

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 18, 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. WILLIAM LOGAN, University Presbyterian Church.

Councilman White moved that the Minutes of March 11th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Councilman Pearson offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, Mrs. Ruth Alley has made application in writing for permission to use and maintain a building as a day nursery, complying with all City and State regulations, on Lot 1, Block 20, Original City, in the City of Austin, Travis County, Texas, the same being on the west side of Rio Grande Street and locally known as 1700 Rio Grande Street, which property is located in an "B" Residence District and under Section #5, Item 6 of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the use and maintenance of a day nursery school at the location described above be granted to Mrs. Ruth Alley.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Highway Department of the State of Texas is constructing a new highway from the intersection of Peyton Gin Lane and Burnet Road to the intersection of Anderson Lane and Lamar Boulevard; and

WHEREAS, the hereinafter described property presently owned by the City of Austin is needed for a portion of said highway to be known as U.S. Highway 183; Now, Therefore

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

That the hereinafter described property be and the same is hereby dedicated for public use forever for street, roadway, and highway purposes; to wit:

0.984 of one acre of land, same being out of and a part of that certain tract of land out of the Geo.W. Davis Survey in Travis County, Texas which was conveyed to the City of Austin by warranty deed dated August 7, 1951 of record in Volume 1059 at Page 357, Deed Records of Travis County, Texas, which 0.984 of one acre of land is more particularly described by metes and bounds as follows:

Beginning at a concrete monument at the southeast corner of the said City of Austin tract, on the north line of Payton Gin Road;

THENCE with the south line of said tract, N. 60° 00' W. 200.00 feet to a point in the east R-O-W line of the Llano Branch of the Houston and Texas Central Railroad;

THENCE with the east R-O-W line of said Railroad, N. 14° 01' E. 103.48 feet to a point on the proposed north R-O-W line of U. S. Highway No. 183;

THENCE with the proposed north R-O-W line of U.S. Highway No. 183 S. 60° 00' E. 228.58 feet to a point on the east line of the City of Austin tract;

THENCE with the east line of the said City of Austin tract, S. 30° 00' W. 99.42 feet to the point of beginning.

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

The City Manager submitted the following memorandum from Albert R. Davis, Superintendent Water Department regarding bids on Cast Iron Pipe dated March 16:

"Bids were received at the office of the Purchasing Agent 2:00 P.M., February 16, 1954, for cast iron pipe. Prices were requested on sizes 2" through 24" in the estimated quantities to cover our requirements for one year. The United States Pipe & Foundry Company was the only complete bid with quotations on all sizes requested.

"First, we considered sizes 16" - 24", and the bids were as follows:

U.S. Pipe & Foundry Co.	\$179,850.00
James B. Clow & Sons	193,250.00
American Cast Iron Pipe Co.	193,750.00

"Second, we considered sizes 4" - 12", and the bids were as follows:

U.S. Pipe & Foundry Co.	\$172,300.00
Lone Star Steel Co.	176,600.00
James B. Clow & Sons	189,450.00
American Cast Iron Pipe Co.	189,650.00

"Third, we considered sizes 2" - 2 $\frac{1}{4}$ ", and the bids were as follows:

U.S. Pipe & Foundry Co.	\$ 12,330.00
McWane Cast Iron Pipe Co.	12,375.00

Total Bid

U.S. Pipe & Foundry Co.	\$364,480.00
Next lowest combination	
U.S. Pipe & Foundry Co., Lone Star Steel, and McWane Cast Iron Pipe Co.	\$375,625.00

"The bid of the U.S. Pipe & Foundry Company appears from the above tabulation to be the lowest and best bid. It is my recommendation that the award be made to the U. S. Pipe and Foundry Company.

"Recommended - (S) W.E.S. City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 16, 1954, for furnishing the estimated requirements for one year of cast iron pipe for the City of Austin; and,

WHEREAS, the bid of U. S. Pipe and Foundry Company in the sum of \$364,480.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water 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 U. S. Pipe and Foundry Company in the sum of \$364,480.00 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 U. S. Pipe and Foundry Company.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden  
Noes: None  
Present but not voting: Councilman Long

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A CERTAIN CONTRACT WITH R. B. OAKLEY;  
PROVIDING FOR THE APPROPRIATION OF MONEY PAID  
TO THE CITY UNDER SUCH CONTRACT AND DELCARING  
AN EMERGENCY.

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 the ordinance had been finally passed.

The City Manager submitted the following memorandum from Albert R. Davis, Superintendent Water Department, regarding bids on Brass Goods, dated March 4:

"Sealed bids on Brass Goods were opened at the office of the purchasing agent, Feb. 1, 1954. Prices were requested on thirty-seven items that are needed by the Water Department. Two companies submitted complete bids, and one company a partial bid. Bids were submitted based on the estimated quantities needed for one year. The total bids are as follows:

Mueller Co., Decatur, Ill.	\$16,002.49
Hays Co., Erie, Pa.	16,438.53
McDonald Brass Goods, Dubuque, Iowa	Incomplete bid

"The Mueller Company is the oldest and most reliable Brass Goods manufacturer in the United States. We have used their products for many years, and have found from experience that they furnish a quality product.

"It is my recommendation that the award be made to the Mueller Company of Decatur, Illinois.

"Recommended (S) W.E.S., City Manager"

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 1, 1954, for furnishing the estimated requirements of brass goods for one year for the City of Austin; and,

WHEREAS, the bid of Mueller Company in the sum of \$16,002.49 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water 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 Mueller Company in the sum of \$16,002.49 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 Mueller Company.

The motion, seconded by Councilman White, 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 "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT ON LOTS 2 AND 3, BLOCK 7, OAKMONT HEIGHTS, 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 RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

*Mueller*

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 the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ESTABLISHING PARKING METER ZONES IN THE CITY OF AUSTIN; AND PROVIDING FOR THE REGULATION OF TRAFFIC THEREBY, WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, AUGUST 19, 1937, AND IS RECORDED IN BOOK "K", PAGES 281-286, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 8(a) (1) OF SAID ORDINANCE, RELATING TO THIRTY-MINUTE PARKING METER ZONES AND SECTION 8(a) (4) RELATING TO TWENTY-MINUTE PARKING METER ZONES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; 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, seconded by Councilman Pearson, carried by the following vote:

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

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, seconded by Councilman Pearson, carried by the following vote:

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

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

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

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 21 (f) AND SECTION 21 (g) OF ARTICLE IV, RELATING TO NO PARKING BETWEEN THE HOURS OF 4:00 P.M. AND 6:00 P.M. AND BETWEEN 7:00 A.M. AND 9:00 A.M.; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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, seconded by Councilman Pearson, carried by the following vote:

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

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, seconded by Councilman Pearson, carried by the following vote:

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

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

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

The Mayor announced the ordinance had been finally passed.

Councilman White 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 ROGGE LANE, from a point 857 feet east of Manor Road, westerly 864 feet, the centerline of which gas main shall be 13 feet south of and parallel to the north property line of said ROGGE LANE.

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

(2) A gas main in MANOR ROAD, from Pecan Springs Road to Rogge Lane, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MANOR ROAD.

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

(3) A gas main in COLETO STREET, from a point 110 feet north of Washington Avenue, northerly 82 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said COLETO STREET.

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

(4) A gas main in EAST 8TH STREET, from a point 216 feet east of Harvard Street, easterly 64 feet, the centerline of which gas main shall be 15 feet north of and parallel to the south property line of said EAST 8TH STREET.

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

(5) A gas main in EAST  $9\frac{1}{2}$  STREET, from a point 85 feet west of Concho Street, easterly 21 feet, the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said EAST  $9\frac{1}{2}$  STREET.

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

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.



THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

Councilman Pearson 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 northwest corner of the intersection of Treadwell Street and South Lamar Boulevard which property fronts 109 feet on Treadwell Street and 131 feet on South Lamar Boulevard and being out of the Isaac Decker League in the City of Austin, Travis County, Texas, and hereby authorizes the said Jack Ritter Inc. Oil Company 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 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 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 Jack Ritter Inc. Oil Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"March 18, 1954

"Mr. Walter Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Jack Ritter Inc. Oil Company 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 northwest corner of the intersection of Treadwell Street and South Lamar Boulevard, which property fronts 109 feet on Treadwell Street and 131 feet on South Lamar Boulevard and being out of the Isaac Decker League in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Jack Ritter 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.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

"We recommend that Jack Ritter 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. and 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 accordance 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 - H - 1263.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1263 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 Certification of Operation before such filling station can be put into service.

"Respectfully submitted,  
C. G. Levander  
Director of Public Works  
(S) J. C. Eckert  
Building Inspector"

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

Councilman White 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 the construction and maintenance of a loading platform in the sidewalk area on the north side of West 4th Street, adjoining property which is owned by the Bradford Paint Company, the same being designated as Lots 1, 2, and 3, Block 45, of the Original City of Austin, Travis County, Texas, locally known as 401 Guadalupe Street, and hereby authorizes the Bradford Paint Company to construct and maintain said loading platform, subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue a building permit for the construction of this loading platform 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 Bradford Paint Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"March 18, 1954

"Mr. Walter E. Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Bradford Paint Company of Austin, Texas, for permission to construct and maintain a loading platform in the sidewalk area on the north side of West 4th Street, adjoining Lots 1, 2, and 3, Block 45, of the Original City of Austin, Travis County, Texas, locally known as 401 Guadalupe Street, and we hereby advise that the following conditions exist:

"The property upon which this business is located is designated as "C-2" Commercial District as shown upon the zoning maps of the City of Austin.

"This neighborhood is essentially a warehouse district in which a number of warehouses now exist with loading platforms extending out over the sidewalk area.

"We recommend that the Brafford Paint Company be granted permission to construct and maintain said loading platform on the sidewalk area on the north side of West 4th Street subject to the following conditions:

"That the proposed loading platform be constructed of concrete and provided with steps and hand rails at each end to permit pedestrians passing through this area and in accordance with the plans on file in the Building Inspector's Office and that all grades and lines for the curb in front of this property be constructed in accordance with the lines, grades and specifications established by the Department of Public Works and having the approval of the Director of Public Works.

"Respectfully submitted,  
(S) C. G. Levander  
Director of Public Works  
(S) J. C. Eckert  
Building Inspector"

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

Councilman White offered the following resolution: and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the alteration of a building located at 618 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 6, Block 70, of the Original City of Austin, Travis County, Texas, during the alteration 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 J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Congress Avenue 6 feet to a point; thence in a northerly direction and parallel to the centerline of Congress Avenue approximately 23 feet to a point; thence in a westerly direction and at right angles to the centerline of Congress Avenue to the easterly line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, 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 the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) 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.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) 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.

(8) 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.

(9) 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 June 15, 1954.

(10) 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.

(11) 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.

(12) 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.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of \$5,000.00 Dollars (Five Thousand Dollars) 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 of 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.

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

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

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Frank Rundell is the Contractor for the alteration of a building located at 110 West 6th Street and desires a portion of the sidewalk and street space abutting Lot 12, Block 70, of the Original City of Austin, Travis County, Texas, during the alteration 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 hereinafter enumerated be granted to said Frank Rundell, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the south property line approximately 10 feet west of the east property line; thence in a southerly direction and at right angles to the centerline of West 6th Street, 6 feet to the point; thence in an easterly direction and parallel with the centerline of West 6th Street approximately 16 feet to a point; thence in a northerly direction and parallel with the centerline of the alley 16 feet to a point; thence in a westerly direction and at right angles to the centerline of the alley to the east line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Frank Rundell, 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 one parking meter space immediately in front of the entrance in the barricade, for the delivery or removal of materials during construction work.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks, This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) 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.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provision 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.

(8) 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.

(9) 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 April 15, 1954.

(10) 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.

(11) 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.

(12) 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.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of \$5,000.00 Dollars (Five Thousand Dollars) 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.

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

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Richard A. Gilbert is incorrect for the following reason:

"According to the records of the Building Inspector and the Water and Light Department, the improvements were only 50% completed on January 1, 1953. (See contractor's letter attached)

"I recommend that I be authorized to reduce the assessed valuation on these improvements as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Lot 13, Blk M, Highland Park West, Plat 275, Item 25, Parcel #1-2904-0403, known as 4705 Shadow Lane (Improvements only)	\$10,790	\$5,400

"(s) T. B. Marshall  
City Tax Assessor and Collector"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Richard A. Gilbert, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,



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

That the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Lot 13, Blk M, Highland Park West, Plat 275, Item 25, Parcel #1-2904-0403, known as 4705 Shadow Lane (Improvements only)	\$10,790	\$5,400

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

The Mayor read the following letter:

"March 16, 1954

John B. Winn School  
1901 East Avenue  
Austin, Texas

"To Mayor McAden and the City Council  
Austin, Texas

"Gentlemen:

"We, the Resolutions Committee of the John B. Winn School, P.T.A., do hereby recognize and list the following needs:

1. A storm sewer on Longfellow Street to East 19th Street. During and immediately following heavy rains, children can not cross the ditch on the west side of Longfellow Street without getting wet.
2. Paving of Longfellow Street from Comal running south to East 19th Street.
3. Sidewalks on the west side of Longfellow from Comal Street running south to East 19th Street.
4. Sidewalks on the south side of East 19th Street from East Avenue running east to Comal Street.
5. Brighter lamps in the street light on the corner of East 19th Street and Longfellow Street.

"Your attention to and consideration of the needs listed above will be sincerely appreciated.

"Respectfully submitted,

The Resolutions Committee  
John B. Winn P.T.A.

Mrs. M. R. Copeland	Mrs. Earl Caldwell
Mrs. Chester Anderson	Mrs. Ewald Klein
Mrs. Pat Hilland	Mrs. James Lesikar
Mrs. F. E. Raven - Chairman"	

Councilman Long moved that the letter be referred to the City Manager and instruct him to make a study of this and give the Council a report, and also write an answer to the P.T.A. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has determined and found that in the operation of the sanitary sewerage system of the City of Austin, it is necessary to extend a sanitary sewer line across the land hereinafter described; and

WHEREAS, the City Council of the City of Austin has determined and found that in the operation of the storm water drainage system of the City of Austin, it is necessary to establish and extend a storm water drainageway, to consist of an open ditch or an enclosed storm sewer line across the land hereinafter described; and

WHEREAS, it appears that the City of Austin, through its duly authorized representatives, has negotiated with the owner of said land and has failed to agree with said owner on the market value of an easement for said sanitary sewer and storm water drainageway purposes across said land; and

WHEREAS, the City Council now finds that it is necessary for the City of Austin to acquire said easement through the exercise of the power of eminent domain; Now, Therefore,

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 file or cause to be filed against all the owners and lienholders, a suit in eminent domain to acquire an easement for the limited purposes of placing and maintaining a sanitary sewer line and a storm water drainageway to consist of an open ditch or an enclosed storm sewer line in, on and across the following described land:

A strip of land fifteen (15) feet in width, same being out of and a part of that certain tract of land out of the Isaac Decker League in the City of Austin, Travis County, Texas, which was conveyed to John William Scarbrough, Sr. and wife, Cornelia Scarbrough, by warranty deed dated

January 1, 1938 of record in Volume 584, Page 36, Deed Records of Travis County, Texas, the center line of said strip of land fifteen (15) feet in width being more particularly described by metes and bounds as follows:

BEGINNING ata point on a fence on the north line of the said John William Scarbrough, et ux tract of land and from which point of beginning the northeast corner of the said John William Scarbrough, et ux tract of land as fenced bears S. 53° 19' E. 457.88 feet;

THENCE S. 45° 56' W. 164.24 feet to a point;

THENCE S. 0° 56' W. 133.42 feet to the point of termination on the south line of the said John William Scarbrough, Sr. et ux tract of land.

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

The City Manager presented a request from the Mt. Vernon Courts through their Attorney, Trueman E. O'Quinn, for permission to erect a building over a covered easement, which they had covered, and were now using. He stated it would be in the form of a lease, and that the city could protect itself in liability as far as the storm sewer was concerned. He stated he would bring in more definite information. The Mayor stated the Council would look with favor on this.

With regard to the Committee to study the recommendation of the Planning Commission - Interim Zoning, Councilman Thompson stated he would like to set out what the Committee was to do--to clarify the business of what falls within the various classifications and to do everything to reduce to zero the special permits. After brief discussion, Councilman White moved that the Council appoint a committee of 15 to study the recommendation of the Planning Commission. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced the Council would meet Tuesday afternoon at 4:00 P. M. with the School Board to discuss assessed values, etc.

Councilman White inquired about a list of city owned property. The City Manager stated the list was being made and would be completed shortly.

The Council set the following zoning applications for public hearing on April 15, 1954:

DAN W. WOMMACK, SR., MARTIN NASSOUR & E. T. HOWELL	2700-09 Goodwin Ave. 3503 Webberville Rd 3411-13 & 3501 Webberville Rd; 3403-07 Webberville Rd. Outlot 52, Div. A	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
C. R. SCALES	7305 Burnet Road 1.65 ac., Se intersection Pasadena & Burnet Rd.	From "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area NOT Recommended by the Planning Commission
MRS. MARY JABOUR	3207-11 East Ave. Lots 4 & 5, Mary Lee Miller Subd., OL 28 Div. C	From "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area NOT Recommended by the Planning Commission
MISS THERESA ALFF	2001 East 19th St. Lot 11, Blk. 5, OL 35, Div B	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
CITY PLANNING COMMISSION	2609-17 W. 8th; 701-723 Exposition Blvd, 2610- 22 Lake Austin 2 tracts out of George W. Spear League.	From "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area RECOMMENDED by the Planning Commission
ROBERT L. ALLEN	608-10 Kawnee St. Lot 12 & W. 44.5' Lot 11, Blk 1, Silverton Heights	From "A" Residence To "B" Residence 6th Height & Area NOT Recommended by the Planning Commission
CHARLES A. BURTON	603 W. 19th St. OL 26, Div E	From "C" Commercial To "C-1" Commercial RECOMMENDED By the Planning Commission
NELSON PUETT & W. W. WHITE	1605-07 W. 35th St. Lots 7 & 8, Glenview Addition	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission RECOMMENDED "O" 6th Height and Area

J. W. VAUGHAN &  
A. F. SMITH

1600-02B East Ave.  
& 704 East 16th St.  
E.  $\frac{1}{2}$  of Lots 2 & 3,  
Blk 69

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

The Council had before it the following application for change of zoning:

KATHERINE PARR  
HAMILTON

2509-2913 Red River

From "B" Residence  
1st Height & Area  
To "C" Commercial  
6th Height & Area  
NOT RECOMMENDED by the  
Planning Commission,  
but Recommended Transi-  
tional, 6th Height &  
Area with special per-  
mit to include entire  
tract.

Councilman Thompson moved that the recommendation of the Planning Commission be amended to provide 4th Height and Area District for the area included in the recommendation and not included in the application. The motion, seconded by Councilman White, carried by the following vote:

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

MR. FRANK KNIGHT appeared in behalf of the applicant, and explained the proposed development, and the dedication of the street through the area. The area he wanted to zone Commercial was to be used for pharmacists and other types of businesses that would assure a professional atmosphere. Opposition was expressed by Mr. W. V. McCullough, 606 East 25th, Mr. M. M. Jackson, 2808 Sabine, and Miss Ella Wiese.

The Mayor asked that those who wished to uphold the Planning Commission recommendation with regards to the Transitional Zone to vote "aye"; those opposed to vote "no". Roll call showed the following:

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

The Mayor announced that the recommendation of the Planning Commission regarding the Transitional zone had been turned down.

The Mayor then asked those who wished to uphold the recommendation of the Planning Commission on the Commercial Zoning and deny the change to "C" Commercial, to vote "aye"; those opposed to vote "no". Roll call showed the following:

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

The Mayor announced that the recommendation of the Planning Commission in regard to use districts had been overruled and that the change to "C" Commercial of the tract described in the application had been granted, the Height and Area Districts for the tracts described in the recommendation to be in conformity with the recommendation as amended.

- - - - -

ADA MAY NEAL

414 Clarke Street

From "A" Residence  
To "B" Residence  
NOT Recommended by the  
Planning Commission

The Mayor asked those who wished to uphold the recommendation of the Planning Commission and deny the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

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

The Mayor announced that the change had been denied.

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Decision on the original zoning of AREA 14 was postponed until the following week. MR. N. J. WONSLEY asked this postponement until he could talk with his attorney about dedicating a street through this property.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A CERTAIN CONTRACT WITH FRANK KNIGHT;  
PROVIDING FOR THE APPROPRIATION OF MONEY PAID  
TO THE CITY OF AUSTIN UNDER SUCH CONTRACT 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, 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 Long 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 Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced the ordinance had been finally passed.

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

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

The Mayor announced the appointment of the following Committee to study  
the recommendation of the Plan Commission on Interim Zoning Classifications:

MR. TRUEMAN E. O'QUINN, Chairman	MR. RONALD BYRAM
DR. R. L. STRUHALL	MR. WALTER GUTTMAN
MR. WATT SCHIEFFER	MRS. MAE BRADFIELD
MR. TOM QUINN	MR. MARCUS LOFTIS
MR. JOE CROW	MR. GARY MORRISON
MR. FRANK KNIGHT	MR. DAVID BARROW
MR. JOHN BROAD	MR. TRAVIS HOWARD
	MRS. SUNSHINE WILLIAMS

The Committee was named in an Executive Session following the Regular  
Session of this date.