

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 13, 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; R. D. Thorp, Chief of Police.

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

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

Noes: None

MR. CHARLES VANCE NEWELL, 2500 Jarrett, made inquiry if the City were involved in setting up a detailed plan of operation under the proposed charter amendment pertaining to paving in case it passed at the coming election. He asked if detailed information had been obtained from other cities, experienced in this regard. It was stated by the Mayor that the plan as offered would give the City some flexibility in that it could continue as it is now, or set up the mechanics in accordance with the Charter amendment if it were passed.

MR. H. P. ALLEN, 1908 Whitis, explained a situation he had regarding his property in the 2400 block of South Congress, in that it was necessary to cross some private property in order to get a sewer line to his property, and the owner would not give his consent. Mr. Allen wants to build a trailer court on his property. The matter was referred to the City Manager to work out some way. The City Manager thought something could be done to help Mr. Allen.

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 Bradfield & Brush in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and 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 the attached copy of said contract without recordation in the Minutes of the City Council. (On file under WATER MAIN EXTENSIONS - Contract No. 569-C)

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

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

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 final plat of the subdivision known as "T. S. Torres Subdivision", approved by the City Plan Commission of the City of Austin on December 6, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

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

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

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 final plat of the subdivision known as "Allendale Oaks", approved by the City Plan Commission of the City of Austin on November 8, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the

ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White,
Noes: None
Present, but not voting: Mayor Drake

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 final plat of the subdivision known as Highland Terrace, approved by the City Plan Commission of the City of Austin on November 8, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

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

Councilman Long 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 CHESTNUT AVENUE, from East 16th Street northerly 146 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said CHESTNUT AVENUE.

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

(2) A gasmain in EAST 17TH STREET, from a point 35 feet east of Chestnut Avenue westerly 46 feet, the centerline

of which gas main shall be 13.5 feet south of and parallel to the north property line of said EAST 17TH STREET.

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

(3) A gas main in HILLVIEW ROAD, from a point 70 feet south of Richard Lane northerly 185 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said HILLVIEW ROAD.

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

(4) A gas main in EAST 55TH STREET, from Chesterfield Avenue to Link Avenue, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 55TH STREET.

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

(5) A gas main in EAST $55\frac{1}{2}$ STREET, from Chesterfield Avenue to Link Avenue, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST $55\frac{1}{2}$ STREET.

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

(6) A gas main in CHESTNUT AVENUE, from a point 95 feet south of East 16th Street northerly 138 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said CHESTNUT AVENUE.

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

(7) A gas main in EAST 16TH STREET, from Chestnut Avenue easterly 103 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 16TH STREET.

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

(8) A gas main in WEST OLTORF STREET, from South 4th Street westerly 145 feet, the centerline of which gas main shall be 13.5 feet south of and parallel to the north property line of said WEST OLTORF STREET.

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

(9) A gas main in EAST 16TH STREET, from Clifford Avenue westerly 358 feet, the centerline of which gas main shall be 6 feet south of and parallel to the north property line of said EAST 16TH STREET.

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

(10) A gas main in LAMAR BOULEVARD, from Franklin Boulevard to Nelray Boulevard, the centerline of which gas main shall be 5.5 feet west of and parallel to the east property line of said LAMAR BOULEVARD.

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 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.

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby

permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in WEST 10TH STREET, from a point 22 feet east of the centerline of West Lynn Street westerly approximately 72 feet, the centerline of which underground telephone conduit shall be 1.5 feet north of and parallel to the south property line of said WEST 10TH STREET.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

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

Discussion was held on the purchase of certain property for hospital expansion, the property being 601-05 East 15th Street, and also on the corner of 14th and Sabine. The City Manager submitted figures on appraisals and amount of rent received from the property, which he felt would substantiate the price being asked for this property. After much discussion, Councilman Johnson moved that the Council report back to the City Manager by Monday noon (December 17, 1951) in regard to the Caswell property, and that the City Manager be so guided by their report. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The City Manager stated he had a request from the International Life Insurance Company for a passenger zone at the front entrance of their building, and that they needed such a zone.

MR. I. W. DAVIS, District Manager of the Southwestern Bell Telephone, and MR. DEAN MOREHEAD, Attorney for the Southwestern Bell Telephone Company, asked the Council to set their request for rate increase for public hearing. MR. EDWARD CLARK, representing the Telephone Company, asked if the Council would be in a position the following week to set this matter for a public hearing. The Mayor stated it would be placed on the Pending List and considered at a later date.

The Council noted the Memorandum from the City Attorney regarding Legality of free water and light service to Charities, dated December 11, 1951. (Memorandum on file in City Clerk's Office under LEGAL DEPARTMENT)

MR. JOE CORWIN presented a file of letters and information that he thought would be of interest to the City regarding the paving as contemplated under the proposed amendment to the Charter. He wanted to ask information similar to that asked for earlier in the meeting by MR. NEWELL. The file was turned over to the City Manager for a study and recommendation. The City Manager stated he would prepare copies of the file for the Council.

Discussion of abolishing the Public Market was held. The Mayor stated the report from the Public Market Committee had been received, and this was their recommendation; and the Market was operating at a loss. Leasing the property was discussed; the possibility of improving the sanitary conditions at quite a bit of expense; and the possibility of these people operating at the Market spreading out in various parts of the City if the Market were abandoned, were all discussed. Councilman MacCorkle moved that the market be discontinued in its present use as of February 1, 1952, or as soon thereafter as possible. The motion, seconded by Councilman White, carried by the following vote:

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

Pursuant to published notice thereof, public hearings were held on the following applications for change of zoning:

C. H. JUNG	2500-04 Lake Austin Blvd. 506 Hearn	From "A" Residence To "C" Commercial RECOMMENDED by the Zoning Board of Adjust- ment.
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No opposition appeared. The Mayor asked that all in favor of upholding the recommendation of the Zoning Board to vote "Aye"; those opposed vote "no". Roll call showed the following vote:

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

The City Manager was instructed to have the necessary ordinance prepared.

V. G. OKIE & MARGARET OKIE 908-14 South Lamar From "A" Residence
and additional prop- To "C" Commercial
erty as recommended
by the Zoning Board

MR. J. W. WHEELER represented the applicants, and pointed out their request would effect a continuation of the commercial zoning along Lamar. Opposition was expressed by Mrs. Frank Meredith, 800 South Lamar Blvd., as she had not requested a change of zoning, and did not want the property changed to commercial. MRS. SIEVERS, 804 Josephine, stated the neighborhood had tried to stay residential, and as there were no playgrounds in the area, the children sometimes ran in the street, and she objected to further commercial development, as that would increase the traffic. MR. PAUL WALTER was interested in the property across the street from him, adjoining 908-14 South Lamar, as any building constructed on Lamar would back up on this property. In the hearing, it was brought out that Treadwell was such a narrow street, that the residents near it did not want any development that would increase traffic. MR. WHEELER, representing the applicants, asked Mr. Okie if the City would widen Treadwell within the next 60 days if he would dedicate 20 feet from his property to the City. Mr. Okie replied that he would. The Mayor stated the City would accept Mr. Okie's offer for a future date. MR. WHEELER replied that as a matter of good business and public relations, Mr. Okie would cooperate with the City, and that Mr. Okie would dedicate 20 feet from his property. MR. CHARLES BRADFORD stated he wanted his property included as recommended by the Zoning Board. Councilman Long stated she did not think the zoning should be imposed on any property owner who had not applied and who did not want the change. Councilman Johnson favored zoning the whole strip as recommended. The Mayor then asked that those in favor of amending the recommendation of the Zoning Board to include changing only Mr. Okie's property to vote "Aye"; those opposed vote "No". Roll call showed the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: Councilman Johnson, as he favored the whole tract.

The Mayor then asked that all in favor of changing the whole tract to vote "aye", thereby sustaining the recommendation of the zoning Board; those opposed to vote "no". Roll call showed the following:

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

The Mayor announced that the application for change had been granted in its entirety, and the City Manager was directed to have the proper ordinance drawn to cover.

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

APPROVED: W S Drane
Mayor

ATTEST:

Elin Roosley
City Clerk