

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 1, 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.

Councilman Long moved that the Minutes of March 18th, 24th, and 25th be approved. The motion, seconded by Councilman White, carried by the following vote:

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

MR. FAGAN DICKSON read the following letter:

"Honorable C. A. McAden
Mayor of the City of Austin
Austin, Texas

"Dear Mayor:

"Attached herewith is an option for purchase of approximately six acres in the Taylor Slough area.

"I believe that this serves particularly well the Planning Commission's general recommendations for a park in this area, and also the plan submitted by Mr. Sheffield for consideration.

"It will be my pleasure to make a gift of this land to the City of Austin.

"Mr. Dickson and I are present to discuss the details.

"Sincerely,
(S) Roberta P. Dickson"

MRS. DICKSON hoped to establish a policy whereby future subdivisions would include a dedication for parks, and she was going to subdivide a small area to set a precedent. Regarding the name, Mrs. Dickson had not given the property under that condition, but she suggested naming it after their little girls, "REED PARK". Councilman Long moved that the Council accept this piece of property that now has an option and dedicate it as park property, and name it REED PARK, and that the money now appropriated in the budget to buy property in that area be used to develop it immediately or as soon as the money is available. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Council gave a rising vote of thanks to the DICKSONS for making this liberal contribution for the welfare of the City, and each personally thanked Mr. and Mrs. Dickson. Mrs. Dickson showed a map or plan of the park and a drive through. Councilman Long inquired about the necessity of providing for the drive in the dedication of the park at this time, and it was stated that could be done when definite description was made.

MR. DUTCH MEYER, Sr., asked consideration of a motor pool, and not letting city automobiles be used for private use. Councilman White stated he had been interested in this ever since he had been on the Council. Mr. Meyer, speaking for his son, complained of the pressure being put on the furniture dealers on Red River, and nothing being done about enforcing the ordinance on people on East 4th, and other places that were using not only sidewalk space but street space also. Councilman Pearson stated he would be in back of the Administration 100% in enforcing the ordinance, but he did not want it enforced only in part. Councilman Long did not think the ordinance was being enforced equally and uniformly, and cited two cases, one being at 19th and San Jacinto. Councilman White stated this existed all over the city, but he thought we ought to have some kind of an ordinance. On Councilman Thompson's inquiry, the City Manager stated the intention of the administration was to carry out the spirit of the ordinance impartially all over the city; that no complaints had been filed, but warnings had been issued to all on Red River and all other sections of the city. There were some cases pending on some junk dealers, and there was a constant effort. He stated Mr. Kocurek had been warned like the rest. After discussion, Councilman Thompson moved that a subcommittee from the Council be appointed to look into the enforcement of this ordinance with the City Manager and report to this Council whether or not they feel that the City Manager and Police Department are doing everything they can to equally enforce this ordinance. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Mayor then appointed Councilman White and Councilman Thompson as the Committee.

Councilman White asked the Council to keep in mind and study the matter of the carpool. Councilman Long inquired about the policy of the city regarding

the car pool. The City Manager stated the cars were not to be used except during the business hours and for official business; and when they were taken home by a trouble-shooter, it is there when he is subject to call and not for his own personal business. Councilmen Pearson was waiting for the Auditor's report to the Council, and then suggested a meeting to discuss means of reducing the city's expenditures. Councilman Thompson had written the Public Administration Service and another firm to send representatives here to confer with the Council to make a study and analysis of the administrative procedures. This might be the beginning for giving the Council the best advice and information about administrative procedures that would increase the efficiency of the government. Councilman White stated the Auditor's reports for the past two years had recommended a car pool.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. H. A. McCook has made application in writing for permission to use and maintain in her residence a day nursery school, complying with all City and State regulations, on Lot 8, Block 8, Hyde Park, in the city of Austin, Travis County, Texas, the same being on the west side of Avenue C, and locally known as 4602 Avenue C, which property is located in an "A" Residence District and under Section #4, Item 13a 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. H. A. McCook.

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)

WHEREAS, Mrs. Bernice C. Smith has made application in writing for permission to use and maintain in her residence a day nursery school, complying with all City and State regulations, on the center 54 feet of Lot 6, Rosedown Addition, in the City of Austin, Travis County, Texas, the same being on the west side of Lynnwood Street and locally known as 5002 Lynnwood Street, which property is located in an "A" Residence District and under Section #4, Item 13a 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. Bernice C. Smith.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden

Noes: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. Lillie Bell Bradshaw has made application in writing for permission to use and maintain in her residence a day nursery school, complying with all City and State regulations, on Lot 9, Block 6, Ridgetop Annex, in the City of Austin, Travis County, Texas, the same being on the southwest corner of Caswell Avenue and East 44th Street and locally known as 709 East 44th Street, which property is located in an "A" Residence District and under Section #4, Item 13a 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. Lillie Bell Bradshaw.

The motion, seconded by Councilman Thompson, 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 "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 ESTABLISHING THE BOUNDARIES FOR VARIOUS ORIGINAL USE DISTRICTS AND HEIGHT AND AREA DISTRICTS, IN AN AREA ANNEXED TO THE CITY OF AUSTIN ON DECEMBER 20, 1951; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD SUCH DISTRICTS;

AND SUSPENDING THE RULE REQUIRING THE READING
OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson 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, White, Mayor McAden
Noes: Councilman Thompson

The ordinance was read the second time and Councilman Pearson 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, White, Mayor McAden
Noes: Councilman Thompson

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

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

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 AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON THE WEST PORTION OF THE 2-1/2 ACRE FRITZ SCHEEL TRACT LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FORT VIEW ROAD AND MANCHACA ROAD; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD SUCH CHANGES; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson 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 Pearson 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 Pearson 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.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be, and he is hereby authorized and directed to advertise for bids on the sale of bonds of the City of Austin at 10 o'clock A. M. April 20, 1954, as follows:

Airport Improvements	\$ 350,000.00
Auditorium	100,000.00
Fire Stations	36,000.00
Hospital Improvements	1,150,000.00
Parks, Playgrounds and Recreation	243,000.00
Public Free Schools	3,000,000.00
Sanitary Sewerage System	500,000.00
Street Improvements	525,000.00
Total	\$5,904,000.00

Advertisement for such bids shall be in the usual and customary forms and shall be published at least once in The Bond Buyer and at least once in The Austin Statesman, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a special meeting held for such purpose at its regular meeting place, and at the time and on the date set forth above.

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

Councilman Thompson made the statement that when these bonds are sold; and in the contract of sale, it is agreed to pay them back with interest, and that they are bonds that have been voted by the people against the general revenue's taxes of this city, that the only way to keep from raising taxes is to reduce the current operating expenses of the City. If current operating expenses of the City cannot be reduced then, income has to be increased, and the only source of income is to increase the taxes. The probability of the expenses of the city's being reduced is quite imaginary; so after these bonds are sold, the taxpayers are committed to pay the bills and raise their taxes. The people do not want their taxes raised. It seems that the Council should be careful about bonding this city even under pressure of citizens for service. It does not seem prudent, when inflation is here and when prices are the highest they have ever been, to spend money for improvements any more than are absolutely necessary. If business recedes and times get harder, as far as general running expenses are concerned, it can be cut down to meet the reduction in taxes. Any bonded indebtedness cannot be cut down. You are going to have to raise those dollars. The Council should move with a great deal of caution in increasing the bonded indebtedness of this town.

Discussion was held on transfer of money from the Utility Fund to the General Fund, Councilman Long feeling that when 20 million bonds were sold there would not be the two million to transfer to the general revenue; Councilman Thompson feeling that the figures showed there would be enough to pay the bonds, make the transfer and then some. Councilman Pearson reaffirmed his statement that the revenue bond issue would not increase the taxes; that without the approval of the bonds by the people, the two million dollar transfer could not have been made as it would have to go to the improvements in the power plant etc., and the taxes would really have had to be raised.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement along side lot lines was reserved and dedicated to the public on a map or plat of Enfield H, a subdivision of a portion of the George W. Spear League in the City of Austin, according to a map or plat of said Enfield H of record in Volume 499, Pages 605-606, Deed Records of Travis County, Texas; and

WHEREAS, portions of such easements hereinafter described are not now needed and hereafter will not be required by the City of Austin; Now, Therefore

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of such public utility easements located on the hereinafter described tracts of land, to wit:

- (1) The South five (5) feet of Lot 23 of said Enfield H;
- (2) The North five (5) feet of Lot 22 of said Enfield H;
- (3) The South five (5) feet of Lot 22 of said Enfield H;
- (4) The North five (5) feet of Lot 21 of said Enfield H.

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

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

The Council had before it the following zoning application:

MR. FREDERICK EBY, JR.	2803 Cole Street and 2800 East Avenue	From "B" Residence 5th Hgt & Area To "C" Commercial 6th Hgt. & Area
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Mr. Eby presented a petition from property owners on Cole Street (east side) from East 25th Street to East 30th Street, asking the City to abandon the unused alleys, to offer the narrow strips owned by the city, for sale at reasonable prices to the adjoining property owners, and to establish commercial zoning on all of the properties between Cole Street and East Avenue from East 25th to East 30th Street. Councilman Thompson suggested sending the zoning application back to the Plan Commission and ask them to recommend or deny the request based on the present zoning classifications. (City Plan Commission recommended Transition Zone with Sixth Height and Area) After discussion, Councilman White moved that the matter be referred to the City Manager so that he and Mr. Eby could have a conference and come up with an equitable solution and bring it back to the Council. 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 AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH J. B. FORD,
TRUSTEE; 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, 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 Thompson, 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 Thompson, 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 AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH LYDIA LITMAN;
PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO
THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLAR-
ING 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 Thompson, 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 Thompson, 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 Thompson, 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 AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH WADE P.
GERAGHTY, JR., FOR W. E. WILSON AND RAYE W. PEGRAM;
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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, 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 Thompson, 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 Thompson, 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 AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH ODAS JUNG;
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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Thompson, 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 Thompson, 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 Thompson, 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 Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, T. N. Griffin and S. S. Pillans are the Contractors for the painting of the exterior of a building located at 826 Congress Avenue and desires

a portion of the sidewalk and street space abutting Lot 6, Block 98, of the Original City of Austin, Travis County, Texas, during the painting of the exterior 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 T. N. Griffin and S. S. Pillans, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the south east corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue 6 feet to a point; thence in a northerly direction and parallel with the center line of Congress Avenue approximately 33 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to the north east corner of the above described property; thence in a northerly direction and at right angles to the centerline of West 9th Street 6 feet to a point; thence in a westerly direction and parallel to the centerline of West 9th Street approximately 95 feet to a point; thence in a southerly direction and at right angles to the centerline of West 9th Street to the north line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said T. N. Griffin and S. S. Pillans, hereinafter termed "Contractors", upon the following express terms and conditions:

(1) That the Contractor shall construct in the alley a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored. The Contractors may also use 1 parking meter space for the delivery of materials.

(2) 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 2, 1954.

(3) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

The City Manager submitted the following:

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, March 30, 1954 for the construction of Sanitary Sewers in the Area West of North Lamar Boulevard and North and East of the H. & T.C. Railroad:

Enix Construction Company	-	\$19,798.95
Joe Bland Construction Co.	-	21,791.00
Karl Wagner	-	22,828.10
Roger Smith	-	25,344.63
Austin Engineering Company	-	38,885.23
City's Estimate	-	\$28,657.00

"I recommend that Enix Construction Company with their low bid of \$19,798.95 be awarded the contract.

(S) C. G. Levander"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 30, 1954, for the construction of Sanitary Sewers in the area west of North Lamar Boulevard and north and east of the H. & T.C. Railroad; and,

WHEREAS, the bid of Enix Construction Company in the sum of \$19,798.95 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 Enix Construction Company in the sum of \$19,798.95 for the construction of such sanitary sewers, 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 Enix Construction Company.

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)

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 southeast corner of Hargrave Street and East 12th Street, which property fronts 113.98 feet on Hargrave Street and 58 feet on East 12th Street and being known as Lot 4, Block 1 of Owens Subdivision Number 2 in the City of Austin, Travis County, Texas, and hereby authorizes the said Lawrence Owens to construct, maintain and operate a drive-in gasoline 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 Lawrence Owens has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"April 1, 1954

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Lawrence Owens 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 southeast corner of Hargrave Street and East 12th Street, which property fronts 113.98 feet on Hargrave Street and 58 feet on East 12th Street and being known as Lot 4, Block 1 of Owens Subdivision Number 2 in the City of Austin, Travis County, Texas and the property upon which this filling station is to be located is owned by Lawrence Owens 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 Lawrence Owens 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 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, drive-ways, 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-1272.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-1272 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

(S) 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 Thompson 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 SOUTH 4TH STREET, from a point 213 feet south of West Oltorf Street, southerly 15 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SOUTH 4TH STREET.

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

(2) A gas main in RIDGEVIEW ROAD, from a point 153 feet west of Rabb Road, westerly 295 feet, the centerline of which gas main shall be 6 feet south of and parallel to the north property line of said RIDGEVIEW ROAD.

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

(3) A gas main in PORTER STREET, from a point 358 feet east of Montopolis Drive, westerly 148 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PORTER STREET.

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

(4) A gas main in GROVER AVENUE, from a point 262 feet south of West 51st Street, southerly 68 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said GROVER AVENUE.

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

The City Manager presented 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 A. C. Warner is incorrect for the following reason:

"According to an affidavit submitted by A. C. Warner, there were no improvements at 2604 Northland Drive as of January 1, 1953. The records of the plumbing inspector verify this fact, as the 'rough in' occurred January 30, 1953 and the final inspection was made June 29, 1953.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Lot 3, Allandale Section 4, Plat 371, Item 56, Parcel #2-3001-0307 known as 2604 Northland Drive, (Improvements Only)	\$5880	-0-

(S) T. B. Marshall
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 A. C. Warner, 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 3, Allandale Section 4, Plat 371, Item 56, Parcel #2-3001-0307 known as 2604 Northland Drive, (Improvements only)	\$5880	-0-

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 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 A. C. Warner is incorrect for the following reason:

"According to an affidavit submitted by A. C. Warner the improvements at 4505 Spanish Oak Trail were only 75% completed as of January 1, 1953.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Lot 1, Block C, Balcones Park Section 1, Plat 283, Item 58, known as 4505 Spanish Oak Trail. (Improvements only)	\$6630	\$4970

(S) T. B. Marshall
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 A. C. Warner, 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 1, Block C, Balcones Park Section 1, Plat 283, Item 58, known as 4505 Spanish Oak Trail. (Improvements only)	\$6630	\$4970

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 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 Lillian M. Tuke is incorrect for the following reason:

"According to an affidavit submitted by Mr. Walter E. Simms, Jr., Realtor, the improvements at 210 Comal Street were razed and removed from the property as of January 1, 1953, which was further verified by our appraiser.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	East Center 62 Ft. of North 138 ft. of East 444.6 ft. of Outlot 20, Division "O", Plat 32, Item 75, Parcel #2-0406-1209, known as 210 Comal Street. (Improvements only)	\$1880	\$1680

(S) T. B. Marshall
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 Lillian M. Tuke, 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	East Center 62 ft. of North 138' of East 444.6' of Outlot 20, Div- ision "O", Plat 32, Item 75, Parcel #2-0406-1209, known as 210 Comal Street. (Improvements only)	\$1880	\$1680

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

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN NORTH 82 FEET OF THAT CERTAIN ALLEY WHICH EXTENDS NORTH FROM WEST 22ND STREET BETWEEN SAN GABRIEL STREET AND LEON STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND RETAINING AN EASEMENT FOR ELECTRIC LINES IN THE CITY OF AUSTIN; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE 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, 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 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 Long 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 White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute on behalf of the City the contract between the Texas and New Orleans Railroad Company and the City of Austin, by the terms of which said railroad company grants to the City of Austin an easement for the extension of Morrow Street across said railroad's right-of-way; and a copy of such contract, after being attested by the City Clerk, shall be filed in the office of the City Clerk without same being recorded in the Minutes of the City Council.

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

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

Noes: None

The City Attorney gave a report on the codification of ordinances in that the MITCHIE CITY PUBLICATIONS COMPANY would codify the ordinances and leave off the printing for \$6,250, leaving \$3,500 for printing. The City Attorney reported a representative from the Steck Company stated they could not do the printing for this amount of money. Councilman Thompson suggested laying this matter over for a week and let the interested lawyers discuss this with the City Attorney's office in an effort to work out something where local lawyers might be used. A group had asked him to give them this opportunity of checking with the Attorney's office. Councilman Long suggested that the lawyers interested in this be welcomed to come in before the Council. Councilman Thompson suggested they go to the City Attorney's Office.

Councilman Long submitted a petition from the Govalle Area requesting the installation of a 6" water line and fire plug in the Springdale Addition, as there was no fire protection, and a two inch line at the present which was not even adequate for consumption. The matter was referred to the City Manager for a report.

The City Manager submitted a copy of the report from the Hospital Advisory Board on the investigation of charges made by MRS. MAE E. WORD and MR. McDUFF. (On File in City Clerk's Office under HOSPITALS)

Councilman Long submitted the request of MR. HENRY SCHNEIDER, 4812 Avenue G, for a street light which he petitioned for a year or so ago. He wanted it located at the corner of 49th and Avenue G. The City Manager stated he would check into this.

Councilman Long asked for consideration of the petition to change a part of Webberville Road which has been changed to ROSEWOOD, back to Webberville Road. The City Manager explained the change, and asked that it not be renamed Webberville, but something else, due to the numbering of the streets.

Councilman Long submitted the request of the citizens living on Willow Springs Golf Course Road to have this road graded.

MR. JAMES R. SMITH, 4805 Evans, asked for the erection of signs in this area reading "15 m.p.h. - Children at Play", as this street is just a race track. Councilman Thompson inquired if signs stating the regular speed limit would help to call the attention to the speed limit. MR. SMITH was advised to contact Captain Rogers of the Traffic Division.

Councilman Pearson asked the City Manager to have the Traffic Engineer study the light at 12th and Lamar, as the traffic light did not permit left hand turns going north, and there were no signs advising people that there was no left-turn, and they would wait for the signal and hold up traffic. The City Manager explained the situation at this corner and the reason for removing the "no-left-turn" signs.

The City Manager gave a report on his conference with MOODY'S INVESTMENT SERVICE, DUN AND BRADSTREET, and STANDARD & POOR, and that they were pleased with the results of the Council Meeting on March 24th, and he believed the rating would be preserved. The Mayor stated this contact had improved the situation and the investors were better informed and the city would be benefitted.

MR. ASHLEY appeared before the Council, making a complaint of taxes in general and on his property. He was advised of the procedures to follow in making an appeal from his values.

MR. AMOS L. HARRELL appeared asking for a study of cutting expenses of city governments.

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Plan Commission:

T. C. WOMACK & DAVID D. FORD 4300 Blk., Manchaca Road From "A" Residence
To "C" Commercial

There being no further business, the Council adjourned at 11:50 A.M. subject to the call of the Mayor.

APPROVED: _____

OA McAdams
Mayor

ATTEST:

Chas. H. Hensley
City Clerk