

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 12, 1953  
10:00 A.M.

Council Chamber, City Hall

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The meeting was called to order with Mayor Protem Pearson presiding.

Roll call:

Present: Councilmen Long, Thompson, White, Mayor Protem Pearson  
Absent: Mayor McAden

MAYOR PRO-TEM PEARSON announced that Mayor McAden was absent due to the passing of his mother, MRS. MARY McADEN PRICE.

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

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson  
Noes: None  
Absent: Mayor McAden

MR. ED CLARK appeared before the Council requesting that the Council set a hearing for the Telephone Company's request for rate increase, and filed a written request as follows:

Law Offices  
LOONEY, CLARK & MOORHEAD  
Brown Building  
Austin 1, Texas  
November 12, 1953

"To the Honorable Mayor and City Council of Austin:

"I hand you this written request again asking that you set for hearing the application of the Southwestern Bell Telephone Company filed with the City Council for an increase in its rates in Austin on the 23rd day of July, 1953. As you know, there has been no kind or character of hearing whatsoever on this matter to date, nor has it ever been set for hearing. You are all so familiar with the fact that we have renewed our request for hearing on July 30, 1953, again on September 10, 1953, in person before the Council, and again on October 21, 1953, I presented to the City Council through your Clerk, a written request that the matter be set down for a prompt hearing.

"On October 26th, Honorable C. A. McAden, Mayor of Austin, advised me by letter, that it was the intention of the Council to look into this matter just as soon as possible. He also stated that I could expect to hear from you at an early date regarding same. To date, I have had no notice whatsoever that you have set the application of the Telephone Company for a hearing.

"I respectfully request that you set a date for a hearing on our application in the immediate future.

"Thanking you for whatever consideration you may give to this request, I am

Yours sincerely,

(S) Edward Clark  
Edward Clark"

Councilman Thompson suggested that inasmuch as the Mayor was not present that the Council receive the letter and discuss it; and when the Council felt it was proper, to communicate with Mr. CLARK as to the time a hearing could be held. Mayor Protom Pearson told Mr. Clark an answer to his request would be given as to when this hearing could be held.

The Council had before it the following tabulation:

"November 2, 1953

"Memorandum to: W. E. Seaholm, City Manager  
Memorandum from: C. G. Levander, Director of Public Works

"Following is a tabulation of bids opened at 10:00 A.M., Friday, October 30, 1953, for the construction of approximately nineteen (19) blocks of paving, known as Paving Assessment Contract #7:

Holland Page	\$ 99,882.30
Collins Construction Co.	114,850.62
McKown & Sons	120,105.31
George Kies	133,252.54
City's Estimate	\$117,600.00

"I recommend that Holland Page, with his low bid of \$99,882.30 be awarded the contract.

"The following streets are included in this project:

Jefferson Street and Bull Creek Road from 35th Street to Hancock Drive, less the section now paved.

Oakmont Boulevard from 39th Street to Bull Creek Road."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 30, 1953, for the construction of approximately nineteen (19) blocks of paving, known as Paving Assessment Contract No. 7; and,

WHEREAS, the bid of Holland Page in the sum of \$99,882.30 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Holland Page in the sum of \$99,882.30 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Holland Page for the construction of such paving.

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

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson  
Noes: None  
Absent: Mayor McAden

Mayor Pro-tem Pearson brought up the following ordinance for its second reading:

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 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 13(b) OF ARTICLE III, RELATING TO LEFT TURNS AT CERTAIN INTERSECTIONS OF SAID ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Thompson, White, Mayor Pro-tem Pearson  
Noes: Councilman Long  
Absent: Mayor McAden

The Council had before it the Original Zoning of AREA 8 - Industrial Area east of the old city limit line. MR. BILL PETRI asked that the property just below the Howard Nursery property (which was recommended "A" Residence) be left "A" also, as his family did not wish to sell it off for industrial, nor did they wish to be taxed for industrial property. MRS. CHAS. MITCHELL, member of the Planning Commission, stated it was evident that many changes in their recommendation would occur, and if Mr. Petri felt the property should be zoned "A" for his parents, there should be no objection to leaving it "A" Residence, First Height and Area. No action was taken by the Council this week, and the matter will again be considered next week.

Discussion was held on a contract with Water Control District No. 6. The City Manager explained this district was beyond the city and Bergstrom Field and would tie in to an existing line; everything was in good order-- they had formed a district, held an election, will have both tax and revenue bonds, and they have good bids on the construction. Councilman Long inquired as to the effects on future annexation. The City Manager stated the contract provided that the District would not incorporate; that the city had the right to purchase the system or any part after three years; that the bonds are recallable. They are to comply with the subdivision ordinance. Councilman Thompson was interested in the revenue, and the ability of the water system to serve it. The City Manager explained everything was being charged for, and the rates were sufficient to take care of their part of capital expenditures of the water plant.

Councilman Thompson then 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, is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Travis County Water Control and Improvement District No. 6 providing for the sale and delivery of water by the City of Austin to the District, for the management of the affairs of said District, and for the performance by the City of various services for the District, all as more fully set out in such contract, a copy of which accompanies this Resolution and has been marked for identification by the City Clerk.

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to place and keep such copy of said contract in the permanent files of the City Clerk.

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

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson

Noes: None

Absent: Mayor McAden

Councilman Long offered the following Resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Board of Adjustment, created by the Zoning Ordinance of the City of Austin, has requested that no compensation be paid to its members for their services on such Board; Now, Therefore,

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

That compensation to the members of the Board of Adjustment of the City of Austin be and the same is hereby discontinued.

vote:

The motion, seconded by Councilman Thompson, carried by the following

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson

Noes: None

Absent: Mayor McAden

The Council received the following tabulation:

"November 10, 1953

"Memorandum to: W.E. Seaholm, City Manager

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

"Following is a tabulation of bids opened at 10:00 A.M., Tuesday November 10, 1953, on the widening of West 1st Street (south side) from Guadalupe Street to Colorado Street, and also the north approach to the South 1st Street Bridge:

W.S. Conner	\$10,304.64
J. R. Canon Const. Co.	11,162.09
Maufrais Brothers	11,386.75
Earl Rogers	11,668.66
Collins Construction Co.	11,833.12
Holland Page	16,824.60
Capital Construction Co.	17,723.72
City's Estimate	\$ 9,945.51

"I recommend that W. S. Conner with his low bid of \$10,304.64 be awarded the contract."

Councilman White offered the following Resolution and moved its adoption:

WHEREAS, bids were received by the City of Austin on November 10, 1953, for the widening of West 1st Street (south side) from Guadalupe Street to Colorado Street, and also the north approach to the South 1st Street Bridge; and,

WHEREAS, the bid of W. S. Conner in the sum of \$10,304.64 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of W. S. Conner in the sum of \$10,304.64 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with W. S. Conner for the widening of such street and the construction of such approach.

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

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson  
Noes: None  
Absent: Mayor McAden

The Council received the following Memorandum:

"October 28, 1953

"Memo to: Mr. W. E. Seaholm, City Manager  
"From: D. C. Kinney, Superintendent Electric Division

"Bids were received on 5 KV, outdoor, metal clad switchgear for West Substation with roof bushings on the incoming cubicle; alternate bids were also requested for this switchgear with incoming line to enter the cubicle from the bottom. These bids are tabulated as follows:

BASE BID

General Electric Company	\$20,827.00	26 weeks
Allis-Chalmers Mfg. Co.	19,930.00	6 months
Westinghouse Electric Corp.	20,665.00	April 1954

ALTERNATE BID

General Electric Company	20,587.00	26 weeks
Allis-Chalmers Mfg. Co.	19,623.00	6 months
Westinghouse Elec. Corp.	20,425.00	April 1954

"I recommend that we accept the alternate bid of Allis-Chalmers Manufacturing Company for \$19,623.00 as the lowest and best bid.

(S) D. C. Kinney, Superintendent  
Electric Division

Approved  
W. E. Seaholm, City Manager

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on October 26, 1953, base and alternate bids were received for the purchase of 5 Kilovolt, outdoor, metal-clad switchgear for West Substation; and,

WHEREAS, the alternate bid of Allis-Chalmers Manufacturing Co. in the sum of \$19,623.00 was the lowest and best bid, and the acceptance of such bid has been recommended by the Superintendent of the Electric Division of the City of Austin and by the City Manager; Now, Therefore,

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

That the alternate bid of the Allis-Chalmers Manufacturing Co. be and the same is hereby accepted, and Mr. W. E. Seaholm, City Manager, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Allis-Chalmers Manufacturing Co. for the purchase of said equipment at said price.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson  
Noes: None  
Absent: Mayor McAden

Pursuant to published notice thereof, public hearing was granted on the following request for zoning change:

MRS. LILLIAN C. WRIGHT &	1616-18 West 5th	From "B" Residence
MR. CECIL STREET	1620-22 West 5th	To "C" Commercial
		RECOMMENDED by the Planning
		Commission with 6th Height
		and Area

No opposition appeared. The Mayor Pro-tem asked that those who favored upholding the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson  
Noes: None  
Absent: Mayor McAden

Mayor Pro-tem Pearson announced that the change had been granted and that the City Attorney would be instructed to draw the necessary ordinance.

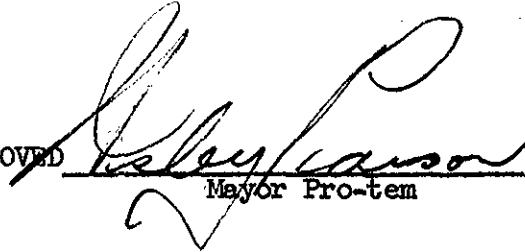
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MRS. CHAS. MITCHELL stated that MR. MARTIN S. KERMACY had made a report from the Master Plan Committee in October and would make a further report in December. She submitted questionnaires which would be submitted to all Department Heads so that the Planning Commission could obtain the material which it needed for the Master Plan. Councilman Thompson inquired if the Department Heads would have sufficient time to answer these questionnaires by the time the Planning Commission wanted to make its report December 31st. The City Manager replied that a substantial amount had already been worked up, already. Mrs. Mitchell wanted to keep the Council informed currently and give it the information as the Commission went along rather than make one long report. She referred to the letter mailed to the Council dated November 10, 1953, -- ZONING ORDINANCE: INTERIM REVISIONS, and asked to have the Council's comments on this, as there

were several recommendations on zoning being held up waiting for some word from the Council. The Council decided to discuss this very soon, probably the following week.

There being no further business, the Council adjourned at 11:25 subject to the call of the Mayor.

APPROVED

  
Mayor Pro-tem

ATTEST:

  
City Clerk