

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 15, 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. JOHN BARCLAY, Central Christian Church.

MR. WESTERHOLM, Chamber of Commerce, invited the Council to take part in the Parade opening the home season of the Pioneers, and asked the Mayor to proclaim April 16th PIONEER DAY in Austin.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Blake Hunter has made application in writing for permission to rent his property to be used for a rest home complying with all City and State regulations on Lot 7, Block 6, Out Lot 34, Division B, of the Original City of Austin, Travis County, Texas, being located on the south side of East 14th Street, and located at 2107 East 14th Street, which property is located in a "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 this building as a rest home at the above described address be granted to Blake Hunter.

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

MR. TRUEMAN E. O'QUINN, representing the Mt. Vernon Courts, Ltd., outlined the request for a change in their easement to permit them to place a building on the easement, and the building to be placed on the tax rolls. He figured the land probably would bring in around \$150.00 a year as taxes. The Mayor suggested an amount perhaps of \$50.00 per month for rent for the land and the buildings be assessed. After more discussion, Councilman White moved that action be delayed on this to give Mr. O'Quinn a chance to talk to his client about the possibility of a rental, so much a month, on the property and report back to the Council at a later date. The motion, seconded by Councilman Long, carried by the following vote:

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

Later on in the meeting, Mr. O'Quinn and his client MR. LOUIS GOLDBERG brought the matter up for further discussion. Mr. Goldberg planned a building that would bring in about \$400 a year taxes plus tax on the land of \$150, whereas the easement now brings in no taxes. He stated they could arrange to build elsewhere on their property. Councilman Long felt that the \$150-\$175 taxes a year would not be a good business deal for the City. Councilman Pearson preferred a rental basis of some stated amount. Councilman White anticipated criticism of the Council unless the matter were put on a rental basis. Discussion was held on selling the property to the Mt. Vernon Courts, Ltd. Councilman Thompson suggested granting the contract as requested and getting the property on the tax rolls, and he moved the adoption of the Resolution. The motion lost for lack of a second. No agreement could be reached on the price of the land at this time. Later, Mr. O'Quinn requested that the Council authorize the City Manager to execute the easement that was authorized in 1951. Councilman Thompson moved that the City Manager be instructed to have the City Attorney draw a new instrument awarding to these people (MT. VERNON COURTS, LTD.) an easement as described in the contract (1951). The motion, seconded by Councilman Long, carried by the following vote:

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

MR. JAKE PICKLE and a delegation from the Austin Lion's Club asked the Council to step up its plans and activities for improving and beautifying the river front, and for cleaning the river channel for safety factors. He offered the help of the Club, as the Club having endorsed this as its project. The Mayor explained the proposed development of the Missouri Pacific Express Way and stated this beautification program would fit right in. The City Manager stated it was hoped to get the low-water dam started next year. The Lions Club was asked to do some public relations work and show the films and pictures that the City had available, and interest other clubs in donating plants, etc.

MR. RUSSEL ROBERTSON speaking for a group that wanted to make an investigation of the possibility of getting the ordinances codified locally, stated they could not compete with the Mitchie Company, and withdrew their request. Councilman Thompson expressed appreciation to them for their interest.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH PARK DEVELOPMENT COMPANY; 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 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.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH SHEPPARD CONSTRUCTION COMPANY; 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 APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF NEWFIELD LANE AND PORTIONS OF SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 29TH DAY OF APRIL, 1954, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHER INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

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.

Mayor McAden introduced the following ordinance:

AN ORDINANCE ACCEPTING BID OF McKOWN & SONS
FOR CERTAIN PAVING IMPROVEMENTS AND APPROPRIATING
MONEY FROM THE STREET IMPROVEMENT BOND FUND
FOR THE PAYMENT OF SUCH CONTRACT PRICE AND IN-
CIDENTAL COSTS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on September 21, 1953, judgement was rendered in favor of the City of Austin in Cause No. 28983, in the Justice Court, Precinct No. 3, Travis County, Texas, for the sum of \$92.08, together with interest on said amount at six percent (6%) per annum from September 21, 1953 and costs of suit, against B. M. Hickman; and,

WHEREAS, an Abstract of such judgment was duly recorded in Book 24 at page 111 of the Judgment Lien Records of Travis County, Texas; and,

WHEREAS, at the date of said judgment title to the hereinafter described lots was vested in B. M. Hickman subject to certain liens which were then outstanding; and,

WHEREAS, it has been demonstrated to the satisfaction of the City that the lots hereinafter described do not have a value in excess of the prior liens against them; and,

WHEREAS, the said B. M. Hickman has defaulted in his payments on the obligation secured by said prior liens, and such prior lienholder has acquired title to the property by virtue of his said lien; 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 releasing Lot No. 8 in Walnut Hills, Section 2, and Lot No. 10, in Walnut Hills, both in the City of Austin, Travis County, Texas, from the judgment lien created by the City by the filing of the Abstract of Judgment above referred to.

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 PROHIBITING THE STOPPING, STANDING OR PARKING OF ANY VEHICLE OR MOTOR VEHICLE ON BLOCK 90 OF THE ORIGINAL CITY OF AUSTIN; PROVIDING EXCEPTIONS; PRESCRIBING A PENALTY; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance as amended (leaving out the paragraph pertaining to the parking of the C.I.D. cars on the east side of the Police & Courts Building adjacent to the south side of the northeast wing) be 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 as amended be 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 as amended by 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 as amended.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 13, 1954, for the construction of a sanitary sewer in Duval Street Easement from East 43rd Street to East 45th Street; and

WHEREAS, the bid of Enix Construction Company in the sum of \$16,192.50 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works 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 \$16,192.50 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 for the performance of the above described work.

The motion, seconded by Councilman White, 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, bids were received by the City of Austin on April 13, 1954, for the construction of a sanitary sewer in East Bouldin Creek, from Cumberland Road to Havana Street; and,

WHEREAS, the bid of Karl Wagner in the sum of \$9,299.58 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 Karl Wagner in the sum of \$9,299.58 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 Karl Wagner for the construction of such sanitary sewer.

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 EAST FIRST STREET, from a point 215 feet east of Spencer Street easterly 96 feet, the centerline of which gas main shall be 8 feet south of and parallel to the north property line of said EAST FIRST STREET.

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

(2) A gas main in ALF AVENUE, from a point 65 feet east of Berger Street easterly 50 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ALF AVENUE.

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

(3) A gas main in EAST AVENUE, from a point 134 feet south of Lambie Street southerly 34 feet, the centerline of which gas main shall be 50 feet west of and parallel to the east property line of said EAST AVENUE.

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

(4) A gas main in EAST 14TH STREET, from a point 49 feet west of Brazos Street northerly 20 feet, the centerline of which gas main shall be 49 feet west of and parallel to the west property line of Brazos 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 14TH STREET, from a point 49 feet west of Brazos Street westerly 288 feet, the centerline of which gas main shall be 7.5 feet south of and

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

(6) A gas main in EAST 14TH STREET, from a point 28 feet south of the north property line of East 14th Street northerly 20 feet, the centerline of which gas main shall be on the east property line of Congress Avenue.

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

(7) A gas main in PETERSON AVENUE, from a point 74 feet south of West $39\frac{1}{2}$ Street southerly 48 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said PETERSON AVENUE.

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

(8) A gas main in WINSTED LANE, from a point 12 feet south of Indian Trail southerly 54 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said WINSTED LANE.

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

(9) A gas main in SPOFFORD STREET, from Kerr Street to Barton Boulevard, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SPOFFORD STREET.

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

(10) A gas main in BARTON BOULEVARD, from Kerr Street to Linscomb Avenue, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BARTON BOULEVARD.

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 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 W. E. Seaholm, City Manager, be and he is hereby authorized to enter into contract, on behalf of the City of Austin, with The Michie City Publications Company providing for the codification, by said company, of the Ordinances of the City of Austin, and the printing and publication of three hundred (300) copies of such codification for the sum of Nine Thousand Seven Hundred Fifty Dollars (\$9,750.00), plus Seven Dollars and Fifty Cents (\$7.50) per page for each page in excess of five hundred (500) pages of said codification.

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, on October 14, 1937, the City Council of the City of Austin, by duly adopted Resolution, changed the name of a certain section of a street, formerly known as Webberville Road to Rosewood Avenue; and,

WHEREAS, the present residents on this section of the street have requested that the name be changed from Rosewood Avenue to prevent confusion; Now, Therefore,

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

That the certain section of street now known as Rosewood Avenue, beginning at the intersection of Ridgeway Drive, Webberville Road and Rosewood Avenue and extending easterly to the intersection of Springdale Road, in the City of Austin, Travis County, Texas, be and the same is hereby changed to Oak Springs Drive; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL:

That the City Clerk is hereby authorized and directed to file, or cause

to be filed, a certified copy of this Resolution in the Deed Records of Travis County, Texas.

The motion, seconded by Councilman 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, on a map or plat of Georgian Acres Subdivision, of record in Book 4, page 341, Plat Records of Travis County, Texas, a certain street is designated as Crestwood Lane; and

WHEREAS, on a map or plat of Delwood Subdivision Section 1, of record in Book 4, page 253, Plat Records of Travis County, Texas, a certain street is named Crestwood Drive; and

WHEREAS, the similarity of the two names has caused confusion among the residents of the City; and

WHEREAS, the owners of property abutting Crestwood Lane have requested that the name of said street be changed; Now, Therefore,

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

That the name of the street now known as Crestwood Lane, as the same appears on that certain map or plat of Georgian Acres Subdivision, of record in Book 4, page 341, Plat Records of Travis County, Texas, be and the same is hereby changed to Fawnridge Drive; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL:

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

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

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

County Attorney LES PROCTER made a report on the referral to him of the bids received from several bidders on a 500 KVA Regulator, all bids being identical, stating he had studied the matter and had presented the matter to the Attorney General, who is charged primarily with the enforcement of the investigation of the anti-trust laws in the State, and had requested that he make such an investigation and assured him that the office of the County Attorney would cooperate with him to its fullest ability. He stated he would keep the Council informed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 13, 1954, for the installation of 1574 feet of thirty-inch steel cylinder concrete water pipe on South 1st Street from Johanna Street to Oltorf Street; and

WHEREAS, the bid of Karl B. Wagner in the sum of \$9,106.40 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water Department, and by the City Manager, Now, Therefore,

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

That the bid of Karl B. Wagner in the sum of \$9,106.40 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 Karl B. Wagner for the installation of 1574 feet of thirty-inch steel cylinder concrete water pipe on South 1st Street from Johanna Street to Oltorf Street.

The motion, seconded by Councilman Pearson, 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, bids were received by the City of Austin on April 13, 1954, for the installation of 2910 feet of twenty-four inch cast iron water pipe on Guadalupe Street from Gaylor Street to Delafield Street; and

WHEREAS, the bid of Karl B. Wagner in the sum of \$10,998.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water Department, and by the City Manager; Now Therefore,

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

That the bid of Karl B. Wagner in the sum of \$10,998.00 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 Karl B. Wagner for the installation of 2910 feet of twenty-four inch cast iron water pipe on Guadalupe Street from Gaylor Street to Delafield Street.

The motion, seconded by Councilman Pearson, 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 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 23(b) OF ARTICLE IV RELATING TO PASSENGER ZONE LOCATIONS; 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 DEYS.

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.

Further consideration of the report of the sub-committee composed of Councilman White and Councilman Thompson regarding enforcement of the sidewalk and sign ordinances was postponed. The Council

The Council took no action on the purchase of the 500 KVA Regulator and suggested that new bids be called for.

Pursuant to published notice thereof the following zoning applications were publicly heard:

MISS THERESA ALFF 2001 East 19th St. From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission

The Mayor asked that those who favored upholding the recommendation of the Planning Commission 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 granted, and the City Attorney was instructed to draw the necessary ordinance.

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CHARLES A. BURTON 603 West 19th St. From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Mr. Burton appeared on behalf of his application. Opposition was expressed by Mr. Burwell Pope for Mrs. Ruth Ellen Pope and Rev. Jack Lewis. Mr. Robertson, 1903 Rio Grande Street, Mrs. Ruth Ellen Pope and Dr. Wm. Shive also appeared opposing this change. The Mayor asked that those who favored upholding the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

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

*Councilman Long voted for the change with the statement there was "C-1" in the area about 300' from this location, and this would not change the character of the area.

The Mayor announced that the change had been granted, and the City Attorney was instructed to draw the necessary ordinance.

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J. W. VAUGHAN & 1600-02B East Avenue From "B" Residence
A. F. SMITH 704 East 16th Street To "C" Commercial 6th
Height and Area
NOT Recommended
RECOMMENDED "O" 6th
Height and Area by the
Planning Commission

Mr. Vaughan appeared on behalf of this application. No opposition appeared. A discussion was held about his building line. Councilman Long

moved that the application be granted "C" Commercial 6th Height and Area. 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 change had been granted, and the City Attorney was instructed to draw the necessary ordinance.

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DAN W. WOMACK, SR.	2700-09 Goodwin or	From "A" Residence
MARTIN NASSOUR	3503 Webberville Rd.	To "C" Commercial
E. T. HOWELL	3411-13 & 3501 Webberville Rd., 3403-3407 Webberville Rd.	NOT Recommended by the Planning Commission

Mr. Trueman E. O'Quinn represented the three applicants. Mr. Mike Mahoney explained the recommendation of the Planning Commission. The applicants agreed through their attorney, Mr. O'Quinn, to withdraw from their application the south 50' of Mr. Howell's property, and that portion of the Womack property which lies east of a line drawn 210' east from and parallel to the Webberville Road. Councilman Long moved that the "C" Commercial zoning be granted omitting the property as just withdrawn by the applicants' attorney. The motion, seconded by Councilman White, carried by the following vote:

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

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C. R. SCALES	7305 Burnet Road	From "A" Residence 1st Height and Area
		To "C" Commercial 6th Height and Area
		NOT Recommended by the Planning Commission

In view of the recommendation of the Planning Commission that it not be granted and since Mr. Scales had no immediate plans for the development of the property, the Council deferred action for at least 60 days or until he brings the request up again.

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NELSON PUEFF & W. W. WHITE	1605-07 West 35th Street	From "A" Residence
		To "C" Commercial
		NOT Recommended by the Planning Commission
		Recommended "O" 6th Height and Area

MR. PUEFF appeared in his own behalf, stating he wanted to build a real estate office. He thought this proposed "O" classification was very good and would suit his purpose well; and when he purchased the property, he thought this "O" classification would be put in within a short time. He, rather than depend on a four-fifths vote to overrule the recommendation of the Plan Commission, wanted to wait until the "O" classification were set up in the zoning ordinance. No action was taken by the Council, pending receipt of report from the Interim Zoning Commission and the "O" Classification.

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CITY PLAN COMMISSION	2609-17 W. 8th	From "A" 1st Height & Area
	701-23 Exposition	To "C" 6th Hgt. & Area
	2610-22 Lake Austin	RECOMMENDED by the Plan
		Commission

The Planning Engineer explained the initiation of the proposal, in that the Commission had been aware that the opening of Exposition Boulevard now would provide a logical focal point for establishing a shopping center and that the size of the site and its location would conveniently serve the adjoining residential neighborhood and this area of the City. MR. TRUEMAN E. O'QUINN appeared in behalf of the zoning of the triangular shaped property at the intersection of W. 8th and Lake Austin Boulevard. Discussion was held on the zoning of University land by the City and whether or not the University recognized the authority of the City to zone its property. The City Attorney explained the holdings of this Department in that the State authorities had the right to control state property in the city as long as it was used for public purposes; but when they began to commercialize the property, they were not acting in the governmental capacity of serving the public. Councilman Thompson urged cooperation with the University, as it had been evidenced by the University they wanted to cooperate with the City, and he wanted to protect the rights of the citizens of Austin. He did not know enough about the zoning of the University property. Councilman Pearson did not think that the University or the City should be in the renting business. Councilman White believed this to be a debatable question. Councilman Long did not believe the property would be hurt. MRS. C. R. BOUCHARD, MR. AND MRS. L. B. RICHARDS, 707 Norwalk; NUNEZ ESTATE 710 Norwalk; MRS. WINNIE McCOY, #5 Newman Drive; MR. BENJAMIN, Horticultural Center; W. R. HAYES, 718 Norwalk, by phone call approved the change. The Council deferred this matter for further study.

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ROBERT L. ALLEN	608-10 Kawnee Street	From "A" Residence
		To "B" Residence
		6th Hgt. & Area
		NOT RECOMMENDED by
		the Plan Commission

MR. ROBERT ALLEN appeared in his own behalf, stating he planned a rest home at this location. Opposition was expressed by MR. B. E. DOUGLASS, 7102 Guadalupe; MESSRS EUGENE F. ARCHER, M. J. MEYERS, and MARVIN ROLFF, as they wanted the area to remain residential and believed a change would hurt the value of their

property. The Mayor asked that 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 Pearson, Thompson, Mayor McAden
Noes: Councilman Long, White

The Mayor announced that the vote failed to reveal a four-fifths necessary to overrule the recommendation of the Plan Commission, and the requested change had been DENIED.

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There being no further business the Council adjourned at 2:55 P.M., subject to the call of the Mayor.

APPROVED



ATTEST:



City Clerk