

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 13, 1962
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. JACK HOOPER, Assistant Pastor, University Methodist Church.

Mayor Palmer announced that JUDGE PAT DAUGHERTY who had served as Corporation Court Judge since 1955 is observing his 73rd birthday today, and is retiring from the position of Judge. He announced the appointment of MR. TOM McFARLING as Corporation Judge effective October 1st. Judge McFarling and Mrs. McFarling were introduced.

Councilman Perry moved that the Council express thanks and commendations to JUDGE DAUGHERTY for the many years of faithful and efficient service that he has rendered the City of Austin. The motion carried by standing vote. Councilman Perry stated it is a special tribute to Judge Daugherty that the Council has kept him in this very important position several years longer than any other person past retirement has ever worked for the City, and noted this is a special tribute to him, but the Council wanted to make it a public tribute to his efficient service to the City.

Mayor Palmer and the Council offered Judge Daugherty their best wishes on his 73rd birthdate.

MR. BUCK AVERY, representing Capital National Gas Company, asked for a reply to his letter presented to the Council last week regarding the removal of the \$20,000,000 restriction imposed on prospective bidders for gas supply requirements to the Power Plant. The Mayor stated the Council considered this

quite at length, and it was the feeling that competitive bids would be received with the requirement of the \$20,000,000 corporate structure left in. He said he did not believe this would prevent Mr. Avery's company from bidding. He stated with the size of the operation of the Power Plants and the amount of gas required, it was felt that this would permit good competitive bidding, and it would bring in the type of bids that could be awarded to the low bidder. MR. BILL STEARNS stated on July 19th, he notified the Council there was a group which was interested and were in the process of setting up a formal organization, and the Mayor advised him that the Council wanted everyone to come--that they wanted competitive bidding. He stated they obtained their charter, financed their company, retained Mr. Avery and Mr. Ralph Graham in Corpus Christi, and started firming up their gas reserves. He said then they received the bid specifications with this \$20,000,000 requirement, and this would prevent them from bidding because their Corporation did not have a \$20,000,000 net worth. The City Attorney said the specification would not prevent anyone from bidding regardless of what their capital structure might be; but the Council determined in its opinion the minimum amount of capital required to make a person responsible for performance. Mr. Stearns stated his interpretation of Paragraph 3 of Page B-2, that any one who could not show a net worth of \$20,000,000 would be disqualified. He asked that "and or furnish a supply bond" be inserted in the specifications and leave it open to all bidders. The Mayor stated the Council felt this was in the public interest; that this was a tremendously important facility to the City and to all of its citizens; that the Council wanted to save money on getting a consultant to determine reserves, capability, and daily flow, etc. Councilman Shanks stated he would like to officially ask this Company to submit a bid if they would like to. Councilman Armstrong stated he would like to have them as a bidder very, very much, and asked if there was any way they could combine or enhance their net worth where they could answer this proposal.

Councilman White moved that the Minutes of September 6, 1962, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) THE NORTH 580 FEET OF THE WEST 255 FEET OF LOT 38, DUVAL HEIGHTS, LOCALLY KNOWN AS 901-905 REINLI STREET, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND (2) LOT 40, LESS THE SOUTH 150 FEET, DUVAL HEIGHTS, LOCALLY KNOWN AS 917 REINLI STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the

rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.20 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ELDRIDGE SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

34.97 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY NO. 15, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer 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 5.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, easements were granted to the City of Austin for drainageway and public utility purposes, said easements being each five feet (5') in width, in, upon and across portion of Lots 31 and 32, Block J, Highland Park West, said Highland Park West being a subdivision of portions of the Daniel J. Gilbert Survey No. 8, the C. J. Strother Survey No. 611, and the Albert Sillsbe Survey No. 1, in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at page 299 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of above described property has requested the City Council of the City of Austin to release said easements in, upon and across the hereinafter described portions of said property; and,

WHEREAS, the City Council of the City of Austin has determined that the

hereinafter described easements for drainageway and public utility purposes are not now required and will not be needed in the near future; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described easements for drainageway and public utility purposes, to wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width, the strip of land hereinafter described as No. 1 being out of and a part of Lot 31, Block J, Highland Park West, the strip of land hereinafter described as No. 2 being out of and a part of Lot 32, Block J, Highland Park West, said Highland Park West being a subdivision of portions of the Daniel J. Gilbert Survey No. 8, the C. J. Strother Survey No. 611, and the Albert Sillsbe Survey No. 1, in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at page 299 of the Plat Records of Travis County, Texas; each of the said two (2) strips of land five (5.00) feet in width are more particularly described as follows:

NO. 1 BEING all the southeast five (5.00) feet of Lot 31, Block J, Highland Park West, SAVE and EXCEPT the southwest five (5.00) feet of the said southeast five (5.00) feet of Lot 31, Block J, Highland Park West;

NO. 2 BEING all the northwest five (5.00) feet of Lot 32, Block J, Highland Park West, SAVE and EXCEPT the southwest five (5.00) feet of the said northwest five (5.00) feet of Lot 32, Block J, Highland Park West.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted the following:

"September 10, 1962

"W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, September 7, 1962, at the Office of the Director of the Water and Sewer Department, for the Construction of Water and Sanitary Sewer System Improvements in Robert E. Lee Road. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>Firm</u>	<u>Amount</u>	<u>Working Days</u>
Walter W. Schmidt	\$ 9,278.65	30
Bland Construction Company	10,251.60	45
Austin Engineering Company	11,554.00	45
Karl Wagner	12,323.15	40

"It is recommended that the Contract be awarded to Walter W. Schmidt on his low bid of \$9,278.65 with 30 working days.

"Yours truly,
s/ Victor R. Schmidt, Superintendent
Sanitary Sewer Division
s/ Albert R. Davis, Director
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 7, 1962, for the construction of water and sanitary sewer system improvements in Robert E. Lee Road; and,

WHEREAS, the bid of Walter W. Schmidt, in the sum of \$9,278.65, was the lowest bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department 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 Walter W. Schmidt in the sum of \$9,278.65, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Walter W. Schmidt.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer announced the withdrawal of the following zoning application:

HARRY M. GILSTRAP	905 East 41st Street	From "A" Residence To "C-1" Commercial
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Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions

existing at the locations described below require that traffic upon such streets move only in a one-way direction, such locations and streets being described as follows:

<u>STREET</u>	<u>FROM - TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
East Seventh Street	San Jacinto to East Service Road of Interstate Highway No. 35	Eastbound
East Eighth Street	East Service Road of Interstate Highway No. 35 to San Jacinto	Westbound

Now, Therefore,

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

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 33.38 of the Traffic Register.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

WILLIAM J. JOSEPH	1810 Briarcliff Blvd.	From "GR" General Retail
By Fred B. Werkenthin		To "C-1" Commercial
		RECOMMENDED by the
		Planning Commission

No opposition appeared. Councilman Shanks moved that the change to "C-1" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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TEXAS REAL ESTATE ASSN.	500-504 East 12th St.	From "O" Office
Erwin W. Luedtke, Ex.	1201-05 Neches Street	To "C" Commercial
Secretary		RECOMMENDED by the
By Arthur Fehr		Planning Commission

No opposition appeared. Councilman Armstrong moved that the change to "C" Commercial be granted. The motion, seconded by Councilman Perry, carried

by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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P. E. WORSHAM

800-820 Clayton Lane
6001-6013 Middle Fisk-
ville Road
807-811 Tirado Street
Additional Area:
813-827 Tirado Street
6008-18 Brooks Street

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission
and to include the
additional area

No opposition appeared. Councilman White moved that the change to "C" Commercial be granted, including the additional area. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, including the additional area, and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. L. SYLVESTER &
MARTIN W. NAUERT

5403-5421 Clay Avenue
1707-1711 Houston Street

From "A" Residence 1st
Height & Area and
"C" Commercial 2nd
Height & Area
To "C" Commercial 2nd
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "C" Com-
mercial 1st Height &
Area

No opposition appeared. The applicant accepted the "C" Commercial 1st Height and Area recommendation. Councilman Armstrong moved that the change to "C" Commercial 1st Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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OLIVER B. STREET

1806-1814 Webberville Rd.
5107-5111 Heflin LaneFrom "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Mr. Oliver B. Street represented himself, stating he planned to build a rest home to take care of 32 ill patients. Councilman Perry said there was a statement made that this location was in a flood zone. Mr. Street stated the Planning Commission was in error; that the last flood did not do any damage to this location. The Director of Planning explained the recommendation of the Planning Commission in that this area is developing into nice single family homes, and it was hoped the area would not develop into piece-meal zoning. The Council wanted to make a personal inspection of the area. Later in the meeting, Councilman White moved that the zoning be granted as requested. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: Councilman Perry

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. LOUIS G. HERRERA

2800-2802 Oak Springs
DriveFrom "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

MRS. HERRERA represented herself, stating they wanted to enclose a porch at their home, and were turned down until they could get a "C" Commercial zone. The Planning Commission turned the zoning down because they said it would blight the whole area. The Director of Planning stated this area had been used for a small iron works shop, but the business has grown. The area has all types of zoning--commercial, a school, and a heavy commercial. The Council wanted to make a personal inspection of the area. Later in the meeting, Councilman Shanks moved that the change be granted as requested. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: Councilman Perry

The Mayor announced that the change to "C" Commercial had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

The Mayor asked that the entire area between the two commercial tracts be studied with the view of changing it all to commercial. Councilman Perry stated if one tract were changed to commercial, the whole thing should be changed to commercial.

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H. WARREN SMITH

3502 Mills Avenue

From "A" Residence
To "IR" Local Retail
NOT Recommended by the
Planning Commission

Mr. Smith represented himself, stating he needed this lot zoned to take care of his parking and to build a decent building. The Director of Planning explained the Planning Commissions recommendation, in that the whole area had been deemed most suitable for apartment development. After discussion, Councilman Shanks moved that the change to "IR" Local Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "IR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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NELSON PUETT, JR.
By Isom H. Hale &
Associates

6802-08 Lexington Road
3001-03 & 3002 Stoneway
Drive

From Interim "A" Residence 1st Height & Area
To "B" Residence 1st Height & Area
RECOMMENDED by the
Planning Commission

MR. PUETT represented himself, stating no residents owned any property within 300' of this property, that he owned it all, except the railroad property, and property across the railroad which was owned by Sneed or Barrow. He said he had gone through with the city on some 20 steps and had been approved by the various Departments. He asked that the Council consider this zoning as provided under law rather than by public opinion. MR. JACK GAREY represented the opposition stating he thought the matter had been decided more or less at the last hearing, and stating it was not good planning to put a big commercial development in this residential area development, where the feeder streets to that commercial area would pass the homes in the area. He stated the congestion, traffic would affect the livelihood of these people and affect their rights. MR. DAVID BARROW stated he did not vote on it, as in his opinion the Council had in effect passed on the whole thing; however, he said he would have voted for the change. Mr. Puett said on this section, he would just as soon it remain "A" Residence, but it was the Planning Commission recommendation that it be "B" Residence. MR. TOM CAMPBELL, another attorney for the opposition, stated there were many, many children in this area. After discussion, Councilman Shanks moved that the change be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White
Noes: Mayor Palmer

The Mayor announced that the change had been DENIED.

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NELSON PUETT, JR.
By Isom H. Hale &
Associates

Tract 1
6901-09 Great Northern
Boulevard and
3104-10 Stoneway Drive

Tract 2
6827-33 Great Northern
Boulevard and
3105-13 Stoneway Drive

Tract 3
6805-25 Great Northern
Boulevard

From Interim "A"
Residence
To "IR" Local Retail

From Interim "A"
Residence
To "C-1" Commercial

From Interim "A"
Residence
To "IR" Local Retail
RECOMMENDED by the
Planning Commission
As Amended

Mr. Isom H. Hale reviewed the history of these areas giving dates and details, and stated he had received approval on everything submitted or as suggested by the Planning Commission. He said the City was well aware of the planned commercial area. He said Mr. Puett had dedicated to the public the rights-of-way and put in utilities according to a set plan agreed on by all after public hearing. So much has been invested that it is now too late to take advantage of a residential development, and the lots might have to face the railroad. He said Mr. Puett had followed all the directions of the City in every respect. The Director of Planning stated in 1960 the preliminary plat was submitted on the area of Allandale Section 2, showing the entire area to be a single family resident development. He reviewed the development of the area in phases in 1962, and this was a modification of the preliminary plan. He also reviewed provisions of the subdivision ordinance, with reference to notifications. Mr. Don Baker pointed out this would be spot zoning; and even more so now than at the last hearing, as the buffer zone had been removed. Mr. Hale stated they were not concerned with the buffer zone of apartments, as that was something worked out by the City, but the commercial proposal had been in the plan all the time. He said this was not a spot zone, but a new zone. He stated this development would not increase traffic but reduce it due to short trips and less time on the roads, and the traffic would use the Missouri-Pacific Boulevard when finished; on-site population would be reduced to nothing except during hours of operation; congestion is being lessened, thereby reducing fear and panic--telephones would be available--stores with simple medical supplies and patented medicines would be available; this development would not devalue properties; this development is the best use of the property and had been worked on by the City departments for some time. Finally, after more discussion, Councilman White moved that the request be denied. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White
Noes: Mayor Palmer

The Mayor announced that the change had been DENIED.

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W. L. JONES
W. K. RUSSELL
By Travis A. Eckert

Tract 1
Rear of 807-09 (905)
Shady Lane

From "A" Residence
To "D" Industrial
NOT Recommended by the
Planning Commission

Tract 2
807-15 (905-13) Shady
Lane

From "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Mr. Eckert represented the applicant describing the area which contained industrial and commercial uses. The applicant desires to use the rear of the property for a repair garage and the other part for access to the garage. Opposition was expressed by MR. A. A. SUNDBERG speaking for himself and father-in-law MR. W. W. ROSENTRITT asking that the residential section be protected; by MR. A. L. WESENBERG protesting the zone for traffic reasons, stating Shady Lane was heavily travelled now, and this business would add more trucks; by MR. FRANK B. ZETT who stated this would become a junk yard; by MRS. SAM DAVIS, who stated this operation would be next to her back yard, and by others. After discussion, Councilman Shanks moved that the change be denied. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

The Mayor announced that the change had been DENIED.

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MARIANA W. KELLY

1701 Giles
1701 East 38th Street
3701-07 Cherrywood Road

From "A" Residence
To "BB" Residence
NOT Recommended by the
Planning Commission

Mr. Brooks Peden appeared in opposition. After discussion, Councilman Perry moved that the application be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

The Assistant City Attorney stated this property could be subdivided, and two duplexes could be constructed.

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ROGER M. RICH
By Bill Millburn

2312-18 Rebel Road
508-512 E. Oltorf Street

From "LR" Local Retail
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Millburn represented the applicants, stating they wanted to build an apartment house of only 21 units. Under "C" Commercial 34 units could be constructed, but it would be impossible to put more than 21 units on the lot. Under the present zoning, 13 units could be constructed. The Director of Planning explained the recommendation that this zone not be changed, pointing out Oltorf was an inadequate street and could not be widened easily. The Council wanted to make a personal inspection of the area. Later in the meeting, Councilman Armstrong moved that the change be denied. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

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The Council recessed until 5:00 P.M.

RECESSED MEETING

5:00 P.M.

At 5:00 P.M. the Council resumed its business.

Councilman Shanks moved that the Council sell to the Gondolier Motor Hotel approximately 1.4 acres of land at the northeast corner of East Riverside Drive and Interstate Highway No. 35, subject to the right of the City to repurchase all of the property for the same price, if needed for public use, or to purchase any portion of it which is needed for public use at the same square foot price being paid for it, the price to be paid will be irrespective of any improvements; the conveyance to reserve such drainage and utility easements as the City may need, all subject to the Highway Department's approval. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager read a letter from MR. ROGAN GILES asking permission for DELWOOD CENTER, INC., to construct a restaurant at Blum Creek down lake just off of Riverside Drive. The building and work is to be according to plans by the architect, Mr. Winfred Gustafson, and the cafe will serve Polynesian foods. The City Manager read the report from the Town-Lake Study Committee recommending that underneath the raised part of the building that it be maintained and landscaped; that the area be attractive from the lake side; any future buildings be adequately separated; that a green belt be planted between the structure and

shore line; that the owners and architects explore the possibility of using concrete piers and assimilate wooden or rustic appearance for the Polynesian design; and if the owners anticipate any alteration of the shore line in a manner other than shown on the sketch, for future boat docks or landscaping, that the project be resubmitted to the Town Lake Committee. Councilman White moved that the City Manager be authorized to instruct the Building Inspector to issue a building permit. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman Perry

Mayor Palmer stated the Council should consider making a ruling prohibiting the throwing of cigarettes, bottles, etc., in the Colorado River.

The City Manager distributed copies of the "Status of Water and Sanitary Contract Projects as of September 1, 1962".

Councilman White inquired about the South Congress paving. The Director of Public Works stated this was a business route, and he would ask the Highway Department to pay 90%.

Mayor Palmer inquired about the reading of the bids which will be received on September 20th for the gas supply for the Power Plants. The City Manager stated all received would be opened and read no matter how much deviation there was; those received after 10:00 A.M. would be returned to the bidder unopened.

The City Manager stated the Director of Utilities had suggested that the electric industry be renotified of the City's offering for sale the obsolete equipment at Power Plant No. 1. He said they had sent out notices again; and had a reply from the International Power Machine Company making inquiries, and who said they would accept the price of \$2,000 for Turbine No. 4 and \$5,000 for Turbine No. 3 as per the list, terms cash without dismantling. Inquiry was made about Unit No. 2. He had an inquiry about the overhauling, etc., of Unit No. 3, but this person did not say he was willing to buy it at \$5,000. Councilman Shanks moved that the City Manager contact International Power Machine Company of Ohio and accept his offer to purchase these units. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

After explanation by the City Manager and discussion, Councilman White moved that the City Manager be authorized to enter into a contract with the MINNEAPOLIS HONEYWELL COMPANY for maintenance of the heating and airconditioning system at the Airport, for a five year term subject to cancellation. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

Councilman Perry moved that the tax appeal of THE CAPITOL AMUSEMENT COMPANY, by J. P. Darrouzet, be reset to be heard at 4:00 P.M. Thursday, October 11th. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman Perry moved that MR. COLEMAN GAY be appointed as an alternate member of the Board of Adjustment. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman White moved that MR. H. W. SAUER be appointed as a member of the Board of Adjustment. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager reported that MR. JAMES GARLAND MILLER had resigned from the Plumbing Board, as Licensed Journeyman Plumber. The City Manager had a recommendation from the Building Inspector that MR. BILLY GREEN who lives outside the City Limits, replace Mr. Miller as Journeyman Plumber, and he would appoint Mr. Green subject to confirmation by the Council. Councilman Shanks moved that the appointment of MR. BILLY GREEN be confirmed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated the Council had granted space assignments to CITADEL COMPANY to install a fuel line from Bergstrom Field to Airport Boulevard, but they had come in with a request for a rerouting of their line from Bergstrom Field up the east side of Airport Boulevard to Shady Lane, and then go up Shady Lane to Jain Lane and east on Jain Lane to a site they have purchased to use for a storage tank area. After discussion, Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of Citadel Transmission Corporation to construct and maintain a jet fuel pipeline along the hereinafter described space assignment be granted expressly subject to the hereinafter described conditions:

(1) Said jet fuel pipeline shall be constructed and maintained in compliance with all ordinances and laws relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin, and of the State of Texas, now existing or hereafter adopted.

(3) The repair and relocation of any and all utilities in the vicinity necessitated by the laying of said jet fuel line shall be done at the entire expense of Citadel Transmission Corporation.

(4) Citadel Transmission Corporation will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or in any manner connected with the construction or maintenance of said jet fuel line.

(5) Citadel Transmission Corporation will so install said jet fuel line as to provide a ground cover of not less than two and one-half feet or to such greater depths as may be necessary to avoid conflict with other underground utilities.

(6) In giving the space assignment herein described, the City of Austin does not make any representation that said space is or is not clear from other underground utilities or any other public or private improvement.

(7) The excavation in the streets, and the restoration and maintenance of said streets at the entire expense of Citadel Transmission Corporation shall be so accomplished as to conform to the standards and specifications of the Highway Department of the State of Texas and of the Public Works Department of the City of Austin.

(8) The City of Austin may revoke the permit at any time and upon such revocation, the owner of such jet fuel line and its appurtenances will remove the same and pay all costs and expenses attendant therewith.

(9) Said jet fuel line shall be constructed entirely within a five-foot space assignment, the centerline of which five-foot space assignment is described, for convenience, in three parts, to wit:

- (1) In SHADY LANE, from Airport Boulevard to Bolm Road, the centerline of which jet fuel line shall be 3.0 feet east of and parallel to the west property line of said SHADY LANE.
- (2) In SHADY LANE, from Bolm Road to Custer Road, the centerline of which jet fuel line shall be 20.0 feet east of and parallel to the west property line of said SHADY LANE.
- (3) In CUSTER ROAD, from Shady Lane to Jain Lane, the centerline of which jet fuel line shall be 5.0 feet south of and parallel to the north property line of said CUSTER ROAD.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

The City Manager stated REV. MARTIN E. RAMMING, pastor of Trinity Lutheran Church, was associated with a group that proposes to have a Seminar on the "Impact of Senior Citizens on Society" and he wanted the Council members to serve as pannel discussion leaders at this conference in February. As two of the Council members would be out of the city, and the others had a previous engagement, the Council had to decline the invitation.

The City Manager made a report from MUZAK one of the firms that installs these music systems, estimating the charge for installation in the City Hall at \$750, and for 80 speakers, a service agreement at \$49.50 a month. If the service is continued beyond five years, the service agreement would be \$27.50 per month. He stated MARLIN GROSS was also interested in making a proposal. It was suggested that the employees be polled to see if each wanted to contribute about 20¢ a month for this service.

Councilman Shanks 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 advertise for bids on the sale of Bonds of the City of Austin at 10:00 A.M., October 18, 1962, as follows:

Hospital Building General Obligation	
Bonds, authorized at an election	
May 7, 1946	\$ 100,000.00
Parks, Playground and Recreation	
General Obligation Bonds, authorized	
at an election August 6, 1960	150,000.00
Streets, Bridges, and Drainage	
General Obligation Bonds, authorized	
at an election August 6, 1960	<u>1,750,000.00</u>
General Obligation Bonds Total . .	\$2,000,000.00

Advertisements for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

The motion, seconded by Councilman Perry, carried by the following vote:
 Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
 Noes: Councilman Armstrong

The City Manager stated he would schedule a meeting with MR. TOM BRADFELD regarding the development of the Delaney Tract which he and his father control from the point of view of development; and if Mr. Bradfield wants to come before the Council, he would arrange a meeting for him.

The City Manager explained a situation concerning the extension of Ohlen Road from Lanier across the Southern Pacific Railroad Track, crossing the subdivision of Karl Wagner. The Council asked that Mr. Wagner be invited to meet with the Council on October 1st.

Councilman Perry asked that a daily list of the newspaper articles pertaining to the City be marked or that a weekly scrap book be kept of what has been in the paper during the past week, and that the Council look it over before it is put in the scrap book.

The City Manager stated it was hoped to proceed with the golf course this fall on the airport lands, and Mr. Eldridge will be asked to proceed with the planning and design of a storage building to be used for storing equipment, etc. This building will be on the west side of the tract south of the new Manor Road. Councilman Armstrong inquired about advising the Architect about preparing the greens, as those at the Country Club were not doing too well.

The City Manager read a letter from MR. JIMMY FARRELL, an electrical contractor, expressing appreciation of the manner in which the Electric Department had been operated, stating he had some differences of opinion during the past 25 years, but found it necessary to take a matter to the Electric Board only once.

The City Manager read a letter from the Housing and Home Finance Agency pointing out some items which will have to be submitted on recertification. He stated Austin had not been recertified, but he would get an answer to this agency.

The City Manager referred to a Memorandum from Chief of Police Miles regarding a suggestion made by Patrolman JACK LEO for dock lighting on Lake Austin. The Mayor asked that MR. JACK LEO be commended for taking his time and interest to write this suggestion. The Matter was referred to the Legal Department for preparing an ordinance. The City Manager suggested that where docks had been built previous to the requirement of obtaining a building permit, it might be well to provide that these docks also be lighted.

Councilman Armstrong inquired about the drainage of the Kingsbury property at 1519 Parkway; also the property of Mrs. Noble at 5803 Manor Road. The Assistant City Manager stated he had not received a report on either of these at this time.

Councilman Armstrong stated he was still getting complaints about parking spaces' not being large enough; that one man had to wait 45 minutes for someone to come out and move his car. The Assistant City Manager stated the Traffic Engineer had been asked to make a study on these and see what the cost for relocating the meters would be.

Councilman Armstrong referring to the intersection of Travis Heights Boulevard and Riverside Drive, asked that a study be made for taking the stop

signs from Riverside Drive and leaving them on Travis Heights Boulevard. Councilman White stated he was not in favor of that. The Mayor suggested that Mr. Klapproth go ahead and make the study. Councilman White stated he would take it up with him.

Councilman Perry said he had asked for a report on Voting Machines. The Assistant City Manager stated he had a complete report. Councilman Perry asked that it be brought in next Thursday.

Mayor Palmer read a letter asking that the thrashing of pecans on Barton Springs Road with big sticks and fishing poles be stopped.

Mayor Palmer read an answer to the Council's request for a performance by the USAF "Thunderbirds", the reply stating a firm schedule would be resolved this December and the request would be considered in the planning conference.

Mayor Palmer read a letter from Major Henry C. Castle, 9411th Air Force Reserve Recovery Squadron, expressing appreciation for the cooperative assistance received from COLONEL VANCE E. MURPHY and MR. AL BARTZ during the first annual tour of active duty as of September 9, 1962 on the Municipal Airport site.

The Mayor read a letter from MR. HENRY BECK asking the Council to consider the gas contract with Southern Union Gas Company, as if it lost a part of its revenue it would be inevitable that in order to still have a fair rate of return, the Company would be compelled to raise the rates for domestic and commercial users.

The Mayor read a letter from Major General Thomas S. Bishop, Adjutant General, regarding the construction of an Army National Guard Armory-shop-hangar facility, and the leasing of a site on the Austin Airport no later than October 1, 1962; as follows:

"11 September 1962

"Honorable Lester Palmer
Mayor of Austin
Municipal Building
Austin, Texas

"Dear Mayor Palmer:

"Reference is made to our prior conversations concerning the location of an Army National Guard helicopter facility on the Austin Municipal Airport.

"This is to advise you that the National Guard Bureau has again affirmed the availability of some \$460,000 plus of Federal funds for FY 1963 to be matched with \$48,000 of State of Texas funds for the construction of an Army National Guard armory-shop-hangar facility in the vicinity of Austin, Texas.

"Representatives of the Adjutant General's Department have visited the National Guard Bureau and agreement has been reached on the square footage and preliminary design concept for this facility. A copy of an initial concept (subject to final approval at National Guard Bureau level) is enclosed for your information.

"There are several factors involved which I would like to call to your attention:

"a. These Federal funds are on a first come-first served basis and are subject to reallocation to other States at mid-fiscal year (January 1963) if the programming for their use has not reached contractual stage. In this connection 90 days as a minimum is needed to develop working drawings while an additional 30 - 45 days is required for the bidding process. With these time factors in mind, it appears the site on the Austin Airport will need to be under lease to the State of Texas for this purpose no later than 1 October 1962. This will permit me to certify an adequate site is available for the project.

"b. The Texas National Guard Armory Board has approved the sum of \$48,000 State matching funds for the armory portion of the facility in accordance with the requirement that the State provide $\frac{1}{4}$ of the construction costs of armory construction.

"c. The architect-engineer contract (a required step in the project construction procedure) will require execution as soon as possible so that preliminary design can be undertaken and final concurrences of the National Guard Bureau obtained.

"While I do not wish to appear presumptive, nor overly aggressive in this matter, any delay on our part beyond 1 October will cause this project not to be in the contract phase by January 1963 and will seriously jeopardize the commitment of the Federal funds to this project.

"With best regards, I am

"Sincerely yours,
s/ Thomas S. Bishop
THOMAS S. BISHOP
Major General Tex ARNG
Adjutant General of Texas"

The City manager stated the Director of Public Works was getting field notes on the land to be leased, and there is an adjustment in the number of acres to be made. He discussed the airconditioning and heating of the proposed building.

Regarding the 51ST STREET CORPORATION zoning request made by Mr. Gibson Randle, the Director of Planning stated Mr. Randle is to come in to obtain a short form subdivision, and he would be required to dedicate on the short-form subdivision as a routine matter, the required right-of-way. The Zoning application is now pending.

The Mayor read a telegram inviting the City to send a representative to the Transportation Conference in Dallas on September 17th and 18th. He stated he would like to have the City Manager or someone attend this.

The Mayor inquired about the request from the Travis County Livestock Association. The City Manager stated the City would be interested in constructing a rather large facility which in turn could be used for many purposes rather than a once-a-year show, when it gets back in the bond sale status. The Coliseum is suitable for its activities, but an adequate building that would be large enough to accomodate several thousand people instead of several hundred is needed. Councilman Shanks asked that the Livestock Association be advised that if they wait, possibly more could be done for them.

The Mayor referred the invitation from the U.S. RESERVE CENTER to attend a meeting on September 18th to the City Manager.

The Mayor asked with reference to the Paving Report for August, which had been filed with the Council, if the resurfacing program was completed. The Director of Public Works stated this program had been completed, and there were 24 miles of this work done.

There being no further business, Councilman Shanks moved that the Council adjourn. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 8:10 P.M., subject to the call of the Mayor.

APPROVED

Lucius E. Palmer
Mayor

ATTEST:

Elsie Wooley
City Clerk

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City of Austin will be held on the 15th day of September, 1962, at the Municipal Building, Eighth and Colorado, in Austin, Texas, at 12:00 Noon for the purpose of considering gas contract specifications for which bids are to be opened September 20, 1962.

s/ Elsie Woosley
City Clerk

s/ Lester E. Palmer
Mayor
City of Austin, Texas

ATTEST:

s/ Elsie Woosley
City Clerk

CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and place therein named, and for the purpose therein stated.

s/ Edgar Perry

s/ L. F. Shanks

s/ R. C. Armstrong

s/ Ben White