

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 13, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Pearson, Thompson, White, Mayor McAden
Absent: Councilman Long

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

Invocation was delivered by DR. FRED BROOKS, First Presbyterian Church.

Councilman Long was absent due to illness.

Mayor Maden presented the following to the City Council:

"The City Council of the City of Austin, after receiving from the City Manager, an estimate of population based on a studied analysis of population factors including water, gas, and electric connections, hereby declares that it estimates the population of the City of Austin to be 168,500 as of December 31, 1953.

"The City Council further respectfully requests the State Highway Department, through its District Highway Engineer, to change the signs indicating population, which are located at the City Limits of Austin, to the above figure."

Councilman White moved that the Council confirm this figure as represented by the City Manager and administration of the City Government to be authentic and that it be confirmed officially in the Minutes of the City Council. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. JOHN BROAD, Chairman of the City Plan Committee of the Austin Chamber of Commerce, referred to a resolution adopted by the Chamber of Commerce on May 4th, asking the City Council to take steps immediately to employ a firm or individual to start the preparation of a Master Plan for the City of Austin, to be completed by July 1, 1955. He commended the Council for its plans for a joint meeting with the City Plan Commission and the State Planning Commission but he did not want that procedure to stand in the way with the employment of someone to prepare a Master Plan of the City of Austin. Councilman Pearson reported he had written the Chairman of the State Planning Commission to set a date for the Committee, or a subcommittee to meet; and after this meeting is called, the data could be assembled and then after the information is obtained, a Planning Engineer could then be discussed. Councilman White inquired if it were necessary to hire a firm or individual, and if it were not possible to use our own engineers here. MR. BROAD felt that the engineers were already tied up to their full capacity, and outlined the advantages of an outside firm that was specialized in this field of work, and outlined what a Master Plan should contain. Councilman Thompson complimented the Chamber of Commerce in sponsoring action of this type, and explained that the Council had scheduled extra meetings to catch up with some of its work; and that although the Council was behind on this City Plan, it was not because it was not willing, but that other things of more urgency kept the Council very busy. The City Manager outlined the steps necessary for the preparation of the Master Plan, listing a topographical map as the first, and that the cost of this was \$80,000. Through a cooperative plan with the U.S.G.S., the City, and Army, this map is being made at a very low cost to the City, but will not be available until the middle of 1955. In the meantime the Planning Commission had been very industrious in studying and revamping the zoning situation. MR. FREUND felt that a consultant to advise only on estimated population would not be sufficient. MR. LEONARD LUNDGREN, Junior Chamber of Commerce, read a resolution from the Jaycees. (Was not filed with the City Clerk) MR. LANDON BRADFELD, Austin Real Estate Board, joined the other groups in asking for the employment of a Planning Engineer. No action was taken by the Council at this time, pending a meeting with the two commissions.

MR. EDWARD CLARK, representing the Telephone Company, asked the Council to set a date to hear their request, either on May 17 or May 24, or any date that the City can set with its rate expert and the company's representatives. The Mayor asked that the City Manager get in touch with Mr. Honaker to see if he could meet on either of these two dates, or to determine a date suitable to all concerned.

Councilman Pearson moved that the Minutes of the Special Meeting of May 4th, and of the Regular Meeting of May 6th be approved. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor McAden introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREIN AFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREFOR, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

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

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

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 a quitclaim deed conveying whatever right, title, or interest the City of Austin acquired in Lot 11, F. Wilhelm Sr. Subdivision, a subdivision of Outlot 35, Division B of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which the City acquired under that certain Sheriff's Deed of record in Volume 110, page 445, Deed Records of Travis County, Texas.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden

Noes: None

Absent: Councilman Long

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 a quitclaim deed conveying whatever right, title, or interest the City of Austin acquired in Lots 11 and 12, Block 34, Swisher Subdivision, a subdivision of a portion of the Isaac Decker League, in the City of Austin, Travis County, Texas, which the City acquired under that certain Sheriff's Deed of record in Volume 110, page 506, Deed Records of Travis County, Texas.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden

Noes: None

Absent: Councilman Long

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

(1) An underground telephone conduit in EAST 7th STREET, from a point 214 feet west of the centerline of Brazos Street easterly 172.5 feet, the centerline of which underground telephone conduit shall be 16 feet north of and parallel to the centerline of said EAST 7TH STREET.

(2) An underground telephone conduit in EAST 7TH STREET, from a point 16 feet north of centerline of EAST 7TH STREET and 41.5 feet west of centerline of Brazos Street northerly to proposed building, the centerline of which underground telephone conduit shall be 41.5 feet west of and parallel to the centerline of Brazos Street.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

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 NILE STREET, from a point 231 feet north of East 8th Street southerly 431 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said NILE STREET.

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

(2) A gas main in GREENLEE DRIVE, from a point 464 feet west of Hillview Road westerly 322 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GREENLEE DRIVE.

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 Pearson, Thompson, White, Mayor McAden

Noes: None

Absent: Councilman Long

Action on the following zoning ordinances was postponed, due to Councilman Long's absence:

Final Reading:

HENRY WIRE, ET AL

Rear 2020 & 2030 S. Lamar
& 1501 & 1402-04 Hether

From "A" Residence
To "C" Commercial

Second Reading:

J. H. BERRYMAN

5213-15 Ave. F &
201-03 E. 53rd

From "A" Residence
To "C" Commercial

The Council had before it the following zoning application:

MRS. MARY JABOUR

3207-11 East Avenue

From "A" Residence
1st Hgt & Area
To "C" Commercial
6th Hgt & Area
NOT Recommended by the
Planning Commission

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

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

The Mayor announced that the zoning change had been denied.

Pursuant to published notice thereof the following zoning application was publicly heard:

W. P. GOODWIN	1124-34 Kirk Avenue	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area RECOMMENDED by the Planning Commission
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The Mayor asked those who favored upholding the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the zoning request had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on certain maps and plats of the City of Austin a public road or street is shown as Robert E. Lee Road, extending from South Lamar Boulevard eastward to South First Street; and

WHEREAS, on the opposite side of South First Street the public road or street continues eastward across the City of Austin and is known as Riverside Drive; and

WHEREAS, the City Council of the City of Austin deems it to be to the best interest of the public to change the name of such portion of Robert E. Lee Road to Riverside Drive in order to prevent confusion; Now, Therefore

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

That the certain section of street now known as Robert E. Lee Road, beginning at the intersection of South First Street, and extending westerly to South Lamar Boulevard, in the City of Austin, Travis County, Texas, be and the same is hereby changed to Riverside 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 Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Council set the following applications for zoning change for public hearing at 11:00 A.M. June 10, 1954:

JACK H. KEY	1501-05 Scenic Drive Lots 1,2,3, Blk. 14, Walsh Place Addition	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
DR. SIDON HARRIS & MISS ANNIE B. GILES	3000-06 & 3100-10 Red River Street Lots 11 & 12, E. 41' of Lots 10 & 13, Stanhope Place Subd. Lot 29 & E 41' Lot 28 Stanhope Subd.	From "A" Residence 1st Height and Area To "B" Residence 6th Height and Area NOT Recommended by the Planning Commission

The Council set 2:00 P.M. Tuesdays as a special meeting date to go over the pending matters.

The City Manager presented the request of the Texas Firemen's Training School at A & M College for the old 1928 fire truck now out of service and located at the 3000 Guadalupe Station. He recommended donating it, as it had no value. Councilman Pearson moved that since it had no value here and since it could render some good service to A & M, that the obsolete piece of equipment be donated to this school for training. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White called attention to the condition of the fire hall on 30th and Guadalupe in that the roof leaks, and asked that some nominal repair be made.

Councilman Thompson asked that a meeting be called with the Auditor to go over his annual report. Councilman Pearson suggested including the Finance Director and City Manager in the meeting. The Council decided to have the first Tuesday meeting with the Auditor if he were available, and if Councilman Long were able to attend. The City Manager stated he would check with MR. WADE. (Tuesday, May 18, 1954 at 2:00 P.M.)

Councilman White moved that the City Manager be instructed to go ahead and make the necessary arrangements with JESSEN, JESSEN, MILLHOUSE, AND GREEVEN; and PAGE, SOUTHERLAND AND PAGE to proceed with the plans for the Auditorium. The motion was seconded by Councilman Pearson. Councilman Pearson offered the following amendment to the motion: with the specification that if they approach the architectural work on this Auditorium that they must go and visit at least three auditoriums that have been in existence at least three years and come back with a recommendation to the Council before they proceed with their definite plans. Councilman White accepted the amendment. Roll call showed the following vote on the motion with the amendment:

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

*Councilman Thompson felt that their fee should take care of their informing themselves on these plans, and he made the following statement concerning his vote: "I still believe that we are putting the cart before the horse at this time in employing the architects because there are many aspects of the completion of the plans to build the auditorium that have not been accomplished yet, and one is the financing. We do not know yet that we will be able to sell the bonds. Furthermore there has been a definite interest expressed by the University of Texas that they would like to talk about cooperating in the building of this Auditorium, and we have not explored that and I believe we are putting the cart before the horse in employing the architects. Far be it from me to want to delay the progress of building the auditorium because I am in complete agreement that it is long past due and we should have it, and it will be an asset to the town. Out of deference to Mr. White and Mrs. Long and their commitments to this particular firm, and my firm belief that no one should make commitments and not stand behind them; and since they feel that the representatives of the City government have put out their word to this firm that they will have this business, I do not want to be a part in backing out on an implied contract, and I am going to vote 'aye'."

**Mr. White explained that since these people had been engaged before and had done a lot of work already, the city by changing architects would lose money, and he felt morally obligated to these people to let them go ahead with their plans.

***The Mayor made the following statement concerning his vote: "I think it is definitely a constructive proposition as far as the betterment for the culture and entertainment for the City of Austin, and I heartily vote 'aye'."

There being no further business the Council adjourned at 11:30 A.M. subject to the call of the Mayor.

ATTEST:

Elie Massey
City Clerk

APPROVED

Chas. M. Eady
Mayor