

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 15, 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

Present also: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; Captain Warren Blackman, Police Department; Herbert Hargis, Engineer from the Health Department.

Councilman Johnson moved that since copies of the minutes of the last meeting of the City Council have been furnished Council members by the City Clerk, the reading of the minutes be dispensed with and that the minutes be adopted as read in the Clerk's report. Upon being duly seconded by Councilman Long, the motion was unanimously adopted by the Council and the minutes so approved.

MR. ROBERT SNEED, representing the Austin Independent Retail Grocers Association, requested the City Council to instruct the Police Department to enforce the "SUNDAY LAW", and close all grocery stores on that day. MR. JOHN THOMPSON, 7-11 STORES, stated other cities had found it hard to enforce this law, and asked if the Council tried to enforce it, that all of it be enforced. Mayor Glass stated the law could not be dodged, as we have to live by laws. Councilman Johnson moved that the Chief of Police file the complaints and test the enforcement out until the law was changed. The motion died for lack of a second. The Council directed the City Manager to check into all phases of this with the Chief of Police and City Attorney, and see if the law is enforceable; and in the meantime the Council would study it and make a decision at its next meeting, June 22nd.

MR. G. E. WIER, 906 East 55th, complained of an open tank on the property owned by MR. M. H. CROCKETT along Airport Boulevard, stating it was breeding mosquitoes, was dangerous for children who would play there, and was in general a nuisance. It was stated that the City Attorney had written Mr. Crockett about this; that the area had been sprayed, and the tank should be drained. The City

Manager was instructed to investigate this and fill in the tank.

MR. JAMES SHIRLEY HALL appeared before the Council in an appeal of the administrative denial of his application to drive a taxi-cab. The City Attorney and Chief of Police had not recommended the permit due to his police and traffic record. Councilman Drake moved that the Council NOT grant the permit. The motion, seconded by Councilman MacCorkle carried by the following vote:

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

MR. WILLIAM EDWIN S. DICKERSON appeared before the Council in an appeal of the administrative denial of his application to drive a taxi-cab. The City Attorney and Chief of Police had not recommended the permit due to his traffic record. Councilman Johnson moved that the permit NOT be granted. The motion, seconded by Councilman Drake, carried by the following vote:

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

MR. WALTER KOCH, Member of the Austin School Board, asked about planning sidewalks around the schools and streets leading to the schools. This question was discussed at length. Councilman MacCorkle moved that the City Manager refer this to the Planning Board to consider and to recommend where the sidewalks should be place, and to recommend the procedure for getting the program started as soon as possible. The motion, seconded by Councilman Johnson, carried by the following vote:

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

MAYOR GLASS recommended that some member of the School Board should serve ex-officio on the Planning Board. It was stated that TEMPLE MAYHALL attended the meetings; and if there were a member from the Board also, it would be very helpful.

Councilman Drake inquired about the possibility of requiring payment bonds on all property that the City leases. He then moved that the City Attorney draft an ordinance or resolution to require a performance bond on all properties that are leased to individuals or corporations by the City. The motion, seconded by Councilman Johnson, 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 Walter Seaholm, City Manager, be and he is hereby authorized and directed, on behalf of the City of Austin, to enter into a contract with Elmer Burch, by the terms of which the City of Austin will lease, for cafe purposes, to the said Elmer Burch for a term of five (5) years beginning June 1, 1950, 1209 square feet of the Administration Building and the accompanying area, at the Municipal Airport now used for cafe purposes.

BE IT FURTHER RESOLVED:

That the rental provided for in such lease shall be as follows:

- (a) Five (5%) per cent gross on all sales of food and drink in said cafe.
- (b) Ten (10%) per cent gross on all sales of miscellaneous merchandise sold by Lessee in said building.
- (c) A minimum of Fifty (\$50.00) Dollars per month shall be paid by Lessee to Lessor, whether the percentages above enumerated amount to that sum or not, so that Lessor shall receive not less than Fifty (\$50.00) Dollars for each month the said premises are used by Lessee under this lease.
- (d) That Fifty (\$50.00) Dollars rental shall be paid in advance for each month, and the additional sum based on the percentage above specified shall be promptly paid not later than the fifth day of each month for the preceding month.
- (e) In addition to the rentals, Lessee shall pay Lessor for all water and electricity used by him.

BE IT FURTHER RESOLVED:

That said lease shall contain such other provisions regarding the use of the property, the operation of the cafe, payment of rental and termination of such lease as to the City Manager may seem proper.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in OLANDER STREET, from East 13th Street northerly 115 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said Olander Street.

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

(2) A gas main in LAMAR BOULEVARD, from a point 108 feet south of West 34th Street southerly 27 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Lamar Boulevard.

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

(3) A gas main in CHICON STREET, from a point 109 feet north of East 18th Street northerly 54 feet, the centerline of which gas main shall be 11.5 feet west of and parallel to the east property line of said Chicon Street.

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

(4) A gas main in POQUITO STREET, from a point 44 feet south of Peoples Street southerly 45 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Poquito 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.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
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 Council of the City of Austin hereby approves as a filling station site the property located at the southwest corner of the intersection of East 7th Street and Gunter Street, which property fronts 120 feet on East 7th Street and 80.84 feet on Gunter Street and being known as a portion of Lots 8, 9 and 10 of Eden Acres, Number 2 in the City of Austin, Travis County, Texas, and hereby authorizes the said Ira White to construct, maintain and operate a drive-in 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 Ira White, has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendation attached)

June 15, 1950

Mr. Walter Seaholm
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Ira White for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southwest corner of the intersection of East 7th Street and Gunter Street, which property fronts 120 feet on East 7th Street and 80.84 feet on Gunter and being known as a portion of Lots 8, 9 and 10 of Eden Acres Number 2, in the City of Austin, Travis County, Texas and the property upon which this filling station is to be located is owned by Ira White 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 are no storm water drainage facilities in place adjacent to this property. The storm water and surface drainage from this filling station is to be disposed of in such a manner that such water and other surface drainage will not flow across the sidewalk area into the street.

We recommend that Ira White be granted permission to construct, maintain and operate said drive-in 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 a 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 Ordinance, 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.

(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-C-1346.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-1346 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,

(Sgd) C. G. Levander
Director of Public Works

(Sgd) J. C. 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

The Council received the following letter:

" June 15, 1950

To The City Council
City of Austin, Texas

Re: Completion and Acceptance of Work
of Improving San Gabriel Street
from West 28 $\frac{1}{2}$ Street to West 29th.
Street, being Unit 5, of the
Current Improvement Program.

The work of improving San Gabriel Street, from the north property line of West 28 $\frac{1}{2}$ Street to the south property line of West 29th Street, known as Unit 5 in the current street improvement program, has been performed and completed by Collins Construction Company of Texas in full compliance with the contract, and the Plans and Specifications therein contained, dated November 22, 1949, between the City of Austin and Collins Construction Company, which contract was thereafter assigned to Collins Construction Company of Texas.

I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, Plans and Specifications referred to above.

Respectfully submitted,

(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas

Councilman Johnson then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING SAN GABRIEL STREET, UNIT 5, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREIN-BELOW DEFINED, PERFORMED BY COLLINS CONSTRUCTION COMPANY OF TEXAS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

The ordinance was read the second time, and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The

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

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

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

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to execute a deed in behalf of the City of Austin, conveying to John L. Grady and wife, Annie Mae Grady, for and in consideration of the payment by the said Grady to the City of Austin of the sum of One Hundred Thirty and no/100 Dollars (\$130.00) cash, eighteen hundred (1800) square feet of land, same being out of and part of that certain 7.80 acre tract of land, a portion of Live Oak Grove, a subdivision of the Bunton Homestead Tract out of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Live Oak Grove of record in Volume 2 at page 615 of the Deed Records of Travis County, Texas, which was conveyed to the City of Austin by warranty deed dated August 11, 1947 of record in Volume 869 at page 234 of the Deed Records of Travis County, Texas.

Which motion, seconded by Councilman Johnson, 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 final plat of the subdivision known as "Oakdale", approved by the City Plan Commission of the City of Austin on June 8, 1950, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

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

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

Noes: None

Councilman Long introduced the following resolution to be laid on the table for one week:

(RESOLUTION)

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

THAT the sum of \$3,127.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of construction of a dock and boat house on the north side of Lake Austin approximately 175 feet above the L.C.R.A. Administration Building in the City of Austin.

The resolution was introduced and laid over for one week.

COUNCILMAN JOHNSON moved that the City Manager, through the Traffic and/or Planning Departments work up something about traffic on the Congress Avenue Bridge, to allow three lines coming north in the rush periods of the mornings, and three lines going south in the evening rush periods. The motion, seconded by Councilman Drake, carried by the following vote:

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

Noes: None

COUNCILMAN DRAKE stated the same traffic situation existed with reference to Fifth Street.

MAYOR GLASS called a meeting of the Council and the Zoning Board of Adjustment for Monday afternoon at 3:00 P.M. to discuss the proposed zoning ordinance changes.

The City Manager presented the following letter, addressed to him under date of June 12, 1950:

"As spokesman for the group of neighbors who recently protested the city dump in the form of a petition, I want to express our gratitude for the prompt attention that you gave this matter.

"Your apparent willingness to recognize a dump such as this one to be a nuisance and a health hazard to any community has made us extremely grateful. We appreciate the thorough investigation that you and Mr. Levander made on this matter, and are happy to see that you have taken concrete steps to remedy the situation.

"Thank you,

(S) Mrs. Geo. W. Sanders, Jr."

MAYOR GLASS suggested that all information possible be obtained regarding compost manufacture before the bonds were voted for an incinerator--to find out what is compost material and what is incinerator material.

The recommendations of the Building Code Committee, prescribing minimum standards of construction of dwellings, were not considered at this meeting, but postponed for discussion on the following meeting of the Council, June 22nd.

Councilman MacCorkle 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 W. A. Swearingen for the laying of certain water mains, sanitary sewers, and other pipes in Oakdale Subdivision, in accordance with the terms and provisions of a certain contract, a copy of which is attached to this Resolution and made a part hereof for all purposes.

(Contract attached)

THE STATE OF TEXAS)
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS:

This contract made and entered into by and between the City of Austin, a municipal corporation situated in Travis County, Texas, hereinafter for convenience sometimes called the City, and W. A. Swearingen, of Travis County, State of Texas, hereinafter for convenience sometimes called the Customer; WITNESSETH:

I.

(a) The City of Austin for the consideration hereinafter stated agrees to furnish all labor, tools, equipment, implements, appliances, and materials necessary to lay and agrees to lay the certain water mains and other pipes in Oakdale Subdivision on the streets and at the locations described as follows:

Six-inch (6") cast iron water main in Pecos Street from Greenlee Drive to Lot 4, Oakdale Subdivision, a distance of approximately 155'.

Two-inch (2") cast iron water mains in Oakdale Courts from Greenlee Drive to center of Cul-de-sac, a distance of approximately 170'.

(b) The City of Austin for the consideration hereinafter stated agrees to furnish all labor, tools, equipment, implements, appliances and materials necessary to lay and agrees to lay the certain sanitary sewer mains and other sewer pipes in Oakdale Subdivision on the streets and easements at the locations described as follows:

Sanitary sewer mains in Greenlee Drive easement #1 from Creek West to Pecos Street, a distance of approximately 170'

Sanitary sewer mains in Greenlee Drive easement #2 from Pecos Street west across the North part of Lot 4, a distance of approximately 170'

Sanitary sewer mains in Pecos Street from Greenlee Drive easement #1, South to South property line to Lot 5, a distance of approximately 140'.

Sanitary sewer mains in Greenlee Drive easement #3 from Pecos Street across the North part of Lot 5, a distance of approximately 170'.

II.

It is estimated that all work contemplated under Paragraph I above will cost the sum of Three Thousand Four Hundred and Thirty Two Dollars (\$3,432.00) when completed, of which cost the sum of Nine Hundred Dollars (\$900.00) is estimated to be the cost of the water lines and the sum of Two Thousand Five Hundred and Thirty Two Dollars (\$2,532.00) is estimated to be the cost of sewer lines; and the Customer in consideration of the foregoing obligations to the City, which are assumed for the benefits of the Customer in order to furnish water service and sewer to him, agrees to deposit the sum of Three Thousand Four Hundred and Thirty Two Dollars (\$3,432.00) with the City of Austin prior to commencement of the work.

III.

Within a reasonable time after deposit of the sum or sums of money as provided in Paragraph II, the City of Austin agrees to commence construction of the utility improvements described in Paragraph I and to prosecute said work in a good and workmanlike manner and with reasonable diligence until fully completed; but delays occasioned by matters and events over which the City has no control shall be excepted and not included in the time reasonably required to complete the work.

IV.

The deposit provided for in Paragraph II is an estimate only of the cost of constructing the utility improvements described in Paragraph I, and it is agreed that if the actual cost of such work is less than the amount deposited by the Customer, the City of Austin after the work is completed will refund to the Customer the difference between the actual cost and the estimated cost of such work, but if the actual cost of such work shall exceed the amount of said deposit, the Customer agrees upon notice from the City immediately to deposit an additional sum to make up the difference between the estimated cost and the actual cost of the work.

V.

Immediately after completion of the utility improvements described in Paragraph I, the City of Austin will furnish to the Customer a statement of such

costs, together with the date of completion of the work, and the City of Austin is hereby authorized, through its officers or agents, to note on this contract the correct figure stating the actual cost of such work and the date of completion.

VI.

It is agreed that the Customer shall be reimbursed for the money deposited as provided in Paragraph II above in the following manner:

Within sixty (60) days after the first day of January following completion of the work described in Paragraph I, the City shall pay to the Customer a sum equal to twice the gross amount of income realized by the City from the service and sale of water for usual, customary, and normal domestic, commercial, and industrial uses to customers having a direct connection with the water mains and sewer lines, described above for the period of time immediately preceding the first day of January; and within sixty (60) days after the first day of January of each succeeding year the City agrees to pay to the Customer a sum equal to twice the gross income realized by the City during the preceding calendar year from the service and sale of water from said water lines for usual, customary, and normal domestic, commercial and industrial uses to customers having a direct connection with said water mains and sewer lines, until the total amount of the cost of construction of the utility improvements has been repaid; but in no event shall the City make such payments for a period of time longer than ten (10) years from the date of completion of said work (as such date is noted hereon under provisions of Paragraph V), even though the full cost of such work at the end of said time has not been refunded in full to the Customer; and if at any time before the expiration of said ten (10) year period the principal sum of such cost has been repaid further payment shall cease.

VII.

It is agreed that the City may make such repairs and changes in all of said utility improvements, pipes, hydrants, and connections necessary to the orderly conduct of proper utility systems. Title to all said utility improvements shall be and remain at all times in the City of Austin.

VIII.

It is agreed that this contract is made with reference to the existing charter and ordinances of the City of Austin and laws of the State of Texas pertaining to all matters affecting this contract, and the Customer agrees to comply with all provisions of such laws, ordinances and charter.

IX.

It is agreed that the City of Austin may at its option retain any part or all of the deposit made by the Customer in compliance with Paragraphs II and IV of this contract and refuse to make the payments and refunds provided for in Paragraphs IV and VI of this contract in the event the Customer shall fail or refuse to comply substantially with any obligation lawfully imposed on the City of Austin regulating the platting, planning, and development of subdivisions within the City of Austin.

IN TESTIMONY WHEREOF, the City of Austin has caused this instrument to be

executed in Duplicate by its City Manager, attested by its City Clerk, with its corporate seal affixed, and the said W. A. Swearingen, has executed this instrument in duplicate this the ____ day of ____, 1950.

CITY OF AUSTIN

By _____
City Manager

ATTEST:

W. A. Swearingen

City Clerk

APPROVED:

Director of Utilities

Director of Public Works

City Attorney

ENTERED UPON AUTHORITY OF PARAGRAPH V:

Actual cost of construction: \$ _____

Date of completion of Work: _____

CITY OF AUSTIN

By _____

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

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

Noes: None

Councilman Johnson moved that the following applications for change of zoning be set for public hearing JULY 13, 1950, 11:00 A.M.

PURE ICE & FOODS, INC.
(By Jack Sparks)

N. 150', Lot A., Blk.
15, Outlot 45, Div.
B, Unplatted
1603-05 Manor Road

From "A" Residence
To "C-2" Commercial
NOT Recommended by
the Zoning Board

MAX WERKENTHIN, H.P. BECKER, Lots 19 & 12, Forrest
P.S. MANGUM By W. TRENCKMAN Hills "B", Subdivision
of Outlot 33, Div. "C"
and the south portion
of 1.27 acre tract ad-
joining on the east;
and
the north part of the
said 1.27 acre tract

From "A" Residence
To "C" Commercial

From "A" Residence
To "B" Residence
RECOMMENDED by the
Zoning Board.

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

Councilman Johnson moved that the following applications for change of zoning be referred to the Zoning Board of Adjustment for consideration and recommendation:

SAM McDONALD	6010 Dallas Highway	From "A" Residence To "C" Commercial
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MRS. WILHELMINE SHEFFIELD	500 and 504 West 34th Street	From "B-1" Residence To "C" Commercial
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The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager stated a request had been made for two acres of land out of Memorial Park for the construction of a mausoleum. MR. HARRY JOHNSON and a group of business men will sponsor the project. Mr. Seaholm presented the details and problems to be worked out. He stated also the perpetual care cost ran \$1.00 per space in the cemeteries now, whereas only 75¢ had been set aside for that, and that some adjustment in those prices might have to be made. The City Manager asked if the Council would be interested in considering the sale of the two acres for the construction of the Mausoleum. The City Manager was requested to get all the information together for the Council, and to see that enough money would be paid in to absorb all the expenses that perpetual maintenance might incur. Councilman Johnson inquired of the possibility of getting some tax money to take care of the old part of Oakwood. It was suggested that the City Manager look into the possibility of modifying the rates in Memorial Park so that the two cemeteries could be cared for out of this fund, including the old part.

The City Manager suggested a meeting with the Planning Board to make specific recommendations on the Interregional Highway. The Mayor thought three of the most logical sites should be considered, and options obtained right now, as some people wanted to give the right-of-way and some would want to be paid. The City Manager was directed to start work on this right away.

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

APPROVED: 
Mayor

ATTEST:


City Clerk