

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 8, 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 LANCASTER, First Southern Presbyterian Church.

Pledge of allegiance to the Flag.

MR. FORD JOHNSON represented a group in southwest Austin, petitioning for storm sewers and drainage so as to permit paving of the streets in this area. He asked that the Blue Bonnet Lane storm sewer system be completed first. The people are anxious for paving, but are not willing to assume 100%, as they are taxpayers and were entitled to a little more return for the money they are spending. The drainage in this area is holding up the paving, and he asked that funds be set aside in next year's budget for the construction of the storm sewer in Blue Bonnet Lane. The petition he submitted had between 500 and 600 names. Councilman Thompson explained the city's problem was city-wide. He asked if the people had been approached on the proposition that the city reduce its participation from around 30% to 10%, and how would they feel about it. MRS. VON ROSENBERG who had 800' on Blue Bonnet Lane was not in favor of paving without the full participation from the City, as this street was used heavily by others outside the area. Councilman Long inquired as to the group's feeling about a bond issue. MR. JOHNSON wanted some figures on how it would affect the tax rate but he did believe that if the city would eliminate the drainage problems in the area, they could then go on with the paving. Councilman Long thought that the problem might be partially worked out, and she promised to work on it to see if part of it could be done next year, either from bond money or squeezed out of

the government. Councilman Thompson asked that the Council study the possibility of reducing the city's participating in paving costs to 10%, thereby paving four times as much with \$100,000 as is possible now; and he felt the group's problem was a deserving one, and he wanted to give it serious study. Councilman Long opposed a 10% participation, as people had been getting their paving for one-third, with the City bearing the rest, and they had been paying through bond issues. She saw no reason for somepeople to pay all but 10% when they were already helping to pay for paving that was already in. Mr. JOHNSON stated the people in that area felt they were entitled to as much assistance from the City as people in other parts of the town. Councilman Thompson stated the subdivision ordinance had been passed which added on to the buyers of new homes the costs of all of the paving, even though the people in the past had been paying 60% and the City paid 40%. He could not see any consistency in Councilman Long's belief that it would be unfair to begin now to charge property owners 90% and let the city pay 10%. MRS. VON ROSENBERG, in the discussion, stated they had not agreed to pave, and she knew of some others who had not agreed. She asked at this time for traffic lights at HETHER and SOUTH LAMAR and at BLUE BONNET LANE and SOUTH LAMAR. The Mayor commended the group for coming down, and felt that the matter could be taken under study and something equitable worked out. He asked MR. JOHNSON to work with the City Manager and Director of Public Works, and see if something could not be worked out within 30 days. Councilman White knew their problems in this area and was in favor of trying to get something done for them as fast as possible. He assured the group the Council would give some serious thought to do what it could. Councilman Thompson complimented the group for its community effort and taking the time to work out a problem like this to make their community a better place to live. Councilman Pearson felt that there would be an answer to part of their problems and for all the citizens in Austin on their paving.

The Mayor announced that the Telephone Hearing had been reset for 10:00 A.M., AUGUST 9th.

The City Manager submitted the following:

"July 6, 1954

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

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, July 6, 1954 for the construction of a Sewage Lift Station at West 1st Street and Shoal Creek:

Austin Engineering Company	\$30,831.06
Maufrais Bros.	39,859.70
City's Estimate	31,206.00

"I recommend that Austin Engineering Company with a low bid of \$30,831.06 be awarded the contract for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 6, 1954, for the construction of a Sewage Lift Station at West 1st Street and Shoal Creek; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$30,831.06 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 Austin Engineering Company in the sum of \$30,831.06 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 Austin Engineering Company.

The motion, seconded by Councilman Thompson, 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, 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 FRANCISCO STREET, from a point 55 feet south of Webberville Road northerly 109 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said FRANCISCO STREET.

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

(2) A gas main in WEBBERVILLE ROAD, from Francisco Street easterly 397 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEBBERVILLE ROAD.

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

(3) A gas main in WEST 11TH STREET, from a point 71 feet west of Winsted Lane easterly 130 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST 11TH STREET.

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

(4) A gas main in WINSTED LANE, from West 11th Street northerly 54 feet, the centerline of which gas main shall be 6.5 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.

(5) A gas main in WEST 45TH STREET, from a point 235 feet east of Chiappero Trail easterly 145 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST 45TH STREET.

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

(6) A gas main in EAST 48TH STREET, from Rowena Avenue westerly 173 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 48TH STREET.

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

(7) A gas main in MANCHACA ROAD, from a point 618 feet south of Redd Street southerly 151 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said MANCHACA ROAD.

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

(8) A gas main in CHICON STREET, from a point 15 feet south of East 14th Street southerly 79 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said CHICON STREET.

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

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union

Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

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

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

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

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

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 19th STREET AND 45th STREET, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST THE 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 JULY, 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 PARTIES 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 Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MR. HARRY POLLARD, representing the owners of a lot between Leon and San Gabriel, asked the Council to rescind its action in closing the alley that ran up to this lot, but not through it. The closing of the alley affected their property, and the owners did not know of its closing. He asked that a hearing be set so his clients could be heard in the matter. The Council set this for a hearing on July 22nd.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH E. J. LUND;
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 Pearson, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager explained a proposed exchange of 69 KV Transmission Lines with the L.C.R.A., the City exchanging a 10.4 mile line from the dam through Bluffington, Rollingwood, St. Edwards property to the Montopolis substation, for 11.3 miles of line owned by the L.C.R.A. that runs to McNeil. The exchange was desirable as it would cost the City \$40,000 or \$50,000 for a metering fee to tie on to the L.C.R.A. line. The L.C.R.A. had approved the exchange. The Council deferred action on this matter until the following week.

Discussion of the petition filed by Messrs. Henderson, Wood and Whitehead, former employees of the Sanitation Department was held. Councilman Pearson, expressing confidence in the foreman and department heads, was ready to stand by their decisions. Councilman Thompson suggested if the Council wanted to go into an investigation, to convene the Council or appoint a committee to investigate it and report back to the Council, but personally he was ready to drop the matter as the City Manager and Department Heads had said it was in the interest of the City that these men were discharged. Councilman White realized that the Council was powerless to restore the jobs, or interfere, but it did seem like something could be done. He outlined the method he had used in his personnel problems throughout the years. Councilman Long stated these drivers felt that because they had acted as a committee to appear with the City Manager to work out their difficulties, they had been fired simply for that and they were given a certain time so that it would appear that they were not. Councilman Pearson and White again expressed confidence in the foreman, BENNIE HUDSON. The City Manager had submitted a personnel policy, and suggested that the Council, if it felt some changes should be made in it, advise him. He stated the Council would be interested in the over-all result, and the direct contact with the employees and their ability to serve would be strictly administrative. The Council always had the right to investigate into the general operations of the City; but the charter was clear as to the individuals that comprised the administration under the City Manager. As to setting up a committee, the City Manager stated that was thinking in terms of Civil Service. Councilman Pearson and Thompson expressed themselves as considering this matter a closed issue. Councilman White felt that something should be done, but he did not think the Council had the right to tell the City Manager whom he should put on or take off. Councilman Long suggested studying the personnel policies and making some recommendations; possibly including that reasons should be given for the firing of people. These men did not know why, and they had petitions stating their services had been satisfactory. Councilman Thompson stated she was making an inference that the reasons for firing these people were mythical; that the administration persecuted the employees, and he did not believe it fair, and it was beneath the dignity of a councilman to make such inferences.

MR. DEWEY BRADFORD appeared in the interest of a zoning application which application was to be heard the following week.

The Mayor announced that the Chairman of the Interim Zoning Committee would have a report next Thursday.

Councilman Long called attention to the fact there was a need for another life guard at Deep Eddy; and thought maybe the City was not paying the guards enough to obtain the best type of life guard, and there should be something that the Council should do to recommend paying them more than 85-90¢. The Mayor suggested checking into this very closely. Councilman Thompson suggested that the matter be referred to the Director of Recreation, as this comes under his jurisdiction.

Councilman Long inquired about some matters that had been taken off the pending list--the stop signs on the west side of Arroya Seca where other streets crossed. The City Manager explained they were placed there because of the barricades to the creek, and there was not enough traffic to justify putting them on the other side. Another item she inquired about was the W.W. BORING request for damages, which was a matter of working out legal technicalities at this time.

Councilman Long urged the study of one-way traffic on streets where the construction of the Interregional Highway was under way--San Marcos and others. The City Manager reported this study was being made.

The Mayor asked about the lights at 35th and Jefferson. Other inquiries were made about lights at the Twin Oaks Addition and 12th and East Avenue. The City Manager reported that these lights had been ordered.

Councilman Pearson discussed paving with the idea of working out something to improve the paving program. His suggestion was to set up a committee to study the approach, and he felt that something could be worked out. The committee could also answer whether or not the city should decrease its participation. The Mayor favored considering lowering the city's participation to 10%. The City Manager outlined his recommendation on the revolving fund, doing the paving on a cash basis, getting more competition and better prices on the cash basis; and those preferring to pay their part out in years would pay 5% interest which would give a little tolerance for servicing the paper work. He suggested a further saving in paving costs by concentrating the paving in one section at a time. He stated he would submit figures on this.

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

FOREST S. PEARSON	2611-2619 So. 1st St. & 2701-2711 So. 1st Street	From "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area
DELLA ANDERSON	4307-09 Bellvue Ave.	From "A" Residence To "B" Residence
FRED WALKER & HELENA W. HARDCASTLE	West 5th & Powell St.	From "B" Residence To "C" Commercial

H. A. SCHUYLER	6007-21 and 6101-05 Brooks Street	From "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area
FRANK DARLINGTON	400 Alpine Road	From "A" Residence 1st Height & Area To "B" Residence 6th Height & Area
VEE P. JENNIGAN	3505 Neal Street	From "A" Residence To "C" Commercial
MARK BURNETT et al	Jefferson Street & Bull Creek Road	From "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area
CEN-TEX CONCRETE PIPE COMPANY	901-21 Koerner Drive & 5409-13 & 5501-07 Bolm Road	From "A" Residence 1st Height & Area To "D" Industrial 6th Height & Area

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk