

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 21, 1961  
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. B. L. McCORMICK, Grant Chapel, AME.

Councilman White moved that the Minutes of the Meeting of September 7, 1961, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

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

Clarification of name was noted by Councilman Perry.

MR. LEE PHILLIPS, Austin Industrial Seminar, personally invited every Council member to the Seminar to be held Saturday, and explained the program of the industrial seminar, and listed the outstanding speakers. He introduced MR. ERNEST WOOD, Chairman of the Seminar. The Mayor thanked the Jaycee members for coming down and congratulated the Junior Chamber of Commerce for taking on this very important project, and stating that all would support it.

MR. BOW WILLIAMS mentioned the Telephone Company's request to eliminate the four-party lines, and stated not much publicity had been given to this; and he did not think this action of taking away the 4-party lines would encourage people to come into Austin, particularly the retired people. He stated the Telephone Company did not offer a metered rate to take the party lines' place.



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.

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the east side of Gunter Street as a private gasoline plant consisting of two 3,000 gallon underground tanks and one electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Polar Ice Cream & Pure Milk Co., and is Tract # 1 out of Outlot 49, Division A (200 x 229.13), of the City of Austin, Travis County, Texas, and hereby authorizes the said Polar Ice Cream & Pure Milk Co. to operate a private gasoline plant consisting of two 3,000 gallon underground tanks and one electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Polar Ice Cream & Pure Milk Co. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
September 20, 1961

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

"Dear Sir:

"I, the undersigned, have considered the application of Polar Ice Cream & Pure Milk Co., by their agent, A. J. McCarley, for permission to operate a private gasoline plant consisting of two (2) 3,000 gallon underground tanks and one electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the east side of Gunter Street, which property is designated as Tract # 1 out of Outlot 49, Division A (200 x 229.13) in the City of Austin, Travis County, Texas, and locally known as 1135 Gunter Street.

"This property is located in a C Commercial District and I recommend that this permit be granted subject to the following conditions:

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

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

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

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

"Respectfully submitted,  
s/ Dick T. Jordan  
Building Official"

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

The City Manager submitted the following:

"September 15, 1961

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, September 15, 1961, at the Office of the Director of the Water and Sewer Department for the construction of Little Walnut Creek Sanitary Sewer, Section III, from Old Manor Road to U. S. Highway 290. The bids were publicly opened and read in the Second Floor Conference Room, 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	\$196,753.30	260
Austin Engineering Company	214,351.26	180
Wagner-Wehmeyer Company, Incorporated	219,338.80	200
Fairey-Simons Company, Incorporated	288,917.00	300

"It is recommended that the contract be awarded to the Bland Construction Company on their low bid of \$196,753.30 with 260 working days.

"Yours truly,  
s/ S. A. Garza, 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 15, 1961, for the construction of Little Walnut Creek Sanitary Sewer, Section III, from Old Manor Road to U. S. Highway 290; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$196,753.30 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, 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 \$196,753.30 be and the same is hereby accepted and 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 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 12, 1961

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

"Dear Mr. Williams:

"Sealed bids were received until 2:00 P.M., Tuesday, September 12, 1961, at the

Office of the Director of the Water and Sewer Department, for the construction of an 8-inch sanitary sewer main in Manor Road Addition. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
J. R. Barnes Engineering Company	\$6,166.60	30
J. W. Fainter	6,617.15	35
Fairey-Simons Company, Incorporated	6,866.60	30
Bland Construction Company	7,057.55	40
Wagner-Wahmeyer, Incorporated	8,315.30	35

"It is recommended that the contract be awarded to the J. R. Barnes Engineering Company on their low bid of \$6,166.60 with 30 working days.

"Yours truly,  
 s/ S. A. Garza, 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 12, 1961, for the construction of an 8-inch sanitary sewer main in Manor Road Addition; and,

WHEREAS, the bid of J. R. Barnes Engineering Company in the sum of \$6,166.60 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, 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 J. R. Barnes Engineering Company in the sum of \$6,166.60 be and the same is hereby accepted and 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 J. R. Barnes 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 stated one section of Little Walnut Creek Line was already under contract, and these two contracts just authorized will be the second section. The third section will be advertised soon. The City Attorney stated there was one property owner who was holding up an easement, and is persuading others not to give easements. The City Manager stated when the Walnut Creek line was in, work could begin on Buttermilk Creek, which is in the design stage now.

The City Manager stated that since the development of the Berkman Tract of land would involve the creation of some streets, some of which the City needed in order to serve the park area, it was thought it would be well to consider just what part of the work involved the City could assume, so that it could be made clear to the people who were bidding what the City would do and what a developer would be expected to do when he bought the property and attempted to develop it. The City Manager listed the several items, and pointed the projects out on a plan under which the property could be developed, and one which the Planning Department says would be a satisfactory plan, but not requiring the subdivident to be bound by these specific layouts.

- (1) Matter of development of dedicated street running approximately 125' west from Waterbrook Street into the tract. The City Manager said the subdivident could be assured that this street will be paved at no expense to him, and the City would assess the two abutting property owners on the usual basis. Estimated cost \$1,000.
- (2) Drainage ditch from Rogge Lane to Westminster Drive. It was the City Manager's recommendation that the developer do the channel work, as that is customary in a subdivision. Estimated cost \$2,400.
- (3) Construction of a culvert or pipe to cross the street at an estimated cost of \$6,000. It was the City Manager's recommendation that the City participate in the construction of the culvert to the extent of the difference in cost between the low level culvert and high level culvert; and it was estimated that the additional height would cost about 25% more. Since this street would be a service or collector street connecting the area with the park, the right-of-way would be 60' with 40' pavement.
- (4) Development of street marked "A" between Park and private development. The City Manager stated since the street is primarily intended to serve the park and not the subdivision, the purchaser could be told that the City would pay for this; and on the remainder of the street, the developer would pay one-half of the development of a 30' street, and the City pay the other half plus an additional 10'.
- (5) Development of Street "B" between Park and private development. The City Manager suggested that the city pay one-half for frontage on the west side, and the developer pay the other half as is normal.
- (6) Bridge over Tannehill Branch, (Street "B"). The City Manager recommended that the City pay one-half for the low water structure plus the additional cost of bringing it up to the height it wants. The estimate which the City would pay is \$7,500 of \$10,000, and the subdivident pay \$2,500.
- (7) Development of the newly located 51st Street. The City Manager stated the bridge would be quite large over this street and recommended that the City pay the entire cost of the street development. He suggested that it may be better not to include this area in the sale.

- (8) Construction of the New East 51st Street Bridge. The City Manager recommended that the City pay for this bridge, although he pointed out the bridge was not set up in the capital improvement program at this time. The developer could be informed that the bridge would not be constructed within the next two or three years, but that he would understand he would not be called on to participate.
- (9) Relocation of sanitary sewer line. The City Manager listed three possible solutions: (1) The developer pay the entire cost; (2) the developer be allowed a normal refund on the line; and (3) the City pay the entire cost. It was the City Manager's recommendation that the City pay the entire cost.
- (10) Sale of Three Acre Tract to the Public Schools. The City Manager said the Schools had requested three acres in the corner of the property, and this amount should be reserved out of the sale, or sold to the developer with the understanding he would sell it to the Schools. This tract is on Westminster and Rogge Lane.

The Council discussed the money involved and the proper timing for advertising the property for sale. MAYOR PALMER suggested that the City Manager negotiate and come in with an offer, and the Council would have a right to reject it and offer it again. Councilman White moved that the City Manager be authorized to attempt to negotiate a sale for the Berkman Tract, subject to Council approval, but retaining the corner for the schools, and the six or seven acres on the corner of East 51st Street and Berkman Drive. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilmen Perry, Shanks

The City Manager made a report on a letter received from MR. DON HIGGINS, BROWN & ROOT, INC., in which he stated delivery schedule of the second unit of the Holly Street Power Station could be moved up about four months; and that due to the manufacturers' capability of delivery, the city would save more than interest costs if the construction contract were moved up four months to March, 1962, instead of July 1962. Councilman Shanks moved that the City Manager be authorized to reschedule this construction. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman Perry

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company, acting by and through Page, Southerland and Page, Architects, owners of Outlot 32, Division E, of the



Government Outlots adjoining the Original City of Austin, Travis County, Texas request permission to construct a retaining wall in the north sidewalk area of West 16th Street, west of Guadalupe Street; and

WHEREAS, the architectural firm of Page, Southerland and Page has submitted plans showing the proposed location of said retaining wall, and

WHEREAS, said request has been reviewed and considered by the City Council of the City of Austin; therefore

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

THAT the Southwestern Bell Telephone Company, acting by and through Page, Southerland and Page, Architects, owners of Outlot 32, Division E, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, be permitted to construct a retaining wall in the sidewalk area of West 16th Street, the street-side of said retaining wall to be 25.00 feet north of and parallel to the centerline of said West 16th Street, and extend from a point 142.00 feet west of the west line of Guadalupe Street, easterly 100 feet more or less, and also from a point 142.00 feet west of the west line of Guadalupe Street same being in a line 25.00 feet north of and parallel to the centerline of West 16th Street, northerly 5.00 feet to the north line of said West 16th Street and the Director of Public Works is hereby instructed to issue a permit for the construction of this retaining wall in accordance with line control furnished by the Department of Public Works of the City of Austin.

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

Ayes: Councilmen Armstrong, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilmen Perry, Shanks

Councilman Armstrong 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 The American National Bank of Austin, Texas, to construct and maintain the hereinafter described underground improvements:

Two (2) pneumatic tubes laid parallel on ten inch (10") centers, both to be installed within a two (2.0) foot space assignment, which is described as follows:

Assignments for underground pneumatic tube system in and under Lavaca Street, Colorado Street and that certain alley traversing block 5<sup>4</sup> of the original City of Austin, Travis County, Texas, according to a map or plat of said Original City of Austin on file in the General Land Office of

the State of Texas, not to exceed a width of two (2.0) feet; the centerline of said two (2.0) foot wide underground pneumatic tube assignment being more particularly described as follows:

Beginning at a point in the west line of Lavaca Street, same being in the east line of Lot 6, Block 53 of the original City of Austin according to a map or plat of said original City of Austin, and from which point of beginning the northeast corner of said Lot 6 bears N 19° 00' E 34.00 feet;

Thence, N 64° 00' E to a point in a line 3.20 feet south of and parallel to the centerline of that certain alley traversing Block 54 of the original City of Austin;

Thence, with said line 3.20 feet south of and parallel to the centerline of said alley, S 71° 00' E to a point in a line 20.00 feet east of and parallel to the west line of Colorado Street;

Thence, N 79° 00' E to point of termination in the east line of Colorado Street, same being the west line of Block 55 of the original City of Austin, and from which point of termination the northwest corner of said Block 55, same being the point of intersection of the south line of West 6th Street with the east line of Colorado Street, bears N 19° 00' E 110 feet.

be and the same is hereby granted and the Building Official is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances 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, now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the American National Bank of Austin, Texas.

(4) The American National Bank of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5) The City of Austin may revoke such permit for good cause after notice to The American National Bank in Austin and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all cost and expenses attendant therewith.

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 roll was called: Councilman Perry

Action on vacating a portion of WEST 22ND STREET from west line of Lot No. 8, P. J. Lawless Addition to the east line of Lot 8, P. J. Lawless Addition, was DEFERRED until the next week so that the Council could make a personal inspection, and for further study of how this would affect parking on Lamar, and to see if there is "parking prohibited" on Lamar, at this location.

MR. W. A. STAFFORD, Govalle Area, made inquiry about the easements for drainage, stating he had contacted Mr. Malburg who reported he was not going to give any easements. Councilman Shanks stated he was working on this matter, and he believed something would be worked out in the next few days and that everything was going to be satisfactory. The City Manager stated if certain easements were not obtained, the route was being redesigned and they would go down the streets instead of through the property.

Councilman Shanks 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 29.96 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. Q. WHATLEY 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 White, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the first time and Councilman Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, 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 3.122 ACRES OF LAND, SAME BEING OUT OF AND A PART 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

The City Manager read a letter from Mr. & Mrs. L. O. Lee and family of Lake Jackson, Texas, expressing appreciation for the efficient way in which Austin took care of Carla's refugees, and stating they were at the Coliseum on the night Carla hit Austin, and the City could not have done more to make our stay there a more comfortable one.

MAYOR PALMER stated when he heard Bergstrom Field was calling for help for its families that were on Matagorda Island, he called to see where Austin could help, and the Colonel stated the people of Austin had responded so well, and so much was contributed that some would be turned back. He stated people who had vacation lodges offered to let the personnel stay there as long as they wanted to, and the Colonel had expressed appreciation to Austin for the cooperation given the boys from Matagorda Island.

The City Manager stated the Director of Aviation had reported a proposition made to him regarding pictures to be hung at the Terminal Building, as suggested by Councilman Armstrong. A sketch of a painting was submitted, and the artist told Colonel Murphy he would be happy to paint the picture to occupy one of the spaces at the Airport if the Council were interested. The only advertising would be the artist's signature. Councilman Armstrong stated an actual blown-up photograph showing some points of interest in Austin, particularly some of the lake or outdoor scenes, would be attractive and more effective to attract people back to Austin. The Mayor suggested that Mr. Harvey, the artist, be thanked for his offer, and told that the painting would be accepted and would be hung in any of the city buildings.

The City Manager had a memorandum from MR. VICKERS, Manager of the Auditorium, regarding a request for the Coliseum for wrestling matches. The promoters AL JOHNSON and DEWEY COATS of San Antonio, want to reserve every Tuesday night, 152 weeks out of the year. The Chief of Police made a report on his Department's experience with wrestling in the past. The Mayor stated unless a thorough check was made, he would not be in favor of permitting this. It was also stated the Council did not want to reduce the rate for the Coliseum.

The City Attorney stated that Councilman White had inquired about city property on Ben White Boulevard, a tract 190'x40', two blocks east of Manchaca Road. An adjoining property owner inquired of Mr. White about the possibilities of purchasing this property. It was pointed out this property was included in an area study being made by the Planning Commission for zoning. The matter was deferred.

The Council recessed at 12:30 until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M., the Council resumed its business.

MAYOR PALMER announced at this time a public hearing on the Budget for 1961-1962 would be held. He stated the City Manager and Department heads had submitted the budget, and the Council had reviewed it in detail with the City Manager and Department Heads, and the public hearing was now opened. Members of the Library Commission were present, stating they had reviewed and approved each item in the Library budget before it was presented to the City Manager. The Library section was discussed in detail. FATHER BROWN, St. Julia Church in Govalle read a letter from citizens of the Govalle Section regarding drainage, and stating the improvements listed for the future were totally inadequate for the floods from Boggy Creek, and asking the City Authorities to seek aid of an independent engineer to study the problem and make plans for a permanent solution. MRS. M. H. RUUD inquired if there had been an entire plan made to coordinate all the things so that they would not be facing this from a new angle. The City Manager explained there was a plan, but it was not one that would completely solve the problem in these extreme floods which might occur every 40 years. Such a project would be so expensive that the people would not want to spend the money. He explained the plans for improving the area, which is a natural flat terrain, and which catches the overflow in Boggy Creek. DR. D. K. BRACE was present in the interest of the budget for Recreation. MR. ROSS BLUMEN-TRITT suggested the tax rate be cut from \$1.15 to \$1.00 by charging for refuse collection from people who receive service rather than by taking the costs from the General Fund, and he listed eight reasons why this should be considered. MR. BOW WILLIAMS asked that the dormitories be asked to make a monetary contribution in lieu of taxes for the services they receive. MRS. JOHN BARROW expressed her interest in the low rates of pay some of the employees received and suggested a personal income tax to raise additional money. No one else wished to be heard. Councilman Shanks moved that the hearing on the budget be closed. 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 the Council tentatively set the Tax Rate at \$1.15, \$.81 for General Government, and \$.34 for Debt Service. The motion, seconded by Councilman Perry, carried by the following vote:

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

Letter from MR. CARL P. SEAL, dated September 12, 1961, regarding Post Office sites, was referred to the Director of Planning.

The Mayor read a letter from METCALFE ENGINEERING COMPANY representing the JIM WALTER CORPORATION, making an appeal from the Planning Commission decision in which it failed to approve the "J. BROWN SUBDIVISION". It was asked that this be checked.

The Mayor read a letter from the Mayor of Groves City, thanking everyone in Austin for the wonderful help given them during their recent emergency caused by the hurricane "Celia".

The Mayor read an application for change in motor bus schedules, and referred the matter to the City Manager to review to see if this change in schedule would affect Austin in any way.

Councilman Shanks moved that MR. DAVID BARROW and MR. SALE LEWIS be appointed to the Town Lake Study Committee. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor read a letter of appreciation for the site for the United Fund Building, from MR. LESLIE HUFF, member of the Board of Directors of the United Fund.

The City Attorney stated the City owned a piece of land bought for drainage purposes at Chesterfield Street and Franklin. The adjacent property owner, Mr. James C. Johnson wants to buy this lot, as he has been keeping the weeds cut. The City needs 35' for drainage purposes. The City Attorney asked, (1) whether the Council wanted to sell it or not; (2) If so, did it prefer to sell all of the lot retaining 35' drainage easement; (3) selling only 40'; and (4) how much did it want. The City Manager recommended that this owner and the City join in a short-form subdivision, creating one 90' lot. If the property owner ever wanted to build any other than one residence, under the present zoning ordinance he would have to come back for a short form subdivision. The Mayor suggested that the property owner be told the City would sell him this for \$900, but wanted it to be a part of his lot. Councilmen White and Shanks stated this would be agreeable to them.

The Council discussed the property which the United Fund wanted to lease and place their building on. Councilman White stated the Board wanted to control the strip down Barton Springs Road. The City Attorney showed the amount they wanted to lease for 55 years, and pointed out the additional property they wanted to control. Councilman Armstrong favored leasing them the building site only. Mayor Palmer suggested that one lease be for 55 years, and this additional property be on a year-to-year basis. The City Attorney reviewed the proposed lease in detail. The City Attorney stated the United Fund wanted to know that the Council was not construing the lease of space to one of their affiliating agencies as a sub-lease. This was discussed.

The City Attorney gave a report on when the limitation would expire on the City's claim in the Magnolia transaction. Mayor Palmer reviewed the transaction in detail for the new Council members. The City Attorney stated two people are interested in buying the adjoining property and are still trying to acquire it. If they do, they would be interested in buying this property. (Clermont and Interregional)

After discussion, and upon the City Manager's and Mr. Higgins' recommendation, Councilman Shanks moved that the City Manager be authorized to enter into a maintenance contract on Units 5 & 6 at the Seaholm Plant, and Unit No. 1 at the Holly Street Power Station, with WESTINGHOUSE, \$24,000 ceiling price. The motion, seconded by Councilman Perry, carried by the following vote:

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

This is for one year's service. Councilman Perry asked that they furnish a justification on the price. The City Manager stated they would furnish that upon request.

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission, and that public hearing had been set before the Council on October 26, 1961:

DR. & MRS. B.E. CONNER By Horace S. Wallace, Jr.	1201 Cotton Street 1187-1189 Navasota St.	From "A" Residence To "O" Office
HOWARD D. PRINGLE By Oscar W. Holmes	6613-6847 Burnet Lane 2008-2208 Justin Lane	From "A" Residence To "C" Commercial
R. G. WIERUSHESKE By John W. Placek	4307-4311 Alice Avenue 4302-4306 Maybelle Ave.	From "A" Residence To "LR" Local Retail
FRANK REEDER	8333-8341 Burnet Road 2307-2315 Doris Drive	From "C" Commercial To "C-1" Commercial
OLEN E. HAGER	2704 French Place	From "A" Residence 1st Height & Area and "C" Commercial 2nd Height & Area To "B" Residence 2nd Height & Area
H. G. WEST	505-521 Oltorf 2401-2409 South 1st Street	From "O" Office, "GR" General Retail "C-1" Commercial 1st Height & Area To "O" Office "GR" General Retail "C-2" Commercial 2nd Height & Area
A. S. BRIENT & L. L. McCANDLESS	8-14 Chicon Street	From "A" Residence To "C" Commercial
RICHARD BAKER, et al	819-821 East 32nd St. 3106-3110 Red River Street	From "O" Office To "B" Residence

LEROY ECK  
By John McPhaul and  
Don West

Rear of 405 Academy  
Drive

From "A" Residence 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area

La FRAY CARTER  
By Oliver B. Street

1408-1414 Rosewood  
Avenue

From "A" Residence 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area

ROBERT L. ALLEN

1617 Koenig Lane

From "A" Residence  
To "O" Office

MAURICE HALL  
By Robert O. Smith

1002-1008 Waterfront  
Street

From "A" Residence 1st  
Height & Area  
To "GR" General Retail  
2nd Height & Area

There being no further business, the Council adjourned at 5:45 P.M.,  
subject to the call of the Mayor.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk