

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 15, 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, White, Mayor Palmer  
Absent: Councilman Shanks

Present also: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney; Robert A. Miles, Chief of Police

Invocation was delivered by COUNCILMAN EDGAR PERRY.

MAYOR PALMER welcomed a group from the League of Women's Voters.

DR. W. ASTOR KIRK, along with several others from the vicinity of the 1100 block of Graham Street, asked that Boggy Creek be cleaned out, as it had not been done at this time as usually it was cleaned out during the spring. He stated the area had grown up and was presenting a number of problems. MRS. ALONZA JACKSON, 1180 Graham, reporting dumping of trash, and stated the condition of the area would lead people to think it was an official dumping area. She reported specifically a milk truck throwing bottles over the bridge. She said the group had called several times, but nothing had been done. REV. LEE spoke concerning his church. The Acting City Manager, MR. REUBEN ROUNTREE pointed out the problems concerning easements and listed the areas where there were no easements. Councilman Armstrong suggested that where the City has the easements, to give the area relief, and to put up signs with "No Dumping"; and if the residents in the area can get the license numbers of those dumping in the creek, they could call in to the City Manager. Councilman Perry inquired about putting up the signs. MAYOR PALMER thanked the group for coming to the Council meeting and stated the Acting City Manager, who was also Director of Public Works, would see that this is taken care of.

Councilman Perry moved that the Minutes of the Meeting of June 8, 1961, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor PALMER introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Algarita Avenue and sundry other streets)

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 Perry, carried by the following vote:

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

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 Perry, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated October 14, 1948, of record in Volume 930, at page 21 of the Deed Records of Travis County, Texas, an easement was granted across the south 7.68 feet of Lot 2, as shown on a map or plat of C. L. Reeves Addition, said C. L. Reeves Addition being a resubdivision of a portion of Block 7, Sherry Dale, said Sherry Dale being a subdivision of a portion of the James P. Wallace Survey No. 57, in the City of Austin, Travis County, Texas, according to a map or plat of said Sherry Dale of record in Book 4, at page 43, of the Plat Records of Travis County, Texas, a map or plat of said C. L. Reeves Addition being of record in Book 12 at page 43, of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said Lot 2 of C. L. Reeves Addition has requested the City Council of the City of Austin to release a portion of said above described easement; and,

WHEREAS, it has been determined that the hereinafter described portion of such easement is not now needed, nor in the future be required; Now, Therefore,

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

That the City Manager be and he is hereby authorized to execute a release of a portion of the above described easement; said portion so released being more particularly described as follows:

All of the North 2.50 feet of the East 134.32 feet of that certain easement across the South 7.68 feet of Lot 2, as shown on a map or plat of C. L. Reeves Addition, said C. L. Reeves Addition being a resubdivision of a portion of Block 7, Sherry Dale, said Sherry Dale being a subdivision of a portion of the James P. Wallace Survey No. 57, in the City of Austin, Travis County, Texas, according to a map or plat of said Sherry Dale of record in Book 4, at page 43, of the Plat Records of Travis County, Texas, a map or plat of said C. L. Reeves Addition being of record in Book 12 at page 43, of the Plat Records of Travis County, Texas.

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

Ayes: Councilmen Armstrong, Perry, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Acting City Manager submitted the following:

"June 13, 1961

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

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, June 13, 1961, at the Office of the Director of the Water and Sewer Department, for the construction of a 24-inch water main from Highway 290 to Guadalupe Street. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids recieved:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Karl Wagner, Incorporated	\$106,117.71	85
Bland Construction Company	107,149.65	60
Austin Engineering Company	113,889.56	120
Glade Construction Company	117,703.48	60
Walter W. Schmidt	126,314.55	75
J. R. Barnes Engineering Company	135,318.00	100

"It is recommended that the contract be awarded to the Karl Wagner, Incorporated on their low bid of \$106,117.71 with 85 working days.

"Yours truly,  
 s/ Victor R. Schmidt, Jr.,  
 Superintendent Water Distribution  
 s/ Albert R. Davis (VRS)  
 Director Water and Sewer Department"

After discussion with the Superintendent of Water Distribution, MR. VIC SCHMIDT, and upon recommendation of the Acting City Manager, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 13, 1961, for the construction of a 24-inch water main from Highway 290 to Guadalupe Street; and,

WHEREAS, the bid of Karl Wagner, Incorporated in the sum of \$106,117.71 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; Now, Therefore,

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

That the bid of Karl Wagner, Incorporated in the sum of \$106,117.71 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Karl Wagner, Incorporated.

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

Ayes: Councilmen Armstrong, Perry, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Acting City Manager submitted the following:

"Sealed bids opened 2:00 P.M. June 12, 1961  
Tabulated by: O. G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR DEMINERALIZING BUILDING SEAHOLM POWER PLANT

Steel Products	Stanford	W.J.Fullerton	Wright Bldg.	Alamo Steel
Sales of Texas	Enter-	Const.& Steel	Sales Co.	Builders
	prises	Bldg. Co.		Inc.

40'x60' Steel  
Building per  
City specifi-  
cations to be  
erected at  
Seaholm Power  
Plant

\$5,788.00	\$6,626.00	\$6,653.00	\$6,829.00	\$6,588.00
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"Recommended low bid of Steel Products Sales of Austin, Texas  
be awarded contract.

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

After discussion with the Director of Electric Utilities, MR. KINNEY,  
Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 12, 1961, for  
the furnishing of one 40' x 60' steel demineralizing building to be erected at  
the Seaholm Power Plant; and,

WHEREAS, the bid of Steel Products Sales of Texas in the sum of \$5,788.00  
was the lowest and best bid therefor, and the acceptance of such bid has been  
recommended by the Purchasing Agent of the City of Austin; Now, Therefore,

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

That the bid of Steel Products Sales of Texas in the sum of \$5,788.00 be  
and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the  
City of Austin, is hereby authorized to execute a contract on behalf of the City  
with Steel Products Sales of Texas.

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

The Council deferred decisions on the following zoning applications until  
next week:

A. M. RUNDELL	1501-11 Sunnyvale Street	From "A" Residence
	1400-10 Summitt Street	To "BB" Residence
	1500-06 Elmhurst Drive	NOT Recommended by the
	1405-09 South Inter-	Planning Commission
	regional Highway	

MRS. JNO. L. MARTIN  
By Mr. Joe Lundell

1601-03 North Congress Ave. From "B" Residence  
100-102 East 16th Street To "IR" Local Retail

NOT Recommended by the  
Planning Commission

Action was deferred until next week on awarding the contract for the purchase of 5365 creosoted poles of various sizes for a two-year period.

The Council welcomed and greeted MR. and MRS. AMM, Johannesburg, Africa, who brought greetings from the Mayor of Johannesburg. Mr. and Mrs. Amm were in the ranching and farming industry.

The Mayor read a letter from MR. E. B. KINSEY, Burnet, Texas, commending the Council on its decision on the use of the new lake, and complimenting the ones who were in charge on the general cleanliness of the shores; and noting the number of fishermen who were using the lake without being bothered by motorboat wakes and noise.

The Director of Recreation submitted the request of MR. KENT WALLACE to again place paddle boats in Barton Creek. He stated Mr. Wallace had operated this activity for two years. He has now designed a new type of paddle boat superior to the others. Mr. Sheffield stated Mr. Wallace would like to have his operation in Barton Creek on the basis of 10% of gross receipts; over \$1,000, 15% of gross receipts; and over \$2,000, 20%. He stated Mr. Wallace would like to operate on the town lake, but he understood nothing definite had been established on any permanent type of installation. Mr. Wallace stated he would carry \$50/\$100 insurance with Lloyds of London. After more discussion, Councilman Perry moved that the Council approve this request so long as Mr. Wallace complies with all rules and regulations, and provides the necessary insurance, etc., and the operation be in Barton Creek. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

MR. JOHN FLANAGAN, Attorney for Mr. Howard Claggett, submitted a letter in answer to one received by him. Mayor Palmer stated he would refer the answer to the Law Department; and stated the Council would be glad to hear them next week on the matter.

The Acting City Manager submitted a request for change order on a contract through the Water Department for work on the Interregional, in the amount of \$11,240.82. The Superintendent of Water Distribution explained the need for the change order in that 7,000' of 6" pipe had to be added; and that the pipe that would be salvaged would bring about \$6,000, whereas it would cost about \$12,000 to repair the pavement. Mr. Schmidt stated the Highway Department had agreed on all the figures, and they will be participating 90% of the total price. After discussion, Councilman White moved that the City Manager be instructed to

proceed with the change order. (Bland Construction Company - relocation of 24" water mains on Interstate Highway 35 from Colorado River to East 19th Street) The motion, seconded by Councilman Armstrong, carried by the following vote:

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

The Acting City Manager stated that on June 1st, there were some requests to investigate needs for stop signs on Bonnie Road and Robin Hood Trail, and St. Johns and Woodrow. He submitted the reports from the Traffic and Transportation Department.

The Acting City Manager submitted the request for paving BULLARD DRIVE from White Rock Drive to the street on the east side of the Railroad. Mr. Bullard and Mr. Wilson have agreed to put up the money; the schools own abutting property and they had agreed when streets were paved they would go their share. There are three contractors doing work now for the city at certain prices, the lowest of which was \$3.73 for a 40' street. This contractor had agreed to extend his contract and do this paving, which would amount to about three blocks. Councilman White moved that the contract with GIESEN & LATSON be extended to include the paving of BULLARD DRIVE from White Rock Drive to the street east of the Railroad, at the price quoted. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, White, Mayor Palmer  
 Noes: None  
 Absent: Councilman Shanks  
 Not in Council Room when the roll was called: Councilman Perry

The City Council had before it a proposal for rates for the Auditorium during the summer months, as follows:

"June 12, 1961

"SUBJECT: Auditorium Price Adjustment for Conventions  
 Meeting Between June 15, and September 15

"ATTACHED: Present Price Card for Auditorium Rental

"The summer months are slow months for most Auditorium--ours does better than a lot of them. Our annual meetings always include discussions on how to increase summer business. We are hoping our Rathskeller will appeal to a lot of smaller groups and we might add revenue to our summer months through it, a small rental and good sums through our concession percentage.

"This summer during the period of June 16th through September 15th we have 22 days booked. Of course, we will pick up several more dates during this period. Most of these dates are private parties and dances. We do have some participation with four convention type meetings during this period giving us added catering and concession income. This same period of 1960 we had 22 days booked,

1959 we had 25 events.

"We make good use of this time at the Auditorium by getting our vacations off during this period and also doing a thorough job of house cleaning and repairs. Also, we would like to point out that our staff cares for and operates the Coliseum which has at least one big event every week.

"We feel that if we can offer this one concession to summer conventions or multi-day bookings we can attract more business especially convention-wise which means over \$30.00 per day per delegate is spent with local business.

"PROPOSAL:

"Our proposal is not one of reducing the rental charges but rather one of interpretation. We suggest that during the summer months if an organization uses the building we bill them full amount during the time they actually have the building open for activity.

"For example: We had a request from one organization for rental of the building for exhibits only. They proposed to have the exhibits open from 9:00 A.M. until 5:00 P.M. but not open at night. This would run for 3 days plus one day move-in and one day move-out. Our present policy allows us to charge 1/3 the applicable rental for move-in and move-out. This then would be their charge in Class I:

Move-in	\$ 200.00
3 days show @ \$600.	1,800.00
Move-out	200.00
	<u>\$2,200.00</u>

"Our suggestion is that we be allowed to charge the 1/3 rate (as we do on move-in and move-out) for that portion of the day that the building is closed, in this case the night. This then would be their charge:

Move-in	\$ 200.00
3 days show @ \$360	1,080.00
3 nights building tied up @ \$90.00	270.00
Move-out	200.00
	<u>\$1,750.00</u>

s/ F. W. Vickers  
Municipal Auditorium &  
Convention Center"

After studying the proposal, Councilman Armstrong moved to grant these rates and publicize it as much as possible to get the conventions in here during the dull season, the rates to be effective from June 16 through September 15. (that the "move-in and move-out" schedule be charged for the time the building is not in use) The motion, seconded by Councilman Perry, carried by the following vote:

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



The Acting City Manager submitted a drainage problem on the property belonging to MR. CAL MARSHALL in Cedar Valley. Since Mr. Marshall's request would necessitate the Council's vacating a certain amount of property dedicated for drainage, he wanted to get the Council's approval before he proceeded with his subdivision plans. The Council discussed this, and it was decided that Mr. Marshall take the matter through the Planning Commission as a normal procedure. It was suggested that his request could be considered by the Planning Commission and a recommendation made for the Council next week.

The City Attorney explained a matter in connection with the adoption of the confirmation policy of not making sanitary sewer connections to property outside the city limits. He stated in connection with the Little Walnut Creek sanitary sewer project, an agreement with two property owners could be authorized that in the event the sanitary sewer were not built, the easements which were given for the purpose of crossing their property would be returned; and that the policy confirmed two weeks ago be spelled out, agreeing that if these property owners give the easement they will be able to obtain at least one sanitary sewer connection not for residential purposes on the property. The contract will also spell out that it is not intended to be construed as limiting the City of Austin. After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That, S. Reuben Rountree, Jr., Acting City Manager of the City of Austin, be and he is hereby authorized and directed to execute the original copy of that certain contract by and between the City of Austin, Texas and Edward Joseph, a copy of which is attached hereto as Exhibit "B" but which the City Clerk may permanently file in her office without the necessity of recording the same at length upon the Minutes of the City Council. \*

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That, S. Reuben Rountree, Jr., Acting City Manager of the City of Austin, be and he is hereby authorized and directed to execute the original copy of that certain contract by and between the City of Austin, Texas and Joe Crow, a copy of which is attached hereto as Exhibit "B" but which the City Clerk may permanently file in her office without the necessity of recording the same at length upon the Minutes of the City Council. \*

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

\* (Authorized the Acting City Manager MR. REUBEN ROUNTREE, to execute a contract with EDDY JOSEPH and JOE CROW agreeing to return, unrecorded, to them sanitary sewer easements given, in the event the line is not built, and agreeing insofar as their property is concerned, there may be, in keeping with the existing policy, at least one connection to the sanitary sewer line not for residential purposes.)

Councilman Armstrong reported there are duplications in house numbers on South Lamar in the 2000 block. The Acting City Manager pointed out problems with the property owners in changing numbers which they do not want changed. Councilman Armstrong asked if they could be invited to come down and see if they would not accept the correct numbers. The Acting City Manager stated he would check into this further.

Councilman Armstrong made inquiry about the speed limits of the railroads in the City limits, and if the Eagle were running at the correct speed at the time of the accident on the Burnet Road.

Councilman Armstrong inquired about the procedure to follow in paving if all of the people agree to the paving. The Acting City Manager explained the procedures. The inquiry came from Mr. Shipman on Verde Vista. The Assistant City Manager stated there was a petition on that street, and it would be next year before they could get to that street.

MR. FRANK MORGAN, driver of a Yellow Cab taxi, appeared before the Council regarding the uniforms of the drivers, and asking that the sports shirts be worn outside. The Council discussed this, and Mayor Palmer stated the requirement has been in effect since June 1st, and that drivers would be making a better impression and the Council would ask them to comply with the ordinance.

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

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

The Council adjourned at 12:00 noon, subject to the call of the Mayor.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

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