

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 10, 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: 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 White, the motion was unanimously adopted by the Council and the minutes so approved.

MR. SAM BRASFIELD, 308 West Johanna, reported the mishandling of a case at Brackenridge Hospital on April 23, stating MINNIE HANCOCK, 70, mother of his maid, Emma Ellison, 1303 Bob Harrison, was taken to the Hospital. The intern said she was not sick and to take her back home, to give her some fruit juices and bring her back the next morning. Dr. Nabors was called at midnight and stated she needed hospitalization; and sent an ambulance after her the next day, about noon. The same intern looked at her and "hauled them out for not bringing her back at 8:00 A.M.;" but then requested that they take MINNIE HANCOCK back home again, to be returned to the hospital the following Monday. MRS. TAYLOR at the hospital reported to Mr. Brasfield that the person had a stroke and there was nothing the hospital could do. A colored doctor, Dr. Washington was called in, and he was planning to send MINNIE to the Holy Cross Hospital, but she died before arrangements could be made. Two doctors stated she was a hospital case; yet an intern would not admit her, stating she was not sick. Mr. Brasfield asked for a report from the Hospital and was promised one when Mr. Brown, the Administrator, returned to town. As yet, Mr. Brasfield had not received a report. The City Manager was requested to get a full report from Mr. Brown, and the Mayor stated that when the Council received this report, Mr. Brasfield would be furnished a copy.

Councilman MacGorkle 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 as a filling station site the property located at the southeast corner of the intersection of East Avenue and Concordia Avenue which property fronts 102 feet on East Avenue and 110.32 feet on Concordia Avenue, and being known as a portion of Lots 14 and 15, Block 1, University Park Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Jack H. Key to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted 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 Jack H. Key has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"May 10, 1951

"Mr. Walter Seaholm
City Manager
Austin, Texas

Dear Sir:

"We, the undersigned, have considered the application of Jack H. Key for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southeast corner of the intersection of East Avenue and Concordia Avenue which property fronts 102 feet on East Avenue and 110.32 feet on Concordia Avenue, and being known as a portion of Lots 14 and 15, Block 1, University Park Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Jack H. Key and is under lease to The Texas Company and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the Zoning maps of the City of Austin.

"There is a storm sewer inlet on the east side of East Avenue approximately 550 feet south of the above location.

"We recommend that Jack H. Key be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct, curbs, ramps and sidewalks in conjunction therewith, subject to the following

conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc.; that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2-C-1440.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-1440 and shall be of the pre-moulded type.

(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certificate of Operation before such filling station can be put into service.

Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector "

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Hugh D. Reich Construction Company is the Contractor for the

erection of a building located at 99 South Congress Avenue and desires a portion of the sidewalk and street space abutting a part of the Wallace R. Miller 8-acre tract at the northeast corner of South Congress Avenue and Miller Street, in the 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 Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of South Congress Avenue approximately 22 feet to a point; thence in a northerly direction and parallel with the centerline of South Congress Avenue approximately 85 feet to a point; thence in an easterly direction and at right angles to the centerline of South Congress Avenue to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Hugh D. Reich Construction Company, 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 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.

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

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

Noes: None

Councilman Johnson 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 EAST 9TH STREET, from a point 62 feet west of San Jacinto Street westerly 133 feet, the centerline of which underground telephone conduit shall be 16 feet south of and parallel to the north property line of said EAST 9TH STREET.

(2) An underground telephone conduit across East 9th Street at a point 195 feet west of San Jacinto 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 MacCorkle, 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, on May 4, 1951, bids were received by the City of Austin for the construction of a reinforced concrete culvert on Brentwood Street at Arroyo Seca, such bids being as follows:

Joe Fuhrman	\$ 2,665.60
J. C. Gilstrap	2,787.88
Maufrais Bros.	2,791.00
Ross Anglin	3,058.80
McKown & Sons	3,263.75

and

WHEREAS, the bid of Joe Fuhrman in the sum of \$2,665.60 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; now, therefore,

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

THAT the bid of Joe Fuhrman be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Joe Fuhrman for the construction of a reinforced concrete culvert on the basis of his bid of \$2,665.60.

The motion, seconded by Councilman White, 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 ENTITLED "AN ORDINANCE REGULATING THE KEEPING OF LIVESTOCK, FOWLS, AND DOGS WITHIN THE LIMITS OF THE CITY OF AUSTIN; PRESCRIBING SANITARY CONDITIONS FOR PENS AND ENCLOSURES; PROVIDING FOR A DOG CATCHER AND POUND MASTER; PROVIDING FOR LICENSING, VACCINATING AND IMPOUNDING OF DOGS; PROVIDING FOR THE IMPOUNDING AND SELLING OF LIVESTOCK RUNNING AT LARGE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; SPECIFICALLY REPEALING CERTAIN ORDINANCES AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH EXCEPT THE PROVISIONS IN THE ZONING ORDINANCE WHICH REGULATE THE KEEPING OF LIVESTOCK, FOWLS, AND DOGS; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL ON JULY 1, 1943, AND IS RECORDED IN VOL. "L" AT PAGES 331-337 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY PRESCRIBING CERTAIN ADDITIONAL REGULATIONS WITH REFERENCE TO DOGS, FOWLS, AND LIVESTOCK AND REQUIRING THAT ALL HEALTH AND SANITARY MEASURES CONTAINED IN THE ORDINANCE BE ENFORCED BY THE CITY HEALTH OFFICER; 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 ordinance be passed to its second reading. The motion, duly seconded by Councilman Long, carried by the following vote:

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the intersection of Waterston Street with the railway tracks of the International-Great Northern Railroad Company constitutes a dangerous and hazardous crossing; and

WHEREAS, such crossing on Waterston Street is now temporarily barricaded and closed following the construction by the City of Austin of a 30" water

main along the right-of-way of said railroad company; and

WHEREAS, said crossing can be discontinued without any great inconvenience to the public because of its proximity to the underpass on Enfield Road; and

WHEREAS, said crossing on Waterston Street cannot be made safe for use by the public without great expense to the City of Austin through rearrangement of approaches and the expenditure of necessary funds for such adjustment at this time is deemed inadvisable; Now, Therefore,

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

That the following described portion of Waterston Street at its intersection with the right-of-way of the International-Great Northern Railroad Company be and the same is hereby closed, to wit:

BEGINNING at a point on the east right-of-way line of the I. & G.N. Railroad, and from which point of beginning the point of intersection of the east right-of-way line of the I. & G.N. Railroad with the south line of Enfield Road bears N. 28° 47' E. 331.50 feet and N. 32° 06' E. 504.84 feet;

THENCE N. 60° 34' W. to point of termination on the west right-of-way line of the I. & G.N. Railroad.

BE IT FURTHER RESOLVED:

That in closing the crossing the City of Austin does not abandon or vacate said portion of Waterston Street as a public street but intends by this resolution only to close said portion of Waterston Street for the safety, convenience and protection of the public.

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 City Manager be and he is hereby authorized and directed to execute a quitclaim deed in behalf of the City of Austin, quitclaiming to K. L. Moyer the following described tract of land:

Lot 1 of the Axelina Johnson Subdivision of the southwest part of Block 1 of the Subdivision of Outlot 42, Division "B" in the City of Austin, Travis County, Texas, as described by metes and bounds in a deed from Clifton M. Grubb to K. L. Moyer dated February 25, 1948, and recorded in Book 897, pages 455-456 of the Deed Records of Travis County, Texas

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

MR. BOB GORHAM appeared before the Council and complimented the City Manager on having done a good job.

MAYOR DRAKE read the following letter addressed to him under date of May 9, 1951:

"I wish at this time to take this opportunity of giving credit and thanks to the Austin Police Department for doing a wonderful job during our Fourth Annual Shrine Circus last week. I especially want to mention Thursday evening's performance when the Austin Baseball Club had approximately twenty nine hundred people and we had approximately three thousand in the Coliseum, and it seems that everyone came in an automobile by himself, which to my knowledge is the largest crowd ever to be in the parking area adjacent to these two installations. The Police Department did a remarkable job of moving these people out of the area in record time.

"I also would like to thank the people of the Recreation Department for the many favors shown our organization during this engagement. Mr. Sheffield, Mr. Prowse, and all of the other people of the Recreation Department did themselves proud on this occasion. The Divan and Nobles of Ben Hur Temple join with me in thanking you people of the City government in their behalf.

Yours very truly,
(S) C. A. McADEN,
C. A. McAden, Potentate

Discussion was held on changing the night briefing sessions meetings from the first and third Wednesday nights to Tuesday nights. Councilman Johnson moved that the meetings be changed to Tuesday nights on call, and the announcement to be made at the Council Meeting the Thursday before. The motion, seconded by Councilman Long, carried by the following vote:

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

It was announced that a session would be scheduled for Tuesday, May 15th, at 8:00 P.M. to hear the report of the Job Evaluation Committee.

Further discussion was held on awarding the contract on the fire equipment to SEAGRAVES CORPORATION. Question had been raised by MR. JAMES BECKER, representing OREN ROANOKE CORPORATION regarding this award, stating he was low bidder. (Council meeting May 3, 1951) COUNCILMAN MacCORKLE felt this was a very bad job of public relations, in that individuals had made trips here to sell equipment,

and all the time knowing they would not have opportunity of being awarded the bid. The City Manager stated bids were sent to the companies that could respond and furnish the equipment desired. In this particular case, MR. BECKER represented another company who did not choose to bid, and he got the OREN ROANOKE CORPORATION to bid in its place. The fact that he and the Fire Chief did not recommend their equipment was that it is not used in Texas by Texas cities; and as such, they felt the service and repair parts would be increased in excess of the amount involved. COUNCILMAN LONG stated that in letting a bid and writing the specifications, and after they are advertised and companies bid, she could not understand why one company's material could not be accepted because it had not been used before. She felt that the Oren Roanoke Corporation combination with the MACK had the low bid, and she thought that when the low bid was thrown out and the next lowest accepted, it was wrong. She did not believe the Seagraves lived up to the specifications set out, and that the specifications did not include just what was wanted. She suggested throwing out the bids and writing the specifications again so the companies bidding could meet them. The City Manager stated the specifications were set out to include lump sum bids, and SEAGRAVES was low. He stated that frequently the City would ask for individual units in order to omit or add to the original assignment. He stated SEAGRAVES had been used for years, and the City knew of its performance and it has been good. It is the Fire Chief's recommendation, and his, and it is now in the discretion of the Council. Councilman White felt that the recommendation of the Fire Chief should be upheld and the Seagraves equipment used. MAYOR DRAKE stated the Council had the recommendation from JOHN E. WOODY, Chief of the Fire Department, to Mr. Seaholm, and MR. SEAHOLM's recommendation to the Council; and that the City Attorney reported that the whole matter was carried on legally.

The following were submitted before the Council:

"May 1, 1951

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I would like to recommend the purchase of the Seagrave apparatus. We have twelve of these pumping engines and one aerial ladder truck in service at the present time. Three of these engines have been in service twenty-four, twenty-five, and twenty-eight years, and in 1950 met the test that is required by the Insurance Commission and the National Board of Fire Underwriters.

"We have always found this apparatus dependable and the spare parts we carry in stock can be used on any of these apparatus.

"Respectfully submitted,
(S) J. E. WOODY
Chief of Fire Department"

O.K., W.E.S.

"Fire Insurance Division
Board of Insurance Commissioners
State Office Building
Austin 11, Texas

May 8, 1951

"Chief John E. Woody
Central Fire Station
Austin, Texas

Dear Chief:

"I am taking the liberty of answering your letter of May 7 in Mr. Hawley's absence.

"Our records indicate that our engineers have not tested any fire apparatus manufactured by the Oren-Roanoke Company of Virginia.

"Sincerely yours,
PAUL H. BROWN
Fire Insurance Commissioner
By: (S) Jerome H. Schwab
Assistant Engineer"

Councilman White then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after being duly advertised, in accordance with law, bids were opened in the City Hall after 10 o'clock A.M. April 23, 1951, on five (5) 750 G.P.M. pumers, one (1) 65-ft Aerial ladder truck, and one (1) 75-ft Aerial ladder truck; and

WHEREAS, bids were received from four (4) companies, said bids being in summary as follows:

			Combination bid on two (2) Aerial Mack trucks and five (5) <u>G.P.M. Oren Pumpers</u>
Mack Fire Aparatus Co.			
1 - 65-ft. Aerial truck	\$30,503.69		\$ 62,045.38
1 - 75-ft. Aerial truck	31,541.69		74,714.80
5 - 750 G.P.M. pumers	<u>77,330.15</u>		
	\$139,375.53		\$136,760.18
Oren Roanoke Corp.			
5 - 750 G.P.M. pumers	74,714.80		
F.W.D. Co.			
5 - 750 G.P.M. pumers	80,325.00		
Seagraves Corp.			
1 - 65-ft. Aerial truck)			
1 - 75-ft. Aerial truck)	136,742	136,742.65	
5 - 750 G.P.M. pumers)			

and

WHEREAS Seagraves Corporation has been found to be the lowest responsible bidder, Now, Therefore,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to purchase from Seagraves Corporation one (1) 65-ft Aerial ladder truck, one (1) 75-ft Aerial ladder truck and five (5) 750 G.P.M. pumpers to be delivered by such corporation in accordance with specifications contained in the Invitation to Bidders, at a cost not to exceed \$136,742.65.

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

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

Nees: Councilman Long

* Voted "aye" with the statement he would like to see things like this worked out better, and that he hated to have this sort of thing come up. He would like to follow the recommendation of our experts; but at the same time would like to see the correct procedure used to give everybody an equal opportunity. He said the specifications could be written in such a way as to get the kind of equipment we want.

MR. D. E. LAKE, representing the MACK CORPORATION, expressed his appreciation to the Council for the consideration given his company in the bidding on fire equipment. He stated the city benefitted to the extent of \$9,000 in getting the equipment cheaper than the original bid was set up. Although his Company was not awarded the bid at this time, he stated when bids were sent out again, the MACK COMPANY would come back with bids--win or lose.

Pursuant to published notice thereof, the Council held public hearings on the following applications:

KEYSTONE REALTY COMPANY
(O. R. Lott, Owner)

2801-11 E. 12th

From "A" Residence
To "D" Industrial
RECOMMENDED by the Zoning Board of Adjustment
on APRIL 5, 1951.

No one appeared in opposition. The Mayor asked that all who favored upholding the recommendation of the Zoning Board and granting the change to vote "Aye"; those opposing vote "No". Roll call showed the following:

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

Nees : None

The City Attorney was then requested to draw up the necessary ordinance.

J. L. REED
(By Kenneth Lampkin)

1101 Navasota & all
property on 11th be-
tween Waller & Nava-
sota and Rosewood Ave.

From "C-1" Commercial
To "C-2" Commercial
RECOMMENDED by the Zoning
Board of Adjustment on
March 12, and April 5,
1951, to include the ad-
ditional property listed.

No opposition appeared. KENNETH LAMPKIN, ARTHUR DeWITTY, T. L. DELASHWAH, MRS. VANDYKE, T. B. BEATTY, MRS. LEATHA FUGLES, 1159 Waller, and others appeared favoring the change. COUNCILMAN JOHNSON favored changing the one requested location, but did not favor changing the whole territory. MAYOR DRAKE then stated that all those who favored following the recommendation of the Zoning Board and granting the requested change to vote "Aye"; those opposed to vote "No".

Roll call showed the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: Councilman Johnson

The Mayor announced that the change had been granted, and the City Attorney was instructed to draw up the necessary ordinance.

DR. BEN HOLLAND
PAUL MURCHISON
S. R. SHEPPARD

1201-05 W. 34th St.

From "A" Residence
To "C" Commercial
NOT Recommended by the
Zoning Board of Adjustment
on April 5, 1951.

MR. SHEPPARD stated he and MR. MURCHISON had sold their lots at 1203 and 1205 W. 34th, but were trying to get it changed for MR. BEN HIBBETS. Mr. Sheppard stated the property was substandard as far as Residential property was concerned. MR. HIBBETS stated since it was definitely not residential property, a commercial building there would increase the tax valuation to the City. DR. HOLLAND felt the property was not suitable for residential property. Opposition to the change was expressed by MRS. W. F. FUSSELL, MISS FAYETTE MITCHELL, and others, who did not want commercial development near their homes. The Council took no action on this zoning request at this meeting, but decided to go look at the property and take action the following week, Thursday, May 17th.

Regarding the Zoning Request of MRS. MAY LaPRELLE PRICE for change of zoning of the property bounded on the west by Euclid, on the south by Oltorf, and on the west by College Avenue, from "B" Residential to "A" Residence and "C" Commercial, the Council received notice from MR. HERMAN JONES, of JONES & HERRING, Attorneys, that the applicant desired to withdraw the request, and that the application be dismissed. This letter was dated May 8, 1951.

The Council deferred action on appointment of the City Manager, City Health Officer, Judge of the Corporation Court, and Clerk of the Corporation Court, and decided on calling an Executive Session of the Council at 10:00 A.M., Saturday, May 12th. It was the desire of the Council to have a court reporter present, and Mayor Drake was asked to employ one.

Councilman Johnson nominated MR. HOWARD BULL to serve again on the Tax Equalization Board for a period of two years, ending May 1, 1953.

Councilman Long offered a substitute motion that this appointment be put off until Councilman White could have time to study this and to understand what the Board of Equalization does. When Councilman White stated he had studied this and was familiar with the Board and was ready to vote, Councilman Long withdrew this motion.

The roll was then called on Councilman Johnson's nomination of MR. HOWARD BULL, and the roll call showed the following vote:

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

MR. RAYMOND R. SANDS, Professional Pharmacy, 717 Colorado, asked the Council to set aside a bid that was given to WILSON X-RAY & SURGICAL COMPANY for Saline and intravenous solutions on which SANDS was low bidder and which he had been furnishing the hospital for the last three years. He stated if the solutions which he had been furnishing were good, he should be given the bid again since the tabulation showed he was low bidder. The City Manager was requested to get a full report on the whole procedure from the time of taking bids and get a copy to all members of the Council before next Thursday.

COUNCILMAN WHITE made two inquiries of the City Manager: (1) About septic tanks at Gillis Park before sewer mains could be installed. The City Manager stated the sanitary sewer lines would be constructed; but until they could be constructed, the septic tanks would be used; and that bids on the shelter house would be advertised sometime within the next week. (2) Inquiry regarding a contract for paving of four blocks on Annie Street. Councilman White stated MR. CLAUDE S. BIBLE, 501 E. Annie, had signed a petition for paving about four blocks, and now there are two blocks that they do not want to be paved. Mr. Bible reported that representatives from Brown & Root had come out and wanted him to sign up for it, and the Brown & Root representative told them it would not make any difference if he didn't sign, that they would go ahead and pave it and take a lien on the property. The City Manager said he would check into this particular block; but if the Brown & Root men had been there, it is a listed street to be paved and the contract has been approved; and if the Paving Company did not get them all signed up sufficiently, then it would not be paved. The City Manager explained that the particular streets were considered in the program because the property owners had petitioned for paving. The City Manager said he would bring back a report on this particular case.

COUNCILMAN LONG made inquiry about the livestock ordinance which was under study. Someone had reported to her that one person owned 34 cats, and they wanted

to know if there was some way to limit the number of pets one could own and asked the City Attorney to look into the possibility of writing something to that effect into this livestock ordinance.

COUNCILMAN LONG brought out a request she had from the AUSTIN RIFLE CLUB who has permission to use the Camp Mabry Shooting Range here, and they also have permission to put down some paving, but they need a small roller to go between the trees. They want to borrow one from the City. The City Manager said that possibly could be worked out with them, and Councilman Long was to contact MR. SMITH with the Austin Rifle Club, and have him get in touch with Mr. Seaholm.

COUNCILMAN LONG submitted additional copies of a paving plan which she proposed in November, and asked for a recommendation on this before the next paving program got under way. (Copy of this paving plan recorded in the Minutes of November 9, 1950) MAYOR DRAKE said this was a good suggestion and thought lots of extra time should be given this and suggested it be taken up at one of the night briefing sessions. He mentioned other matters he would like to go over at the night meetings--the tax rate, the paving program, the revaluation program; a comprehensive study of the Zoning Ordinance by the Zoning Board and the City Attorney. He asked if the Council would like another meeting Tuesday, May 22nd to go over the paving. It wasn't decided at this time.

COUNCILMAN MacCORKLE asked if the Bennet Boat Docks matter had been corrected. The City Manager stated the Lake would be lowered sometime between June 1 and 17, and MR. BENNET would be given an ultimatum for that time.

COUNCILMAN MacCORKLE asked about the marking of all city cars, except the detective cars. A decal which is to be used for identification of the cars was displayed. On this decal will be a number of the car. Councilman MacCorkle thought this decal and method of marking the cars was very nice. COUNCILMAN WHITE asked if the Superintendent of the Abattoir had a car assigned to him. The City Manager replied that he did not.

COUNCILMAN LONG asked the City Manager if this proposed water district in the south part of town would carry any restrictions by the City. MR. SEAHOLM said that as a seller of water, the City would have control. In a preliminary meeting, this group had asked for water. The City is trying to stay clear of these water districts. Whatever the City would set up as specifications they would do; and Mr. Seaholm outlined the steps pertaining to issuance of bonds and the management of the system. The City Attorney said a municipality is authorized to enter into an operating contract with a water district under certain circumstances; and if they organized as planned, the City could enter into a contract which would give additional control over the operation of the physical set up. They contemplate four to six months before they can get underway and before they can come back to the Council and ask for a contract. COUNCILMAN LONG stated the Council should be advised as to what is in the making ahead of time so it would know whether or not to go ahead on some of these things. It was explained this was a general discussion as to the physical ability to supply the water, and as to the legality of such. The City Manager and the City Attorney brought up the

question of a bill in the Senate regarding water districts and cities' inability to annex them after they are built; and if this passed, the City Manager did not think the Council would be interested in any new water district.

The City Manager brought up another question regarding Rollingwood and Bluffinton and their need for water. They have their own wells, but they are not satisfactory. These people have contacted the City about being brought into the city limits for water purposes. It would cost \$300,000 to put in a water system, which they will finance. He recommended to the Council that before they were permitted to come in that they be required to install sanitary sewers. Septic tanks in that area will not operate satisfactory; and if this develops, an extremely bad situation will exist. The City Manager felt the City should insist on their putting in the sanitary sewer lines, as if they do not, the City will have a big expense on its hands.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute in behalf of the City of Austin a release of a certain sanitary sewer easement in, upon and across a certain tract of land out of Lot 1, Beau Site Addition, a subdivision of Outlots 6 and 9 of Division "C" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas.

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

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

V. A. CUNEO	3204 Red River Street	From "A" Residence
		To "C" Commercial

There being no further business, the Council adjourned at 12:30 subject to the call of the Mayor.

APPROVED: W. S. Drake
 Mayor

ATTEST:

Edna Mosley
 City Clerk