

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 13, 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, Mayor Glass
Absent: Councilman MacCorkle

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.

MR. E. W. CARTWRIGHT asked the endorsement of the Council of the plan of the Explorer Scouts to lay out the LONE STAR TRAIL all through the lake and mountain area, and he explained they wanted to go through the Lake Austin Municipal Park. In blazing this trail, he stated permission would be obtained from all land owners, and certain markings would be made locating the LONE STAR TRAIL. The Mayor expressed appreciation to the Scouts in starting this project. Councilman Johnson moved that the Boy Scouts be granted permission to traverse Lake Austin Metropolitan Park with the proposed "Lone Star Trail" and to erect appropriate milestones and other markers, stiles, where necessary to cross the fences, and to erect and maintain one or more over-night shelters for temporary use by hikers and campers. The motion, seconded by Councilman Long, carried by the following vote:

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

The Council received the following petition filed by MR. FREDERICK ISELY and signed by approximately seventy-nine business men:

"We, the undersigned, sincerely believe that the question whether the proposal for one way streets should be adopted is so serious and suggests such a radical change in our traffic handling that at least another year of investigation should be undertaken by all

interested agencies so that it can be fully ascertained whether the change would help rather than injure the public" (Petition on file in City Clerk's Office)

MRS. DAN ROACH, 1904 Redwood, representing citizens in Cresthaven Addition, presented the following petition:

"We the undersigned wish to present this petition to call to the attention of the City Council a new development (one Acre) at East 19th and Redwood, approximately three city blocks beyond the city limits.

"At present there is one water spigot for 8 or more houses, 4 of which are now on location. It is our understanding that there are to be outside open pit toilets, and no plans for running water in the houses.

"This area is within two blocks of a planned elementary city school which site was purchased last year. We feel that this will create a fire hazard, a health hazard, in fact, a slum area where none now exists.

"We ask you to look into this situation at once.

(The petition was signed by 43 citizens, and is on file with the City Clerk) MRS. ROACH opposed this development of moving these houses which were substandard to that vicinity as it would create a slum area just outside the City limits, and she felt that when their community came into the City limits, the slum area would come in also. MR. A. D. NELSON spoke before the Council, stating each of the petitioners had from \$8,000 to \$10,000 invested in their homes. It was his understanding the development of this one-acre tract did not include inside toilets for the houses but pit-toilets. MR. JEROME SNEED, Attorney for Mr. Payne, the developer, stated Mr. Payne had filled in a gully in this tract, filled in a well, moved these houses there and intended to make them livable and rent them to negroes. Each house would have inside water, hot and cold, inside bathroom, and septic tanks would be built, and there were to be eight houses, according to Mr. Sneed. In the discussion Mr. Nelson stated Mr. Wiley, of Payne and Wiley, had informed them there were to be pit-toilets. Mr. Sneed promised that before the houses were occupied, they would be as he had outlined. The Mayor stated this was of grave interest to the Council, but the Council had no authority in the matter. Councilman Long asked that these subdivisions on the outskirts not providing sanitary facilities not be allowed, as plans are being made now to get people out of the slums, and she would like to find some way to do something about this area. Mayor Glass explained that under the State law, the City was helpless to do anything. He then asked the group if they would be interested in coming into the City, and he explained it would be a long time before the group would realize the benefit of city facilities, and that their taxes would be increased. Mr. Nelson and another citizen were interested in coming into the City. The Mayor asked that this probability be checked to see if it could be worked out for this area to come into the City limits. Councilman Long felt that the City could have control over that area and could see that houses were built up to standard; and that services would come in time. MR. BOW WILLIAMS spoke before the Council, and his idea was that the houses in question could not be made livable.

MR. PAUL HOLCOMB came before the Council reporting vandalism in Ramsey Park, caused by boys remaining in the park or returning to the park around 11:00 P.M. The Council informed him that an ordinance was now under consideration that would correct this situation.

The following applications for change of zoning were advertised for public-hearing this date, and were considered by the Council:

1. MRS. JOHANNA SCHOEN- 407-907 South Congress From "B" Residential
FIELD (Rear) To "C" Commercial
RECOMMENDED by the
Zoning Board, on
3-21-50

Councilman Johnson moved that the recommendation of the Zoning Board of adjustment be upheld and the requested change granted, and 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
Noes: None
Present but not voting: Mayor Glass
Absent: Councilman MacCorkle

2. PROPOSAL OF THE CITY Triangle at the south From "C" Commercial
OF AUSTIN east corner of Inter- To "A" Residential
RECOMMENDED by the Zon-
ing Board on 3-21-50.

Mr. Charles Herring, Attorney, asked that hearing on this application be postponed for two weeks, and the Council granted the request and reset the hearing for April 27, 1950.

3. JACK KEY, OWNER and 2101 Hancock Drive From "C" Commercial
NICK DORNWELL, Lessee To "C-1" Commercial
HERMAN JONES, ATty. RECOMMENDED by the
Zoning Board on 3-21-50.

Hearing on this application was postponed at the request of Mr. Herman Jones, Attorney.

4. M. K. HAGE 93-95-97 East Avenue From "A" Residential
To "C" Commercial
NOT Recommended by the
Zoning Board (8-9-49)

Mr. Hage withdrew his application and asked that it be held in abeyance pending the development of the Interregional Highway.

5. BEN LOCKHART

3.87 acres out of the
Spear League, less 150'
depth frontage on George-
town Road now zoned "C-1"
5200 Georgetown Road

From "A" Residence
To "C" Commercial
NOT RECOMMENDED by
the Zoning Board
(3-21-50)

MR. LOCKHART submitted an amended application asking for only 150' now adjoining the 150' depth frontage on Georgetown Road. The Zoning Board recommended that this amended application be granted, and recommended additional property be rezoned. It was the amended application and recommendation of the Zoning Board of April 11, 1950, which was considered at this hearing. Mr. Lockhart was present and presented his own case. Councilman Long moved that the recommendation of the Zoning Board be upheld and the requested change granted according to the amended application of Mr. Lockhart, and the City Attorney instructed to draw up the necessary ordinance. The motion, seconded by Councilman Johnson, carried by the following vote:

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

In connection with this same application, Councilman Drake moved that the additional property recommended by the Zoning Board to be changed from "A" to "C" be set for public hearing May 4, 1950, this property being as follows:

WILLIAM BOHN

E. 300', less the east 150'
fronting on Georgetown Rd.,
now zoned "C-1" of a 5-acre
tract of land out of the
George W. Spear League,
5010-5110 George town Road

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Zoning Board 4-11-50
in connection with
the application of
BEN LOCKHART.

R. G. MUELLER

E. 300', less the east 150'
fronting on Georgetown Rd.,
now zoned "C-1" Commercial,
of a 4.90 acre tract of land
out of George W. Spear League
5206-5218 Georgetown Road

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Zoning Board 4-11-50
in connection with
application of BEN
LOCKHART.

SAMMIE JOSEPH

W. 50' of a .523 acre tract
of land fronting on west side
of Georgetown Rd., 5220-5228
Georgetown Road

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Zoning Board 4-11-50
in connection with
application of BEN
LOCKHART

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

MRS. FRANK B. MARTIN appeared before the Council and asked that the hearing of the application of JACK KEY at 2101 Hancock Drive NOT be held on May 11th. The Council took note of this request.

The Council received the following petition signed by over a 100 citizens:

"We the undersigned, recommend that you convert into a Public Parking Area the one-half block owned by the city and located on the north side of East 5th Street between Red River Street and Sabine Street.

"As you know, this area is now occupied by Browning's Auto Parts and Wrecking Yard. Upon inspection, we believe that you will find this location to be a 'sore eye' instead of an asset to our city.

"Consult your Traffic Department to verify the numerous calls regarding our congested parking conditions in this part of the city. A lot of this congested parking condition is caused by the large number of State Health Department employees and State Health cars, this department being located in the 400 block on East 5th Street.

"We feel that this recommendation is in order and ask for your full and prompt consideration." (File with City Clerk)

MR. OTHA WYDEMYER (Col) appeared before the Council appealing the denial of his permit to drive a taxi-cab. Councilman Johnson moved that he be granted a 90-day probation permit, reporting to the Chief of Police at set intervals. The motion, seconded by Councilman Long, carried by the following vote:

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

MR. CHARLES HERRING inquired about the proposed taxi-cab ordinance. It was stated the proposed ordinance was not yet ready to submit; and that some members of the Council would be out of town for the next two weeks, and the Council would like to have all five members present when this is brought up.

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 gas mains in and upon the following streets:

(1) A gas main in GRISWOLD LANE, from a point 163 feet East of Sharon Lane easterly 106 feet, the centerline of which gas main shall be 7.5 feet wouth of and parallel to the north property line of said GRISWOLD LANE.

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

(2) A gas main in ACORN PLACE, from a point 171 feet south of Cumberland Road southerly and easterly 272 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said ACORN PLACE.

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

(3) A gas main in JAMESBOROUGH STREET, from Hillview Road westerly 550 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said JAMESBOROUGH STREET.

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

(4) A gas main in FORD STREET, from a point 176 feet east of Ann Arbor Avenue westerly 180 feet, the centerline of which gas main shall be 6 feet south of and parallel to the north property line of said FORD STREET.

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

(5) A gas main in ANN ARBOR AVENUE, from Ford Street to Rundell Place, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said ANN ARBOR AVENUE.

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

(6) A gas main in ANN ARBOR AVENUE across Rundell Place intersection, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said ANN ARBOR

AVENUE.

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

(7) A gas main in RUNDELL PLACE, from Ann Arbor Avenue to a point 23 feet west of Rabb Road, the centerline of which gas main shall be 6 feet north of and parallel to the south property line of said RUNDELL PLACE.

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

(8) A gas main in RUNDELL PLACE, from a point 23 feet west of Rabb Road westerly to Airole Way, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said RUNDELL PLACE.

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

(9) A gas main in AIROLE WAY, from Rundell Place northerly 148 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said AIROLE WAY.

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

(10) A gas main in AIROLE WAY, from Rundell Place southerly 247 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said AIROLE WAY.

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.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Board of Trustees of the Austin Independent School District has requested permission from the City Council of the City of Austin to construct a retaining wall across a portion of East Ninth Street lying between Neches Street and Trinity Street; and

WHEREAS, said portion of East Ninth Street is not open and is not being used by the public as a street, but is a public street which has not been abandoned or vacated and will be used as a public street in the future; and

WHEREAS, the City Council desires to permit the construction of said retaining wall and to allow said retaining wall to remain in said street area so long as it is not needed for street purposes;
Now, Therefore,

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

That permission is hereby given to the Board of Trustees of the Austin Independent School District to construct a retaining wall across a portion of East Ninth Street lying between Neches Street and Trinity Street and to maintain said retaining wall at such location until requested by the City Council to remove same. This permission is granted on the express condition that when requested to do so by the City Council, the Board of Trustees will remove the retaining wall at no expense to the City of Austin.

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

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

Councilman Drake 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 22,
OF ARTICLE IV RELATING LIMITED PARKING TIME; REPEALING

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Drake, Johnson, Long, Mayor Glass
Noes: None
Absent: 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, duly seconded by Councilman Long, carried by the following vote:

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

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

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

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

Councilman Long introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED:
"AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON TRAVIS HEIGHTS BOULEVARD, AND SUNDRY OTHER STREETS AND AVENUES IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW 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; OVERRULING AND DENYING ALL PROTESTS AND OBJECTIONS OFFERED; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON EACH AND EVERY OF SAID STREETS AND AVENUES 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 AND AVENUES 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," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON JANUARY 20, 1950, AND IS RECORDED IN BOOK "P" AT PAGES 19 to 141, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 4 OF SAID ORDINANCE TO CORRECT AND ADJUST CERTAIN OF THE SPECIAL ASSESSMENTS APPEARING ON THE ASSESSMENT ROLL OF STAMFORD LANE, UNIT 19, CONTAINED IN SAID SECTION 4 OF SAID ORDINANCE; AND DECLARING AN EMERGENCY.

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, duly seconded by Councilman Johnson, carried by the following vote:

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

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, duly seconded by Councilman Johnson, carried by the following vote:

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

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

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

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

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 34 (b) OF ARTICLE V, RELATING TO ONE-WAY STREETS; SECTION 12(a) OF ARTICLE III, RELATING TO SIGNAL LIGHT LOCATIONS; SECTION 13(a), OF ARTICLE III, RELATING TO U-TURNS AT INTERSECTIONS WITH TRAFFIC SIGNAL LIGHTS; SECTION 13 (B) OF ARTICLE III, RELATING TO LEFT TURNS AT INTERSECTIONS WITH TRAFFIC SIGNAL

LIGHTS; AND SECTION 40(b) RELATING TO LEFT TURNS FROM ALLEYS AND PRIVATE DRIVEWAYS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS AND MAKING THIS ORDINANCE EFFECTIVE OF THE 1st DAY OF JUNE, 1950.

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, duly seconded by Councilman Johnson, carried by the following vote:

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

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, duly seconded by Councilman Johnson, carried by the following vote:

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

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

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

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

The Council unanimously agreed that the plan as adopted by the Ordinance would be tried for six months, at end of which period, consideration would be given to whether the plan ought to be continued, altered, or repealed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Schelling-Busch Construction Corp. is the Contractor for the remodeling of a building located at 908 Congress Avenue and desires a portion of the sidewalk space abutting the south 1/2 of Lot 3, Block 110, of the Original City of Austin, Travis County, Texas, during the remodeling 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 Schelling-Busch Construction Corp., 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 Congress

Avenue 4 feet to a point; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 20 feet to a point; thence in a westerly direction and at right angles to the centerline of Congress Avenue 4 feet to the southeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Schelling-Busch Construction Corp., hereinafter termed "Contractor", upon the following express terms and conditions:

(1). That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two parking meter spaces immediately in front of the entrance in the barricade, for the delivery or removal of materials during construction work.

(2) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(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 May 1, 1950.

(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 One Thousand Dollars (\$1000.00), 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.

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

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

Councilman Long read several letters she received regarding the bus service. She wanted the Council to ask the bus company, Mr. Greig; and Mr. Clint Murchison of Dallas, and his Attorney, Mr. Gerald Mann, to come to Austin and to know the thinking of the people about the service. She thought if more people rode the busses and were given service, the parking situation would ease. Councilman Long moved that the officials of the Austin Transit Company; Mr. Murchison of Dallas, owner; and Mr. Gerald Mann, Attorney, be requested to meet with the Council at its regular meeting on April 27th to give a report of what they are doing and what they intend to do about the bus service. The motion, seconded by Councilman Drake, carried by the following vote:

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

The following letter for Mr. T. N. Porter, Business Manager, Austin Public Schools, April 12, 1950, was read:

"At the regular meeting of the Board of Trustees held April 10th, the following resolution was unanimously adopted -

'Be it Resolved, that the Board of Trustees ask the City Council to consider the John B. Winn community appeal that the tower light located, at present, on 19th Street and East Avenue, be placed in the vicinity of John B. Winn School and that the Board ask the City Council to give this matter further consideration before moving the tower light.'

"It will be appreciated if you will submit the above resolution to the Council at their meeting Thursday, April 13."

Councilman Long moved that the tower light when relocated, be left in that area, and that the previous authorization to move it to Zilker Park be rescinded. (Previous authorization dated December 23, 1949) The motion, seconded by Councilman Johnson, carried by the following vote:

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

Mayor Glass suggested that a meeting be called of the Building Code Committee.

Councilman Johnson moved that the following be named officially as members of the Building Code Committee:

MR. MUNSEY WILSON	- Texas Society of Professional Engineers (Structural Engineer)
MR. CARL STAUTZ	- Architects
MR. LESLIE CROCKETT	- Contractors
MR. RAYMOND DEAR	- Building Materials - Lumber
MR. CHESTER SMITH	- Trades Council
MR. JIM COCHRAN	- Insurance
DR. A. J. McCROCKLIN	- American Institute of Electrical Engineers

Ex-officio Members

MR. GUITON MORGAN	- City Manager
MR. JOHN ECKERT	- Building Inspector
MR. W. L. HEATON	- Fire Marshall
MR. W. T. WILLIAMS, Jr.	- Assistant City Attorney


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

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED:


Mayor

ATTEST:


City Clerk