

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 28, 1951  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

## Roll Call:

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

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney, C. G. Levander, Director of Public Works.

Councilman Johnson moved that the minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

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

MR. WILLIS LEE, Attorney for the Southern Union Gas Company, in its request for a rate increase, spoke regarding the recommendation of Mr. Clinton Owsley, made at the Council Meeting of November 23rd. He explained the Company's viewpoint with regard to Mr. Owsley's findings. MR. McELFRESH, MR. ZACHRY, President of the Southern Union Gas, spoke in interest of the Gas Company; MR. OWSLEY spoke in the interest of his recommendation to the City. (Recording of this testimony was made, and transcript to be furnished). Councilman Johnson moved that the rate be set as follows:

Minimum	\$1.15
1st 1000 cu. ft.	1.15
Next 4000 cu. ft.	.60
Next 20,000 cu. ft.	.55
Next 25,000 cu. ft.	.50
Excess	.40

Councilman MacCorkle seconded the motion.

Councilman Long then offered a substitute motion that the Council accept

Mr. Owsley's recommendation or his suggestion on the rate we have on this document.  
(The report filed by Mr. Owsley November 23, 1951) The motion, seconded by  
Councilman White, failed to carry by the following vote:

Ayes: Councilmen Long, White  
Noes: Councilman Johnson, MacCorkle, Mayor Drake

Roll call on Councilman Johnson's motion that the rate be set at the

Minimum	\$1.15
1st 1000 cu. ft.	1.15
Next 4000 cu. ft.	.60
Next 20,000 cu. ft.	.55
Next 25,000 cu. ft.	.50
Excess	.40

carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, Mayor Drake  
Noes: Councilmen Long, White

The City Attorney was instructed to draw up the necessary ordinance to  
put the rates into effect.

Councilman MacCorkle offered the following resolution and moved its  
adoption:

(RESOLUTION)

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

THAT the City Manager be and he is hereby authorized and directed to enter  
into a contract on behalf of the City of Austin with Louis John for the laying  
of certain water mains, sanitary sewer lines, and other pipes in John's Addition,  
in accordance with the terms and provisions of a certain contract, copy of which  
is to be marked by the City Clerk for purposes of identification, and the City  
Clerk is hereby directed to file for permanent record in the office of the City  
Clerk a copy of said contract without recordation in the Minutes of the City  
Council. (Resolution on file in WATER MAIN EXTENSIONS - Contract in File No. 577-2)

The motion seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake 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 "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON A TRACT OF LAND 55' x 70' OUT OF LOT 1 AND LOT 8, FAIRVIEW PARK, 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 MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion seconded by Councilman Long, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The zoning application of JESSE B. CHRISNER for change of zone at 4204 Alice Avenue from "A" to "C" was again considered by the Council. The Zoning Board of Adjustment had recommended against the change. The Council had made a personal inspection of this property. The Mayor asked that all in favor of upholding the recommendation of the Zoning Board and denying the change to vote "aye"; those opposed, vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted by a unanimous vote, and the recommendation of the zoning board had not been upheld. The City Attorney was instructed to draw up the necessary ordinance.

Councilman Long moved that the proposed ordinance amending Section 5, Item 4, to permit any excess space in buildings used primarily for headquarters of professions and clubs in "B" Residence to be used as offices for other professions and occupations, be set for public hearing at 11:00 A.M., December 20, 1951. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long moved that the request of MARION FOWLER for permit to enlarge his pier and dock out into Lake Austin be referred to the Navigation Board and to the Parks and Recreation Board for study and recommendation to the Council. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White moved that the City employees observe Thursday, November 22nd as a holiday, and also Christmas Eve and Christmas Day. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Councilman Long moved to submit the ordinance brought in by the Firemen to a vote of the people, and that the election be called at the same time the Charter Amendment Election is called in January. The motion, seconded by Councilman White, failed to carry by the following vote:

Ayes: Councilmen Long, White  
Noes: Councilmen Johnson, MacCorkle, Mayor Drake

The City Attorney stated the decision of the Supreme Court was five to four, and the City still has a right to ask for motion for rehearing, since there was not a final adjudication of the case. Councilman Long stated the matter had been in the Courts a year and a half and came out with a five to four vote, and she thought it would be wasting the City Attorney's time to appeal. Councilman White felt all along since there were 6,000 signatures, the election should be called and not be taken through the Courts. Mayor Drake stated there would be a final decision, and Councilman MacCorkle stated he would like the opportunity to see the final outcome in the Court.

The City Manager presented the request of MR. GEORGE DAVIS, representing the West Austin Baptists, for permission to place a banner at the head of the Avenue and also on Lamar and 12th. Councilman MacCorkle moved that the request to hang banners be denied, although he was in sympathy with the cause. The motion failed to receive a second. Councilman Long moved that the group be granted permission to place the banner at the head of the Avenue only. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake  
Noes: Councilman MacCorkle

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT NO. 1 AND TRACT NO. 2, SAID TRACT NO. 1 BEING (Area I) OUT OF AND A PART OF THE ALBERT SILSBEE SURVEY, THE C. J. STROTHER SURVEY, AND THE DANIEL GILBERT SURVEY, AND SAID TRACT NO. 2 BEING OUT OF AND A PART OF THE GEORGE W. SPEAR LEAGUE AND THE GEORGE W. DAVIS SURVEY, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE OR DINANCE.

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

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

Mayor Drake brought up the following ordinance for its second reading:

AN OR DINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY AND THE JOHN APPLGAIIT SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH (Area II) SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

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

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

Mayor Drake brought up the following or dinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF LAND OUT (Area III) OF THE JAMES P. WALLACE SURVEY, THE D. SIMPSON SURVEY, THE THOMAS ELDRIDGE SURVEY, THE S. J. WHATLEY SURVEY, THE A. B. SPEAR SURVEY, THE A. W. CANEFIELD SURVEY, THE J. BURLISON SURVEY, THE J. C. TANNEHILL LEAGUE AND THE JOHN APPLGAIIT SURVEY; ALL IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND

ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

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

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

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF LAND OUT OF THE J. C. HARRELSON SURVEY, THE HENRY WARNELL SURVEY, THE J. C. TANNEHILL LEAGUE, IN TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF DIVISION A AND DIVISION B OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE. (Area IV)

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

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

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT NO. 1 AND TRACT NO. 2, SAID TRACT NO. 1 BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, THE HENRY P. HILL LEAGUE, THE CHARLES H. RIDDLE SURVEY, AND THE JAMES TRAMMELL SURVEY, AND SAID TRACT NO. 2 BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE. (AREA VI)

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

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

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT NO. 1 AND TRACT NO. 2, EACH OF SAID TRACTS BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE. (Area VII)

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

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

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF LAND OUT OF THE J. C. TANNEHILL LEAGUE AND THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE. (Area V)

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake  
Noes: Councilman Johnson

Councilman White suggested that the Council get with the Traffic Committee and see what the dissatisfaction is. The Mayor suggested that the Council meet with the Traffic Committee at one of its meetings, and devote all the time to one subject. The City Manager stated the Committee met every other Tuesday night, and he would find out when their next meeting would be and notify the Council.

Councilman MacCorkle inquired about the time the budget would be submitted. The City Manager stated he had planned to have it ready the first of next week; but since the Court decision on the Firemen's case, he wanted to have figures ready to submit to take care of the final decision.

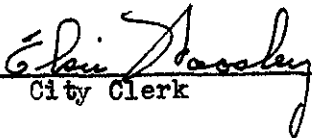
MR. GEORGE KNOX, Harlem Cab Company, appeared before the Council to request that the rates be changed on their meters from .35¢ to .45¢. Councilman Long informed him the maximum was .45¢, and they could up their rates to .45¢. MR. KNOX stated that Mr. McClain had referred him to the Council. The matter was referred to the City Attorney to discuss with Mr. McClain and the Cab Operators.

There being no further business, the Council adjourned about 12:45, subject to the call of the Mayor.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk