

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 5, 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 RABBI DONALD D. CRAIN, Congregation Agudas Achim.

Councilman White moved that the Minutes of the Meeting of March 28, 1962, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Noes: None

MRS. CARL MCGLOTHIN, 4601 Ramsey, made inquiry of what to do about her neighbor's bringing in six bee-hives, stating he apparently intends to keep them there permanently, and that there was no ordinance prohibiting the keeping of bees. She said her child was allergic to bees, and that stings could be very dangerous, and the bees were all in her yard and garage. It was suggested if this were a commercial enterprise, this could be handled through the enforcement of the zoning ordinance. Also it was suggested that before Mrs. McGlothlin used any insecticides that she check with her neighbor explaining her problem and see if he would remove the hives.

MR. AMOS HEROLD made inquiry as to the time limit for acting on the proposal of the Southern Union Gas Company's proposal for rate increase, and as to the exact date of their filing their proposal. The Mayor explained the filing of the request and the time the Council could take action, or arrange for an extension of time. MR. HEROLD stated he had spent about ten days making a study

of the gas company's proposal, and he had left some written copies of his discoveries with Councilman Louis Shanks. He said he did not want any of his arguments used without his permission, and referred to a statement made at the end of his proposal. Mr. Herold was asked if he were submitting this for monetary reimbursement; and upon his answer that he did not propose to do this for nothing, the Council returned his copies of his studies.

MR. DICK PETTWAY announced that APRIL 8-14 was National Library Week, and that Austin had one of the best libraries in the southwest. He wanted to remind the City Council to attend the observance of this National Library Week at the Main Library between 3:00 and 5:00 P.M., April 8th.

MR. DAVID BARROW, Chairman of the Lake Development Committee, introduced members present, MRS. FAGAN DICKSON, Parks and Recreation Board; MR. TOM PERKINS, Chamber of Commerce, and MR. SALES LEWIS, Planning Commission. He stated the Committee would have a recommendation for a name for the lake next week. He recommended that the Council set aside as a bookkeeping matter part of the money the City received from the sale of the forty acres for the use of the beautification of the lake, and that it is now time to begin on part of that. He stated the Committee recommended that the area between Congress Avenue Bridge and Lamar Bridge be given attention at this time on both sides of the river, and more especially the area around the Auditorium; that before any request for use of area close to the Auditorium should be studied before the request is granted; and that a first class landscape artist or architect be engaged to work on this project, particularly around the Auditorium and lake fronts between the two bridges. The Mayor pointed out some developments planned on the lake, and asked if the committee were recommending an overall planner, or to have a landscape artist to design the area mentioned. Mr. Barrow stated if the Council liked what was done, it might expand the work if the proper person were obtained. Councilman Shanks stated it might take a combination, as a landscape architect might not be qualified to recommend on permanent structures. After discussion, Councilman Shanks moved that the Committee be asked to do some investigating and see what the costs will involve and report back to the Council. The motion, seconded by Councilman White, carried by the following vote:

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

MR. BARROW listed some suggested names for the lake, and the Council, discussed those as well as others--"Lower Lake Austin" and "Town Lake" as recommended by many as having been already established.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH AUSTIN CORPORATION, FOR
THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN
UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS,
INCORPORATED, 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.

The City Manager submitted the following:

"March 30, 1962

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, March 30, 1962 at the Office of the Director of Water and Sewer Department for the 54-inch South Austin Outfall Sanitary Sewer, from Pleasant Valley Road to the Tunnel Section. The bids were publicly opened and read in the Council Room, First Floor, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Austin Engineering Company	\$344,703.60	200
Bland Construction Company	353,175.00	200
Kark Wagner, Incorporated	588,987.75	250

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$344,703.60 with 200 working days.

"Yours truly,
s/ S. A. Garza, Superintendent
Sanitary Sewer Division
s/ Albert R. Davis, Director
Water and Sewer Department"

"April 3, 1962

"MEMORANDUM TO: W. T. Williams, Jr., City Manager
MEMORANDUM FROM: S. A. Garza, Superintendent, Sanitary Sewer Division
SUBJECT: Bid letting on 54-inch South Austin Outfall - Pleasant Valley Road to Tunnel Section

"1. This project is located generally 100 to 150 feet from the south bank of the Colorado River. It extends from the east end of the tunnel or approximately north of Summit Avenue to the Pleasant Valley Road where Travis Materials and Capitol Aggregates have their operations.

"2. The probable cost of materials and fixtures that will go into this job will be approximately \$95,387.01.

"3. The estimated probable cost to the City for storage and handling if the City purchased the materials would be approximately \$150.00.

"4. The materials and fixtures subject to theft would amount to \$100.00 or more.

"5. The rental on well-point equipment to be used by the Contractor on this project can be listed as "material". The writer questions whether this service

should be paid by the City. There are no other descriptions or amounts that could result in a saving to the City.

"6. It is herewith recommended that the City furnish only such materials as pipe and it's gaskets, cements, and blocks.

"s/ S. A. Garza, Superintendent
Sanitary Sewer Division"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin for the installation of a 54-inch South Austin Outfall Sanitary Sewer, from Pleasant Valley Road to the Tunnel Section; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$344,703.60, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Austin Engineering Company, in the sum of \$344,703.60, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Austin Engineering Company.

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

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

Noes: None

The City Attorney announced that the Comptroller had amended the existing Ruling No. 9 and Ruling No. 29 would be repealed, effective September 1, 1961, and stated that the tax that would be due on the Outfall Sanitary Sewer Contract probably would not be required now, due to the Comptroller's action. He stated also the contract last week on the Holly Street Power Plant involved about \$25,000 in sale taxes, and that amount will be saved on that contract.

No action was taken on awarding the contract for a 55 foot working height aerial lift until Councilman Armstrong could check further into the matter.

The Council had before it Highway Commission Minute No. 50916, as follows:

"WHEREAS, in TRAVIS COUNTY the major portion of a proposed outer belt loop around the City of Austin from a point on present U. S. Highway 183, approximately 0.5 mile west of the M. P. Railroad north of Austin, easterly, southerly and westerly

to a point on present U. S. Highway 290 at its junction with Loop 343 southwest of Austin has been completed or is now in process of development; and

"WHEREAS, Travis County and the Cities of Austin and West Lake Hills have officially indicated that they are willing and ready to enter into Contractual Agreements with the Highway Department for the acquisition of right of way required for the future construction of a four-lane facility on the balance of the proposed outer loop from U. S. Highway 290 at or near its junction with Loop 343 southwest of Austin, northerly around the west side of Austin by way of West Lake Hills and St. Stephens School to a junction with U. S. Highway 183 west of the M.P. Railroad north of Austin.

"NOW, THEREFORE, IT IS ORDERED that a LOOP be and is hereby designated from U. S. Highway 290 southwest of Austin, northerly and easterly to U. S. Highway 183 west of the M.P. Railroad north of Austin and the State Highway Engineer is directed to proceed with the execution of Contractual Agreements with Travis County and the Cities of Austin and West Lake Hills for the purchase of a minimum 200' right of way on a 50-50 basis for the future construction of a multi-lane facility.

"IT IS FURTHER ORDERED that when Right-of-Way Agreements have been properly executed, the State Highway Engineer shall proceed with the engineering development of the proposed location and when necessary public hearings have been held and approved, to furnish the local governmental agencies involved with deeds for right-of-way purchase on location approved by the State Highway Engineer at an initial State cost of \$100,000.00 to be included in the next Consolidated Highway Program of work.

"This work is being authorized on condition that future improvements within the corporate limits of a municipality will be developed in accordance with the Commission's established municipal policy and with the understanding that future improvements will be developed by stages over a period of years as conditions warrant and available finances will permit and in keeping with other needed improvements throughout the State.

"Upon acceptance of the provisions of this Order and the execution of necessary Right-of-Way Agreements by Travis County and the Cities of Austin and West Lake Hills, the State Highway Engineer is directed to proceed with the work herein authorized with the understanding that if the provisions of this Order are not accepted within 60 days hereof, the Minute Order shall be automatically cancelled."

Councilman Armstrong moved that Highway Commission Minute No. 50916 be accepted and that the following resolution be adopted:

(RESOLUTION)

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

That the certain agreement between the State of Texas and the City of Austin for right-of-way procurement for Austin Outer Belt Loop, Western Segment,

running from U. S. Highway 290 southwest of Austin, northerly and easterly to U. S. Highway 183 West of the Missouri-Pacific Railroad North of Austin, Project 8014, in the City of Austin, be and the same is hereby approved and W. T. Williams, Jr., City Manager, is hereby authorized to execute said agreement on behalf of the City of Austin and to transmit the same to the State of Texas for appropriate action.

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

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

- (1) A gas main in POST OAK STREET, from Dawson Road westerly 189.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said POST OAK STREET.

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

- (2) A gas main in LERALYNN STREET, from a point 95.0 feet south of Genard Street southerly 47.0 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LERALYNN STREET.

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

- (3) A gas main in PEGRAM AVENUE, from Burnet Road westerly 82.0 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said PEGRAM AVENUE.

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

- (4) A gas main in BURNET ROAD, from Whatley Road northerly 3.5 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said BURNET ROAD.

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

- (5) A gas main in WHATLEY ROAD, from Burnet Road easterly 10.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WHATLEY ROAD.

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

- (6) A gas main in HARDY DRIVE, from a point 105 feet south of Santa Clara Street southerly 258 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said HARDY DRIVE.

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

- (7) A gas main in VALLEJO STREET, from Yates Avenue westerly 1,100 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said VALLEJO STREET.

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

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

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

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

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

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 as a filling station site the property located 946 feet south of Brentwood Street, and which property fronts 174 feet, more or less, on Lamar Boulevard, being known as a portion of Lot 4, Reservoir Heights in the City of Austin, Travis County, Texas, and hereby authorizes the said J. R. Pfau to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said J. R. Pfau has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"April 5, 1962

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

"Dear Sir:

"We, the undersigned, have considered the application of J. R. Pfau for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located 946 feet south of Brentwood Street, and which property fronts 174 feet, more or less, on Lamar Boulevard and being known as a portion of Lot 4, Reservoir Heights, in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by J. O. Lamb and William J. Joseph and is under lease to J. R. Pfau. We hereby advise the following conditions exist.

"The property upon which this filling station is to be located is designated as "C-2" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that J. R. Pfau be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste, water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1975.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1975 and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
s/ S. Reuben Rountree, Jr.
Director of Public Works
s/ Dick T. Jordan
Building Official"

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

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

MAYOR PALMER announced that the following zoning application had been postponed and that the property owners would be notified when it comes before the Council:

LINDEN JONES	3113-3117 West Avenue	From "A" Residence
By Richard Baker	709-715 West 32nd Street	To "B" Residence

The Mayor announced that the following zoning applications had been withdrawn:

MARTIN L. ANDERSON	1007 East 40th Street	From "A" Residence
By John C. Truehardt	Additional Area	To "O" Office
John P. Cavileer, Jr.	1009-1011 East 40th Street	

THOMAS BLACK, Trustee	1813 (1809) Guadalupe & Rear of 317-19 West 19th Street	From "C-1" Commercial To "C-2" Commercial
-----------------------	---	--

The City Manager submitted a recommendation from the Parks and Recreation Board, as follows:

"April 3, 1962

"Memorandum to: The City Council

"The Park and Recreation Board at its regular meeting April 2, 1962 voted to recommend to the City Council that a landscape architect be engaged to design a plan for the lake front between Lamar and Congress Avenue bridges and to include the area of the Auditorium, the Chamber of Commerce, and the Coliseum.

"Mrs. Dickson said that a request had been submitted to the Town Lake Committee for a dock in front of the Auditorium for a sight seeing boat. The Board felt that such a facility should not be located in such a prominent place.

"The Board discussed the possibilities of the City installing "The Dancing Waters" at the lake side in front of the Auditorium. "The Dancing Waters" would be a permanent nightly display of streams of water and colored lights with background music to furnish an exciting and pleasing experience to the viewer. Since "The Dancing Waters" is nationally advertised, it would be another way to entice tourists to Austin.

"The Board members voted unanimously to suggest to the City Council that consideration be given to the installation of the "The Dancing Waters" and to the landscape design of this most prominent part of the lake.

"Present and voting:

"Ayes: Mrs. Fagan Dickson
Mr. Nash Moreno
Mr. Gil Kuykendall
Mr. Joe Carrington, Sr.
Mr. Sam Parker, Jr.
Mr. O. H. Elliott
Mr. Frank D. Quinn

Nays: None

"s/ Mrs. Fagan Dickson, Vice-Chairman
PARKS AND RECREATION BOARD"

Members of the Council expressed favor of this installation and asked that estimates be obtained.

The City Manager submitted a request from MR. BOB ROSS, General Manager of the Driskill Hotel Company, to remove the booths and tables from the south side of the Coffee Shop located at the Airport and move the Gift Shop in that area instead. Mr. Ross had believed this would save approximately \$400 a month in cashier's salaries. This request had been recommended by the Director of Aviation who stated the area now utilized by the Gift Shop would be arranged as another lobby area with seating, writing tables and a planter box covering the exposed pipe to the west. The City Manager stated Mr. Ross would make all the changes. Councilman Perry moved that the City Manager be authorized to make this requested readjustment with the Driskill. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

Councilman Armstrong made inquiry about the idea of placing scenes of Austin in this area, possibly on easels.

The City Manager submitted a letter from Capitol Aggregates asking permission to operate a floating boathouse that could be moved along close to the dredge and in which they could keep their little small motor boat during the night. The City Manager explained at the close of business the boat had to be taken down to the operating base at the dam, and they would like to eliminate that operation. Councilman Perry stated permission should be given with the understanding this boathouse is a portable affair and would be kept in connection with the barge. Councilman Shanks moved that permission for this floating boathouse be granted. The motion, seconded by Councilman White, carried by the following vote:

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

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

N. O. POPE
By Arthur E. Pihlgren

2017 Holly Street

From "A" Residence
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C-1" Commercial be granted. 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 change to "C-1" Commercial had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

W. B. HOUSTON
By Dan Priest

2800 Nueces Street
600-602 West 28th Street

From "B" 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 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 "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

W. S. BIRDWELL, JR.
J. J. PICKLE &
ROBERT MUELLER

609-613 East 12th Street

From "B" Residence &
"C-2" Commercial
To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C" Commercial be granted. 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 change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

P. E. WORSHAM

801-05 Tirado Street
6015-19 Middle Fiskville
Road

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman Perry moved that the change to "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

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

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.

- - - - -

THOMAS B. BEATTY
By Byron Fullerton

1009-1017 East 11th Street From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C-1" Commercial 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-1" Commercial
and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

MRS. ANTONIA B. TREVINO 615 East 12th Street From "B" Residence
LOUIS SILBERSTEIN 1112-1116 Sabine Street To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C" Commercial 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
and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

HOWARD PIERSON ESTATE Rear of 100-108 East From "BB" Residence
William H. Pierson, North Loop Boulevard To "C" Commercial
Guardian; By Frank RECOMMENDED by the
Douglas Planning Commission

Councilman White moved that the change to "C" Commercial be granted.
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 change had been granted to "C" Commercial
and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

MONTANDON & PIHLGREN 313 (309) East 16th
Co. Street
By Arthur E. Pihlgren

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

Councilman White moved that the change to "O" Office be granted. 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 change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

PLANNING COMMISSION
AREA STUDY

Tract 1
3109-3115 Lamar Boulevard
3108-3114 Owen Avenue

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Tract 2
618-624 (608-610) West
29th Street and
2901-2903 Rio Grande

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the change to "C" Commercial for Tract 1 and the change to "C-1" Commercial for Tract 2 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 "C" Commercial for Tract 1 and to "C-1" Commercial for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

PLANNING COMMISSION
AREA STUDY

Tract 3
614-622 West 30th Street
Rear of 3018-26 Guadalupe

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

MR. TRUEMAN O'QUINN represented Tract 3, stating the Area Study had included a recommendation for "B"; but they had indicated they wanted "O" Office. Proposed development might include office buildings along with apartment units; and there could be 48 apartment units in either "O" or "B". He suggested a moter-hotel might be developed in connection with the 40-Acres Club. He stated this would be about a \$600,000 or \$750,000 investment. The Director of Planning stated this was advertised as an open hearing and Mr. O'Quinn was in order to

consider any particular zoning on this piece of property. MRS. BROCKMAN BAXTER, 606 West 30th Street, made inquiry about a 20' strip of her property having been zoned "C-1" Commercial without her or her family's knowledge. She expressed opposition to the "O" zoning being requested. Opposition was also expressed by MR. HERBERT CUNNINGHAM as he did not want a tourist court built here. MRS. DOWN stated the whole area was being considered and this particular area is being considered for spot zoning, as well as another that was to have been heard--that on West Avenue. She stated both of those areas need renovating, and there are a lot of houses that need to be torn down or rebuilt. She asked that the whole area be brought down for hearing before the Council. The Mayor explained this under consideration today was not spot zoning. She was uneasy about the uses that might be permitted in "O" classification. The Director of Planning explained why this particular lot was being considered, and the other part of the area was not. MR. E. J. MATTHEWS expressed great interest but not necessarily opposition, all depending on the type of construction and operation. MRS. BAXTER, in opposition, pointed out encroachments on their home life by businesses, trouble from two clubs nearby and the vacant lot being used for parking of cars. She was not so opposed to the building as she was the people in those buildings. MR. ROBERT KAROTKIN and MR. NORTH MILLICAN were present. Mr. Karotkin stated he had talked to MR. TED BELIMONT who had no objections. Councilman White moved that the change be granted to "O" Office as requested. 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 "O" Office for Tract 3 and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilman Armstrong stated Austin was growing and expanding, and how it was expanding in the Capitol and University areas, and stated the Council had to do what was necessary for the growth. He stated Mrs. Baxter would be well pleased in this zoning.

In connection with the zoning MRS. BAXTER asked the Council to do something about the alley between 29th and 30th. The Council asked the City Manager to check with the Public Health Officer to see about this complaint and have it taken care of.

- - - - -

RALPH T. PARKER, Owner 2207-2211 Richcreek
H.C. Carter, Jr. & Paul
Brandt, Purchasers

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

Councilman Perry moved that the change to "B" Residence 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 "B" Residence and

the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

PARK L. MYERS

5100-5102 Duval Street
406 East 51st Street

From "C" Commercial
To "C-1" Commercial
NOT Recommended by the
Planning Commission

MR. MYERS represented himself stating he was to use the property for a drive-in grocery with beer to go. Opposition was expressed by MR. EDWIN FAITH, by MR. E. R. HALDEN stating there was a deed restriction regarding alcoholic beverages. The Director of Planning stated this location was not in a well defined commercial area. After discussion, Councilman Perry moved that the change to "C-1" Commercial be DENIED. 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 denied.

- - - - -

MARION EDWARDS,
LAWRENCE F. HARBESON
THELMA MURPHY &
JULIA I. REED ESTATE

3501-3507 (3701-07)
Cedar and 106-110
West 35th Street

From "A" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "B"
Residence 1st Height &
Area

MR. TRUEMAN O'QUINN represented the applicants stating there were other applications in this area pending in Planning Commission; and he asked the Council to grant the 2nd Height and Area, and the applicants would not ask that the ordinance be passed until he exhibited their deed restrictions holding down building to 900 square feet. He stated that would be a compromise between 750 and 1500 square feet. Opposition to the change was expressed by MR. ROSCOE MILES, 110 West 38th Street, stating most of the property was that of homeowners and they would suffer from added heavy traffic. MR. C. C. GILLESPIE, agent, stated this would be a beautiful addition to this part of the city. After discussion, Councilman Perry moved that the application be referred back to the Planning Commission. 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 application had been referred back to the Planning Commission.

- - - - -

HARRY M. GILSTRAP

905 East 41st Street

From "O" Office
To "C-1" Commercial
NOT Recommended by the
Planning Commission

MR. GILSTRAP represented himself stating he wanted a drive-in grocery store with beer to go. MR. H. M. HEWETT expressed opposition. The Director of Planning explained the designation of the "O" Office classification as being one of the best developments for this area, and that the area still has a number of good homes in it. The Mayor suggested that Mr. Gilstrap wait until development takes place in the immediate neighborhood, and his place would enhance in value. Mr. Gilstrap then withdrew his application, and Councilman White moved that his request to withdraw his zoning request be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

- - - - -

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

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

The City Manager reported a call from MR. IRBY CARRUTH, Superintendent of Schools, regarding a five acre tract out of the Berkman Tract, stating Mr. Carruth was ready to contract for construction for some additional school rooms within six months if the City were willing to sell them this land. He stated the land was in the form of a square in the north east corner of the Berkman property. The Mayor stated this was in line with what had been discussed before and the City would like to cooperate in any way with the Schools, and he suggested that the City go ahead and work this out with them, getting the appropriate area surveyed. Councilman Shanks moved that the City Manager be authorized to work along with the Schools on the area which they have requested, and that the necessary warranty deed be prepared. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

The City Manager explained that plans for the expansion of the Water treatment called for a ledge stone facing; and after an exhaustive research, the contractor had located a quarry from which matching stone could be obtained. The Superintendent of the Water Treatment Plant recommended since there would be further expansion, that this ledgestone be acquired now and be stored. The price is \$27.50 per ton, and 210 tons will be needed, and he recommended that the contractor get the additional stone. Councilman Shanks moved that this ledge rock be obtained and a change order to the Evans Contract be authorized. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Shanks moved that the City Manager be authorized to enter into a contract with W. A. DARNWELL for concessions at the Metropolitan Park as recommended by the Director of Recreation and City Manager. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Shanks moved that the City Manager be authorized to enter into a contract with GORDON NEELLEY for vending machine concessions at Deep Eddy and at Northwest Park as recommended by the Director of Recreation and City Manager. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Perry moved that the City Manager be authorized to enter into a contract with PAUL HAMNER VENDING MACHINE COMPANY for vending machine concessions at Oak Springs and Bartholomew Parks, as recommended by the Director of Recreation and City Manager. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Council discussed briefly the vending machine operations operated by employees. The City Manager explained the management of these operations.

The City Manager displayed a map showing a location for the garden center building, and listed the amounts for sewer line extension (\$2,100); water line to the area (\$675); raw water from the lake, lines, pumps, motors, etc., (\$5,025); electric service (\$100); topping the driveways and parking lot (\$15,000); and general land development (\$6,000). He stated the parking lot could be graveled at present and possibly the garden group would take care of some of the general land development. The Director of Recreation, stated this would be an activity center that would provide an area for the gardening interests. He said the garden group is going to put \$40,000 into the building. It was brought out that this would be a budget item, and there would be two extra employees, and later construction of gates at the drives. Mayor Palmer stated that the Council would give its general approval to the idea and thought; and when more specific information was furnished regarding these additions, it would go over them again.

Brief discussion was held on the requests made by Laguna Gloria. The City Manager stated a group had scheduled a meeting before the Council two weeks from today, and it was its thinking that maybe some of the garden groups might be interested in some work around that area, as it could be made into a real garden center. The Mayor suggested that the City Manager check with the group and see what could be done without too great a cost.

MRS. JOHN BARROW made inquiry about the proposed garbage collection fee. The City Manager stated a study is being made in what is being done in other cities, most of them, either larger or smaller than Austin, having a garbage collection fee. He gave some information of other cities as had been reported, stating no problems had arisen. The Mayor explained the difference in a garbage tax and garbage service fee. Discussed also was difference in service should a fee be charged. Councilman Armstrong explained his view of a blanket raise for employees.

MAYOR PALMER stated city wide, one of the greatest needs facing the City is the shortage of hospital space; and it may be necessary to go into a hospital tax or hospital district.

The City Manager stated the Council had referred the recommendation of the Hospital Board that an outside agency be employed to collect delinquent accounts at the Hospital, back to the Board, and the Board made another study and recommended that the Hospital proceed with plan of hiring personnel and doing the collection with city forces thereby having better control of the operation. It was recommended that two full-time personnel be employed at \$400 per month and two part-time personnel at \$1.25 per hour to do the collection of the charged-off accounts; and that a "Department of Special Accounts" be established. It was also recommended that \$10.00 extra be paid if \$500 were collected and \$20.00 extra if \$600 were collected. Suggested also was the employment of MR. W. C. MOFFETT on a consulting basis at a fee of \$150 per week for a month or two to set up the plan of collection and start the initial collection work; then employment of the other personnel. The Mayor stated he would suggest employing the consultant on a temporary basis to get the procedures set up, and employ the \$400 per month credit personnel; but he would like to discuss further the \$1.25 hour with the graduated increase on amount collected. The Mayor stated the Council should authorize the City Manager to make arrangements to employ the consultant on a temporary basis.

The Assistant City Manager stated the Teen-age Safe Driving Rodeo wanted to use the area between the Coliseum and Disch Field on April 28th. Chief Miles stated the Police Department provided judges, and this was a low-speed safety contest, sponsored by the Junior Chamber of Commerce. The Council informally granted the permission.

The City Manager reported that DR. PAUL BONER was going to test a public address system in the University area, Saturday evening, April 14th; and it was Dr. Boner's belief that something could be worked out in connection with the Civil Defense siren system that would provide a means of giving instructions

to people along with the warnings. The Assistant City Manager described the system and some of its possibilities. Mayor Palmer moved that the Council grant the requested permission to test this on Saturday, April 14th. The motion, seconded by Councilman White, carried by the following vote:

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

After discussion, Councilman Shanks moved that the City Manager be authorized to take bids for improving the exterior of the City Hall through sand-blasting. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager called attention to the filing with the Council the report on Status of Water and Sanitary Sewer Contract Projects as of April 1, 1962.

The Council deferred action on the purchase of one 55 foot working height aerial lift until Councilman Armstrong could check further into the matter of the truck. The City Manager stated the specifications called for the 25,000 GVW truck, and this was the way it was bid; however the Manufacturer brought a 19,500 model for demonstration, and the Department thought this would serve the purpose and be a financial saving. The Director of Electric Utilities had indicated he preferred the 25,000 truck.

Councilman Armstrong read a letter from MISS HELEN M. FLINN, Associate Dean of Women commending the Water Department for their good work on March 31st when the fire plug at 2224 Parkway was damaged, as they were most painstaking in their efforts to put the damaged lawn back to normal.

Councilman Armstrong reported the kite flying activities at Zilker Park had been hampered due to the fire ants in the kite flying area. It was stated extermination work could be done.

Councilman Armstrong stated one of the Taxicab representatives had stated they were following every regulation and wanted to know if there were any suggestions for improvement to their services that they could make. The representative stated the rates were fair and the men were enjoying doing business. The Chief of Police stated the companies had greatly improved the appearance of the men and the uniforms. The Mayor stated he had received no complaints.

Councilman Armstrong stated that due to the good cheer and services rendered for so many years and to so many people, especially those that were

ill in the Austin hospitals, that CHARLES GONZALES, a good citizen, a good newspaper merchant, a good taxpayer, and a good all-around citizen, be recognized by the City Council and that it wish him every good wish for a comfortable and hasty recovery.

Councilman Armstrong reported a complaint about the stop-signs on West Mary and South 1st Street, stating this person, realizing South 1st was a thoroughfare, was right up to the stop sign before he could see it, and he had asked for an investigation to see if it could be eliminated. The City Manager stated that stop sign was installed against the advice of the Traffic Engineer some years ago; that the citizens in the area had requested four-way stop signs to slow down the traffic. The City Manager stated he would refer this request back to the Traffic Engineer for his recommendation.

Councilman Armstrong stated he had an inquiry about the airconditioners at the Hospital. The City Manager explained the technical aspects of the 230 volt and 208, and stated there were only four bids; and only two met all of the specifications. Mayor Palmer called attention to the fact that in some cases the present airconditioners were installed where there was left a draft coming through the space between the airconditioner and window. The City Manager stated these would be checked and sealed off.

Councilman Armstrong stated he would like to see all bids, setting up a certain amount, opened in the Council meetings, with the thought that more people could see how the money is being spent. The City Manager stated this used to be the practice; but as it took several hours each Thursday, it was discontinued. It was brought out considerable time was spent on opening the bids, and there was always newspaper coverage; and that opening the bids previous to the Council meetings speeded up the work. Councilman Shanks suggested the City Manager to make an investigation and report back on the time involved in opening bids involving \$1,000.

The City Manager made a report on the inability to move out on plans on the new golf course due to a court decision, stating if it were necessary to extend the runways at the airport, if the golf course were in existence, the extension of the runways might be blocked. He stated he had asked the City Attorney to check into the matter to see if some kind of suit could be brought to clear the question, as he thought it would be a mistake to put a golf course at the end of the run-ways if the use of them would be foreclosed. He stated if a declaratory judgement could be obtained that if a golf course were built, it could later be abandoned and the airport could be extended. Councilman Perry was interested in getting the course underway, and he suggested that the filing of the declaratory suit be started right away. The City Attorney stated he would bring in a resolution in which the Council would express its intention that the temporary use of the property for a golf course could later be changed.

Mayor Palmer announced the resignation of MR. DOYLE BALDRIDGE from the Planning Commission; also the resignation of MR. F. W. STERNENBERG from the Library Commission.

Mayor Palmer stated on April 19th, a gentleman wants to come before the Council to discuss a driving range in Zilker Park.

The Mayor read a letter from THE HIGHLANDER at Marble Falls, announcing an issue for the Diamond Jubilee commemorating the 75th anniversary of the founding of Marble Falls and asking the City to take a half page for an official greeting, at the rate of \$68.60. After discussion, Councilman Perry moved that this request be denied. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Perry, Shanks, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilmen Armstrong, White

Councilman Shanks suggested that the publisher be written and told that the City had no set up for this advertising; but if he wanted to run one information would be furnished.

The Mayor noted a petition filed regarding inadequate drainage in the Windsor Park III area, and an unimproved ditch running its own free course behind their homes, causing damages to their property and other undesirable effects, and asking that the citizens of Wellington Drive, Trafalgar Street and Westminster Avenue be given relief. The Director of Public Works stated he had a copy and had the matter under plan.

The Mayor stated he had a letter from one regarding a family burial plot in Plummer's Cemetery, and the plot could not be located since the City took the cemetery over. He was sending a deed to see if the location could be traced. The City Manager stated the City had not taken it over in any sense, except it owned title to it. The City Manager explained the situation that there are a number of graves un-marked; that some who claimed rights had gone on with burials even though they were not city sponsored. He stated if it were known where the graves were and who were buried, it might be well to disinter them and move them to Evergreen, even though it would be very costly. He stated a Court order could be obtained, and the City would be permitted to do this. The City Attorney stated this man had reported if the City could not find his plot in Plummer's Cemetery, that he be given a place in Evergreen; and he suggested that it might be worthwhile for people holding deeds in Plummer's Cemetery to exchange them for deeds in Evergreen, (Mont Calvary).

The Mayor had a letter from Major General H.B. WEST, regarding Armed Services Day. The letter was referred to Vance Murphy to see if there was something the City needed to do to participate in this Armed Services Day.

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

Ayes: Councilmen Perry, Shanks, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilmen Armstrong, White

The Council adjourned at 5:00 P.M., subject to the call of the Mayor.

APPROVED

Leon E. Palmer
Mayor

ATTEST:

Elin Hoosley
City Clerk