

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 4, 1951
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

Roll Call:

Present: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Absent: None

Present also: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that since copies of the minutes of the last meeting of the City Council have been furnished Council members by the City Clerk, the reading of the minutes be dispensed with and that the minutes be adopted as read in the Clerk's report. Upon being duly seconded by Councilman Drake, the motion was unanimously adopted by the Council and the minutes so approved.

MR. BERT BURNS appeared before the City Council to ask if it in some way could reimburse him for the damages to his car caused by a collision with a City Detective Car, with the driver of the City Car being at fault. It was stated the City had no authority to pay claims of this character, as this car was engaged in a governmental function, and the City is not liable for any such claims, and that the Council had no authority to offer any payment. It was explained to Mr. Burns that this law did not apply to Austin only, but to other cities and to the State as well.

The City Manager submitted the following application for right of transfer of franchise, as requested by MR. JESSE BARTLETT, Attorney:

"THE STATE OF TEXAS |
COUNTY OF TRAVIS |

BEFORE THE CITY COUNCIL
CITY OF AUSTIN

"TO THE HONORABLE MAYOR AND COUNCILMEN:

"In accordance with Section 75 of Article 13 of the Ordinance regulating taxicabs in the City of Austin, I, E. J. Jordan, acting as the duly authorized President of Owl Taxi Service, a private corporation of Austin, Travis County, Texas, do hereby make written application to the City of Austin for permission and approval of the City Council of the City of Austin to sell and transfer the taxicab business known as Owl Taxi Service, of 102 West 3rd Street, Austin, Travis County, Texas, to V. R. Moore and G. H. Spurlock, of Austin, Travis County, Texas, together with all grants, rights or privileges, whether by franchise or otherwise, afforded this Corporation under the terms and provisions of the Taxicab Ordinance of the City of Austin.

"IN WITNESS WHEREOF, I, E. J. Jordan, have signed this instrument as the duly authorized President of Owl Taxi Service, and have caused its corporate seal to be hereunto affixed, attested by its Secretary, this the 29 day of December, 1950.

OWL TAXI SERVICE

By: E. J. Jordan (S)
President

ATTEST:
(S) E. Owens
Secretary

Councilman MacCorkle moved that the transfer be approved subject to their compliance with all the terms of the ordinance. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The request of MRS. EDNA H. THOMAS for a nursery school at 917 Keith Lane, came up for consideration by the Council. Opposition was expressed by the neighbors, and a petition of protest was filed. Those expressing opposition felt the zone would be changed to commercial. MR. EUGENE NELSON represented the opposition. It was explained that this zone was "B" Residence, and this type of use was permissible with Council approval. Councilman Johnson moved that action on this be postponed for another week, and the Council go out and review the proposition and study the area. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Mayor Glass asked Mrs. Thomas to furnish the Council with a set of her plans sometime before next Thursday.

Mayor Glass introduced the following ordinance:

AN ORDINANCE ESTABLISHING THE BUILDING LINE ON THE EAST SIDE OF CONGRESS AVENUE, NORTH OF EAST TENTH STREET AND ABUTTING LOT 2, BLOCK 123, OF THE ORIGINAL CITY OF AUSTIN; AND WAIVING ANY CLAIM WHICH THE CITY OF AUSTIN MAY HAVE FOR REAL OR SUPPOSED ENCROACHMENT ON SAID STREET; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Glass
Noes: None
Present, but not voting: Councilman Drake

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Glass
Noes: None
Present but not voting: Councilman Drake

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

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Glass
Noes: None
Present but not voting: Councilman Drake

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

Mayor Glass introduced the following ordinance:

AN ORDINANCE ESTABLISHING THE BUILDING LINE ON THE NORTH SIDE OF WEST TENTH STREET, EAST OF COLORADO STREET ALLEY AND ADJACENT TO THE WEST PORTION OF LOT 1, BLOCK 124, OF THE ORIGINAL CITY OF AUSTIN; AND WAIVING ANY CLAIM WHICH THE CITY OF AUSTIN MAY HAVE FOR REAL OR SUPPOSED ENCROACHMENT ON SAID STREET; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the second time and Councilman Johnson moved

that the rule be suspended, and the ordinance passed to its third reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, George H. Wern, DDS, MSD, has made application in writing for permission to operate a dental clinic on the rear of Lot 1, Block 128, of the Original City of Austin, Travis County, Texas, the same being on the east side of Nueces Street and locally known as 1005 Nueces Street, and is located in a "B" Residence District which requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the operation and maintenance of a dental clinic be granted to George H. Wern, DDS, MSD, with the following conditions:

1. That this clinic be used in the general practice of denistry and that no mental or psychiatric patients be housed in such clinic.
2. That all regulations required in this zone and all building code provisions be complied with in the operation and maintenance of such building.

Which motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, L. L. McCandless is the Contractor for the alteration of a building located at 807 Congress Avenue and desires a portion of the sidewalk and street space abutting the north part of Lot 2, Block 97, of the Original City of Austin, Travis County, Texas, during the alteration of the building,

such space to be used in the work and for the storage of materials, therefor; therefore

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

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

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue to a point 4 feet east of the east curb line; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 25 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the southwest corner of the above described property.

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

(1). That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two parking meter spaces immediately in front of the entrance in the barricade, for the delivery or removal of materials during construction work.

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

(3). 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.

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

(5). 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 March 1, 1951.

(6). 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.

(7). 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.

(8). 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 Contractor's expense.

(9). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Hugh D. Reich is the Contractor for the erection of a building located at 1005 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 2, Block 123, 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; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Hugh D. Reich, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Congress Avenue to a point 12 feet west of the east curb line; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 45 feet to a point; thence in an easterly direction and at right angles to the centerline of Congress Avenue to the southwest corner of the above described property.

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

(1). That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(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 obstructions, red lights during all periods of darkness and provide 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 June 1, 1951.

(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 Contractor's expense.

(13). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to 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.

Which motion, duly seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Lawless and Alford are the Contractors for the erection of a building located at 114-28 West 7th Street and desires a portion of the sidewalk and street space abutting on Lots 9, 10, 11 and 12, Block 83, 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; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Lawless and Alford, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Colorado Street to a point 12 feet west of the east curb line; thence in a southerly direction and parallel with the centerline of Colorado Street approximately 185 feet to a point; thence in an easterly direction and at right angles to the centerline of Colorado Street to the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of West 7th Street to a point 12 feet south of the north curb line; thence in an easterly direction and parallel with the centerline of West 7th Street approximately 76 feet to a point; thence in a northerly direction and at right angles to the centerline of West 7th Street to the southeast corner of the above described property.

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

(1). That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(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 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 obstructions, red light during all periods of darkness and provide 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 December 31, 1951.

(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 Contractor's expense.

(13). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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.

Which motion, duly seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, V. D. Sylvester is the Contractor for the alteration of a building located at 722-24 Congress Avenue and desires a portion of the sidewalk and street space abutting on the north 30 feet of Lot 6, Block 81, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said V. D. Sylvester, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in a northerly direction and at right angles to the centerline of West 8th Street to a point 12 feet north of the south curb line; thence in a westerly direction and parallel with the centerline of West 8th Street approximately 130 feet to a point; thence in a southerly direction and at right angles to the centerline of West 8th Street to the north line of the above

described property.

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Congress Avenue approximately 6 feet to a point; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 30 feet to a point; thence in a westerly direction and at right angles to the centerline of Congress Avenue to the southeast corner of the above described property.

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

(1). In Section 1 described above, the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2). In Section 2 described above, the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

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

(4). 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.

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

(6). 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 April 15, 1951.

(7). 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.

(8). 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.

(9). 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 Contractor's expense.

(10). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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.

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Drake 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 ST. JOHNS AVENUE, from a point 20 feet west of Yates Avenue westerly 497 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 ST. JOHNS AVENUE.

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

(2) A gas main in CHOTE AVENUE, from a point 275 feet north of Lyons Road northerly 36 feet, the centerline of which gas main shall be $10\frac{1}{2}$ feet west of and parallel to the east property line of said CHOTE AVENUE.

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

(3) A gas main in EAST 8th STREET, from a point 99 feet east of Swenson Avenue easterly, 175 feet, the centerline of which gas main shall be 15 feet north of and parallel to the south property line of said EAST 8th STREET.

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

(4) A gas main in WALNUT AVENUE, from a point 110 feet north of East 16th Street northerly 372 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said WALNUT AVENUE.

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

(5) A gas main in MIDWAY STREET, from a point 58 feet north of East 11th Street southerly 66 feet, the centerline of which gas main shall be 8 feet east of and parallel to the west property line of said MIDWAY 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 11th STREET, from Midway Street westerly 110 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 EAST 11th STREET.

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

(7) A gas main in GUADALUPE STREET, from a point 81 feet south of Swanee Drive southerly 93 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said GUADALUPE STREET.

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

(8) A gas main in HIDALGO STREET, from Pedernales Street westerly 115 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 HIDALGO STREET.

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

(9) A gas main in CONCHO STREET from a point 58 feet north of East 9th Street southerly 68 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said CONCHO STREET.

Said gas main described above shall have a cover of not less

than $2\frac{1}{2}$ feet.

(10) A gas main in EAST 9th STREET, from a point 76 feet west of Concho Street easterly 111 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of and parallel to the north property line of said EAST 9th STREET.

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

(11) A gas main in EAST 9th STREET, from Concho Street easterly 113 feet, the centerline of which gas main shall be 10 feet south of and parallel to the north property line of said EAST 9th STREET.

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

(12) A gas main across Salina Street, the centerline of said gas main shall be 7 feet north of and parallel to East 11th Street.

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

(13) A gas main in EAST 11th STREET, from Salina Street westerly 236 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 EAST 11th 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.

Which motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Mayor Glass 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 DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT ON LOTS 7, 8, 9, 10, BLOCK 2, OUTLOT 29, DIVISION "C", UNIVERSITY PARK ADDITION, KNOWN AS 3701-03-05-07 EAST AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Mayor Glass 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 DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT ON THE NORTH 50'x 109.75' OF LOTS 1, 2 AND 3, OUTLOTS 72, 75, DIVISION "D", WALTON & PARRISH ADDITION, KNOWN AS 3009 LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

MRS. MAUDE BUTLER PRIDGEN appeared before the Council making further inquiry about when to expect the name of East Avenue to be changed to "BROADWAY". She was advised again to wait until after the Highway is completed.

COUNCILMAN MacCORKLE asked the City Manager to make a study of and have drawn up an ordinance setting standards for granting street working spaces without each application having to be considered by the Council. He also asked that some study be made about a standard being set up for nursery schools and clinics with a view to administrative approval of the applications rather than Council approval. Councilman Drake felt more complications would arise if a change were made in granting permission to the Nursery Schools and Clinics, and he stated very few objections had come up previously. The City Manager stated he would make a study of both propositions.

The City Manager submitted the following memorandum to him from E. D. WIGINTON, OFFICE MANAGER, with his recommendation:

"SUBJECT: Name and location of Merchants recommended to operate Pay Stations for the Collection of Water & Light bills and compensation for the performance of his duties as such agent.

Big Bear Food Stores	310 South Congress 6113 Burnet Road
Cunningham Community Store	1201 East 1st
Hyden's Grocery	2110 Fredericksburg Rd.
Kuhn's Pharmacy	5005 Airport Blvd.
Nau's San Jacinto Drug	1821 San Jacinto
Renfro Drug	2008 South Congress 410 East 43
Samford's Food Store	2200 East 7
Schneiders Red & White Grocery	718 West 29th
Tarrytown Pharmacy	3110 Windsor Road
University Co-op	2246 Guadalupe

3¢ per bill for the first 500 bills collected.
2¢ per bill for all remaining bills collected.

Payment for each months services to be made on or before the 10th day of the following month.

Approved:
(S) W. E. Seaholm
City Manager

Councilman Drake moved that the recommendation of the City Manager be upheld and that the pay stations be located as listed, and compensation for the agents be 3¢ per bill for the first 500 bills collected, and 2¢ for all the rest. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager submitted the following:

"January 4, 1951

"HONORABLE MAYOR AND CITY COUNCIL:

"We find that the committee appointed to evaluate jobs as a basis for wage and salary adjustment for the City of Austin will not be able to complete their work for another sixty days. The committee has evaluated approximately 50% of the jobs. A market survey of all types of city jobs has been substantially completed.

"In view of these conditions, the committee has recommended, and in which I, City Manager, concur and recommend:

- (a) That as a result of the market survey, an overall across the board increase in monthly pay of \$10.00 for all salaried City employees and 5¢ per hour for all hourly paid City employees, effective with the first payroll period in January, 1951.
- (b) The above recommended increase is to be made effective only for those City employees whose earnings are below \$4800.00 per year.
- (c) Final wage and salary adjustment of inequities when the present evaluation is completed (estimated in March, 1951). These jobs to be back dated and to become effective as of January 1, 1951.

(S) W. E. Seaholm
W. E. Seaholm
City Manager

Councilman MacCorkle moved that the recommendation of the City Manager be upheld and the \$10.00 pay increase per month for all salaried City employees and 5¢ per hour for all hourly paid City employees, effective with the first payroll period in January 1951; this increase to apply to city employees making less than \$4800 per year, and a final wage and salary adjustment of inequities when the present evaluation is completed, to be back-dated to become effective January 1, 1951. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

MR. JACK HAYES, 510 West 18th, complained of the Tally-Ho Waffle Shop, across the street from him, as being a nuisance; in that it was open all night, and groups would gather there at all hours, talk loudly and disturb the peace. The Council referred this matter to the Chief of Police to contact MR. WIER and see if he could manage the place more quietly.

The Council received a report from the City Manager that the following applications for change of zoning were referred to the Zoning Board of Adjustment:

M. S. BROUGHER	5510 Burnet Road	From "C" Commercial To "C-1" Commercial
SOUTHLAND CORP., Lessee LEWIS JOSEPH, Owner	5101 Burnet Road	From "C" Commercial To "C-1" Commercial
LOUIS D. KUBECKA	2324-2332 East Ave.	From "B" Residence To "C" Commercial

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

APPROVED Taylor Adams
Mayor

ATTEST:

Eliza Hoosley
City Clerk