

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 27, 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 FATHER JOSEPH SCHMITT, St. Louis Church.

The Council honored MRS. FRED (BESS) BEEMAN as she is leaving the City employ. Mayor Palmer reviewed the many activities in which Mrs. Beeman had participated since 1933, stating she had done an excellent and outstanding job at the City Hall, particularly in her publication of the "MUNICIPAL". He presented her a certificate for her years of service with the City of Austin. The Mayor read a telegram from CONGRESSMAN HOMER THORNBERRY expressing regrets he could not be present to pay tribute to Mrs. Beeman. MRS. THORNBERRY commended Mrs. Beeman highly. The Mayor read a telegram from VICE PRESIDENT and MRS. LYNDON JOHNSON stating they could not be present at this ceremony. MRS. TOM MILLER, COUNCILMAN BEN WHITE, MR. JOHN A. BASFORD, MR. W. T. WILLIAMS, JR., expressed commendations of MRS. BEEMAN'S fine work with the City and appreciation for the help she had been to all, and wished her well in her new endeavors. MRS. BEEMAN thanked all who had taken part and come to this ceremony in her honor. Mayor Palmer recognized MR. HIRAM MILLER, MRS. DAN SHELTON, SENATOR HERRING, MR. JESS KELLAM, MR. WILLARD DEASON, and MRS. OLGA BREIDT who had come to honor Mrs. Beeman in this ceremony.

Former COUNCILMAN HUB BECHTOL appeared before the Council, introducing the Austin Aqua Festival Queen for 1963, MISS LINDA PRENTICE. The Mayor complimented those who had done such outstanding work on the Austin Aqua Festival in making it the success it was. Mr. Bechtol stated dates had been set for 1963--August 9th through the 18th. After 1963, the Festival will begin on the first Friday of each August, and stated Austin was not only the Convention Center of Texas, but was becoming known as the Water Section of Texas. Councilman Perry moved that the official dates for the 1963 AUSTIN AQUA FESTIVAL be established as August 9th through the 18th. The motion, seconded by Councilman

Armstrong, carried by the following vote:

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

MRS. OTTO HOFFMAN appeared before the Council with a group interested in one mile of sidewalks around each elementary school. She reported her inability to obtain 51% consent of the property owners in the block she was to contact as a pilot project; as after she had contacted them and sent letters, she received only two replies out of 18, one being for sidewalks and the other being "maybe". She read a "Letter to the Editor" by MR. J. DAVID GAVENDA, 6002 Nasco Drive, published September 27th. Mrs. Hoffman was particularly interested in sidewalks on South 1st Street leading to Molly Dawson School. The Mayor noted that on the Casis sidewalk situation, one group raised the money for the sidewalks, but there were many objections on the part of the property owners who did not want sidewalks in front of their homes even if someone else paid for them. He stated all of the Council were concerned about the safety of the children and all, and they were doing everything to enforce the laws. He was interested in the report from Mrs. Hoffman on how much interest she had been able to work up in her pilot area, and found there was not much response. MR. DAVID BARROW, Chairman of the Planning Commission, stated there had not been too much demand for sidewalks except in the last few years when the number of school children had increased. As to providing sidewalks in new areas, he as a developer would abide by any rules and regulations the Council established. He pointed out the disadvantages of sidewalks in some areas where the terrain was irregular and hilly. He stated he was personally convinced that sidewalks in many parts of town would not be used enough to justify the expense to pay for them. MR. E. H. SAULSON, Director Emeritus B'Nai B'Rith Hillel Foundation, stated sidewalks could be provided in new subdivisions by ordinance; that Austin was a place for people to retire, and those people needed sidewalks as well as the children; and he asked since the Council made rules for traffic and automobiles why it could not do something about human traffic on foot. Mayor Palmer read a telegram from Mrs. Jim Sparks stating Austin gave the children the best in recreational, cultural and educational facilities, and how could their physical safety be neglected. MRS. JIM LINDEMAN, President Casis P.T.A., stated one mile of sidewalks for the schools is a drop in the bucket, and it is going to be necessary to revise the ways of taxing people. She referred to the garbage service fee which she said was passed when the City decided it needed more funds. She suggested an ordinance to provide for sidewalks and make it a long project. MRS. JACK RUTLEDGE stated if this went through they would have to build sidewalks on both sides of their property, and they would be glad to build two sidewalks. She suggested if sidewalks followed the corners, there would not be any more blind corners, and safety would be increased. Sidewalks would benefit older people. One citizen suggested sidewalks constructed out to the street, as it would be cheaper. MRS. PENNINGTON inquired about the playgrounds, stating the one at T. A. Brown School was surrounded by very busy curved streets. MR. STEWART NORRIS stated a sampling of the people of Austin were present and the few numbers were representing the masses. He said the sidewalks in place were being used, contrary to Mr. Barrow's remarks, and suggested a long range program to get them constructed like San Antonio did. He suggested starting out with a mile, and assessing people, stating if fire plugs were needed on someone's lot, it was placed there. He stated this was a representative group wanting sidewalks. One gentleman stated the cost was prohibitive; and he was not saying wait until a child was killed to put in a mile of sidewalks, but he asked where had there been accidents in the City of Austin.

MR. JAMES CRAIG, Professor, suggested doing something where the City would carry the cost of the sidewalks put down in front of people's property and the rest of the citizens making personal use of them, and sharing the cost through some sort of bond program. MRS. STEWART NEEDLES, JR., just recently moved into Austin, suggested that a provision be made in the building code that sidewalks would be constructed, and that is something that could be started right now. MRS. NEIMIER favored sidewalks. MRS. ANDERSON stated she did not think anyone would vote against the safety for the children, and suggested this be given serious consideration. One citizen stated there seemed to be concern about what the property owners thought, but there was no question when the garbage fee went in. DR. WALTER LONG favored sidewalks everywhere, but in some areas, it would not do any good to put sidewalks in due to the grade. MRS. REED from Norfolk, Virginia, said in that city if the City declared a street to be a major access route, sidewalks were required, and the property owners paid a portion. Those wanting sidewalks otherwise would petition, if they had 75 or 80% of the property owners' consent. One citizen stated it seemed the 51% in Austin had not worked out, and asked that a new policy for putting in sidewalks be instigated, stating also this was something the city as a whole should pay through taxes rather than assess the property owner. MR. PETE BORG stated he did not want to listen to attacks on the Council. It was elected by the majority of people and it has to stand for election. He did not believe 51% of the people wanted sidewalks. MRS. CHAPMAN who had been injured stated had there been sidewalks she would not have been struck and injured. The Mayor explained different points mentioned. The City Manager reviewed the provisions of the existing ordinance which regulates the installation of sidewalks. He recommended making a study of the sidewalk ordinance and liberalizing the rigid set of rules whereby the location of the sidewalks could be varied in the area, and the width could be reduced from 54"; and the installation of the sidewalks could be made without destroying trees, and the cost could be reduced. He stated he believed if they could come up with an ordinance with less rigid requirements, there would not be so much opposition to the installation of sidewalks, and requirements could be set up for sidewalks in the future on new subdivisions. After some of the problems which cause people to oppose sidewalks are removed, maybe there would be more sidewalks. Councilman Perry moved that the City Manager be requested to make a complete study of the problem and come up with what solutions he can to ease the situation. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Mr. Barrow stated unless the city participated in the cost of the development on some basis, it would make it more difficult to subdivide areas in the poorer sections of the city. More discussion followed, the group wanting a vote this date, and discussing a referendum. Councilman Perry made a statement concerning the hearing. He stated if any motion ever came before this Council to have an election on sidewalks he would vote for it; if any motion ever came before this Council to have a bond election to see if the people were willing to vote the bonds for sidewalks, he would vote for it, as his favoritism for sidewalks was the same as those present. He stated he did not know if it would be right to make all the people in the City pay for sidewalks for those who had children, he would not vote "yes" on that. He would vote for sidewalks. He suggested that those interested in the safety to contact the Citizens Safety Council, of which Mr. Forest Pearson was President, and become members of the organization and go to work on this problem. Councilman Armstrong suggested

the nucleus present was a good organization to join with the Citizens Safety Committee. He suggested that from the response on the sidewalks, it might not be best to submit the matter to the vote of the people; as from the results Mrs. Hoffman had, the vote would fail. He stated there were problems to be worked out in all areas of the City, and the Council had voted to study it and he did not know what else could be done right now. Councilman Shanks stated the Council could not do anything today, as it had asked Mrs. Hoffman to make this test-run and she is reporting back today, and the City Manager had been asked to make a report back, and the Council was right on schedule. Councilman White stated the Council had made some progress this morning, and had turned the matter over to the City Manager who would make a study and recommendation. When the recommendation comes in, the Council will try to work it out. The City Manager stated it would take him about a month or so to have this information.

Councilman White moved that the Minutes of the Meeting of September 20, 1962, be approved as corrected to show Councilman Perry's negative votes on two zoning ordinances, and to show a corrected cost of 45th Street railroad crossing. 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 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH AUSTIN DEVELOPMENT CO., LTD. FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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 Armstrong, 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 Armstrong, 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 Armstrong, 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.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF AUSTIN, TEXAS, FOR THE YEAR 1962, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

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.

The City Manager submitted the following:

"September 20, 1962

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Requisition No. 0008X - 65510; Bids received on Sludge Removal Equipment (two (2) units). Bids received by the Purchasing Agent at 10:00 A.M., Monday, September 17, 1962.

"The purpose of the proposed sludge removal equipment is to replace existing obsolete, inefficient and badly deteriorated equipment in two of the seven final settling tanks at the Sewage Treatment Plant.

"Our estimate of the cost of the subject equipment was \$32,000.00. Essentially identical equipment was purchased by the City in 1957 for \$30,265.00.

"The 1962-1963 budget provides for the purchase and installation of the subject equipment.

"Following is our tabulation of the bids received:

<u>"Bidder"</u>	<u>Bid Price (Two Units)</u>	<u>Shipment (Days)</u>
Walker Process Equipment, Inc. Aurora, Illinois	\$28,478.00	130
Dorr-Oliver Incorporated Stamford, Connecticut	28,600.00	115
Process Engineers Division The Elmco Corporation Salt Lake City, Utah	30,550.00	140
Chain Belt Company Milwaukee, Wisconsin	32,971.00	98
Infilco Incorporated Tucson, Arizona	35,717.00	147

"All above bid prices are f.o.b. cars, Austin, Texas.

"The Walker Process Equipment, Inc. low bid is on equipment which meets our specifications.

"Recommendation: It is my recommendation that the Walker Process Equipment, Inc. low bid in the amount of \$28,478.00 be accepted.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 17, 1962, for the furnishing of two (2) units of sludge removal equipment for the Sewage Treatment Plant; and,

WHEREAS, the bid of Walker Process Equipment, Inc., in the sum of \$28,478.00, was the lowest therefor, and the acceptance of such bid has been recommended by the Purchasing Agent 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 Walker Process Equipment, Inc., in the sum of \$28,478.00, 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 enter into a contract, on behalf of the City, with Walker Process Equipment, Inc.

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 13.3 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE WILLIAM BARTON LABOR AND HENRY P. HILL 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 ordinance was read the second time and Councilman Shanks 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

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 0.11 OF ONE ACRE OF LAND, SAME BEING A PORTION OF ALLANDALE TERRACE SECTION 2, PHASE 5, 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 Shanks 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

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 0.241 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF PARK FOREST, SECTION 7, A SUBDIVISION OF A PORTION 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 Shanks 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

Mayor Palmer brought up the following ordinance for its third 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 28.50 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS 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 ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. 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 ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third 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 1.145 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY WARNELL SURVEY NO. 2, 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 third time and Councilman Shanks moved that the ordinance be finally passed. 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 ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its third 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 0.84 OF ONE ACRE OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 18, 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 third time and Councilman Shanks moved that the ordinance be finally passed. 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 ordinance had been finally passed.

The City Manager submitted the following:

"September 25, 1962

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

"Dear Mr. Williams:

"Sealed bids were received until 10:00 A.M., Tuesday, September 25, 1962, at the Office of the Director of Water and Sewer Department for the construction of an 8-inch Sanitary Sewer Main in East 41st Street from East Waller Creek to the East line of Red River Street. The bids were then publicly opened and read in the Council Room, First Floor, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Bland Construction Company	\$10,584.25	60
Austin Engineering Company	15,569.00	50
Karl Wagner, Incorporated	16,568.25	45

"It is recommended that the contract be awarded to the Bland Construction Company on their low bid of \$10,584.25 with 60 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr., Superinten-
dent 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 25, 1962, for the construction of an 8-inch sanitary sewer main in East 41st Street, from East Waller Creek to the East line of Red River Street; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$10,584.25, was the lowest bid therefor, and the acceptance of such bid has been recommended by the Director of 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 Bland Construction Company, in the sum of \$10,584.25, be and the same is hereby accepted, and that W. T. Williams, Jr., be and he is hereby authorized to execute a contract, on behalf of the City, with Bland Construction Company.

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

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

Noes: None

The City Manager submitted the following:

"September 21, 1962

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

"Dear Mr. Williams;

"Sealed bids were received until 11:00 A.M. Friday, September 21, 1962, at the Office of the Director of the Water and Sewer Department for the Construction of 15, 12, and 8-inch Concrete Sewer Lines and Appurtenances in Buttermilk Creek from Little Walnut Creek to East Purnell Street. 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>
Austin Engineering Company	\$162,771.60	180
Bland Construction Company	163,032.50	180
Karl Wagner, Incorporated	184,664.80	400
Walter W. Schmidt Company	216,443.43	250
J. R. Barnes Engineering Company	228,107.86	250

"It is recommended that the contract be awarded to Austin Engineering Company on their low bid of \$162,771.60 with 180 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 21, 1962, for the construction of 15, 12, and 8-inch concrete sewer lines and appurtenances in Buttermilk Creek, from Little Walnut Creek to East Purnell Street; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$162,771.60, was the lowest bid therefor, and the acceptance of such bid has been recommended by the Director of 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 Austin Engineering Company, in the sum of \$162,771.60, 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 Austin Engineering Company.

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

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

Noes: None

The City Manager submitted the following:

"September 25, 1962

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

Construction of Storm Sewers

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, September 25, 1962, for the construction of storm sewers in Red River Street Easement No. 1, Clarkson Avenue, Red River Street Easement No. 2 and Interstate Highway 35.

"Ed H. Page	\$22,075.00
Joe Eland Construction Company	28,263.10
Karl Wagner, Inc.	38,625.00
Austin Engineering Company	47,187.10
Walter W. Schmidt	57,734.00

"City's Estimate	\$27,564.50
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"I recommend that Ed H. Page with his low bid of \$22,075.00 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 25, 1962, for the construction of storm sewers in Red River Street Easement No. 1, Clarkson Avenue, Red River Street Easement No. 2 and Interstate Highway 35; and,

WHEREAS, the bid of Ed H. Page, in the sum of \$22,075.00, was the lowest bid therefor, 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 Ed H. Page, in the sum of \$22,075.00, 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 Ed H. Page.

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

The City Manager submitted the following:

"September 25, 1962

"W. T. Williams, Jr., City Manager Assessment Paving Contract No. 62-A-15

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, September 25, 1962, for the construction of approximately twenty-seven (27) blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-15, consisting of 13 units.

Werneburg Construction Company	\$66,546.57
Lee Maners	68,737.70
R. B. Bowden Construction Company	69,910.52
Raymond Canon Company	73,826.46
Ed H. Page	75,334.00
Giesen & Latson Construction Company, Inc.	78,420.30
City's Estimate	\$71,828.27

"I recommend that Werneburg Construction Company with their low bid of \$66,546.57 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 25, 1962, for the construction of approximately twenty-seven (27) blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-15, consisting of 13 units; and,

WHEREAS, the bid of Werneburg Construction Company, in the sum of \$66,546.57, was the lowest therefor; 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 Werneburg Construction Company, in the sum of \$66,546.57, 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 Werneburg Construction Company.

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

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps of plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in MIDDLE FISKVILLE ROAD from Airport Boulevard northerly 506 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said MIDDLE FISKVILLE ROAD.

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

- (2) A gas main in AIRPORT BOULEVARD from Middle Fiskville Road westerly 522 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said AIRPORT BOULEVARD.

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

- (3) A gas main in BURNET LANE from a point 1,185 feet north of Payne Avenue, northerly 455.0 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said BURNET LANE.

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

- (4) A gas main in HARDY DRIVE from a point 115 feet north of Burbank Street, northerly 258.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said HARDY DRIVE.

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

- (5) A gas main in REDLANDS STREET from Hardy Drive easterly to Yates Avenue, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said REDLANDS STREET.

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

- (6) A gas main in SHOALWOOD AVENUE from Crestmont Drive northerly 43.5 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SHOALWOOD AVENUE.

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

- (7) A gas main in CRESTMONT DRIVE from Shoalwood Avenue easterly 133.5 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CRESTMONT DRIVE.

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

- (8) A gas main in CRESTON LANE from Marcell Street easterly to Guadalupe Street, the centerline of which gas main shall be 6.50 feet south of and parallel to the north property line of said CRESTON LANE.

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

- (9) A gas main in DELAFIELD LANE from Marcell Street easterly to Guadalupe Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said DELAFIELD LANE.

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

- (10) A gas main in MARCELL STREET from Delafield Lane northerly to Morrow Street, the centerline of said gas main shall be 6.5 feet west of and parallel to the east line of said MARCELL STREET.

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

- (11) A gas main in LAMAR BOULEVARD from a point 118.0 feet north of West 19th Street northerly 518.0 feet,

the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said LAMAR BOULEVARD.

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

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

The City Manager read a resolution adopted by the AUSTIN AREA GARDEN CENTER, INC., as follows:

"R E S O L U T I O N"

"WHEREAS, the gardeners of Austin have organized the Austin Area Garden Center, Inc. for purposes set forth in the constitution: "The purpose of this organization shall be a benevolent, charitable, and educational undertaking, as is authorized by the Laws of the State of Texas, to promote the education of citizens in the art of gardening for the beautification of homes and the countryside; to do all things incidental or necessary for the accomplishment of said purposes; to conserve native flowers, shrubs, and trees, and protect wild life; to promote recreational opportunities through the media of gardening and outdoor life; and to solicit funds for said purposes."

"WHEREAS, after accumulation of funds over a six-year period, we now have a sufficient amount to construct a building.

"WHEREAS, to fulfill the purposes of the organization, it is necessary to construct this building in a public park rich in native shrubbery and beautiful trees.

"WHEREAS, several years ago a former city council gave its tentative approval to the concept of a garden center in Zilker Park.

"THEREFORE, the Board of Directors of the Austin Area Garden Center, Inc. unanimously request the City Council of the City of Austin to permit the construction of a building of approximately 4,200 square feet in Zilker Park in an area to be known as the Zilker Municipal Gardens.

"It is recognized that this will be a part of the recreation and park system of the City of Austin. Therefore, we suggest that the Zilker Municipal Gardens and the Austin Area Garden Center building be jointly operated by the City of Austin Recreation Department and the Board of Directors of the Austin Area Garden Center, Inc. according to policies approved by the City Council.

"The first and primary use of the Center building shall be to carry out the functions of the Garden Clubs who are members of the Austin Area Garden Center, Inc. The following are general objectives of the civic, the floriculture and horticulture program to be conducted at the Garden Center by the Austin Area Garden Center, Inc. This program will be planned and conducted by the Board of Directors of the Center with technical assistance by the staff of the Recreation Department and volunteer specialists.

- "1. Civic beautification.
2. Gardens that can be viewed from the drives in Zilker Park, including rose gardens, cattus gardens, iris gardens, etc.
3. Preservation of native plants and flowers.
4. Examples of different types of landscaping.
5. Example of what grows in the shade, the sun, and combination of the shade and the sun.
6. A place where newcomers can learn from those of experience what grows well in Austin.
7. A place for the residents of Austin to observe the best in horticulture.
8. Development of test gardens.
9. A center which can be used as an outdoor laboratory for botanical study by students from the Austin schools and the University of Texas.
10. A place to meet and work together.
11. A place for a library on gardening.
12. A place to hold flower shows.

"ADOPTED: September 25, 1962

"APPROVED:

Austin Area Garden Center, Inc.
W. D. Blachly, President"

The Director of Recreation submitted a recommendation on the operating policies of the Austin Area Garden Center, as follows:

"OPERATING POLICIES OF THE AUSTIN AREA GARDEN CENTER

- "1. The first and primary use of the Center building shall be to carry out the functions of the Garden Clubs who are members of the Austin Area Garden Center, Inc.

- "2. The gardens shall be open to the public without charge daily, weather permitting, except Christmas and New Years Day.
3. The Center building shall be open to the public and club groups for events of a cultural and educational nature such as:
 - a. Garden Club meetings
 - b. Flower shows
 - c. Art shows
 - d. Music recitals
 - e. Antique shows
 - f. Hobby shows, i.e. stamp, coin, and rock
4. All reservations for use of the building shall be made through the office of the Recreation Department until such time as they may be made more efficiently at the Garden Center.
5. No group other than a garden club may make a standing reservation for use of the building.
6. When a group has reserved the building it shall be considered a closed function and not open to the general public.
7. When the building is reserved by a group other than a member garden club there shall be a \$10.00 service fee for a three-hour period and \$3.00 for each additional hour. If a fee is charged for admission, the service fee shall be \$35.00.
8. When the building is reserved by a member garden club there shall be no charge unless a caretaker is required to be present to open and secure the building and the grounds. Then the fee shall be \$5.00 for two hours and 50¢ for each quarter of an hour the caretaker is required.
9. The service fee shall be paid to the City of Austin via the Recreation Department."

He said this activity would influence a lot of people in Austin. He stated the City's cost would be about a \$10 to \$12,000 a year operation. Councilman Armstrong and Mayor Palmer inquired about charging a fee. The City Manager stated this program had as many people interested in it as any other activity, and he recommended adding this to the Recreation program. Councilman Shanks inquired as to what the Garden Clubs' annual contributions would be. After more discussion, Councilman Shanks moved that the City Manager be instructed to enter into a tentative agreement whereby it would be finalized at some future date. 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 an architect had been employed to design a golf course on the tract of land purchased to the east of the Airport for a clear zone; and construction of the golf course had been postponed last fall with the understanding that when it was ready for construction, he would be employed on a monthly basis to supervise the contract. He reviewed the litigation involving the Hancock Tract and the results. He said the property was jointly owned by the City and the U.S. Government, and he did not think there would be as much likelihood that a Court would hold that as having become dedicated so that the use could not be changed. Since the golfers are anxious to get started, he recommended proceeding with the contract with MR. LEON HOWARD for construction of the golf course. Along with the

construction of the golf course was the matter of a maintenance shop, storage shed, and some sort of a pro shop, a concession stand, and a small dressing area. The Director of Recreation described briefly the proposed club house, and displayed a sketch. After discussion, Councilman Perry moved that the City Manager be authorized to proceed further with the preparation for building the golf course on the clear zone land with the understanding it is a temporary use of that property until such time it is needed for airport purposes. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

The City Manager pointed out another question involving the matter of construction of the golf course, and that was the watering system. He described the newer method of automatic operation, which is more expensive, but the manufacturers claim the additional costs will be made up in the savings in the operating expense. He said he had asked the Director of Recreation to explore this sprinkling system more thoroughly; and then as the contract work gets under way the decision will have to be made, which would be in the next few months. He stated he needed a decision on proceeding with the work and what to do about the Club House. The Mayor stated the motion covered the Club house and tool house also.

The City Manager discussed a lease made with the National Guard Armory Board, a corporation, in whose name the Armory would be built and then be leased to the Adjutant General's Department. The Adjutant General would have this helicopter unit and other air force units of the National Guard training at the Armory. The City Manager made a report on the extension of utility services to this area, and explained provisions the National Guard Board proposed in the lease. After discussion, Councilman Armstrong moved that the National Guard Armory Board be advised that water, electricity, and sanitary sewer services can be made available to the proposed Armory building, and will be made available upon the same terms that they will normally be available to other users. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Perry moved that the execution of the lease be authorized subject to the approval of this lease and of any structures that may be placed on the lease-hold, by F.A.A. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated MR. J. J. NOVERSIDE from Gonzales, representing the Smith Meat Company, had indicated an interest in acquiring the Abattoir, but did not make a proposal. Councilman Perry stated he could be told that the Council would listen to any firm proposal with earnest money attached.

The City Manager stated sometime back property on Peyton Road between Lamar and Burnet had been considered for a District Park. The owner wanted \$2,500 an acre. The Parks and Recreation Board suggested that rather than spending money for that priced land, to acquire a few acres next to a school site and develop a neighborhood playground in the vicinity and go on out in the Walnut Creek area and acquire a larger tract which could be made larger than a District park. The first tract belonged to Mr. R. C. Ammons, Jr. The City Manager stated some property might be available in the other area for the larger park. The Mayor suggested advising Mr. Ammons they were not interested in his proposal; if they could acquire land at \$1,000 an acre they would be interested.

The City Manager discussed a meeting he had with the developers of the Delaney tract regarding the extension of the Missouri-Pacific Boulevard southward. The Bradfields are developing this huge tract and have submitted a route for this extension, and it has been approved as a future thoroughfare of 200' right-of-way. He explained the policy for acquiring right-of-way, stating the city will pay the subdivider raw land value for additional width over 70'. He submitted Mr. Bradfield's proposal of selling the right-of-way for his cost, as it would be cheaper than the 130' at the present appraised value. He stated Mr. Bradfield had no objections to passing an ordinance on the first reading to annex this property. The City Manager explained there would be no obligation on the City's part to improve the right-of-way. The Mayor asked that the right-of-way and field notes on the perimeter area be brought in so that annexation could be started the same time the decision on the right-of-way is made.

MR. RICHARD BAKER, representing a number of individuals and corporations who own apartment houses throughout the city, stated they were concerned about the garbage collection procedure as to how they come within this procedure and the prices they have to pay. His conclusion was that the apartment house could be a commercial classification where the owners could negotiate with the city or contract with private haulers. He stated the apartment owners were asking that the ordinance be amended to provide this option. One particular apartment owner was more interested in having someone police the area for him, and clean the cans than he was the payment for having the garbage taken off. The Administrative Assistant reported most of the complaints received had come from small apartment units up to ten units. Councilman Perry suggested that the Council say it is disinclined to change the procedure. All favored that except Councilman Shanks who thought some modification should be made for the number of vacancies in the apartments. The Mayor stated the Administrative Assistant had some items to discuss with the City Manager, and then the Council wanted to get into the matter of licensing these people who are contracting for hauling garbage from commercial establishments. The Mayor stated the Council would ask the City Manager to come up with a recommendation.

The City Attorney reported there were two houses, one in the right-of-way of Trinity, which will have to be moved, and the other in the right-of-way of 38th Street cut-off at Crawford and 37th Streets. It was his recommendation that the house on Trinity be sold, and he asked for authority to advertise it for sale. Councilman Armstrong moved that the Council authorize the sale of this house on the Trinity Street right-of-way (the Scott house). The motion, seconded by

Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, White, Mayor Palmer

Noes: None

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

Councilman Perry moved that the City Manager be authorized to move the house on Crawford and 37th Street and rent it as suggested. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, White, Mayor Palmer

Noes: None

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

The City Attorney displayed a sketch of the property owned by Henry Sasse on Ben White Boulevard, and the city property adjoining. He listed the appraisals of the Sasse property and the combined Sasse property and city land, and recommended the sale of the city lots at \$2,000. Councilman Perry moved that the City Manager be authorized to sell this property for \$2,000. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Noes: None

The City Manager stated that on the property at 45th and Duval, the City had two tenants. In widening of the street, the parking space on the north side of the building is being taken out. It was suggested that parking area be improved on the east and south sides of the building. Councilman White moved to proceed with developing this parking area. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Noes: None

Councilman Armstrong inquired about the bond of Mr. John C. Ross in the repair work of his awning. The City Manager gave a report that the work would be done at night when there was no pedestrian traffic, and there would be no bond required.

After discussion, Councilman Shanks moved that the checks be mailed to the members of the Board of Equalization for the service rendered. The motion, seconded by Councilman Perry, carried by the following vote:

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

Noes: None

The Council discussed the request of Dr. E. H. Givens to take the penalty and interest off of some back taxes on property he was acquiring. It was explained this could not be done.

The City Manager stated he wanted to make a recommendation to the Council later concerning some changes in the policies in the matter of delinquent tax collections on homesteads.

The Mayor reported Mr. W. C. Long, 2700 Rock Terrace Drive, had stated he was receiving a water bill for only the minimum and he had asked that this be checked and it was found the meter was all right. He is still getting a bill for only the minimum.

The Mayor reported a drainage problem of MR. WRAY WEDDELL on Allandale Road. The Director of Public Works made a report on this. The Mayor asked that he call Mr. Weddell and let him know there is nothing the City can do about it.

The City Manager made a report on the lease with the Red Cross. The Assistant City Manager stated they were looking for a 100 x 150' tract and want a 50 year lease, as they are considering building a permanent building for the Red Cross and a regional center to serve seven counties. He proposed that another piece of City property might be more suitable. The Mayor asked him to look over some of the property and see if a suitable location could be selected if possible.

The City Manager reported a number of calls complaining of parking on thoroughfares, particularly Red River, had been received. The thoroughfares have become crowded with parking because of the apartment houses. Calls and letters asking that parking be prohibited are coming in. He listed one complaint regarding the apartments on Windsor Road and 13th, and stated there were others. He stated administratively he could have no parking up and down the thoroughfares. The Mayor suggested that it not be done on a blanket basis but that a study be made, as it would result in the cars being parked on the side streets. The City Manager stated parking would not be prohibited on all of the streets around the apartments, but on thoroughfare streets in order to keep them open.

The Mayor announced that the City National Bank had lost two parking meter spaces (hooded meters) when the parallel parking was set up, and that Mr. Luedecke had asked for five. The Mayor asked that a check be made to see if Mr. Luedecke could be given two more hooded meters.

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

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

The Council adjourned at 7:30 P.M., subject to the call of the Mayor.

ATTEST:

Elmer Rossley
City Clerk

APPROVED

Luella E. Palmer
Mayor

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 1st day of October, 1962, at the Municipal Building, Eighth and Colorado, in Austin, Texas, at 10:00 A.M. for the purpose of hearing and considering tax appeals.

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/ R. C. Armstrong

s/ Louis Shanks

s/ Ben White