

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 21, 1948  
10:25 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call:

Present : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Absent : None

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

The reading of the Minutes was dispensed with.

A committee from the American Red Cross, composed of E. H. Perry, Dennis Macken, and others, came before the Council and requested that the Mayor sign and deliver to them an undated proclamation designating the American Red Cross as the official agency in case of a disaster, all other agencies wishing to do relief work to cooperate with the Red Cross; and that a public building be designated as headquarters in time of such emergency - the basement of the City Hall being suggested. It was the sense of the Council that the request be granted and that the committee work out the details with the City Manager.

Chester Lang submitted to the Council a petition signed by the property owners on Cherico Street from Lyons Road north to Govalle Avenue, asking that the sewer line be extended to that portion of the street and pledging to connect to same if granted. The matter was referred to the City Manager for an estimate of the cost of same and report back to the Council at the next regular meeting.

Upon request of members of the United States Marine Corps, a proclamation by the Mayor designating the week of November 7-13 as MARINE CORPS WEEK was approved.

The public hearing on the proposal to grant a franchise for waiting benches at bus stops, continued from the last regular meeting, was opened. Chas. L. Sandahl, representing himself and associates, and Bruce Bledsoe, Attorney for the Tanner-Evans Corporation, appeared and were heard in the matter. Attorney Bledsoe stated that to meet the objections of Councilmen Johnson and Glass heretofore made, his company had agreed that no benches

would be placed in the residential sections, and had further agreed to reduce the term of the franchise from ten year to five years. He further stated that the benches would be identical to the samples heretofore submitted; that they proposed to service them every week and keep them in good repair and pay the City 10% of the gross receipts, and to carry liability insurance. Mr. Sandahl then stated that he would be willing for the Tanner-Evans Corporation to have a franchise under the terms stated if he and associates would be allowed to place the name of the donor on their benches to be placed in the residential areas.

Following considerable discussion of the matter, it was moved by Mayor Miller that permission be granted to C. L. Sandahl and Associates to place waiting benches, without advertisement, in the residential areas, provided the consent of the abutting property owner and the property owner immediately across the street and opposite such bus stop is first obtained; and to Tanner-Evans Corporation to place waiting benches, with advertisement, in the business sections of the City provided the consent of the property owner only in front of whose establishment the bench is placed is first obtained; and that the matter be referred to the City Manager and the City Attorney to work out a reasonable and satisfactory ordinance.

The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Long, Mayor Miller

Noes : Councilmen Glass and Johnson.

Pursuant to published notice thereof, the public hearing on the application of Martin Nassour for Abraham Nassour to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District:

Lots 30, 31, and 32, Hyde Park Addition #1, located at the southwest corner of 43rd Street and Avenue H, known at 4212 Avenue H, in the City of Austin, Travis County, Texas,

was duly opened.

The following appeared and spoke for the change, substantially as follows:

Martin Nassour, representing Abraham Nassour, stated that they proposed to construct a community center fronting on East 43rd Street, consisting of a grocery store, beauty shop, and dry cleaning establishment; that another community center is needed west of Duval Street, and that this is the most logical street to commercialize.

The following appeared and spoke in opposition to the change:

Judge Richard Critz, spokesman for large group of property owners present, declared that the change is opposed by all the property owners affected except the applicant; that the property proposed to be change is in an absolute residential district; that the community center at 43rd and Duval Streets is sufficient to serve the needs of the residents in that neighborhood; and

that the change would adversely affect the property owners.

Whereupon, the applicant asked to withdraw the application, and the request was granted.

Pursuant to published notice thereof, the public hearing on the application of T. A. Evans to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District:

Lots 10, 11, 12, 13, 14, 15, and 16, of Block 18, and  
Lots 13, 14, 15, and 16, of Block 15, all in South  
Heights, 1000 and 1100 block on South 8th Street,  
in the City of Austin, Travis County, Texas, was

duly opened.

No property owner, or other interested person, appearing to protest the proposed change, Councilman Glass moved, seconded by Councilman Long, that the action of the Board of Adjustment be sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes : None

Pursuant to published notice thereof, the public hearing on the application of J. W. Muggley and Mr. and Mrs. George Newgent to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "B-1" Residence District:

Lots 19 and 20, Wooten's Subdivision of Outlot 53,  
Division "D", being located at 2511 and 2509 Pearl  
Street, in the City of Austin, Travis County, Texas,

was duly opened.

The following appeared and plead for the change, substantially as follows:

Mrs. J. W. Muggley, who stated that she plans to build five or six apartments on the property eventually, but for the present only two or three garage apartments under one roof on the rear of the lot.

Mr. George Newgent also appeared in behalf of his application for the change.

The following appeared in opposition to the change:

Mrs. Theo. Bellmont, Mrs. Margaret Bellmont Gray, and several other property owners, who stated that they were not opposing the change, but wanted to know that there would be sufficient setback from the alley to take care

of the traffic, and enough clearance on the property to take care of the garbage containers.

It was then suggested that the proponents and opponents get together in a conference and come to an agreement on the matter and report back to the Council. This was done, and following their report that a satisfactory settlement of their differences had been reached, it was moved by Councilman Bartholomew that the hearing be closed and the action of the Board of Adjustment be sustained and the change be granted; and that the City Attorney be instructed to prepare the ordinance accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

Pursuant to published notice thereof, the public hearing on the application of Carl M. Smith to amend the Zoning Ordinance in the following particular:

To amend the USE designation of the following described property to change the same from "B" Residence District to "C" Commercial District:

Lots 10 and 11, Block E, Raymond Subdivision,  
located at 703 and 705 Lamar Boulevard, in the  
City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appearing to protest the proposed change, Councilman Bartholomew moved, seconded by Councilman Long, that the action of the Board of Adjustment be sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The public hearing on the application of Roberta Robinson, Thelma D. Tulloch, and Lena M. Norred, by Jane Sumner, Attorney, to amend the Zoning Ordinance so as to change the zoning of Lots 2, 3, 4, 5, and 6, Block 1, Alta Vista Addition, located on the east side of Alice Avenue, from "A" Residence District and First Height and Area District to "C" Commercial District and Second Height and Area District, continued from the last regular meeting, was opened.

Jane Sumner, Attorney for applicants, stated that her clients wanted to erect a building on the front of the lot and one on the south end to be used as a beauty shop and floral shop, and that the property is no longer desirable for residential use on account of commercial development in that area.

Whereupon the Attorney for applicants, after being informed that, under its present zoning classification, the property in question could be used for the purposes stated, withdrew the application for the change in zoning.

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT  
AUSTIN, TEXAS  
ZONING CHANGE RECOMMENDATION .

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Applicant: Jasper Glover

I. Referred to the Board by the City Council on : September 16, 1948.

II. Property affected:

Lot 10, Block 5, Outlot 9, Division "B", Grandview Heights, being located at the northeast corner of East 11th Street and Prospect Avenue and known as 1101 Prospect Avenue.

III. To be changed

From : "A" Residence District and First Height and Area District

To : "C" Commercial District and First Height and Area District

IV. Considered by the Board on : October 19, 1948

V. Parties appearing:

For : Jasper Glover

Against: O. R. Lott, Chalmers Freeman, and Arnell Ake.

VI. Action of the Board : Change not recommended

For the following reasons:

1. The applicant is renewing a request for a change in the zoning of a triangular lot at the northeast corner of East 11th Street and Prospect Avenue which was denied by the Board of Adjustment and the City Council in August of 1947.
2. The applicant originally requested a variation from the Board to permit the erection and operation of a cafe and ice house after having practically completed the buildings without securing a building permit for this construction, which variation was denied. He then filed an application for a change in zoning so that the buildings might be used for business purposes.
3. This property is located in a residence area, so designated and so developed, and is approximately three blocks from the Rosewood Housing Project, and there is a community center now existing at East 11th and Chicon Streets and commercial districts along East 7th Street and on Rosewood Avenue which are sufficient to serve this district, all within a few blocks of this property.
4. Opposition to this change has been expressed at the hearings by property owners in the neighborhood who wish to retain the residential designation of the property. These same property owners agreed

to a variation which was granted by the Board to permit the use of the buildings for residential purposes, the buildings having been placed on the 11th Street and Prospect Avenue property lines in violation of setback requirements. The applicant did not establish the residential use in the buildings and has been operating a real estate and home-building business without a permit, affirming that only an office was maintained and nothing offered for sale.

5. The Board deemed at the previous hearings and is still of the opinion that to change the zoning of this small, triangular lot under a single ownership would create a spot zone of the worst type in a residential neighborhood which is already adequately provided with commercial property to serve the occupants, and that the present classification as residence district should be retained.
6. The Board further deems that the zoning of this property as "C" Commercial to permit the applicant to operate a commercial business in buildings which were erected without regard to the Zoning Ordinance would be aiding and abetting a violation of the Zoning Ordinance.

(Sgd) H. F. Kuehne  
Chairman. "

Councilman Glass moved that a public hearing on the application of Jasper Glover for change in zoning be called for November 10, 1948, at 11:00 A.M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of Mr. and Mrs. W. H. Wuthrich, by Stanford Payne, for change in zoning of property located 300 feet west of Georgetown Road on the south side of North Loop Boulevard and locally known as 825 North Loop Boulevard, was received. Councilman Bartholomew moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The Mayor called up for the third reading, the following ordinance:

AN ORDINANCE AUTHORIZING THE MISSOURI  
PACIFIC LINES TO EXTEND, CONSTRUCT, MAIN-  
TAIN, OPERATE, AND USE CERTAIN RAILWAY  
TRACK IN, UPON, AND ALONG THE SOUTH SIDE OF  
WEST 4TH STREET, BETWEEN NUCCES AND SAN  
ANTONIO STREETS IN THE CITY OF AUSTIN, TEXAS,  
SUBJECT TO CERTAIN CONDITIONS; AND SUSPEND-  
ING THE RULE REQUIRING ORDINANCES TO BE READ  
UPON THREE SEPARATE DAYS.

The ordinance was read the third time and Councilman Bartholomew moved that the ordinance be finally passed. The motion carried by the following

vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
 Noes : None

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

<u>Owner</u>	<u>Description</u>
Riggs, Calvin C. - 1817 West 39th Street-	Home-made, Outboard, 1948 Model, "ANN", Elgin, two-passenger

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
 Noes : None

The Mayor laid before the Council, 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 AMENDING SECTION 7, "C-1" COMMERCIAL DISTRICT, SO AS TO ADD A NEW PARAGRAPH NUMBERED 4; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

Councilman Glass moved that the ordinance be laid over and a public hearing on same be called for Thursday, November 18, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
 Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the land hereinafter described was sold to the City of Austin for taxes by Sheriff's deed dated February 6, 1900; and

WHEREAS, all taxes for which such sale was made have been fully paid;  
 Now, Therefore,

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

That Quiton Morgan, City Manager, be and he is hereby authorized and directed to execute a quitclaim deed for and on behalf of the City of Austin

to Lou Bradley, and to his successors in title, conveying all right, title, and interest of the City of Austin in and to one and one-half (1½) acres of land out of the George W. Spear Grant, Abstract No. 697, Survey 7, in the City of Austin, Travis County, Texas.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 22(f) AND 26(a) OF ARTICLE IV, RELATING RESPECTIVELY TO TWO-HOUR PARKING AND ANGLE PARKING LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The Mayor then announced that the ordinance had been finally passed.

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service 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 Texas Public Service 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 RED BLUFF ROAD, from Springdale Road easterly 1260 feet, the centerline of which gas main shall be 16 feet north of and parallel to the south property line of said Red Bluff Road.

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

- (2) A gas main in SOUTH CONGRESS AVENUE, from a point 150 feet north of Oltorf Street northerly 21 feet, the centerline of which gas main shall be 3 feet east of and parallel to the west property line of said South Congress Avenue.

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

- (3) A gas main in DEXTER AVENUE, from a point 200 feet east of Garner Avenue easterly 62 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Dexter Avenue.

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

- (4) A gas main in AVENUE F, from a point 258 feet north of East 55th Street northerly 155 feet, the centerline of which gas main shall be 12 feet west of and parallel to the east property line of said Avenue F.

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

The Texas Public Service 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 Texas Public Service 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 Texas Public Service 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 franchise granted to said Company by the City of Austin.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes : None

Councilman Glass 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 reconstruction and maintenance of a loading platform in the sidewalk area along the south side of West 4th Street and west of San Antonio Street, which property is owned by Walker's Austex Chili Company and is designated as Lots 5 and 6, Block 26, of the Original City of Austin, Travis County, Texas, and hereby authorizes the said Walker's Austex Chili Company to reconstruct and maintain said loading platform, subject to the same's being constructed 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 a building permit for the reconstruction of this loading platform 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 Walker's Austex Chili Company has failed and refused, and will continue to fail and refuse, to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas  
October 21, 1948

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Walker's Austex Chili Company of Austin, Texas, for permission to reconstruct and maintain a loading platform in the sidewalk area along the south side of West 4th Street and west of San Antonio Street, which property is known as Lots 5 and 6, Block 26, of the Original City of Austin, Travis County, Texas, and is locally known as 501-09 West 4th Street, and we hereby advise that the following conditions exist:

The property upon which this warehouse is located is designated as "C-2" Commercial District as shown upon the zoning maps of the City of Austin.

This neighborhood is essentially a warehouse district in which a number of warehouses now exist with loading platforms extending out over the sidewalk area.

We recommend that Walker's Austex Chili Company be granted permission to reconstruct and maintain said loading platform on the sidewalk area along the south side of West 4th Street and west of San Antonio Street, subject to the following conditions:

That the proposed loading platform be reconstructed of concrete in its present location and in accordance with the plans on file in the Building Inspector's office and that all grades and lines for the curb in front of this property be constructed along lines given and with the approval of the Department of Public Works of the City of Austin, and that suitable steps and hand-rails be placed at the east and west end of this platform.

Respectfully submitted,

(Sgd) J. E. Motheral  
City Engineer

(Sgd) J. C. Eckert  
Building Inspector. "

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes : None

The City Manager submitted the following memorandum:

"October 20, 1948

Memorandum to : Guiton Morgan, City Manager

Memorandum from : J. E. Motheral, Director of Public Works

Only one bid was received yesterday for the widening of Monroe Street between Brackenridge Street and Drake Avenue - Collins Construction Company, \$1,213.13. We recommend the award to Collins Construction Company.

(Sgd) J.E.Motheral. "

Councilman Glass moved, seconded by Councilman Johnson, that the bid of Collins Construction Company, in the amount of \$1,213.13, be accepted, and the City Manager be authorized to enter into contract accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller

Noes : None

The City Manager submitted the following memorandum:

"October 20, 1948

Memorandum to : Guiton Morgan, City Manager

Memorandum from : J. E. Motheral, Director of Public Works

Bids were received yesterday for the construction of sanitary sewers on Contract "L", which is the Bentley & Inwood Hills area; and Contract "M", which is Shoal Creek main from San Gabriel to 34th Streets. Bids were as follows:

CONTRACT "L"

Roger Smith	\$ 33,054.75
W. S. Conner	36,018.50
Taylor Construction Company	36,953.00
Joe Bland Construction Company	51,781.50
Karl Wagner	69,982.00

We recommend the award of Contract "L" to Roger Smith for \$33,054.75.

CONTRACT "M"

Taylor Construction Company	\$ 49,508.80
Roger Smith	62,300.90
Joe Bland Construction Company	74,423.50
Karl Wagner	88,898.00

We recommend the award of Contract "M" to Taylor Construction Company for \$49,508.80.

(Sgd) J. E. Motheral. "

Councilman Glass moved, seconded by Councilman Johnson, that the bid of Roger Smith, in the amount of \$33,054.75, on Contract "L"; and the bid of Taylor Construction Company, in the amount of \$49,508.80, on Contract "M", be accepted as the lowest and best bids, and the City Manager be authorized to enter into contracts with said bidders accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
 Noes : None

The City Manager submitted the following memorandum:

" October 20, 1948

Memorandum to : Guiton Morgan, City Manager

Memorandum from : J. E. Motheral, Director of Public Works

Bids were received yesterday for the construction of storm sewers in:

Avenue B - West 40th Street to West 41st Street;  
 Carolyn Avenue - Woodrow Avenue to Wallter Creek;  
 Indian Trail - Vista Lane to Johnson Creek;  
 Eva Street - Elizabeth Street to Gibson Street.

The bids were as follows:

Collins Construction Company - - - -	\$ 14,146.50
S. B. Ricks Construction Company - - -	19,050.95
W. S. Conner - - - - -	19,998.40
T. & L. Construction Company (Dallas) -	21,600.67
Holland Page - - - - -	23,855.50
Joe Bland Construction Company - - - -	30,886.40
Karl Wagner - - - - -	33,719.20
Taylor Construction Company - - - - -	36,944.60

We recommend the award of the contract to Collins Construction Company, for \$14,146.50.

(Sgd) J. E. Motheral "

Councilman Glass moved, seconded by Councilman Johnson, that the bid of Collins Construction Company, in the amount of \$14,146.50, be accepted as the lowest and best bid, and the City Manager be authorized to enter into contract accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The City Manager submitted the following memorandum:

"October 21, 1948

Memorandum to : Mr. Morgan, City Manager

Reference : Construction of Clear Well at Filter Plant

Bids were received and opened at 10:00 A. M., October 19, 1948, for the construction of the 3 MGD Clear Well at the Filter Plant. There were ten bids submitted and were as follows:

J. M. Odom -----	\$106,672.00
Rex Kitchens -----	107,773.00
Moore Construction Company -----	114,935.00
Ricks Construction Company -----	118,250.00
E. B. Sneed Construction Company -----	119,110.00
F. M. Reeves & Son -----	122,373.74
John Broad Construction Company -----	127,848.30
Yarbrough Construction Company -----	136,814.00
Holland Page -----	142,824.00
R. P. Farnsworth & Company, Inc. -----	176,259.00

We recommend that the contract be awarded to Mr. J. M. Odom as the lowest and best bid.

It is estimated that it will cost approximately \$33,000.00 to install the necessary valves, piping, etc. to connect the present filter plant clear well to the proposed new clear well, thus making the project as a whole, cost approximately \$140,000.00.

I wish to point out that we have a \$1,000.00 a day liquidated damages if the clear well is not completed by May 15, 1949. (Sgd) Walter E. Seaholm, Director of Utilities.

Councilman Glass moved, seconded by Councilman Johnson, that the bid of J. M. Odom, in the amount of \$106,672.00, be accepted as the lowest and best bid, and the City Manager be authorized to enter into contract accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of Walter Bohn for change in zoning, from "A" Residence District to "C" Commercial District, of property located at the corner of East 23 $\frac{1}{2}$  Street and East Avenue was received. Councilman Johnson moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of ELVA V. GUENTZEL, 2603 Canterbury Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1946 Model, Motor No. DAA-51944, State License No. JD-2146, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of MERVIN DEE CRAIG, 1600 North Congress 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 : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of JOHN SAMUEL LISSNER, 222-B Roberts Hall, 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 : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of ERIC L. NOBLE, 708 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 : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of ROY STERNBERG, 1000 Blanco 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 : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The appeal of ERNEST JACOB KUNKEL, 907 South 2nd Street, on his taxicab driver's permit, recommended for denial, was heard. After considering the facts in the case, Councilman Glass moved, seconded by Councilman Johnson, that appellant be granted a 90-days probationary permit, and that he report to the Chief of Police in the meantime. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

The application of SEAHOLM'S DRIVE INN, by Allan Seaholm, 3702 Guadalupe Street, for a retailer's "on-premise" beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Long, Mayor Miller  
Noes : None

In accordance with policy adopted by the State Highway Commission permitting cities to use estimated population figures on city limits markers on highways at the city limits instead of Federal Census population figures, the City Manager was directed to secure data on the estimated population of the City and report to the Council.

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

Approved:

Tom Miller.  
MAYOR

Attest:

Helen McAllen

CITY CLERK