

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 22, 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; R. D. Thorp, Chief of Police.

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.

Mayor Glass stated the Highway Department had made some changes on the width of the Interregional Highway through the County, back through the City limits and out again, and needed about 5,000 additional feet. It would be a different type of highway than what the City first thought it would be--that there would be two kinds involved. In the city, the highway would be 200 feet wide; and as it went out into the County, it would spread out with an island down the middle. Mayor Glass stated the City had asked the Highway Department to put in the curbs and gutters and handle the drainage. The Highway Department had not agreed to that as yet, but they had not turned it down either. In this discussion, the City Manager told the Council the money would have to be made available out of the Contingency Fund, as the bond money is used up. When more bonds are sold, there will be money available; but at the present it will have to come out of the Contingent Fund. Councilman Long moved that the City Manager get the prices on the land and secure options on the necessary footage. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

Councilman Long 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 "Forest Hills 'C'", approved by the City Plan Commission of the City of Austin on June 9, 1949, 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 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 "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON BLOCK 46 AND THE EAST ONE-HALF OF BLOCK 47, OUTLOT 24, DIVISION "C", 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 Drake, Johnson, Long, MacCorkle, Mayor Glass
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 Drake, Johnson, Long, MacCorkle, Mayor Glass
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 Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Johnson 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 property situated on the east side of Lamar Blvd., which property is owned by the Austin Fireproof Warehouse Company, and is designated as the W. G. Bohannon Tract, Original City of Austin, Travis County, Texas, and hereby authorized the said Austin Fireproof Warehouse Company to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated 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 an occupancy permit for the operation of this private gasoline plant 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 Austin Fireproof Warehouse Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 20, 1951

"Mr. Walter Seaholm
City Manager

"Dear Sir:

"I, the undersigned, have considered the application of Austin Fireproof Warehouse Company through their agent, L. O. Wallin, for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the east side of Lamar Blvd., which property is designated as the W. G. Bohannon Tract in the City of Austin, Travis County, Texas, and locally known as 5501 Lamar Blvd.

"This property is located in a "CI" Commercial District and I recommend that this

permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector "

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

Mayor Glass introduced the following ordinance:

AN ORDINANCE PRESCRIBING REGULATORY MEASURES PERTAINING TO ELECTRICAL WORK IN THE CITY OF AUSTIN; CREATING AN ELECTRICAL BOARD AND PROVIDING FOR APPOINTMENT OF ITS MEMBERS, AND FIXING THE DUTIES AND POWERS OF SAID BOARD; PROVIDING FOR APPEAL FROM THE DECISIONS OF SAID BOARD; PROVIDING FOR THE ISSUANCE OF LICENSES TO MASTER ELECTRICIANS, BUILDING OWNERS, SIGN MANUFACTURES, ELEVATOR CONTRACTORS, MOTION PICTURE OPERATORS, REPAIR SERVICES, EQUIPMENT MANUFACTURES, SPECIALIZED SERVICES AND MAINTENANCE ELECTRICIANS; PROVIDING FOR FEES, BONDS, AND THE KEEPING OF RECORDS, AND FOR THE REVOCATION OF LICENSES AND CERTIFICATES; PROVIDING FOR ELECTRICAL INSPECTORS AND PRESCRIBING THE DUTIES AND POWERS OF SAID OFFICERS; PROVIDING FOR THE ISSUANCE OF PERMITS FOR ELECTRICAL WORK AND THE INSPECTION THEREOF AND FIXING THE FEES FOR SUCH INSPECTION; PROMULGATING RULES AND REGULATIONS TO GOVERN ALL ELECTRICAL WIRING, CONSTRUCTION, INSTALLATION, ALTERATIONS, REPAIRS, OPERATION, AND MAINTENANCE OF ELECTRICAL WIRING APPARATUS AND FIXTURES; REGULATING THE OPERATION OF MOTION PICTURE PROJECTORS AND MAINTENANCE OF MOTION PICTURE PROJECTION BOOTHS; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE;

REPEALING CONFLICTING ORDINANCES, AND DECLARING AN
EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Johnson, 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, the description of the land which that certain resolution of the City Council adopted March 8, 1951, authorized the City Manager to convey to R. E. Leigh is not satisfactory to the purchaser; and

WHEREAS, the City Council desires to describe more particularly said tract of land; Now, Therefore,

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 execute a deed in behalf of the City of Austin, conveying to R. E. Leigh for and in consideration of the payment by the said R. E. Leigh to the City of Austin of the sum of Seven Thousand Seven Hundred Seventy-Seven Dollars and Seventy-Seven Cents (\$7777.77) cash, the following described property, to wit:

0.322 of one acre of land, same being out of and a part of that certain tract of land out of Outlot 21, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, which was conveyed to the City of Austin by deed dated August 12, 1947, of record in Volume 869, at page 379 of the Deed Records of Travis County, Texas, which 0.322 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the north line of East 7th Street with the east line of Calles Street;

THENCE with the east line of Calles Street, N. 22° 46' E. 88.83 feet to the point of intersection of the east line of Calles Street with the south line of Gonzales Street;

THENCE with the south line of Gonzales Street S. 63° 04' E. 258.20 feet to the point of tangency of a curve having an intersection angle of 167° 54', a tangent distance of 108.57 feet, and a radius of 11.51 feet;

THENCE following said curving line to the right an arc distance of 33.73 feet, the long chord of which arc bears S. 20° 53' W. 22.89 feet to the point of tangency of said curve on the north line of East 7th Street, said north line of East 7th Street being a curve whose intersection angle is 6° 22', whose radius is 2924.90 feet and whose tangent distance is 162.81 feet;

THENCE following said curving north line of East 7th Street to the left an arc distance of 205.28 feet, the sub-chord of which arc bears N. 77° 11' W. 205.24 feet to the point of tangency of said curve;

THENCE continuing with the north line of East 7th Street, N. 79° 11' W. 57.29 feet to the point of beginning.

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

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

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 52, OF ARTICLE XIV, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTIONS; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN OCTOBER 10, 1940, AND IS RECORDED IN BOOK "L", PAGES 42-51, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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, 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, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

A proposal from a MR. CLAGGETT to rent about 165' fronting on Lamar Boulevard north of the property sold to Mr. Ferris on the west side and in front of the old brick residence which the City owns, was submitted to the Council. The City Manager said Mr. Claggett had offered \$100.00 per month rental. It was the thought of some of the Council that \$100.00 was not sufficient rental. MR. M. H. CROCKETT remarked that he received \$1.00 to \$1.15 a front foot for his lots on Lamar. Councilman Long moved that the City Manager look into this proposal of Mr. Claggett and bring back a report to the Council. The motion, seconded by Councilman Drake, carried by the following vote:

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

Noes: None

COUNCILMAN MacCORKLE inquired of the possibility of elevating the railroad tracks on Lamar, and if any study had been made on that subject. The City Manager stated that the planning regarding this was to extend First Street, tying into Lamar, thereby giving an alternate route of coming in on West 1st or coming in on the Sand Beach Reserve and using the Boulevard along the Missouri Pacific Tracks. He stated as far as the grade separations at Lamar were concerned, there were several problems that would make that very difficult; and that for the time being, it would be better to provide other routes. It was brought out in the discussion that a study had been made of the railroad track situation some years back, and there was an estimated cost at that time of from \$175,000 to \$250,000. Mayor Glass stated the traffic coming in would be helped by the opening of West 1st, and that is set up in this year's budget.

COUNCILMAN LONG stated she had noticed that four members of this Council had said they would like to see a City-County Welfare Unit. She stated the City had done a great deal to try to find some way to work this out--that they had the Citizens Committee appointed to study with the County to see if something could be worked out with the County. She suggested that the report of this Committee and the one of the Brenner Committee be sent to the School of Social Work at the University of Texas with the request that they recommend a plan to the City; and also at the same time appoint MR. J. C. KELLAM, one-time President of the Community Council, to serve as the city's representative to work with them and bring this plan back with recommendations to the City for some definite steps which can be taken to carry out the plan. She stated she would like to see the County appoint a man to work with Mr. Kellam. Councilman Drake thought it should all clear through one agency and made inquiry about the legal barrier regarding the Welfare Division. After some discussion, Councilman Long moved that MRS. PEDERSON of the School of Social Work of the University of Texas, if it is within their scope, take the recommendations of the Brenner Plan and the Citizens Committee recommendation, evaluate them, and recommend back to the City a definite plan for a City-County Welfare Unit; that we appoint Mr. J. C. KELLAM, and such others as the Council and Commissioners' Court may see fit to appoint, to work with them; and the City Attorney's Office to help in the legal problems. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Noes: None

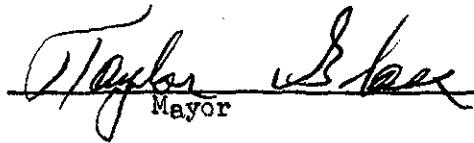
COUNCILMAN LONG submitted copies of a gas pipe line bill introduced in the Legislature, to each Councilman for study. She stated this bill would give the City a chance to get around \$200,000 a year out of this tax, and she would like for the City Attorney to draw up a Resolution for the Council to endorse this bill. She stated the City should be aware of State business in Austin, and this bill would provide this \$200,000 which could be used for street purposes; and that the bill would also provide money to the school system. She then asked that the City Attorney draw up this resolution for next week, endorsing the bill and asking the Legislature to pass it. It is House Bill No. 669.

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Zoning Board for consideration and recommendation:

KEYSTONE REALTY COMPANY 2801-11 E. 12th Street From "A" Residence
To "D" Industrial

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

APPROVED:


Mayor

ATTEST:


City Clerk