

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 4, 1962
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

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

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

Invocation was delivered by FATHER HERBERT HILL HOOKS, Guadalupe Church.

Councilman Armstrong moved that the Minutes of the Meeting of December 28, 1961, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

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

MR. TOM PERKINS, Chamber of Commerce, introduced MR. JACK OWEN, Highland Lakes Tourist Association; MR. ED St. JOHN, President of the Austin Chamber of Commerce; and MR. CARL SCHMIDT, Marine Dealer. MR. OWEN read a Proclamation concerning Austin's being the center of water recreational activities and asking the Council to proclaim JANUARY 8-14, 1962, as BOAT AND TRAVEL WEEK in Austin. Councilman Armstrong moved that the Council endorse the Mayor's signing the Proclamation setting aside this week as BOAT and TRAVEL SHOW WEEK. The motion, seconded by Councilman Perry, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: TWO INTERIOR TRACTS OF LAND, ONE

OF WHICH HAS DIMENSIONS OF 60 FEET BY 82.5 FEET AND CONTAINING AN AREA OF 4,950 SQUARE FEET, AND THE OTHER HAVING DIMENSIONS OF 165 FEET BY 318 FEET AND CONTAINING AN AREA OF 52,470 SQUARE FEET, LOCALLY KNOWN AS THE REAR OF 1708-1714 MANOR ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; 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 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.

(Only 61 apartments to be built on one tract and the other tract to be for drives, etc.)

MAYOR PRO-TEM PERRY took the Chair and presided.

Mayor Pro-tem Perry introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL ALL OF THAT CERTAIN ALLEY TWENTY (20) FEET IN WIDTH WHICH TRAVERSES BLOCK 3 OF THE ORIGINAL CITY OF AUSTIN, AND EXTENDING FROM THE EAST LINE OF GUADALUPE STREET TO THE WEST LINE OF LAVACA STREET; RETAINING AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN, UPON AND ACROSS THE SOUTH FIFTEEN (15.00) FEET OF THE ABOVE DESCRIBED ALLEY; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Armstrong 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, Shanks, White, Mayor Pro-tem Perry
Noes: None
Present but not voting: Mayor Palmer

The ordinance was read the second time and Councilman Armstrong 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, Shanks, White, Mayor Pro-tem Perry
Noes: None
Present but not voting: Mayor Palmer

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

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

The Mayor Pro-tem announced that the ordinance had been finally passed.

MAYOR PALMER took the Chair and presided.

The City Manager submitted the following:

"January 2, 1962

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Requisition No. 9601X; Bids received on Chlorine Feed Equipment.
Bids received by Purchasing Agent at 2:00 P.M. on December 20, 1961

"The purpose of the proposed chlorine feed machines is part of a project which, when completed, will provide the necessary facilities for chlorinating our sewage treatment plant effluent. The project is needed in order for the City of Austin to meet current State Health Department standards. Part of the overall project has already been completed. The completed parts include a chlorine contact tank and a chlorine machine and chlorine storage building. Other equipment still to be purchased (not including the subject chlorine feed machines) include a hoist for handling ton containers, small effluent pumps, effluent piping, chlorine solution lines and wiring.

"Our estimate of the cost of the subject chlorine feed machines is \$3,000.00 each or \$6,000.00 for the two specified. The cost of installation of the two machines is \$500.00

"Wallace & Tiernan, Inc.
Bid on Wallace &
Tiernan Equipment

*Texas Filter Com-
pany Bid on BIF
Industries Equip-
ment

Fischer &
Porter Co.
Bid on
Fischer &
Porter Equip-
ment

| <u>"Description</u> | <u>Base Bid</u> | <u>Alternate</u> | | |
|---|-----------------|------------------|--------------|---------------|
| "2-each chlorine feed machines, necessary appurtenances and auxiliary equipment | \$5,525.50 | / \$5,215.50 | * \$4,738.00 | \$5,886.50 |
| "Estimated cost of City water line required for operation of equipment | none required | none required | 598.37 | none required |
| "Estimated cost of Air Compressor required for operation of equipment | none required | none required | 460.00 | none required |
| "Evaluated Installed Cost | \$5,525.50 | \$5,215.50 | * \$5,796.37 | \$5,886.50 |

"The Wallace & Tiernan, Inc. control equipment proposed under their alternate bid is not as accurate nor does it give as trouble free operation as does the control equipment proposed under their base bid. Their base bid is on all electric control while their alternate bid is on a combination electric-vacuum control.

"Both the Wallace and Tiernan, Inc. base bid and Fischer & Porter Company bid meet all requirements of our specifications.

"The purchase of this equipment is provided for in the 1961 - 1962 budget.

"RECOMMENDATION: It is my recommendation that the Wallace & Tiernan, Inc. base bid with all electric control, in the amount of \$5,525.50 be accepted on the basis of being the lowest and best bid meeting our specifications.

"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 December 20, 1961 for Chlorine Feed Equipment; and,

WHEREAS, the bid of Wallace & Tiernan, Inc. in the sum of \$5,525.50 was the lowest and best bid therefor, and the acceptance of such bid has been

recommended by the Superintendent of the Filter Plants 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 Wallace & Tiernan, Inc. in the sum of \$5,525.50 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 Wallace & Tiernan, Inc.

The motion, seconded by Councilman Shanks, 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)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by John L. Adams, Camp Ranger, of the Boy Scouts of America, as described in the Travis County Deed Records and known as the Camp Tom Wooten Tract of land on Bull Creek located approximately $4\frac{1}{2}$ miles above Tom Miller Dam on the shore of Lake Austin, and hereby authorizes the said John L. Adams to construct, maintain and operate this boat dock subject to same being constructed 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 erection of this boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said John L. Adams has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 2, 1962

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

Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of John L. Adams, Camp Ranger, of the Boy Scouts of America, owner of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being on the Camp Tom Wooten Tract of land on Bull Creek located approximately $4\frac{1}{2}$ miles above Tom Miller Dam, as

recorded in the Travis County Deed Records; for permission to construct and maintain a boat dock projecting out into the lake approximately 30 feet beyond the normal high water level. The construction details meeting all requirements, and I recommend that if John L. Adams is granted his request by the City Council, that it be subject to the following conditions:

- "(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.
- "(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marina supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.
- "(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.
- "(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

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

The motion, seconded by Councilman Shanks, 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)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by William W. Wilcox as described in the Travis County Deed Records and known as being approximately one (1) mile upstream from Lake Austin Lodges, the same being Lot 1, Horseshoe Bend Estates, on the shore of Lake Austin, and hereby authorizes the said William W. Wilcox to construct, maintain and operate this boat dock subject to same being constructed 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 erection of this boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City

Council that the said William W. Wilcox has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 3, 1962

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of William W. Wilcox, owner of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being Lot 1, Horseshoe Bend Estates, as recorded in the Travis County Deed Records, being approximately one (1) mile upstream from Lake Austin Lodges, for permission to construct and maintain a boat dock projecting out into the lake approximately 24 feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if William W. Wilcox is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

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

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

Mayor Pro-tem Perry asked that these applicants be cautioned to get these docks built as rapidly as they possibly can, as the Lake will be raised as scheduled.

Councilman Armstrong moved that the Council approve the requests made by the applicants before the Planning Commission that the following zoning applications be withdrawn:

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|-------------------------------------|---|--|
| BILL FARMER By H. L. Mansfield | 5610 Jim Hogg | From "A" Residence To "B" Residence |
| W. H. BULLARD | 2808-16 White Rock Drive 6101-29 Bullard Drive | From "A" Residence To "B" Residence |
| R. G. LEMMONS By Edward M. Horne | 5209-15 Joe Sayers Avenue | From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area |

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of an order of sale issued out of the 53rd District Court of Travis County, Texas, in Cause No. 110,272, styled City of Austin v. J. M. Hill, et al, the hereinafter described property was sold for taxes by the Sheriff of Travis County, Texas, by deed dated February 5, 1959, being of record in Volume 2008, page 185, Deed Records of Travis County, Texas; and,

WHEREAS, M. M. Pease is desirous of purchasing the hereinafter described property; Now, Therefore,

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

That William T. Ward, be appointed as Commissioner, and he is hereby authorized to execute a quitclaim deed on behalf of the City of Austin and as Statutory Trustee for the State of Texas and County of Travis and Austin Independent School District conveying all of their right, title and interest in and to the following described property to M. M. Pease, said property being more particularly described as follows; to-wit:

East 4 feet of Lot 1 and the west 42 feet of Lot 2, Block 6,
Outlot 38, Division "B", James O'Reilly Subdivision, in the
City of Austin, Travis County, Texas.

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

The City Manager submitted a recommendation from the Hospital Board and the Administrator regarding charges for the Surgery Department. They recommended that charges be increased in the new classification to be added for the "Major-Major" surgery, example of which would be bone grafts, craniotomy, lobectomy and hip nailing. He listed the reasons for classifying procedures in the "Major-Major" groups as follows:

- (1) Larger amounts of suture are used on these procedures.
- (2) The suture is more expensive because it is atraumatic suture.
- (3) More basic supplies such as sponges are used on these procedures.
- (4) More equipment is required; the maintenance and care of this equipment is complex and expensive.
- (5) Additional sets of instruments are required.
- (6) The basic outlay of instruments is far greater than for those procedures in Major Class.

Charges recommended are as follows:

| | <u>Minor</u> | <u>Major</u> | <u>Major-Major</u> |
|----------------------------|-------------------------|-------------------------|--------------------|
| First hour | From \$17.50 to \$20.00 | From \$25.00 to \$30.00 | \$35 |
| Each Additional 15 minutes | From \$ 3.75 to \$ 3.00 | From \$ 4.00 to \$ 3.00 | \$ 5 |

Councilman White stated he would like to see a complete list of what is included in "major-major", and would like to know more about it. MAYOR PALMER stated the Council would postpone this until the following week.

The City Manager stated he had the executed contract from the Missouri Pacific Railroad along with the deed to the right-of-way and the tracts of land. The Mayor stated he wanted to thank all the former Mayors and former Councilmen who worked so diligently on this, along with the City Managers, together with MR. WILLIAMS, MR. ESKEW, and MR. ROUNTREE, as the City Administration certainly worked diligently on this. He stated all were very happy over this and hoped to get started right away on Westover. Councilman Shanks stated as a new member of the City Council, he had been watching the transfer of these properties from the Missouri Pacific to the City of Austin, and he had never seen such fine cooperation, such wonderful spirit as exhibited by the Railroad Company in the conveyance of these titles to the City, and he wished to say on behalf of the City of Austin, "Much obliged". Councilman White moved that an expression of appreciation be sent to the officials of the Missouri Pacific. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor asked that a copy of the motion and resolution be sent to the officials of the Missouri Pacific along with the necessary letter from the City Manager who has worked hard on this.

The City Manager submitted a request from the Delwood Optimist Club made in a letter to Councilman White, expressing a desire to purchase approximately an acre of land adjoining the east end of the Bartholomew Park area. It was suggested by the Club that the price be arrived at either on the appraised value, or the price per acre paid by the private concern when the land was sold. The City Manager displayed a map of the area. The City Manager stated an acre could be taken out of the park and the street moved over, and he explained the dedication status. Discussion was held on the zoning if the Club proposed to use this as a private club. It was brought out if the proposal were a field house, or only a gym for boys, it might not be considered as a private club. Councilman Shanks suggested that the Council get together with the Delwood Optimist Club and see what they propose. The City Manager suggested rather than selling the land, it would be leased and let the Club build the facility; and if they abandoned their activities, the buildings would revert to the City. Councilman White suggested that the City Manager contact the group.

The City Manager stated the Schools had certain properties they had acquired for school sites, but are now abandoning them and are going to sell them, and are offering the City an opportunity to look them over to see if it might need some of them; and if the City is interested, they would work with it on the sale; otherwise the properties would be offered for sale to the public. The Director of Public Works listed five tracts that the City was definitely interested in acquiring: one for right-of-way; one for a drainage easement and fire station site; one for a service yard and neighborhood playground, and another for right-of-way. The Council wanted to look at these five locations.

The City Manager stated that the City Attorney had talked to the Council about the desire of the TRAVIS MATERIALS, INC., to trade land for land instead of purchase, and he was willing to give them an answer. The Mayor wanted to go and look at this land also today.

The Mayor again announced the withdrawal of the three zoning applications as accepted earlier.

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

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|---------------|-------------------------------|---------------------|
| P. E. WORSHAM | 6000-06 Interregional Highway | From "C" Commercial |
| | 6007-6011 Brooks Street | To "C-1" Commercial |
| | | RECOMMENDED by the |
| | | Planning Commission |

No opposition appeared. Councilman White moved that the change to "C-1" Commercial be granted. 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 change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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| P. E. WORSHAM | 1120 East 52nd Street | From "BB" Residence |
| | | To "O" Office |
| | | RECOMMENDED by the |
| | | Planning Commission |

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

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

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

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| D.&M. BUILDERS | 3201-03 East Avenue | From "A" Residence |
| By Logan Melton | 1100-06 East 32nd Street | To "B" Residence |
| | | RECOMMENDED by the |
| | | Planning Commission |

No opposition appeared. Mrs. Maude Pridgeon appeared to see what was to be done. Councilman White moved that the change to "B" Residence be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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

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JAMES K. EICHELBERGER,
JR.

2106-08 Oldham Street
707-711 Manor Road

From "BB" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission

Mr. Eichelberger stated they planned to build an apartment house for Senior and Graduate students. These will be rented to girls. One lady inquired about the swimming pool in the apartment in the neighborhood, and the late hours. Mr. Eichelberger stated this Apartment would be under the jurisdiction of the University. Councilman Shanks moved that the change to "B" Residence be granted. The motion, seconded by Councilman White, carried by the following vote:

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

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

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MRS. R. E. CARRINGTON
By Allwyn G. Gannaway

407-09 East 12th Street
1106-10 Neches Street

From "B" Residence 2nd
Height & Area
To "C" Commercial 3rd
Height & Area
RECOMMENDED by the
Planning Commission

Mr. Gannaway stated they were planning a 10 story apartment house containing 43 apartments. Councilman White moved that the change to "C" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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EPISCOPAL THEOLOGICAL
SEMINARY OF THE SOUTH-
WEST, Gray M. Blandy,
Dean, By Charles
Granger

500-02 Bellvue Place
3001-07 Duval Street
501-03 Rathervue Place

From "A" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area
RECOMMENDED by the
Planning Commission

Inquiry was made by DR. T. R. McNEELEY as to the effect the parking situation would involve his business, as it seems the students will not use their off-street parking. He stated he might have to ask for change of height and area. He asked for toe-in parking on Bellvue. Councilman White moved that

the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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| THOMAS BLACK, TRUSTEE | 300-06 E. 15th Street | From "C-1" Commercial |
| By Arthur G. Stell | 1501-09 San Jacinto Boulevard | To "C-2" Commercial |
| | | RECOMMENDED by the Planning Commission |

Mr. Stell represented the applicant stating he had remodeled the place and leased it and it was being operated as one of Austin's nicer night clubs. Mr. Stell proposed to lease a portion of the building and operate a package store. He stated San Jacinto is predominately commercial with other "C-2" zonings. Opposition was expressed by Mrs. HARRY MARKO and MRS. VICTORIA BLOMQUIST. A representative from the Daughters of the Revolution stated they had a house at 16th and San Jacinto, and opposed this change of zoning. After discussion, Councilman White moved that the change to "C-2" Commercial be granted as recommended. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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| CHARLES T. BROWNE | 96 East Avenue | From "A" Residence |
| | Additional Area: | To "C-2" Commercial |
| | 92-94 East Avenue & | NOT Recommended by the |
| | 707-711 Driskill Street | Planning Commission |
| | | RECOMMENDED "C" Commercial |

Mr. Charles Browne appeared in his own behalf; and although the application had been made for "C-2", he stated "C" Commercial would be acceptable, and wanted to develop the property from a cheap rental area to a better development. He had no immediate plans and was going to sell the property. Opposition was expressed by REV. HERBERT BROWN, Pastor East Avenue Baptist Church, for any "C-2" zoning; also he suggested in view of the fact this was so near the new lake, and right on the Interregional, which more or less is a show-case of Austin, if some care should be given to what is going to be developed there. He suggested possibly an "O" Office zoning would be in the public interest and development could be made as attractive as possible. He did not object to "C" Commercial. The Mayor stated the economics would pretty well control the

development. After discussion, Councilman Shanks moved that the zoning be changed to "C" Commercial. 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 change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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| PHILLIP & ERNEST | 601-05 Peacock (Oakcrest) | From "A" Residence |
| JOSEPH | 3016-3022 South 1st St. | To "C-1" Commercial |
| By Robert J. Potts | | NOT Recommended by the Planning Commission |

Councilman White moved that the zoning application be referred back to the Planning Commission for study of removing the "C-1" Commercial and considering "LR" Local Retail. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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| ROBERT T. McALISTER | 1121-23 Chicon | From "C" Commercial |
| By Hugh Sullivan | 1900-02 Tillotson Ave. | To "C-1" Commercial |
| | | NOT Recommended by the Planning Commission |

Mr. Sullivan stated he operated a grocery store located at this address, and he had to try to compete with the businesses on either side. There were big stores on both sides of him and he was just trying to stay in business, and wanted to sell beer for off-premise consumption. Opposition was expressed by the Chaplin and Counsellor, H. W. WILLIS, Huston-Tillotson College; REV. SNEED, ISAAC SPENCER, ROSETTA DURST. MR. KENNETH LAMPKIN, Attorney, represented opposition. The Planning Director stated the Commission recommended denial of the change of zoning due to the surrounding residences, and the policy of "C-1" or "C-2" being established in well developed commercial areas. After discussion, Councilman Perry moved that the application be DENIED. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

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BULLARD COMPANY
By W. H. Bullard

3807-3811 Kennelwood
Road

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

Opposition was expressed by MRS. FRANK L. ROBINSON, MR. LARRY TEMPLE, representing Mr. Gary Morrison who owns adjoining property; by petition signed by eight adjoining property owners. DR. HODGKISS, O'Henry School, expressed opposition. After discussion, Councilman Armstrong moved that the application for change of zoning be DENIED. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Perry

The Mayor announced that the change had been DENIED.

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JACK ANDREWARTHA
By Phil Mockford

1911 David Street

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

Mr. Mockford wants to build a four unit apartment house, and displayed a map showing the various "BB" and "O" zoning, and pointing out houses in the block that were used as apartment houses. MR. ANDREWARTHA stated he wanted to duplicate a 4-unit apartment house he constructed on Speedway--one story brick veneer, which was not a modern type, and one that would fit in well in this neighborhood. Proper off-street parking would be provided for four cars, and the building would set back 30' from the front of the property. He stated he thought it was a reasonable "BB" zoning. The Director of Planning stated the uses in the block were conforming to "A" zoning; one place has five roomers; but the residences do not have but one kitchen. Bitter opposition was expressed by DR. E. B. ATWOOD, representing 17 property owners, stating of the 16 occupied plots, all but three are occupied by the owners, or members of their families; recent development has been in the direction of permanent private homes; rental of portions of the owners' property has not been extensive; the average occupancy for all the addresses on David Street is three persons per lot; the homesteaders regard themselves as permanent and want a quiet area; the proposed construction would make off-street parking so difficult as to be practically impossible; and if four students rented one apartment, the situation would be worse; traffic would become more congested and dangerous; noise would produce many complaints, and this zoning would be spot zoning. MRS. FAY STARR opposed the zoning. Letter of opposition from Mr. and Mrs. Oliver H. Radkey as noted and filed. Letters from Maurine Currin, Mrs. L. W. Eaton favoring the zoning were on file. The Council decided to make a personal inspection of this area and decide the following week.

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MRS. LALAGE J.
EGELSTON

1149E & 1151E Nickols
Avenue

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

Mrs. Egelston planned to develop the two lots and build a rest home there. The Director of Planning stated in addition to this being a spot zoning, his Department was working out a route for the extension of 12th Street to continue on through. He said something might be worked out later. The Council wanted to make a personal inspection of the area.

ALFONSO H. LOPEZ

2500 Hidalgo Street
621-623 Pedernales St.

From "D" Industrial 3rd
Height & Area
To "C-1" Commercial 3rd
Height & Area
NOT Recommended by the
Planning Commission

Mr. Lopez wanted to sell Beer-to-go, and stated he thought the more places that sold beer for off-premise use, the more the people would drink at home rather than at other places. He was located in the middle of two places that sold beer for on premise uses. He stated his barbecue stand had for sale milk, bread and little items, and he wanted to sell beer for off-premise consumption. The Council wanted to make a personal inspection of the area.

The Director of Planning stated a hearing on zoning the area between 29th Street, 34th Street, Guadalupe and Lamar for "BB" Residence zoning had been advertised.

The City Manager stated he had a communication from Chief Miles regarding a letter from MR. CONE, Taxi-cab Division, reporting some serious problems concerning the Deluxe Cab Company operations, and recommending consideration be taken to cancel this franchise on the basis of information furnished. The franchise will expire in October. The City Attorney stated the owner was not able to provide city-wide service; at this time he does have insurance, but he must be watched closely on this insurance provision. The Mayor stated if it were a matter of public protection, this should be checked into immediately. The City Manager stated they would check this.

The City Manager had a request from BROOKS & BARR, Architects, regarding extension of the basement area out into the sidewalk area. He stated it encroached 5" into the sidewalk area. The City Attorney stated he would have to draw the proper instruments. Finally, after discussion, Councilman Shanks moved that G.S.A. be permitted to encroach this 5 1/4" off the 8th Street property line in the west line of Trinity. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman Perry

At this point Councilman Perry left the Council Meeting.

The City Manager stated he understood the Council resolved the question of what it wanted to do about the Travis Materials. The Mayor stated that was right.

The City Attorney reviewed an offer made from COLONEL WARD to sell the property on 14th Street to the City, and stated the Council had just purchased the Lucksinger property and was familiar with the values of the property in the locality, and had authorized him to purchase this property. He stated the owner, MRS. CASWELL stated \$28,000 was reasonable, but they would split the difference between this price and the price the City had offered. After discussion, Councilman Shanks moved that this property be purchased for \$26,500. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

The City Attorney stated the owners had a renter who was managing the property, and he would recommend that the City might like to keep the same arrangement after the transaction is finished. The Mayor discussed the payment to the Caswells, as to how it should be handled.

The Council discussed matters it wanted to bring before a Legislative conference at a meeting the next day.

The Council greeted and welcomed MR. JEFFREY FERGUSON, Travis High School student, making a report on Government.

The City Manager stated the matter of renting a sign on city property on Lamar had been discussed last week, and he had reported the action of the Council to Mr. Ed St. John, that the Council did not want to establish a precedent for renting land for signs. He stated perhaps the adjoining owner to this little strip of land that could not be used for anything, might buy it and rent it for signs. He said care would be taken that they would not sell anything that might be needed for widening or deepening of Shoal Creek. Mayor Palmer suggested that the City Manager approach this from this angle. Councilman Shanks made inquiry about the sale of the land in comparison to the revenue; and he was inclined to let them put the signs up; and if there were any complaints, the signs could be taken down. The City Manager explained that the owner of the property with buildings had installed some small airconditioning units in the building, and these were overhanging about three feet. The owner is actually encroaching on the air space above the land. The Mayor asked that the City Manager find out how much land Mr. St. John will need for his sign and working space, and then discuss with the owners about their purchasing the property.

The City Manager reported on the development of a sewer line in Williamson Creek, stating after considerably exploration for a site for a disposal plant, they decided it would be better to use an oxidation pond type of

treatment. He stated that if the line could be obtained at a reasonable price, it would cost less to buy the line than to extend the pipe down through the land, so it would appear the practical thing to do would be to buy a large tract of land and use the ponds rather than put in a plant. He pointed out a tract lying between Williamson and Onion Creeks just west of where the two converged, stating there were about 500 acres. He stated when the area had developed, it would be necessary to have this amount of land. The City Manager stated two outside appraisors had made reports, and the Tax Department had made its appraisals, and its figures were lower than those of the two other appraisors. Mayor Palmer stated this area was the most desirable location. The City Manager stated there were two engineers--one designing the line, and one employed to do the design work of the treatment system. Councilman White inquired if this plan did not work what would be the cost of the pipe. The City Manager estimated it might cost \$50.00 a foot to run it. Councilman Armstrong inquired if the money were available for this line, and the City Manager stated it was. He said this could cause this area of town to develop. The City Attorney displayed a map showing the final development, stating around the pond area there would be needed some open spaces, and the land along onion Creek could be developed as a picnic and park area. The Mayor requested the City Manager to proceed with his recommendation and negotiations, and try to schedule a meeting with MR. PETE SMITH after Sunday week. (The week of January 14th)

The City Manager stated sometime ago the Council authorized the selling of certain circuit breakers to the L.C.R.A. These are circuit breakers the City bought ten years ago that are too small now, but the L.C.R.A. can use them. At the time the authorization to sell them was made, the price was set at \$12,500, but the price of new circuit breakers had gone down, so the City will have to reduce its price. He gave an estimate of what these would be now. The Mayor asked him to make the best deal he could.

The City Manager filed with each member of the Council the Monthly Progress Report on Water and Sewer Projects.

The City Manager stated he had been trying to get the Highway Department to illuminate Airport Boulevard from Montopolis north all the way out. The only lighting the Highway Department does on streets of this kind is at the dangerous intersections. The City Manager said some data had been worked up to submit to show the hazards at each intersection from Montopolis all the way out. He said he hoped to get all of the intersections lighted by the State, and the City could fill in between.

MAYOR PALMER stated he had received many fine compliments on the Public Works Department's cleaning out Waller Creek, Shoal Creek, and the creek on the River. He reported that although Mr. Holeman had made a great improvement, it would be very dangerous as far as a flood was concerned. The City Attorney stated Mr. Holeman had contacted him about the City's cleaning out Shoal Creek north, and that he had reported to him that the City was doing, as a property owner below 35th Street, what Mr. Holeman should do as a property owner above 35th. The City owns the tract south of 35th to 29th. He said the City, as a property owner, was to keep obstructions out of the creek, and it was hoped that other property owners would do the same.

The Mayor read a letter from MR. W. LAUGHLIN stating the City needed a general clean-up, as there were many pieces of paper in all parts of the city; noting there were some lots that had not been burned or cleaned in many years; stating the dog question was as bad as ever, and suggesting that the tax on dogs be doubled; and stating that people 75 years of age on retirement have hard times meeting their taxes, as their retirement was made when salaries were low.

The City Manager reported a complaint made by MRS. MILTON SMITH concerning the acoustics in the Auditorium. The Mayor said the one thing the Council had stressed was to try to buy the best equipment available, and stated he had a letter from Mrs. Smith on January 3rd, enclosing a copy of a letter from Dr. Boner, which the Mayor read. Dr. Boner stated in his letter if the City should desire these recommendations, Mr. Lindsey, President of Southwest Radio and Sound should be able to quote a price on the recommended alterations. Councilman Shanks stated if the sound equipment needs overhauling, the money should be spent to do it. The Mayor stated a further check would be made with MR. VICKERS, Manager of the Auditorium.

The Mayor stated the Council would be approached on the matter of legal notices in the newspapers. The City Manager explained the state law on publications, and the city's policy, in that most of the laws spell out how many publications and how long beforehand they have to appear. The City Attorney recommended against the use of any other than the traditional type of paper; as in some cases the property owners do not receive any other notice, particularly notices of assessments.

Councilman Shanks received a letter from the DOMINO SUGAR COMPANY enclosing little sugar packets which were using pictures of Texas on them-- "Domino Sugar Scenic Packets" for the purpose of publicizing their product. The Assistant City Manager suggested referring this letter to MR. VIC MATHIAS, Chamber of Commerce, and ask him to look into it and commending them on advertising Texas.

The Council had before it the tax appeal of the Commodore Perry Hotel, 800 Brazos. Councilman Shanks moved that the Council set the full value as follows:

| | <u>1960</u> | <u>1961</u> |
|--------------|--------------------|--------------------|
| Land | \$ 344,559 | \$ 352,109 |
| Improvements | 1,657,400 | 1,568,651 |
| Total | <u>\$2,001,959</u> | <u>\$1,920,760</u> |

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

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

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Perry

The Council ajourned at 6:30 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elin Hooley
City Clerk