%) of the cost of construction and the City of Austin will pay fifty-five percent (55%) of the cost of such work, which will be clearly outlined on the plans and the City will transmit to the State with delivery of this Agreement, duly executed by the City, a warrant made payable to the State Treasurer, Account of Trust Fund No. 163, in the amount of \$10,400.00 to be used in paying for fifty-five percent (55%) of the actual cost of the construction of said storm sewer in the City of Austin.

(2) The State will construct all items for the City which are clearly outlined in the plans; and all other items of work required by the City, and not included in the plans, will be constructed by the City and the entire cost of such additional items will be borne by the City.

(3) The State will provide forty-five percent (45%) of the cost of the said storm sewer and will cause the work to be performed contemporaneously with construction of Highway 81 as relocated along East Avenue from the North City Limits of the City of Austin to Seventeenth Street in the City. If upon receipt of

bids by the State, or the actual construction or approved changed in the contemplated improvement, it is found that this amount is insufficient to pay the City's portion, then the City upon request of the State will forthwith supplement this amount by an amount equal to the City's full share of the cost not to exceed fifty-five percent (55%) of the total cost of this work, less the amount previously paid by the City to the State. In the event the amount as paid to the State is more than the actual cost as herein provided, then the excess amount will be returned by the State to the City.

(4) The cost of the work to be done on behalf of the City as herein provided will include the cost of engineering and contingencies. The City will be charged with the responsibility of maintaining that portion of the storm sewer work outside of the State right of way limits. The City will maintain this storm sewer in such a manner as to permit the proper outflow of water.

IN TESTIMONY WHEREOF, the City of Austin has caused this instrument to be executed in duplicate by and through Guiton Morgan, its City Manager, hereunto duly authorized by resolution of the City Council, attested by its City Clerk and with its seal hereunto affixed; and the State of Texas has caused this instrument to be executed in duplicate by and through D. C. Greer, its State Highway Engineer, hereunto duly authorized by action of the State Highway Commission.

CITY OF AUSTIN

By _____
City Manager

ATTEST:

City Clerk

STATE OF TEXAS

By _____
State Highway Engineer

APPROVED:

Director of Public Works
City of Austin

APPROVED:

Chairman, State Highway Commission

APPROVED AS TO FORM:

Member, State Highway Commission

City Attorney
City of Austin

Member, State Highway Commission

RECOMMENDED FOR APPROVAL:

Engineer of Aid Projects"

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

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

Noes: None

The Mayor introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE OF THE PORTION OF U. S. HIGHWAY NO. 81 AS RELOCATED ALONG EAST AVENUE IN THE CITY OF AUSTIN AS A FREEWAY AND AS A STREET HEREINAFTER REFERRED TO AS "THE EAST AVENUE PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY OF AUSTIN TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, CONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID EAST AVENUE PROJECT AS A FREEWAY; FOR THE INDEMNIFICATION OF THE STATE OF TEXAS BY THE CITY AGAINST ALL DAMAGES TO ADJOINING, ABUTTING, AND OTHER PROPERTY, AND FOR EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; 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 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 MacCorkle 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 MacCorkle moved that the ordinance be finally passed. The motion, duly 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 Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin owns Lots 1 through 7, In Block 166, on a part of which is located the Nurses' Home, and

WHEREAS, it is desirable that the City acquire Lot 8, in order to provide a site for the proposed Public Health Building, and to further facilitate the use of certain other parts of this property for the construction of the laundry and heating plant in connection with the Hospital and Public Health Building improvement programs; therefore,

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

That the City Manager is hereby instructed to negotiate with the owners of Lot 8 for its purchase by the City; and that in the event a satisfactory price cannot be negotiated, that same be acquired by condemnation.

The motion, duly seconded by Councilman Drake, 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)

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 gasmains in and upon the following streets:

(1) A gas main in SOUTH 1st STREET, from a point 47 feet north of West Oltorf Street southerly to West Oltorf Street, the centerline of which gas main shall be 7.5 feet east of and parallel to the west 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.

(2) A gas main in WEST OLTORF STREET, FROM South 1st Street easterly 95 feet, the centerline of which gas main shall be 13.5 feet south of and parallel to the north property line of said WEST OLTORF STREET.

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

(3) A gas main in RIVERVIEW STREET, from a point 32 feet east of Anthony Street west to Anthony Street, the centerline of which gas main shall be 7.5 feet north of and parallel to the south property line of said RIVERVIEW STREET.

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

(4) A gas main in ANTHONY STREET, from Riverview Street northerly 164 feet, the centerline of which gas main shall be 18 feet west of and parallel to the east property line of said ANTHONY STREET.

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

(5) A gas main in GOVALLIE AVENUE, from a point 59 feet west of Tillery Street west to Linden Street, 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.

(6) A gas main in LINDEN STREET, from Govalle Avenue northerly 333 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LINDEN STREET.

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

(7) A gas main in BERGMAN AVENUE, from a point 175 feet east of Lynn Street easterly 186 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said BERGMAN AVENUE.

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

(8) A gas main in WRIGHT STREET, from a point 502 feet west of Bluebonnet Lane westerly 300 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WRIGHT 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 granted to said company by the City of Austin.

The 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 Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of East 4th Street and Neches Street, which property fronts 98 feet on Neches Street, 138 feet on East 4th Street and 69 feet on East 5th Street, and being known as Lots 2 and 7 and the south 98 feet of Lot 1, Block 39, of the Original City of Austin, Travis County, Texas, and hereby authorizes the said Capitol Chevrolet, Inc., to construct, maintain and operate a semi-private gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station 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 Capitol Chevrolet, Inc., has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas
February 2, 1950

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Capitol Chevrolet, Inc., acting by and through John H. Nash, Jr., President, for permission to construct, maintain and operate a semi-private gasoline filling station upon the property located at the northeast corner of East 4th Street and Neches Street, which property fronts 98 feet on Neches Street, 138 feet on East 4th Street and 69 feet on East 5th Street, and being known as Lots 2 and 7 and the South 98 feet of Lot 1, Block 39, of the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by the Capitol Chevrolet, Inc., and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

There is a storm sewer in Neches Street adjacent to the above described property.

We recommend that Capitol Chevrolet, Inc., be granted permission to construct,

maintain and operate said gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of the sidewalk, street or alley.

(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., that all construction of the filling station improvements shall be in accord with the Building Ordinances, the Zoning Ordinance, the Filling Station Ordinance and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer.

(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2-G-324.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-G-324 and shall be of the pre-moulded type.

(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certificate of Operation before such filling station can be put into service.

Respectfully submitted,

/s/ C. G. Levander
Director of Public Works

/s/ J. E. Eckert
Building Inspector"

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

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

Noes: None

JAMES HENRY HAWKINS, colored, appealed to the Council on his application to drive a taxi-cab. Due to his police record, Councilman Drake moved that his application be denied. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Mayor Glass brought up the following ordinance for second reading:

AN ORDINANCE REGULATING THE OPERATION OF WRECKERS AND WRECKER COMPANIES IN THE CITY OF AUSTIN; DEFINING CERTAIN WORDS AND PHRASES; REQUIRING WRECKER COMPANIES TO FILE CERTAIN STATEMENTS WITH POLICE DEPARTMENT AND PRESCRIBING FORMS TO BE USED FOR CALLING WRECKERS TO ACCIDENT SCENES; PRESCRIBING PROCEDURE TO BE USED IN CALLING WRECKER TO ACCIDENT SCENES; PROHIBITING PURSUIT OF AMBULANCES AND POLICE CARS; PROHIBITING THE DRIVING OF WRECKERS TO ACCIDENT SCENES; PROHIBITING THE SOLICITATION OF WRECKER BUSINESS ON PUBLIC STREETS; PROHIBITING THE INTERCEPTION OF POLICE RADIO MESSAGES; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE ORDINANCE; PROVIDING A SAVING CLAUSE; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

MR. TOM LONG, representing three Wrecker Companies, appeared before the Council, listing several objections to the proposed ordinance, and offering suggestions that the wrecker companies felt would be satisfactory to all concerned. The City Attorney stated he would be responsible for the phraseology of all ordinances, but the substance of this one would be for the Council to decide on. Mr. Long objected to the list of wrecker companies being furnished officers who investigated accidents; he mentioned the possibility of equipment way below standard being used and called "wreckers"; he felt if some companies were on a 24-hour basis; then all companies should be required to be available on a 24-hour basis. The Council referred this matter back to the Legal Department to get with the attorneys for the Wrecker Companies and work out something, and resubmit to the Council.

A discussion of fees to be charged for building permits was held by the Council. Different ideas were expressed and comparison of other cities was discussed. Councilman MacCorkle felt that fixing a fee on square feet regardless of the construction would not be equal; but if it could be broken into three divisions based on square feet for residential, for commercial and for industry it might be more logical. The Mayor felt that there would always be a difference in value placed by the Building Inspector and that by the Tax Department, and he felt that the Building Inspector should not have to set values on buildings before they were constructed.

The Mayor then introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith," PASSED BY THE CITY COUNCIL APRIL 30, 1931, AND RECORDED IN BOOK "I", PAGES 387-536, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 203 IN PART I, CHAPTER 2, SO AS TO PROVIDE FOR A SCHEDULE OF FEES TO BE CHARGED AND COLLECTED FOR BUILDING PERMITS; AND DECLARING AN EMERGENCY.

Councilman Drake moved that the ordinance be amended in SECTION I by adding after the schedule the following: "Areas in the above schedule shall be calculated from outside dimensions". The motion, duly seconded carried by the following vote:

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

The ordinance was read the first time, and Councilman Drake 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 Drake, Johnson, Long, Mayor Glass
Noes: Councilman MacCorkle

The ordinance was read the second time, and Councilman Drake 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 Drake, Johnson, Long, Mayor Glass
Noes: Councilman MacCorkle

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

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

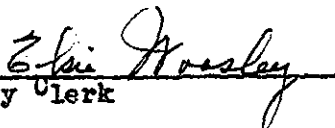
The Mayor then announced that the ordinance had been finally passed.

There being no further business, the Council unanimously voted to adjourn, the time being 2:10 P.M.

APPROVED:


Mayor

ATTEST:


City Clerk