

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 16, 1947

10:45 A.M.

Council Chamber, City Hall

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The meeting was called to order, with Mayor Pro tem Bartholomew presiding.

Roll call

Present : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry,
and Wolf - 4

Absent : Mayor Miller

Present also: Guiton Morgan, City Manager; Trueman E. O'Quinn, City Attorney; J. E. Motheral, Director of Public Works; and R. D. Thorp, Chief of Police.

The Minutes of the regular meeting of January 9, 1947, were read; and upon motion of Councilman Thornberry, were approved as read, by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

A large delegation of citizens from Govalle, the Govalle Civic League, and the Govalle Parent-Teacher Association, with Travis Howard and Mrs. Henry Schnautz as spokesmen, came before the Council to find out if sanitary sewerage would be furnished Govalle, and particularly the new Govalle School Building, declaring that the School Board claims that this project is being delayed because of lack of sewerage facilities. In this connection, the City Manager reported that the City was negotiating with the County at the present time on the drainage problem for Govalle.

After a lengthy discussion, Councilman Thornberry moved that the City Manager be instructed to arrange a conference for the School Board, the City Council, and a committee from Govalle for further discussion of the matter. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

The following applications for change in zoning were received:

- (1) Application of A. F. Smith, G. A. Bragg, C. L. Tower, and R. C. Grovis for change in zoning, from "A" Residence District to "C" Commercial District, of Lots 5, 6, 7, 8, 9, and 10, Block 2, and Lots 1, 2, and 3, Block 3, Smith and Abrahamson Subdivision, adjoining North Loop Boulevard, Highlands Addition;
- (2) Application of James J. Jones for change in zoning, from "A" Residence District to "C" Commercial District, of Lot 25, Block 13, Broad-acres, on the north side of North Loop Street between Woodrow Avenue and Joe Sayers Street;
- (3) Application of Dr. J. L. Love and Joe Crow for change in zoning, from "A" Residence District to "B" Residence District, of property on Leon Street and Boulevard View between West 25 $\frac{1}{2}$ and West 26th Streets - the whole block;
- (4) Application of J. C. Stark, by Chas. F. Herring, Attorney, for change in zoning, from "A" Residence District to "C-1" Commercial District, of Lot 7, and the west 10 feet of Lot 5, Stark Addition, located on the north side of Stark Street, approximately 117 feet west of Austin-Georgetown (Dallas) Highway;
- (5) Application of Rudolph S. Deutsch, et al, for change in zoning, from "A" Residence District to "C" Commercial District, of property on Wabash Avenue from West 34th Street north to West 38th Street.

Councilman Wolf moved that the above applications for change in zoning be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf

Noes : None

Absent: Mayor Miller

Councilman Thornberry moved that the public hearing on the application of Jack Lebo for a change in zoning, from "A" Residence District to "B" Residence District, of the property located at the southeast corner of Longview Street and West 24th Street, continued from the regular meeting of November 27, 1946, at the request of the Attorneys for applicant, be resumed at the next regular meeting of the City Council, and that notice of same be given through the press and to the property owners within two hundred feet of the proposed change. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf

Noes : None

Absent: Mayor Miller

The following communication from the School Board was received; and the City Manager was instructed to acknowledge same, and to arrange for a joint meeting of the City Council and the School Board on the matter:

"AUSTIN PUBLIC SCHOOLS
Austin, Texas

January 14, 1947

Honorable Tom Miller, Mayor,
& the City Council
Austin, Texas

Gentlemen:

The School Board at its regular monthly meeting on January 13, 1947, unanimously adopted the following:

" The Austin Board of School Trustees hereby requests that the City Council of the City of Austin submit, at the earliest permissible time, an amendment to the city charter which will make it possible at a subsequent election to ballot upon an increase in the amount of taxes for school maintenance purposes.

According to the advice of our counsel, this can be done as follows:

1. The City Council at its discretion would fix the tax rate in the proposed amendment at whatever amount it deems advisable for city purposes (up to the constitutional maximum of \$2.50 on the \$100).
2. In lieu of the special provisions for school purposes, this language would be inserted:

'All laws and ordinances in force at the time of the adoption of this amendment, pertaining to the public free schools of the City of Austin and the independent school district of the City of Austin, are hereby retained in full force and effect; and taxes for the support and maintenance of such public free schools shall hereafter be levied and collected as provided in the laws and ordinances in force at the time of the adoption of this amendment, until modified, amended, or repealed. ' "

This action of the School Board was taken after many months of study of various methods for increasing the funds needed now and in the future for the maintenance of the public schools.

The prompt action of the City Council in providing for this charter amendment election in order that the election for the increase in the school maintenance tax rate may be called at the earliest possible date will be appreciated by the School Board.

Yours very truly,

(Sgd) R. W. Byram
President, Austin School Board. "

Marion Fowler and a group of interested citizens came before the Council and presented seven petitions, each bearing a large number of signatures, addressed to the City Council, the Commissioners Court, and the Lower Colorado River Authority, asking that Lake Austin be lowered immediately to six feet, and later, to ten or twelve feet, for the purpose of killing the weed growth in said lake. Mr. Fowler further stated that the citizens who objected to the lowering of the Lake last summer now join in the petition for lowering it; and that the Lower Colorado River Authority is also willing to it.

Councilman Glass moved that the City Manager be authorized to confer with the Lower Colorado River Authority on the matter, with a view to getting the Lake lowered at this time to the necessary level. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

Marvin E. Johnson, veteran and owner of Harmon Terrace Service and Repair Station at 4801 Airport Boulevard, came before the Council and asked for permission to put in a gravelled driveway at his station in lieu of a concrete one as required under a city ordinance, declaring that he is financially unable at this time to comply with the ordinance. Councilman Thornberry moved that the matter be referred to the City Manager for disposition. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

William H. Bell, Executive Secretary of the Negro Chamber of Commerce, came before the Council and asked for permission for the Schafer Shows to show at Rosewood Park from March 24 to March 29. Councilman Wolf moved that permit be granted, provided the program is approved by the Recreation Department and an indemnity bond, approved by the City Attorney, is filed with the City. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

Burke Matthews came before the Council relative to his bid on the concessions at Zilker Springs and Deep Eddy, which was awarded to him at the last regular meeting. After considerable discussion, it was moved by Councilman Wolf that, in view of a misunderstanding of the figures in the bids received, the Council rescind its action of last week awarding the bid to Burke Matthews. The motion lost by the following vote:

Ayes : Councilmen Thornberry and Wolf
Noes : Mayor Pro tem Bartholomew and Councilman Glass
Absent: Mayor Miller

Councilman Thornberry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Edwin J. Colvin in Cause No. 7352, Corporation Court, City of Austin, was fined Fifty Dollars (\$50.00) on November 2, 1946, on a plea of guilty for alleged violation of an ordinance regulating itinerant vendors in the City of Austin; and

WHEREAS, the City Council deems it just and equitable to remit the fine imposed on the said Edwin J. Colvin; now, therefore,

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

That, pursuant to the power granted the City Council under Section 11, Article XII, of the Charter of the City of Austin, a fine in the sum of Fifty Dollars (\$50.00) heretofore imposed by the Corporation Court on Edwin J. Colvin in Cause No. 7352 on November 2, 1946, be, and the same is hereby, remitted and authority is hereby given to the proper officers of the City of Austin to return to the said Edwin J. Colvin the sum of Fifty Dollars (\$50.00) by virtue of said remission of fine.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf

Noes : None

Absent: Mayor Miller

Councilman Wolf introduced the following ordinance:

AN ORDINANCE REPEALING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE REQUIREMENT AND ISSUANCE OF LICENSE PERMITS TO ITINERANT VENDERS BY THE CITY OF AUSTIN, DEFINING ITINERANT VENDERS; REGULATING THE SALE OF GOODS AND MERCHANDISE BY ITINERANT VENDERS IN THE CITY OF AUSTIN FOR THE BENEFIT OF THE PUBLIC; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ORDINANCES INCONSISTENT THEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OCTOBER 26, 1933, AND IS RECORDED IN BOOK J, PAGES 561, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the ordinance be passed to its second reading and laid over. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf

Noes : None

Absent: Mayor Miller

The ordinance was then laid over.

Councilman Wolf 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 ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT ON THE SOUTH ONE-HALF OF BLOCK 1, OUTLOT 34, DIVISION B, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the ordinance be passed to its second reading and laid over. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass and Wolf
Noes : Councilman Thornberry
Absent: Mayor Miller

The ordinance was then laid over.

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it appears to the City Council of the City of Austin that the improvements on a portion of Lot 46 in Duval Heights in the City of Austin owned by Sam G. McCurry were incorrectly valued for taxation in the tax assessment made against such property for the year 1946, the value of such improvements having been fixed at \$2,860.00 when in fact the correct valuation of such improvements should have been fixed at \$2,300.00; now, therefore,

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

That the Tax Assessor and Collector of the City of Austin be, and he is hereby, ordered and directed to correct the valuation placed on such improvements for the year 1946 from the sum of \$2,860.00 to the sum of \$2,300.00 on all records in his office and to compute the taxes upon such corrected value.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf
Noes: None
Absent: Mayor Miller

The following application for a private boat license, duly approved by the Navigation Board, was submitted:

Name of OwnerDescription of Boat

Forester, Russell - 2006 Kinney Avenue Plywood, Outboard, 5 years
old, Sea Bee, 3-passenger

Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

The application of PATTONS & ENOCHS, by Andrew Patton and Ray Enochs, 401 East 6th Street, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

The application of LAEL T. GUNN, Jr., 608 $\frac{1}{2}$ West 6th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

The application of CHARLES R. ROBERTSON, 2708 Post Road, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

The application of ARLIE V. ROBERTS, 2710 Guadalupe Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and
Wolf

Noes : None

Absent: Mayor Miller

The application of WILLIAM H. EVANS, 2915 West Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry and
Wolf

Noes : None
Absent: Mayor Miller

The application of GENE BUSH RICH, 1604 San Jacinto Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

The application of JACK CURTIS MILLER, 1010 Lavaca Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

The application of DOUGLAS N. MEREDITH, 1405 West 5th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

An appeal by SAMUEL WISEMAN JIMMERSON for reinstatement of his taxicab driver's permit revoked by the City Council, was heard. Councilman Wolf moved that, upon the recommendation of the Chief of Police, the said Samuel Wiseman Jimmerson be granted a 90-day probationary permit to drive a taxicab, and that he report to the Chief of Police in the meantime. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf
Noes : None
Absent: Mayor Miller

Mayor Pro tem Bartholomew tendered his resignation as Mayor Pro tem and asked that Councilman Oswald G. Wolf be re-elected to the office, which he held prior to entering the military services.

Whereupon, Councilman Thornberry moved that the resignation of Councilman Bartholomew as Mayor Pro tem be accepted and the thanks of the City Council be extended to him for his fine services in that capacity. The motion carried by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass and Thornberry.
Noes : None
Present but not voting: Councilman Wolf
Absent: Mayor Miller

Councilman Thornberry then nominated Councilman Oswald G. Wolf as Mayor Pro tem. The nomination was seconded by Councilman Bartholomew,

and was confirmed by the following vote:

Ayes : Mayor Pro tem Bartholomew, Councilmen Glass and Thornberry

Noes : None

Present but not voting: Councilman Wolf

Absent: Mayor Miller

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, under various arrangements heretofore made from time to time with the Commissioners Court of Travis County, Texas, the City of Austin has furnished hospital services at Brackenridge Hospital to indigent persons residing outside the corporate limits of the City of Austin but within Travis County as county patients certified to by the County Health Officer; and

WHEREAS, the Commissioners Court of Travis County may wish to avail itself of the facilities of Brackenridge Hospital for such indigent patients in the future; now, therefore,

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

That the City Manager be, and he is hereby, authorized to offer as a convenience to the Commissioners Court of Travis County, Texas, the facilities of Brackenridge Hospital to the extent that said hospital has accommodations available over and above current demands by patients residing within the City of Austin, on condition that said indigent patients will be certified by the County Health Officer (except in emergency cases accepted by the City on condition that they will be certified subsequently by the County Health Officer) and will be cared for at Brackenridge Hospital at the same rates authorized by the City Council to be charged for various services of the hospital.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:


Ayes : Mayor Pro tem Bartholomew, Councilmen Glass, Thornberry, and Wolf

Noes : None

Absent: Mayor Miller

A complaint that S. P. Tadlock was violating the Zoning Ordinance in the use of a vacant lot at the corner of South Congress Avenue and College Avenue for the sale of trailers was referred to the City Manager for investigation.

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved: 

MAYOR Pro tem

Attest:



CITY CLERK