

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 7, 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. SIDNEY HAWKINS, South Austin Christian Church.

Pledge of allegiance to the Flag.

Councilman White moved that the Minutes of September 30th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Action was deferred on the application of ELVA MARIE SCOTT for a day nursery at 1516 Parker Lane for further investigation. Opposition was expressed by MRS. CON EPPERSON, 1518 Parker Lane, and MRS. W. H. STEPHENS, also a close neighbor.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on July 7, 1896, R. E. White, Sheriff of Travis County, Texas, sold the hereinafter described property to the City of Austin for taxes owing by George Fontaine to the City of Austin, as set out in Cause No. 12,677, District Court Records of Travis County, Texas, and as evidenced by the tax

sale deed to the City of Austin, executed by said R. E. White, which is of record in Book 137, Page 493, Deed Records of Travis County, Texas; and

WHEREAS, on November 3, 1896, said R. E. White sold the hereinafter described premises to the City of Austin for taxes owing by the said George Fontaine to the City of Austin, as set out in Cause No. 12,416, District Court Records of Travis County, Texas, and as evidenced by the tax sale deed to the City of Austin, executed by the said R. E. White, which is of record in Book 143, Page 232, Deed Records of Travis County, Texas; and

WHEREAS, the taxes for which such sales were made to the City of Austin have long since been paid; 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 on behalf of the City of Austin a quitclaim deed to George Fontaine, his successors and assigns, quitclaiming all right, title and interest acquired by the City of Austin by said deeds executed by R. E. White as aforesaid, in and to the following described property, to wit:

Lot 7 of Block 5, of a subdivision of Outlot 55,
in Division "D" of the Government Outlots adjoining
the Original City of Austin, 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, the hereinafter named owners have paid in full the special assessment levied against the property described opposite their names by virtue of an ordinance passed by this Council on the 14th day of January, 1954; such owners and their respective properties being named and described as follows, to wit:

<u>Owner</u>	<u>Property</u>	<u>Amount of Assessment</u>
Mark Burnett and wife, Louise Burnett	Property described in Vol. 399, page 518, Travis County Deed Records	\$2,026.58
Mark Burnett, Jr., and wife, Sybil Burnett	Property described in Vol. 914, page 288, Travis County Deed Records.	\$ 419.40
Dora Thiele	Property described in a will recorded in Vol. 150, page 382, Travis County Deed Records.	\$ 548.40
Sam Harshaney	Lot 129, Ridgelea Addition	\$ 316.46

Donald E.Cranfield	Lot 130,Ridgelea Addition	\$ 316.41
William A.Driscoll and Edmond Moritz	Property described in Vol. 675,page 103, Travis County Deed Records	\$ 450.59
John Chernosky	Property described in Vol. 1211, page 286, Travis County Deed Records	\$ 263.50
John Chernosky	Property described in Vol. 1004, page 187, Travis County Deed Records	\$ 263.50
William Schoenert	Property described in Vol. 520, page 440, Travis County Deed Records	\$1,040.03
Herbert Bohn	West 90 feet of Lot 12, Jefferson St.Addition	\$ 359.94
Wayne W. Huff	Lot 125, Ridgelea Addition	\$ 316.20
Frances Mueller Danforth	Property described in Vol. 1061, page 403, Travis County Deed Records.	\$ 400.00

Now, Therefore

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

That the City Manager be, and he is hereby authorized and directed to execute and deliver to each of the above-listed property owners a release of any and all liens created against the property shown opposite their respective names by the ordinance of this Council passed on the 14th day of January, 1954.

The motion, seconded by Councilman Pearson, 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)

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

That the City Manager be, and he is hereby, authorized to execute and deliver in the name of the City of Austin, a written release of any paving lien owned by the City of Austin upon payment in full to the City of Austin of the debt secured by such lien.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: Councilman Long

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. October 28, 1954, as follows:

Hospital Improvement Bonds, authorized at election May 7, 1946	\$ 150,000.00
Parks, Playgrounds and Recreation Bonds, authorized at election held May 7, 1946	95,000.00
Parks, Playgrounds and Recreation Bonds, authorized at election held November 6, 1950	180,000.00
Public Free Schools Bonds, authorized at election held November 6, 1950	\$1,000,000.00
Total	<u>\$1,425,000.00</u>

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 regular 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 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, 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 CHELSEA LANE, from a point 155 feet

south of Reagan Terrace northerly to Regan Terrace, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said CHELSEA LANE.

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

(2) A gas main in REAGAN TERRACE, from Chelsea Lane easterly 819 feet to Interregional Highway, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said REAGAN TERRACE.

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

(3) A gas main in BETTY JO DRIVE, from Reagan Terrace southerly 451 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BETTY JO 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 is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

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

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

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

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

Councilman Pearson offered the following resolution and moved its adoption

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of the intersection of Manor Road and Cherrywood Road, which property fronts 100 feet on Manor Road and 100 feet on Cherrywood Road, and being known as Lot 14, and parts of Lots 13 and 15, Forest Hills "B" Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Magnolia Petroleum Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Magnolia Petroleum Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"October 7, 1954

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of The Magnolia Petroleum Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of the intersection of Manor Road and Cherrywood Road, which property fronts 100 feet on Manor Road and 100 feet on Cherrywood Road and being known as Lot 14 and parts of Lots 13 and 15, Forest Hills "B" Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Magnolia Petroleum Company 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 The Magnolia Petroleum Company be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector, That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1323.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1323 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
(Sgd) C.G.Levander by Seaborn R.Rountree, Jr.
C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector "

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

Councilman 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 the property situated on the north side of Justin Lane as a private gasoline plant consisting of a 1000 gallon tank and an electric computer pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, which property is leased by R. B. Okley, and is an unplatted tract of G. E. Surplus tract, of the City of Austin, Travis County, Texas, and hereby authorizes the said R. B. Okley to operate a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto; and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said R. B. Okley has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
October 7, 1954

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

"Dear Sir:

"I, the undersigned have considered the application of R. B. Okley for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and pump for the sole purpose of servicing his own motor equipment and from which no gasoline is to be sold, upon property located on the north side of Justin Lane, which property is designated as part of G.I. Surplus Distributing Company tract, in the City of Austin, Travis County, Texas, and locally known as 920 Justin Lane.

"This property is located in a "D" Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
J. C. Eckert, Building Inspector"

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Frank Rundell is the Contractor for the erection of a building located at 1401-03-05 Lavaca Street and desires a portion of the sidewalk and street space abutting Lot 1, Block 17⁴, of the Original City of Austin, Travis County, Texas during the erection of the building, such space to be used in the work and for the storage of materials therefor:

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

1. THAT space for the uses hereinabove enumerated be granted to said Frank Rundell the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a prolongation of the north property line of West 14th Street and the east curb line of Lavaca Street for the place of beginning; thence in a westerly direction and at right angles to the center line of Lavaca Street 12 feet to a point; thence in a northerly direction and parallel with the center line of Lavaca Street approximately 75 feet to a point; thence in an easterly direction and at right angles to the centerline of Lavaca Street to the east curb line of said street; thence in a southerly direction to the point of beginning.

2. THAT the above privileges and allotment of space are granted to the said Frank Rundell, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall 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.

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

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

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

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

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

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstruction, red lights during all periods of darkness and provided lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than November 15, 1954.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000) 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 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 CHANGING THE USE 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 0.822 OF ONE ACRE OF LAND OUT OF AND A PART OF THE MILITARY HEIGHTS ADDITION, LOCALLY KNOWN AS 3606-12 BULL CREEK ROAD AND 3602-04 JEFFERSON STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 Council set the following applications for change of zoning for public hearing at 11:00 A.M., October 28th:

TED WENDLANDT	Guadalupe & Nelray Blvd. Lot 16, Blk. 1, Northfield Annex #2; 510 Nelray Blvd. & 5413 thru 5415 Guadalupe St.	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
CLIFF HARRINGTON	So. Congress & Woodward Lot 2, less W. 63.1', Blk. 1, Brackenridge Hgts; 3400-3402 So. Congress Ave. & 101-105 Woodward	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
ODAS JUNG	Lake Austin Blvd. & Hearn Por. Geo. W. Spear League No. 7; 2504 Lake Austin Boulevard	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
MARVIN E. BELL & F. W. KING	So. Lamar & Goodrich Ave. 2117-2129 Goodrich Ave.	From "A" Residence To "C" Commercial 6th Hgt & Area TRACT I RECOMMENDED TRACT II NOT RECOMMENDED by the Planning Commission
EDWARD JOSEPH & WILHELMINE SHEFFIELD	Fruth St. N. of West 34th Portion of Blk. 6, Budington Subd., OL77, Division "D"; 3400-02 Fruth St. & 500-504 W. 34th St.	From "B-1" Residence To "C" Commercial NOT Recommended by the Planning Commission

MAYOR McADEN brought up the matter of offering the 36.5 acres of the east part of the Hancock Tract for sale. Councilman Pearson moved that the check for \$9,000 submitted by the SAFEWAY CO. for an option on the east 36.5 acres of the Hancock Tract, be returned to them. The motion, seconded by Councilman Thompson, carried by the following vote:

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

Councilman Pearson urged the Council not to wait $2\frac{1}{2}$ to 5 years for the Master Plan before selling this property; as the expansion of the Recreation

Department must go forward now--as well as the Airport expansion. He hated to stop going forward for the next three to five years on this Recreation program. There is not enough money in the budget to do the things that are needed, and he hated to see this 36 acres sit idle for several years without any development, as the City did not have any money to develop it. He checked with the school authorities and determined that the children were moving away from this area; that the schools had a tract of land in the area which they will never develop, since there will not be a need for it, and he would like to see the parks developed where the children are.

Councilman Thompson offered the following motion:

In view of the fact a Master Planner was being employed to study the problems of this town so far as land use is concerned; and within $2\frac{1}{2}$ years, this planning will be completed and it is just a reasonable and logical assumption that more can be known about what the highest and best use of that land is after this planning is done; that the Council delay disposition of, postpone or drop this matter until after this planning is completed; that the Council express itself as being of this opinion that whatever is determined then by the Master Planner and the Planning Commission as to the highest and best use of this land whether it be park, part commercial, part residential--whatever at that time seems to be the highest and best use of this piece of property that that property be put to that use. The motion was seconded by Councilman Long.

Councilman Long did not believe the recreation program would be held up, as there was the Zavalla Community center, and money for purchase of five tracts of property in outlying areas. She felt there might be many public uses of this tract. She stated she would accept the recommendation of the Master Planner on this. MR. BOB COOPER asked the Council to solve its problems as it came to them, as things planned two years hence might not happen. He urged them to follow the recommendation of the Park Board, and to also act on the facts it had before them, as the people were very anxious for this decision. MR. M. H. CROCKETT asked that the property be retained by the city for the boys to play baseball on, and that he knew there were many signatures on petitions asking if the Council did decide to sell the property that the matter be referred to the people for vote. Councilman White believed that the people elected the Councilmen to represent them and would not want all matters referred back to them in elections. He favored moving out on the other projects, such as the Airport, etc., but the Hancock tract was a different matter.

Roll call on Councilman Thompson's motion showed the following:

Ayes: Councilmen Long, Thompson, White

Noes: Councilman Pearson, Mayor McAden

MAYOR McADEN made the following statement regarding his vote:

"I am not in favor of hiding behind the Master Plan. This is such a good opportunity that was offered to the people of Austin to distribute the parks to a better advantage for more people to enjoy. It is a mistake to hide behind the Master Plan, because the Master Plan is remote. Various people had been in here for interviews--some very

excellent individuals, but I do not think we can stop the progress of this town until we unfold a Master Plan"

COUNCILMAN THOMPSON made the following statement regarding his vote:

"I cannot believe you are implying that I would hide behind a master plan or anything else. I am voting my sincerest conviction."

COUNCILMAN PEARSON made the following statement concerning his vote:

"I feel that I should also act in the best interest of the majority of the people. I think the best interest of the majority of the people is the distribution of the parks in the area where the children are."

COUNCILMAN LONG stated she would take the position that the Master Plan will develop the land use of possibly the best disposition of it, including studies of population and everything else.

COUNCILMAN WHITE had previously stated he was not in favor of selling park land, and he believed when this tract was sold to the City, although there was nothing in writing, the Country Club had understood it would be kept for Recreational purposes.

MR. ED WEISE complimented the Council on its action in not deciding to sell the Hancock tract.

Councilman Pearson moved that MR. J. C. HINSLEY be appointed to act in Judge Joe Roberts' place in the Corporation Court while he is on vacation from October 18th for two weeks. The motion, seconded by Councilman White, carried by the following vote:

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

Regarding the purchase of X-Ray equipment for the Brackenridge Hospital Councilman White inquired why when the Administration knows that people cannot fill the bill, it will let them go to the expense and time of putting in a bid. The City Manager stated the specifications were sent out; a conference was held with all the X-ray people. The concern was over a 180° table, which this particular company, who had written a letter to the Council, was not at this time manufacturing, but were just in the process of starting to manufacture it. The companies get the specifications and they have the option of bidding. Councilman White then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on October 4, 1954, the City of Austin received bids for the purchase and installation of X-ray equipment and for the reinstallation of existing X-ray equipment in Brackenridge Hospital; and,

WHEREAS, the bid of General Electric Company in the sum of \$54,544.00 was the lowest and best bid therefor; and,

WHEREAS, the acceptance of such bid has been recommended by the Administrator of Brackenridge Hospital, and by the City Manager; Now, Therefore,

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

That said bid of General Electric Company in the sum of \$54,544.00 for the purchase and installation of such equipment and for the reinstallation of existing equipment, be and the same is hereby accepted, and W. E. Seaholm, City Manager, be and he is hereby authorized and directed to enter into a contract with the General Electric Company in accordance with said bid.

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

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

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

T. T. TALLEY	501 Arlington St.	From "A" Residence To "C" Commercial 6th Height & Area
GRAY & BECKER, INC.	Ne intersection of E. Liveoak St. & Interregional Highway	From "A" Residence To "C" Commercial 6th Height & Area
LEWIS V. BROWNLOW	204 W. 16th Street	From "B" Residence To "C" Commercial 2nd Height & Area
E. A. JONES	301-05 Riverside Drive	From "B" Residence 2nd Height & Area To "D" Industrial 2nd Height & Area

The Mayor announced the \$345,000 grant for the Airport expansion and listed the items to be included and the time limit, and stated the Council should go on record thanking the Congressman for getting this through for the City. The Mayor announced a special meeting Friday, October 8th at 7:30 P.M. with the Airport Committee at which time the Council would accept this grant and instruct the City Manager to proceed with the execution of the necessary data. Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has been heretofore retarded in its growth and development because of the inadequacies of its facilities for air transportation; and,

WHEREAS, Congressman Homer Thornberry early recognized the fact that the convenience and general welfare of the people of the United States depended

in large measure upon progressive development of air communication across our great land; and,

WHEREAS, Congressman Thornberry, a beloved and favorite son of this City, by his faithful and capable representation of all the people, has made known this particular need in such an effective manner that the United States Government has granted the sum of \$345,000.00 to aid in the expansion and improvement of the Municipal Airport in the City of Austin; Now, Therefore,

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

That the heartfelt gratitude of the people of the City of Austin be publicly expressed on this occasion, and that such public acknowledgment be made known to Congressman Thornberry by the delivery of a copy of this Resolution to him over the signature of the Mayor of the City of Austin.

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

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

Noes: None

The Council recessed at 12:00 until 2:00 P.M.

APPROVED: _____

Chas. E. Eddy
Mayor

ATTEST:

Elaine Hoosley
City Clerk