

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 23, 1954  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

## Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Absent: None

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

Invocation was delivered by REV. SCOTT BAILEY, All Saints Episcopal.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of December 16th as corrected be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 1501-1513 ANDERSON LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING

THE RULES REQUIRING THE READING OF ORDINANCES ON  
THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 5226-5264 AND 5300-5332 BURNET ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT ON AN UNPLATTED TRACT OF LAND LOCALLY KNOWN AS 2900-2912 OAK SPRINGS DRIVE AND 1160-1178 HARVEY STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND "O" OFFICE DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 1600-1700 BLOCK OF EAST LIVE OAK, 2108-2140 PARKER LANE AND 2107-2139 INTERREGIONAL HIGHWAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON TWO TRACTS OF LAND LOCALLY KNOWN AS 502-510 WILLOW STREET AND 92-94-96 RED RIVER STREET, ALL IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES

301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON LOT 4 AND THE WEST 23 FEET OF LOT 5, BLOCK 40, OF THE ORIGINAL CITY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 15.8 ACRES OF LAND, MORE OR LESS, OUT OF THE C. J. STROTHER SURVEY AND THE ALBERT SILSBE SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on certain maps and plats of the City of Austin, a public road or street is shown as Bobbye Street, as extending a short distance eastward and westward from its intersection with Summit Street; and

WHEREAS, said section of Bobbye Street was dedicated and named on a map or plat of Elmhurst Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which map or plat is of record in Book 3, page 214, Plat Records of Travis County, Texas; and

WHEREAS, the present residents and owners of property abutting said street have requested that the name be changed from Bobbye Street; and

WHEREAS, the undivided property east of the east end of Bobbye Street is being subdivided in such manner that a street, which is designated Elmhurst Drive, will connect with said east end of Bobbye Street; and

WHEREAS, the City Council of the City of Austin deems it to the best interest of the public to change the name of such portions of Bobbye Street to Elmhurst Drive in order to prevent confusion; Now Therefore

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

That the certain section of street now known as Bobbye Street as named and dedicated on the map or plat of said Elmhurst Addition, and which extends easterly and westerly from its intersection with Summit Street in the City of Austin, Travis County, Texas, be and the same is hereby changed to Elmhurst Drive; and

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

That the City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this Resolution in the Deed Records of Travis County, Texas.

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

Ayes: Councilmen Long\*, Pearson, Thompson, White, Mayor McAden

Noes: None

\*Councilman Long stating for the record she was for this if everybody were notified and wanted the change.

The City Manager submitted the following:

"December 20, 1954

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

"Subject: Purchase of Crawler Tractor with Bulldozer Attachment  
for Use at Sanitary Fills.

"Bids were received at the office of the Purchasing Agent on Wednesday, December 8th for the purchase of a tractor for use at our sanitary fills. We are trading in an old Caterpillar Tractor on this new equipment. Following are the bids received:

<u>"Name of Company</u>	<u>Price on New Equipment</u>	<u>Price on Trade-in</u>	<u>Net Bid</u>
H. W. Lewis Equip. Co.	\$19,834.60	\$4,000.00	\$15,834.60
Wm. K. Holt Mach. Co.	20,001.00	5,001.00	15,000.00
Jess McNeel Mach. Co.	22,765.00	5,000.00	17,765.00
Jess McNeel Mach. Co.			
Alternate No. 1	19,039.75	5,000.00	14,039.75
Alternate No. 2	18,183.00	4,500.00	13,683.00
Alternate No. 3	17,105.00	4,500.00	12,605.00

"I recommend that we purchase this equipment from Jess McNeel Company on their Alternate No. 1 bid with a net price of \$14,039.75. We have one of these machines in operation on the sanitary fills which was purchased in 1949, and we are of the opinion that this is the machine that should be purchased. The Jess McNeel bids on Alternate No. 2 and Alternate No. 3 are on machines which are too small and light for work on our fills."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 8, 1954, for the purchase of a crawler tractor with bullclam attachment, for use at the City's sanitary fills; and,

WHEREAS, the bid of Jess McNeel Machinery Company in the sum of \$14,039.75 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 Jess McNeel Machinery Company in the sum of \$14,039.75 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 the Jess McNeel Machinery Company.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The City Manager submitted the following:

"Subject: Milk and Cream Contract, January 1, 1955-June 30, 1955,  
Brackenridge Hospital & Austin-Travis County T.B. Sanatorium

"Sealed bids were received until 10 A.M. December 14, 1954 on above contract



and at that time opened and tabulated. Bids were asked for using both cartons and bottles. As last year, the bottle price is cheaper, as shown on the attached tabulation.

"Oak Farms Dairies is low bidder and it is requested that they be awarded the contract for a six months period.

"Tabulation of Bids - Milk and Cream  
Brackenridge Hospital & Austin-Travis County T.B. Sanatorium

"BOTTLES	Superior Dairies	Carnation Co.	Oak Farms
BRACKENRIDGE HOSPITAL	\$8,516.20	\$8,345.88	\$8,231.61
Total amount bid on estimated quantities			
T. B. SANATORIUM	3,127.10	3,064.56	3,106.52
Total amount bid on estimated quantities			
NET TOTALS BID for both institutions	11,643.30	11,410.49	<u>11,338.13</u>

"CARTONS

NET TOTALS bid for both institutions	\$12,565.30	\$12,314.00	\$12,232.47
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"Recommend low bidder, Oak Farms Dairies, be awarded contract

(Sgd) W.E.S  
W. E. Seaholm, City Manager"

Discussion was held on the contract for milk and cream for Brackenridge Hospital and the Austin-Travis County T.B. Sanatorium for a 6 months period. Councilman Thompson wanted a study made of the source of the milk of Carnation, Oak Farms, and Superior Dairies; and if a predominant part of Superior Dairies were coming from the local shed, and the most of the milk of the others coming from foreign market, he would be in favor of paying more and buying from the local dairy. In the discussion it was brought out that all the dairies supplemented their supply by buying from the mid-west dairies. Councilmen Long and White wanted a study on making the contract on an annual basis rather than a six months basis, thinking there might be an advantage on an overall basis if an average for the year were taken due to the fact some seasons of the year milk is plentiful and some seasons there was a shortage. Councilman Pearson also suggested that the bids should be submitted on a six months basis and a 12 months period; and then an analysis made to see.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 14, 1954, for the furnishing of milk and cream to the Brackenridge Hospital and to the Austin-Travis County T. B. Sanatorium for the period beginning January 1, 1955 and ending June 30, 1955; and,

WHEREAS, the bid of Oak Farms Dairies in the sum of \$11,338.13 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the City Manager of the City of Austin; Now, Therefore,

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

That the bid of Oak Farms Dairies in the sum of \$11,338.13 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 Oak Farms Dairies.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTION OF U.S. HIGHWAY NO. 183 IN THE CITY OF AUSTIN, TEXAS HEREINABOVE REFERRED TO AS "THE STREET PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY 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, RECONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID STREET PROJECT; 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 AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTION OF STATE HIGHWAY NO. 71 IN THE CITY OF AUSTIN, TEXAS, HEREINABOVE REFERRED TO AS "THE STREET PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY 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, RECONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID STREET PROJECT; 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 AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTION OF U.S. HIGHWAY NO. 290 IN THE CITY OF AUSTIN, TEXAS HEREINABOVE REFERRED TO AS "THE STREET PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY 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, RECONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID STREET PROJECT; 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 AND PROVIDING THAT THIS ORDINANCE  
SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager explained the provisions of the Workmen's Compensation Laws with reference to the City, and recommended that the Council pass the Ordinance to make it possible for the City to come under the Workmen's Compensation provisions. He stated there was an additional study underway of all the benefits--the pension system, social security, etc. He recommended self-insurance and explained this recommendation. Councilman Thompson wanted to receive the study that is being made to see if it would be better to go into self-insurance or get the insurance from an Insurance Company. The City Manager explained the benefits of being self-insured at this time. Councilman Pearson thought it would probably be economical to carry the insurance through the City rather than through a company. Councilman Long wanted further study also into the Workmen's Compensation Law. Councilman White asked that he be furnished a copy of the ordinance and the Workmen's Compensation Law. No action was taken on the ordinance at this time.

The Council had before it the following zoning application:

THEO A BURKLUND  
By Eugene W. Nelson

5300 Avenue "F"

From "A" Residence  
To "C" Commercial  
6th Height and Area  
NOT Recommended by the  
Planning Commission

MR. NELSON stated he had discussed this with the Planning Engineer and concluded that an "O" Office Classification would be acceptable and accomplish the purpose they had in mind, as it would permit a filling station under special permit. The Mayor read a letter from MR. & MRS. E. K. BROWNING and from WANDELL L. HOHERTZ in opposition to the change to "C". Councilman Long moved that the

application be resubmitted to the Planning Commission to study with the view of changing it to "O". The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Pearson specifically requested that additional notices be sent out by the Plan Commission, so that the people out there would know about the special permit plan.

The City Attorney explained the ordinance adopting the codification of the ordinances of the City, stating this codification repealed the general ordinances with certain exceptions and they were enumerated. These were the same ones as discussed with MR. BROWN, of the Mitchie Company. Mayor McAden then introduced the following ordinance:

AN ORDINANCE ADOPTING A CODIFICATION AND  
REVISION OF THE ORDINANCES OF THE CITY OF  
AUSTIN, TEXAS; AND REPEALING ALL ORDINANCES  
OF A GENERAL AND PERMANENT NATURE NOT ENUMER-  
ATED THEREIN AS EXCEPTIONS TO SUCH REPEAL.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"Proposals for installation of a 20" and 24" Water Main from Northland Drive and Shoal Creek Boulevard to Price Park Reservoir

"Proposals for the installation of 6028 feet of 24" Water Main and 2756 feet of 20" Water main were received until 10:00 A.M., December 21, 1954 and then publicly opened and read. The following proposals were received.

<u>"COMPANY</u>	<u>CAST IRON</u>	<u>STEEL CYLINDER</u>	<u>WORKING DAYS</u>
Austin Engineering Company	No Bid	\$113,757.36	130 - from Jan 10
Pelphrey - Basham, Inc.	\$146.341.00	117,043.50	60 and 45 from Feb. 15
Karl B. Wagner Engineering Construction, Inc.	No Bid	122,025.70	110 - from Feb. 1
Joe Bland Construction Company	156,415.46	127,625.74	100 and 170 from Dec. 21

"The proposals have been checked and compared as to the total cost. Total cost was derived by adding to the bid price a sum equal to per diem City cost for inspection, etc., times the number of working days.

"It is my recommendation that the contract be awarded to Austin Engineering Company as the lowest and best proposal received.

"(Sgd) Albert R. Davis  
Superintendent Water and Sewer  
Department

"Approved: (Sgd) W.E.S.  
City Manager"

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 21, 1954, for the installation of 6028 feet of 24" Water Main and 2756 feet of 20" Water Main from Northland Drive and Shoal Creek Boulevard to Price Park Reservoir; and

WHEREAS, the bid of Austin Engineering Company in the sum of \$113,757.36 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water and Sewer Department 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 Austin Engineering Company in the sum of \$113,757.36 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 the Austin Engineering Company.

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

Councilman Long questioned the name of Price Park Reservoir and suggested that this not be applied to this Reservoir, but to designate it "Highland Park" Reservoir.

The City Manager submitted a petition from a group of people in the 800-900 Block of East 37th Street, who believed that those two blocks had been inaccurately named and wanted it changed to "Beausite". He recommended leaving the Street East 37th as it had been known that for years. Members of the Council indicated that unless there was 100% signed up petitioning for a change of name, they preferred leaving it as was. No action was taken.

Councilman White moved that the Council give the City employees a full day, Friday, Christmas Eve, instead of one-half day holiday. Councilman Long seconded the motion. Councilman Thompson inquired if the holiday question were not covered in the recently adopted personnel policy, and if it would not cost several thousand dollars to give this holiday. Councilman White knew of some concerns that were closing all day on Christmas Eve, and Councilman Thompson replied some would be open late that night, and he suggested following the past custom closing at noon. Roll call on Councilman White's motion that City employees be given a full day, Friday, Christmas Eve, instead of one-half day holiday showed the following vote:

Ayes: Councilmen Long, White

Noes: Councilmen Pearson, Thompson, Mayor McAden

Councilman Pearson stated with reference to his vote that he was in favor of continuing the policy of closing one-half day, but not longer as the rest of the firms were not closing, and that is more liberal than the business firms can practice themselves, and they are paying a tremendous amount of the taxes. Councilman Thompson stated regarding his vote that he thought Councilman White was quite sincere in making his motion, but he still felt it was irresponsible management of the City's affairs.

Councilman Long moved that the city employees be given 1/2 day off Christmas Eve insofar as possible. The motion was seconded by Councilman White. Councilman Long stated the Federal, State and Court House employees were off, and many would like to go out of the city, but because of the time they would be denied. Councilman Thompson amended the motion to instruct the City Manager to close the plant down at noon Friday and instruct the department heads to make special arrangements in those cases for people who were going on long trips where more time were needed. After discussion he withdrew his motion. Roll Call on Councilman Long's motion that the city employees be given 1/2 day off Christmas Eve insofar as possible showed the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White inquired about the 40-hour week set up. The City Manager replied it was pretty well shaping up, and he would like to make it effective the next pay period beginning January 7th. Councilman Long inquired if this included all city employees. The City Manager stated that not everybody was going on the 40-hour week; there were some that he mentioned at the Hospital, and that they were studying the sanitation angle. What he planned there was 44 hours, but the men will be given time off as soon as they finish a route, and they will be pretty close then to 40 hours. Councilman Long stated that the Policemen were given a  $7\frac{1}{2}\%$  raise, keeping their regular hours. The City Manager read his recommendation in the Budget Message. He stated this gradually would

be worked on and would all be uniform, but it would take a full year to accomplish this. Councilman Long said the laborers had anticipated a 40-hour week; the garbage men would not get a 40 hour week nor an increase in pay. The City Manager had submitted it that way, and Councilman Pearson understood that the Council voted exactly on that premise. Councilman White did not recall that the sanitation men were excepted in this recommendation. Councilman Pearson asked if the employees working on a pay scale of 44 hours would be moved back to 40; those on 48 hours would move to 40, then those would be given a bigger raise; and wouldn't it be fair to the employees that all be adjusted equally? Councilman White mentioned those at the Power Plant. The City Manager stated the operators working on 48 hour week would be going to 40--there were a few operating jobs that would work out better on a full 24-hour shift, but they were going to make the compensation on back. Councilman White stated it looked like to him that the poor old boy way down got kicked and cuffed around more than anybody else. Councilman Long was under the impression this applied to all employees except fire and police, and that a lot were disappointed. The City Manager read the Minutes of September 22nd pertaining to the 40-hour week. He suggested if the Council wanted to, and he wanted to submit a little change in the job evaluation program, that in lieu of an increase in rate in Steps from two to three that a gradual pulling down of the hours could be worked out, and get them down to 40 hours during the year, but it would take the entire year to do it. The Mayor stated the Council had voted to put it into effect the first of January 1955, and it could do nothing else. He asked if the City Manager could get him an estimate of what it would take, as part of the sanitation men would have to be off on Monday and Tuesday instead of being off on Saturday and Sunday, because the down-town areas had to be serviced. Councilman Long did not remember that the garbage men were excluded. Councilman Thompson asked if the Council were concerned as to what it would cost the taxpayers. The City Manager stated he would get information for the Council next Thursday.

As to the date this went into effect, the City Manager stated it was his recommendation to put it in the first of the year--not a specific date. The City Attorney explained that there were holidays and other days in there, and the pay period beginning January 7th would be just four days later.

Councilman Long made inquiry about the nurses at the Hospital. Councilman Pearson asked if the City Manager could revise the recommendation and the Council vote again as there was a misunderstanding on what was voted on. The City Manager stated he would have the information and submit it in time to make it effective. He would give it both ways. Councilman Pearson believed approaching it from the job evaluation would be hard to approve. The City Manager stated the base rate would be raised 10%, and then the various steps modified accordingly. As there were promotions, they would take those steps, and they would go right on down the line. Councilman White asked why he didn't say something to the Council about the proposal; that the City Manager had said "city employees" and it was voted "city employees". The City Manager explained his proposal--those working 45-44 hours would be put on a 40-hour basis; that he specifically mentioned those people working 48 hours, mentioning the hospital in that connection. He said if the Council wanted to go ahead, he was not adverse to it. Councilman White was not going to be satisfied until they were all put on that 40-hour basis, because it had been voted on. Councilman Long had noted the income in October was \$100,000 more than was anticipated, and \$90,000 more in November than was anticipated.

Councilman Pearson wanted to know how it would be worked out that employees working on a base pay; that to have the same take-home pay--if he were



moved from 48 hours to 40, he would have more take home pay, as his base pay would be increased. The City Manager stated some of the figures would have to be modified to increase the appropriation.

Councilman Thompson asked if an ordinance could be prepared to rescind their previous action (September 22nd) and activate what the City Manager had recommended in the Budget message, as he had made his plans accordingly--hired additional people--trained other people--reworked these work schedules and established these hours according to his notions presented in his budget message. It was his understanding that the Council adopted Mr. Seaholm's recommendation, and that he should proceed with his recommendation. After the City Manager read the Minutes of September 22nd again, Councilman Thompson stated it seemed to be the intent of two council members to go to 40 hours for all employees not according to the recommendation, and that it was the intent of the other two council members to vote to adopt the recommendation. The City Manager had interpreted that the Council accepted the recommendation and submitted his figures of \$178,000 on that basis. Councilman Thompson moved that the Council go on record this day as stating that it was the Council's intent to approve the recommendation made by the City Manager pertaining to shorter hours for City employees in his 1955 Budget message. Councilman Long moved that the motion be tabled. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, White, Mayor McAden

Noes: Councilmen Pearson, Thompson

The Mayor stated there was a little misunderstanding between the two ideas, but it would be worked out; and when the Council received the City Manager's figures, it could pursue the matter further.

The Mayor inquired about the carpool. The City Manager stated it was going to be put in operation the following week; that the lot had to be put in better shape, but the forms were ready, and he believed it would be in by Monday. He explained the method to be used--that keys would be put on a board and the watchman would be generally instructed. There would be a record kept on each car. This pool is here at the City Hall.

Councilman White inquired about the list of city-owned property. He believed if some of that property could be sold that the City would be able to do a little paving.

Councilman Long inquired about the answer to MR. BILL DAY and his father about the use of the Athletic Club and Coliseum. The City Attorney stated that they were to contact him and Mr. Sheffield to see what could be worked out, and that they had not yet contacted him. Mr. Sheffield had indicated that some kind of arrangements could be made when the Days came in. Councilman Long asked if he would write Mr. Day a letter to advise him what he had found out.

Councilman Long inquired about the investigation of the violation of the zoning ordinance in Capitol Courts. The City Attorney reported on the

investigation, and although the operations carried on were objectionable to the neighborhood, it was not believed that they were in violation of the zoning ordinance. A study is being made of the whole operation to try to determine whether or not it could be conducted in that zone. The City Attorney stated they had not found a case where it had been determined in Court just what the ordinance meant. Councilman Long asked that a final ruling one way or other be made. The City Attorney stated he could not give a ruling. Councilman Thompson asked if the City took the position that it was not a violation, the neighbors could go to the Court; and the man who is operating it could go to court if the position were different. The City Attorney explained the situations.

Councilman Pearson inquired of the procedure people would follow that wanted to change the house numbers on their street. The City Attorney stated that the Engineering Department attempted to set up the 100 blocks and allocate specific numbers. It was suggested that the people interested in this renumbering contact Mr. Levander, Director of Public Works.

Councilman Long asked when the Planning Engineer to make the Master Plan was going to be engaged. It was stated the Planning Commission would have a recommendation to submit to the Council in about two weeks.

Councilman Long suggested that women be hired to check parking meters and release some of the policemen from those jobs. This had been tried in other cities and it seemed to be working out satisfactorily. The City Manager stated he had that set up in the budget, but had to take it out to reduce personnel. This personnel would have been set up in the Traffic and Transportation Department rather than in the Police Department. Councilman Long suggested using women to patrol the schools also. Councilman White did not want to see the Police Force cut. Councilman Thompson inquired about the number of hours police spent checking the parking meters. The City Manager stated roughly four or five men devoted about 50% of their time. They are not only marking meters, but checking traffic generally in a large area. As to cutting down on the force, the City Manager stated there was a need for additional police personnel.

The Council received notice from the City Manager that the following applications for change of zoning had been advertised to be heard at 11:00 A.M., January 6th:

FRANK C. BARRON

Tract I-- 3701-03 Manorwood Rd. From "B" Residence  
 - 3130-38 Manorwood Rd. 1st Hgt & Area  
 Tract II- 3700-02 Manorwood Rd. To "GR" General  
 - 3112-18 Manorwood Rd. Retail 6th Hgt &  
 Area. NOT Recommended by the  
 Planning Commission

CHAS. M. GOODNIGHT  
 O. D. BRADSHIRE &  
 J. W. BIRD ( By  
 Jesse Bartlett)

2515 So. 1st &  
 2601 So. 1st Street

From "A" Residence  
 To "GR" General Retail  
 As amended RECOMMENDED

W. C. SCHULLE	5204-5208 Eilers & 707-11 Bruning Ave.	From "A" Residence 1st Hgt & Area To "LR" Local Retail 1st Hgt & Area RECOMMENDED by the Planning Commission
MR. B. E. GIESECKE & ALAMETA & ELOISE YETT By J.A.Bennett, Agent	3301-07 Guadalupe; 505-07 West 34th & 504-06 West 33rd St.	From "A" Residence 1st Hgt & Area To "BB" Residence 1st Hgt & Area RECOMMENDED by the Planning Commission
M. H. CROCKETT, HUMBLE OIL & RFG.CO. By T.E.O'Quinn	5300-38 Airport Blvd. 5400-34 Airport Blvd. 5500-38 Airport Blvd. 5301-29 Middle Fiskville 5401-35 Middle Fiskville 5501-39 Middle Fiskville 714-722 Bruning Ave.	From "C" Commercial 1st Hgt & Area To "C" Commercial 2nd Hgt & Area NOT RECOMMENDED RECOMMENDED 5th Height and Area by the Planning Commission
HUBERT E. ROSSY By Herman Jones	506-08 West 15th St. & 1501-03 Nueces	From "B" Residence 2nd Hgt & Area To "O" Office 2nd Hgt & Area RECOMMENDED by the Planning Commission
PLANNING COMMISSION	Northwest 100' of Lots 1-5, Gullett Gardens, No. 2 (4601-05 Bolm Road & 901-03 Springdale Rd.)	From "A" Residence 1st Hgt & Area and "D" Industrial 3rd Hgt & Area To "C" Commercial 6th Hgt & Area RECOMMENDED by the Planning Commission
JAMES R. ALLEN	3400-02 Lamar Blvd. & 1000 West 34th St.	From "C" Commercial 5th Hgt & Area To "C-2" Commercial 5th Hgt & Area RECOMMENDED by The Plan- ning Commission
T. T. TALLEY	501 Arlington St.	From "A" Residence 1st Hgt & Area To "LR" Local Retail 2nd Hgt & Area As amended NOT Recommended by the Planning Commission

CRUZ GALINDO By  
Josephine Nieto

1114-1118 East 8th St. &  
800-810 Lydia St.

From "C" Commercial 1st  
To "C-1" Commercial 1st  
RECOMMENDED by the  
Planning

TOM GRAHAM

2260-70 & 2300-22  
South Lamar Blvd.

From "C" Commercial  
2nd Hgt & Area  
To "C-1" Commercial  
2nd Hgt & Area  
RECOMMENDED by the  
Planning Commission

There being no further business the Council adjourned at 12:50 P.M.  
subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk