

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 13, 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. LOUIS SPEAKER, First English Lutheran Church.

MAYOR PALMER stated in May 1933, a Citizen presented a Bible inscribed "With Prayer in faith, to our Honorable Mayor, City Manager and Council, and to have rightful place and to remain at, or on, the Council room table in its power." The Bible had been on the Council table, and had just been rebound to remain on the table.

MR. V. F. TAYLOR, representing himself, the R. E. STROMBERGS, and MRS. LOUIS REUTER in their request to have the paving assessment date, July 31st extended another 30 days, stated Rosedale Terrace, the street to be paved, was only a very short street and used rarely. Only the Strombergs would be benefitted by the paving, and his property and Mrs. Reuter's property would not be enhanced by the paving. If the paving goes through, he would lose some nice shade trees. He stated the street was used as an access to Travis Heights School. He pointed out the paving policy provided 45 days for the assessment payment; but the letters regarding this assessment were dated June 23, and received June 26. He stated the property owners were going to put their money up, but they were asking that the date be postponed 30 days from July 31st. The Director of Public Works stated he believed he could work this matter out. Councilman White suggested that Mr. Taylor get a letter of credit, and that the Council not take action on the request. Finally, after much discussion, Councilman Armstrong moved that since there was a lapse of time between the time they received the notices, and since there is a possible hardship imposed, that the Council grant the extension of the 30 days. The motion, seconded by Councilman Shanks, carried by the following vote:

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

MR. DAVID BARROW appeared to request permission from the City for Travis-Williamson County Water Control District No. 1 to serve several of his lots with water. The City Manager explained the lots were on a high level and could not be served by the City at this time, as there was not sufficient pressure. He stated this would be a temporary solution of the problem until such time the City were able to serve the area. MR. DAVID TISINGER, Attorney representing the Water District, was present. Councilman Perry moved that the TRAVIS-WILLIAMSON COUNTY WATER CONTROL DISTRICT NO. 1 be granted permission to serve water to the following lots in Northwest Hills Number 4:

Lots 18 & 19	- Block A
Lot	1 - Block B
Lot	4 - Block C
Lot	2 - Block D

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

MRS. MILLARD RUUD appeared before the Council and filed a petition requesting the City Council to move up the Boggy Creek Channel Improvement Program (From Tannehill Street to East 38th Street) that is presently on the Capital Improvement Program for 1966 to 1962 because of the recurring floods. She was particularly interested in the midway section, and did not believe the flooding problem could be solved other than by changing the channel of Boggy Creek. She stated this improvement could be a part of the Community Renewal Project. She asked in behalf of the signers of the petition that the Council move this Boggy Creek Channel improvement from 1966 to next year's budget. MAYOR PALMER expressed the deep concern of the Council and stated members of the Council were up all during the nights of the floods helping out. He pointed out some of the problems attached to the Boggy Creek drainage--property owners' owning the creek and refusing to clean the creek or permitting it to be cleared; people throwing old tires and debris into the channel; and the area having been known as a flood area for years back. He stated the Council was certainly concerned, but there were many limitations as to what it could do for an area that has been flooded always. The City Manager stated the cost of the channel improvement was \$30,000; but the real solution to the Boggy Creek Channel problem as to preventing floods would be to divert the creek into the river, and the only way would be to build a new creek at the cost of several million dollars. It was his recommendation, since the value of all the property is not as much as the cost of the project, it would be better to clear the area rather than spend the money to drain it. The City Attorney reported that since 1952 at least, there had been channel improvements and drainage facilities each year in the water shed of Boggy Creek to the extent it could be done to relieve one property without damaging another. MRS. LANCASTER, League of Women's Voters, stated they supported Urban Renewal and long-range planning, and asked that the Council bear this in mind as it took care of these flood conditions. Mayor Palmer stated the City was working on easements now that would give a certain amount of relief to a certain section. He said it would not remedy the entire problem, but would relieve a large section subject to flooding.

MISS PAULINE BARLOW, The Glen Oaks Community Club, read a statement regarding the flood problems in Glen Oaks, stating the area had been flooded from the overflow of the creek last October and twice recently. She asked that

the creek be built up or storm sewers placed in the creek to prevent the overflow. Councilman Shanks stated at every Council meeting, this problem had been discussed and some action had been taken; that it is a big problem, and big problems take a lot of time. Councilman White stated he had been working on this for two or three years, and he would continue to work on it as much as he could. MRS. ALAMETA PATTERSON, 1806 Singleton Avenue, stated her property adjoined this creek; but never before had big rocks and gravel washed down on her two lots. She said it had been costly to clean out the rock and gravel from the last flood, and now they must do it again. It was reported this was coming from Manor Road. The City Manager stated the City was not filling any part of the creek up there, and that some private property owner who owns the creek is filling in. Councilman Perry suggested that names of persons who insist on filling in like this should be made public. He suggested that Mrs. Patterson and others damaged like this, may have a civil action against those up the way who are filling in, and may recover some of their damages.

MR. FRANK DENIUS, representing the Austin Transit Corporation, asked if the Council needed any additional information regarding their request for rate adjustment. Mayor Palmer stated the Council would try to take the matter up next week.

MR. CECIL CABINESS distributed pamphlets on the Fourth Annual Institute on Alcohol Studies and invited the Council to a dinner meeting at the Driskill Hotel, Monday, in the Little Dining Room, to hear a special speaker. Mayor Palmer thanked Mr. Cabiness for the invitation, and stated as many as could possibly attend would be there.

Councilman Perry moved that the Minutes of the Meeting of June 29, 1961, be approved. The motion, seconded by Councilman Armstrong, 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 laid on the table for 30 days after publication:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 4.26 ACRES OF LAND, MORE OR LESS, SAME BEING ALL OF ALLANDALE TERRACE SECTION 2 PHASE 2, 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. (Allandale Terrace, Sec. 2, Phase 2)

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 9.8 ACRES OF LAND, MORE OR LESS, SAME BEING 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 second time and Councilman White moved that the ordinance be 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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOT 9, MANOR HILLS, SECTION 10-A AND AN ADJOINING 10 FOOT EASEMENT SITUATED BETWEEN MANOR HILLS, SECTION 10 AND SAID MANOR HILLS, SECTION 10-A, FROM "BB" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (2) A. THE SOUTH 141.02 FEET OF LOT 9, BLOCK Y, VIOLET CROWN HEIGHTS, SECTION 2, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; B. THE NORTH 118.70 FEET OF LOT 9, BLOCK Y, VIOLET CROWN HEIGHTS, SECTION 2, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (3) A THROUGH TRACT OF LAND FRONTING APPROXIMATELY 460 FEET ON THE NORTH RIGHT-OF-WAY LINE OF HANCOCK DRIVE, APPROXIMATELY 550 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF NORTH LOOP BOULEVARD, LOCALLY KNOWN AS 2212-2306 HANCOCK DRIVE AND 2129-2233 NORTH LOOP BOULEVARD, FROM "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (4) LOTS 3 AND 4, BLOCK 2, GREEN ACRES, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (5) LOT 6 OF RESUBDIVISION NO. 2 OF A PORTION OF LOTS 1 AND 2, MRS. LOU H. HILL SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (6) THE SOUTH 82 FEET OF LOT 1, BLOCK 105, ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (7) A. THREE LOTS AND AN ADJOINING STRIP OF LAND FRONTING 150 FEET ON THE WEST RIGHT-OF-WAY LINE OF THE INTERREGIONAL HIGHWAY AND 150 FEET ON THE EAST RIGHT-OF-WAY LINE OF COLE STREET, LOCALLY KNOWN AS 2806-2902 INTERREGIONAL HIGHWAY AND 2807-2901 COLE STREET, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL

DISTRICT; B. THREE LOTS AND AN ADJOINING STRIP OF LAND FRONTING 115 FEET ON THE WEST RIGHT-OF-WAY LINE OF THE INTERREGIONAL HIGHWAY AND 115 FEET ON THE EAST RIGHT-OF-WAY LINE OF COLE STREET, LOCALLY KNOWN AS 2802-2804 INTERREGIONAL HIGHWAY AND 2803-2805 COLE STREET, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (8) AN INTERIOR PORTION OF ONE LOT HAVING DIMENSIONS OF 50 FEET BY 130 FEET AND HAVING AN AREA OF 6500 SQUARE FEET, LOCALLY KNOWN AS THE REAR OF 1007 WEST 32ND STREET AND THE REAR OF 3110-3118 LAMAR BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Shanks 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, Shanks, White, Mayor Palmer

Noes: None

The ordinance was read the second time and Councilman Shanks 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, Shanks, White, Mayor Palmer

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

No action was taken on the ordinance covering the following, as some matters were still pending:

TEX-MART INDUSTRIES
& NORTHTOWNE CO.

7900-7942 Burnet Road
2400-2808 Anderson Lane

From "A" Residence,
"C" Commercial &
Interim "A" Residence
To "GR" General Retail

7944-8124 Burnet Road
2810-2822 Anderson Lane

From "A" Residence &
Interim "A" Residence
To "GR" General Retail

Action will be taken next week on the following ordinance:

TEX-MART INDUSTRIES
& NORTHTOWNE CO.

Rear of 2514-2604
Anderson Lane

From Interim "A" Residence
To "C-2" Commercial

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH R. G. AVENT; PROVIDING 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.

Action was postponed on the following ordinance authorizing a refund contract, until the Council could look at the area as there was a drainage problem:

J. D. and C. P. SANDERS - for installation of water and sewer mains in Charles Street Addition, Sec. 1 (\$2,854.64)

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by certain instrument dated May 31, 1934, of record in Volume 502 at page 622, of the Deed Records of Travis County, Texas, an electric easement was granted the City of Austin in, upon and across a portion of Lots 5, 6, and 7, Block E, and Lots 40, 41, 42 and 43, Block C, as shown on a map or plat of Oak Lawn, Section 2, being a subdivision of a portion of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Oak Lawn, Section 2, of record in Book 13, at page 34, of the Plat Records of

Travis County, Texas, and which electrical easement traverses also an unplatted portion of that certain tract of land out of and a part of the J. C. Tannehill League, in the City of Austin, Travis County, Texas, which certain tract of land was conveyed together with other property to Cal Marshall by warranty deed of record in Volume 502 at page 622 of the Deed Records of Travis County, Texas, which portion of said electrical easement extends from the west line of Lot 40, Block C, of the aforementioned Oak Lawn, Section 2, in a southwesterly direction to the north line of Webberville Road; and,

WHEREAS, the owners of said above described premises have requested the City Council of the City of Austin to release said electrical easement; and,

WHEREAS, the City Council has determined that such easement is not now needed nor will it be required in the future; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release on behalf of the City, the electrical easement in, upon and across the following described premises, to wit:

A portion of that certain electrical easement as described by instrument dated May 31, 1934, of record in Volume 502, at page 622, of the Deed Records of Travis County, Texas, which certain electrical easement traverses a portion of Lots 5, 6, and 7, Block E, and Lots 40, 41, 42 and 43, Block C, as shown on a map or plat of Oak Lawn, Section 2, said Oak Lawn, Section 2, being a subdivision of a portion of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Oak Lawn, Section 2, of record in Book 13, at page 34, of the Plat Records of Travis County, Texas, and which electrical easement traverses also an unplatted portion of that certain tract of land out of and a part of the J. C. Tannehill League in the City of Austin, Travis County, Texas, which certain tract of land was conveyed together with other property to Cal Marshall by warranty deed of record in Volume 502 at page 622 of the Deed Records of Travis County, Texas, and which portion of said electrical easement extends from the west line of Lot 40, Block C, of the aforementioned Oak Lawn, Section 2, in a southwesterly direction to the north line of Webberville Road.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement for drainage purposes was dedicated to the City of Austin in, upon and across 0.662 of one acre of land, same being a portion of that certain tract of land designated as "Dedicated to the Public for Drainage",

as shown on a map or plat of Cedar Valley Addition, said Cedar Valley Addition being a subdivision of a portion of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Cedar Valley Addition of record in Book 5 at page 55, of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said above described premises has requested the City Council of the City of Austin to release the hereinafter described portion of such easement; and,

WHEREAS, the City Council has determined that the hereinafter described easement for drainage purposes is not now needed and will not be needed in the future; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the following described easement, to-wit:

0.662 of one acre of land, same being a portion of that certain tract of land designated as "Dedicated to the Public for Drainage", as shown on a map or plat of Cedar Valley Addition, said Cedar Valley Addition being a subdivision of a portion of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Cedar Valley Addition of record in Book 5 at page 55 of the Plat Records of Travis County, Texas, which 0.662 of one acre of land is more particularly described by metes and bounds as follows:

Beginning at the most southerly corner of Lot 24, Block 1, of the aforementioned Cedar Valley Addition, same being the southwest corner of the herein described tract of land;

THENCE, along the east line of Lots 24 and 23 North 30° 03' East and at 49.00 feet passing the southeast corner of said Lot 23, in all a distance of 72.00 feet to the northwest corner of the herein described tract of land;

THENCE, along the boundary line of said tract "Dedicated to the Public for Drainage" with the following five (5) courses:

- (1) South 61° 01' East 247.00 feet to a point;
- (2) South 28° 52' West 32.00 feet to a point;
- (3) South 59° 24' East 213.36 feet to a point;
- (4) South 16° 23' West 21.00 feet to a point;
- (5) South 31° 47' West 92.28 feet to the southeast corner of the herein described tract of land;

THENCE, along the south line of the herein described tract of land North 13° 46' West 107.18 feet to a point;

THENCE, continuing along said south line of the herein described tract of land North 61° 01' West 389.00 feet to the point of beginning.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement twenty-five (25.00) feet in width, same being out of and a part of Lot 1, Block C, Shoalwoods Addition Section 2, said Shoalwoods Addition Section 2, being a subdivision of a portion of the George W. Spear League, in the City of Austin, Travis County, Texas, was granted to the City of Austin for drainageway and public utility purposes, and said easement is designated on a map or plat of said Shoalwoods Addition Section 2, of record in Book 6 at page 83 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said premises has heretofore granted an easement at a more desirable location, and has requested the City Council of the City of Austin to release a portion of above described easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now being used and will not be needed in the future; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a release of the following described portion of said drainageway and public utilities easement, to-wit:

All of that certain easement twenty-five (25.00) feet in width, same being out of and a part of Lot 1, Block C, Shoalwoods Addition, Section 2, said Shoalwoods Addition, Section 2, being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Shoalwoods Addition Section 2 of record in Book 6 at page 83 of the Plat Records of Travis County, Texas, SAVE and EXCEPT the south ten (10.00) feet of said easement.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated December 31, 1946, of record in Volume 828 at page 525 of the Deed Records of Travis County, Texas, an easement fifty (50.00) feet in width was dedicated to the City of Austin for drainage purposes, in, upon and across Outlot 44, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; and,

WHEREAS, the owner of said property has requested the City Council of the City of Austin to release said easement; and,

WHEREAS, the City Council has determined that the above described easement is not now needed and will not be required in the future; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a release of an easement for drainage purposes, in, upon and across the following described property, to-wit:

Being all that certain strip of land Fifty (50.00) feet in width which traverses Outlot 44, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, which strip of land Fifty (50.00) feet in width was dedicated to the City of Austin for drainage purposes by instrument dated December 31, 1946 of record in Volume 828 at page 525 of the Deed Records of Travis County, Texas.

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

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

Noes: None

MR. ROBERT E. MORIN was interested in the vacation of another easement across Lot 1, Block C, Shoalwoods Addition, Section 2. The City Attorney stated the foundation of his house is located directly over a cast iron sanitary sewer line, and that Mr. Morin said he was not aware of the location until it became necessary to obtain financing. He was over the easement two and a half feet. MR. MORIN explained he was leaving the City and had a buyer for his home who had qualified for a loan. Mr. Morin asked the City to write a letter to F.H.A. indicating should a repair of this sewer line ever be needed, that the repair would be done by way of laying a parallel line. The City Attorney pointed out the liability the City would have, and stated the line is in place, the easement is on record, and the house is built on the easement. He suggested that the only certain way to cure the situation is for Mr. Morin to pay the cost of relocating the line within the easement. The City Attorney was to get an estimate of doing such work. MAYOR PALMER stated whatever costs of relocating the pipe could be borne by Mr. Morin, but to say the Council would vacate the easement or give a letter to the effect that when the pipe needed repairing the city would do it that way, he would not agree. Councilman Perry stated Mr. Morin had built over the City's easement and he should pay the cost of relocating the pipe. Mr. Morin was not in favor of laying the line until such time as it became bad. He stated he would put up some money for future repairs, and the City could gather the interest on it for the next 50 years. The Mayor explained that was not the procedure to obtain money for the City. He stated estimates were being prepared on the moving of the line and it was the feeling of the Council that the line should be moved now; and when the line is moved at Mr. Morin's expense, the necessary easement will be vacated so that he could finance the home with F.H.A. or through conventional loans; but it was not the desire to postpone this 50 years. Later in the meeting, the City Attorney reported on the Sewer Department's recommendation for relocating the pipe, and the estimate was \$750.00. In the afternoon meeting, MR. TRUEMAN O'QUINN appeared representing Mr. Morin. After a very lengthy discussion between the Council and Mr. Morin, the Mayor told Mr. Morin if he could get some document that would be acceptable by the F.H.A. that would not obligate the City, the Council would have a special meeting to consider the

matter. Mr. Morin stated he would go to San Antonio the next day and meet with the F.H.A.

The Council discussed in detail the purchase of 5365 crosotod poles of various sizes for a two-year requirement. Specifications were studied and compared with specifications of other utilities, and the method of handling, storing and setting the poles was explained and compared with the method used years ago. The advantages of the present methods were pointed out. No action was taken at this time.

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. July 10, 1961
Tabulated by: O. G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR HEAVY DUTY FORK LIFT TRUCK ELECTRIC DISTRIBUTION

	QUANTITY	BRIGGS WEAVER	BAKER INDUSTRIAL TRUCKS	G.H. COLLIER COMPANY	L.M. COATES COMPANY	SOUTHWEST LIFT TRUCKS
Heavy Duty 1 only Fork Lift Truck per City Spec- ifications		\$7,668.58	\$7,541.00	<u>\$6,915.00</u>	\$7,860.00	\$7,916.90
Manufacturer		Yale KGPR51A T60	Baker FGF-060	Hyster H60C	Towmotor 680P	Clark CFY60

"RECOMMENDATION: Recommend low bidder, C. H. Collier Company be awarded contract, the Hyster Model H60C meets all of our specified requirements.

"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 July 10, 1961, for the purchase of a Heavy Duty Fork Lift Truck for use by Electric Distribution; and,

WHEREAS, the bid of C. H. Collier Company in the sum of \$6,915.00 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 C. H. Collier Company in the sum of \$6,915.00 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 C. H. Collier 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:

"Sealed bids opened 2:00 P.M. June 22, 1961
 Tabulated by: O. G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR LUMINAIRES, POLES & CABLE

	QUAN.	PRIESTER SUPPLY CO.	STERETT SUPPLY	GRAYBAR ELECTRIC CO.	WALTER TIPS CO.	LINE MATERIAL INDUSTRIES
Luminaire-400 W Mercury Vapor per City Specs	30	\$2,871.00	\$2,871.00	\$2,504.00	Quoted Lump Sum	Quoted Lump Sum
Steel Pole, per City Specs	30	\$3,747.00	\$3,747.00	\$3,672.06		
Cable-1 cond. 12000" #6-600V for direct burial		\$1,066.87	\$1,011.60	\$ 976.08		
Total		\$7,706.64	\$7,629.60	\$7,152.14	\$6,969.00	<u>\$6,718.00</u>

"RECOMMENDATION: Recommend low bidder, Line Material Industries of Austin be awarded contract.

"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 June 22, 1961, for the purchase of thirty (30) 400 W Mercury Vapor Luminaires, thirty (30) Steel Poles and 12,000 feet of Cable; and,

WHEREAS, the bid of Line Material Industries in the sum of \$6,718.00 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 Line Material Industries in the sum of \$6,718.00 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 Line Material Industries.

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE CONFIRMING THE TRANSFER OF THE FRANCHISE
HELD BY K. M. FISHER AND J. P. FISHER, CO-PARTNERS,
DOING BUSINESS AS YELLOW CAB COMPANY OF AUSTIN TO
YELLOW CAB CO. OF AUSTIN, INC., A TEXAS CORPORATION,
OWNED AND OPERATED BY ROBERT R. COWDEN AND E. J.
ROBINETT EFFECTIVE 6:00 O'CLOCK P.M. CENTRAL
STANDARD TIME, JULY 7, 1961; AND DECLARING AN
EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance 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

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance 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

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 introduced the following ordinance:

AN ORDINANCE CONFIRMING THE TRANSFER OF THE FRANCHISE
HELD BY K. M. FISHER AND J. P. FISHER, A CO-PARTNERSHIP,
DOING BUSINESS AS CHECKER CAB COMPANY OF AUSTIN TO
CHECKER CAB CO. OF AUSTIN, INC., A TEXAS CORPORATION.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance 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

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance 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

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 Mayor brought up the following zoning applications deferred from last week:

LEO L. SMITH	5216 Avenue G	From "LR" Local Retail
	205-07 East 53rd Street	To "C" Commercial
		NOT Recommended by the Planning Commission

Mr. Smith represented himself showing location of the property and pointing out other commercial property in the area. The proposed buyer of the property wants to operate a retail boat sale, and display boats in the back yard, and fix the present old house into a sales office. No opposition appeared. The Director of Planning stated the area was still a residential area although it was strip zoned as "LR" and "C". Discussion of widening East 53rd was held and it was stated the lots siding on East 53rd were only 50' wide. The Council wanted to make a personal inspection of the area and action was postponed.

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MRS. ESSIE I. BEARD	1715 West 35th Street	From "A" Residence
By William P. Danforth		To "C-1" Commercial
		NOT Recommended by the Planning Commission

Mr. Danforth represented the applicant. After more discussion, Councilman Shanks moved that the change be granted to "C-1" Commercial. The motion, seconded by Councilman Perry, carried by the following vote:

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

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

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PLANNING COMMISSION
AREA STUDY

700-04, 708-16 and
701-07 West 34th Street
3304-3404 King Street

From "A" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

Councilman Perry moved that the change to "O" Office be granted. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: None

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

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

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MANUEL HAROS

1704 Haskell Street

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

Councilman Perry moved that the change be DENIED. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: None

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

The Mayor announced that the change had been DENIED.

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The Council recessed until 2:45 P.M.

RECESSED MEETING

2:45 P.M.

At 2:45 P.M. the Council resumed its business.

Councilman White absent.

Councilman Armstrong moved that MR. ROBERT O. SMITH be appointed to serve as Corporation Judge from July 17th to July 31st during vacation time. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager stated bids should be taken on miscellaneous tanks and miscellaneous pumps in connection with the next unit of the Power Plant. Other bids have been taken before the City Council, and he asked if the Council would

like to receive these on August 17th. The Director of Electric Utilities, Mr. Kinney stated there were some sluice gates yet to purchase. Mayor Palmer asked that the bids on the sluice gates also come through the Council.

MR. DON HILL filed "Analysis of the Austin Report, 1960 Annual Inventory of Traffic Safety Activities", and gave a detailed explanation of each section of the Report. MR. FOREST PEARSON, Chairman of the Traffic Committee, explained the Rotary Club had tried to initiate a Safety Council with paid staff and professional help by getting other civic clubs to participate. This was not accomplished. Now the Safety Council is trying to inspire other clubs to take these safety activities as projects, and it had worked out well. The Kiwanis sponsored the pedestrian safety, the Optimist sponsored the bicycle rodeo, and others had participated in various safety projects. Discussion of the report was held by the Council.

The City Manager submitted a proposal for the Auditorium stating Austin was the last stop for the Holiday on Ice Show before it went into vacation; and it was thought if they would leave their coils and refrigeration equipment in Austin, the equipment could be used as an ice skating rink at the Auditorium. The advantages to the Show would be the savings of packing and storing during the summer months. The City Manager stated the Holiday-on-Ice employees could install the equipment or operate it as a concession, or find someone else to operate it and pay the City on gross receipts. Operating costs of electricity would run about \$600 per month. He recommended that arrangements be made where the Show employee would run the rink as a concession and a daily charge of \$25.00 be made to cover the electricity. The City Manager stated if large crowds were attracted, the City would also receive revenue from the food and drink concessions. Mayor Palmer asked the City Manager and Auditorium Manager to go ahead and check into this. Councilman Armstrong stated he would say the Council would be interested.

The City Manager read a letter from MR. ED BLUESTEIN, District Engineer, Texas Highway Department, regarding illuminating Interstate Highway 35 from just south of Oltorf Street to just south of the Ben White Boulevard intersection and including the illumination underneath the expressway overpass at this intersection. The letter included, "Your City Limits at present extends to the south just to the north right-of-way line of Ben White Boulevard and would need to be extended southerly approximately $\frac{1}{2}$ mile and would also need to be extended along Ben White Boulevard some few hundred feet both east and west of I.H 35 such that the illumination project would all be within the Austin City Limits and would therefore allow your City to negotiate a contract with us covering this lighting job under our current policies. In other words, I need a letter from you stating that the City of Austin would like this illumination project and would agree to maintain and operate same at the entire expense of the City of Austin provided the State would install the illumination system entirely at State expense." Mr. Bluestein stated in his letter the cost of installing this illumination system was approximately \$80,000. The City Manager read his answer to the letter, stating if the State proceeded with this installation, the City would operate and maintain it as City expense in accordance with the current policies. Councilman Armstrong moved that the Council authorize the City Manager to write the letter to the State Highway Department agreeing to maintain the lighting system. The

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

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

The City Manager stated for a number of years the City had considered a study of an Origin and Destination Survey Study, and explained its purpose. He said the State and Federal Government were interested in such a survey insofar as state highways were concerned. From the City's point of view, it would be interested in knowing where the traffic enters and leaves the thoroughfares. He stated there have been studies of small sections of the city. The City Manager said the Planning Commission had recommended such a study, and it is provided for in the Master Plan. It is also included as one of the Capital Improvements Plan projects of the Traffic and Transportation Department. He read a memorandum from the Traffic Engineer (7-11-61) stating Austin was about the last large city in the State to be without an Origin and Destination Study; and if a study is undertaken in Austin, it will have to be conducted during the early part of 1962, provided no other city intervenes with a prior application. The costs of O & D Surveys are paid 50% by the State and 50% by the City, and field operations will be supervised by the State Planning Survey Division. There is included \$40,000 in the 1961-62 budget to provide for the City's portion of the expense. The City Manager pointed out the importance of such a survey, making reference in one instance to the Missouri-Pacific Boulevard engineering. The Council discussed the matter, and the Mayor asked that it be gone into further. The City Manager stated that Mr. Bluestein is ready to recommend this to the Commission for approval as soon as the City gets its application in.

The City Manager called attention to the Electric Utility Monthly Progress Report for June, 1961, which was filed with the Council.

The City Manager stated in connection with the airport expansion, he had some contracts for the purchase of some lots in Marlow Heights, at \$1068 each. The City Attorney explained the contract was signed agreeing to pro rate the taxes, but subsequently, the owner called back and did not want to pro rate the taxes. Mayor Palmer stated it was necessary to acquire the other tract west of Manor Road, and round out the whole tract. Councilman Armstrong moved that the City Manager be authorized to purchase these eight lots. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager submitted the request of MR. ED St. JOHN to erect signs directing people to the Ski Show grounds. The Assistant City Manager recommended the site for these signs as the triangle owned by the City on Interregional Highway and Flores Street.

The Director of Public Works said he received a letter in connection to the Ski Show, that the access roads be oiled and watered prior to and during the

events. He said the streets could not be oiled, but they would be watered periodically. It would be necessary to pay overtime for Saturday and Sunday for one person. Mayor Palmer said this event was quite a big thing. The Council informally agreed to authorize the paying of overtime for this employee on Saturday and Sunday (August 19th and 20th).

Councilman Armstrong reported a complaint on the dangerous situation at Westover and Jefferson Streets, stating the shrubbery needed cutting, or stop signs placed at the intersection.

The City Attorney stated it had been called to his attention that on the West bank of Shoal Creek, just north of 24th Street, there has been a large amount of rock and dirt fill dumped on the City park. He stated he would not try to guess how many hundreds of thousands yards of fill that has been dumped in there and into the channel of Shoal Creek, but there is a considerable quantity. He stated the Council approved the building of a hike and bike trail at the expense of Mr. and Mrs. Fish who gave \$3,000 for this purpose, and some of this fill is over the survey lines. The Director of Public Works stated the fill and trees would retard the flow of the creek. The City Attorney stated his Department had written the owner and asked him to move the fill from the City Property. The Assistant City Attorney stated the owner had called him and said he did not have any fill on the city's property unless a small amount had washed there, and that the owner would be glad to move it. The Assistant City Attorney stated he would get a survey made.

Mayor Palmer stated it looked as though the new tourist court had pushed some fill down in the river bank by the Interregional Highway, and that a check should be made of that.

The City Manager stated when certain officials at the Court House asked for space at the Court House, the District Clerk, Mr. O. T. Martin, did not want the space; but now he needs it. The City Manager stated he would go ahead and mark it off, as there was no need for Council action.

The City Manager stated the Council might be getting some calls from people from West Lake Hills about weed mowing in the lake. The complaints are when the weeds are mowed on the City of Austin side, they flow to the side of West Lake Hills. He explained both sides of the lake were in the City of Austin, Also being requested is the lowering of the lake in the summer instead of mowing the weeds. The cost is \$15,000 plus \$3,000 a day for the time the lake is down.

The Council discussed public relations of the city.

There being no further business, the Council adjourned at 5:50 P.M., subject to the call of the Mayor.

APPROVED

Wm. L. E. Palmer
Mayor

ATTEST:

Elisa Hassley
City Clerk