

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 25, 1962
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilman Perry, White, Mayor Palmer

Absent: Councilmen Armstrong, Shanks

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

Invocation was delivered by REV. HAROLD ZINK, St. Mary's Cathedral.

MR. HUB BECHTOL stated there were only three public buildings in Precinct 226, and the School and Church were not available as polling places in the November 6th Election, and asked that Tarrytown Fire Station be made available. The Mayor stated the Election was on Tuesday, and the School was not available; that during City elections on Saturdays, the schools could be used. Councilman Perry moved to permit the use of the Tarrytown Fire Station for Precinct 226 for the General Election on November 6th. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Palmer

Noes: None

Absent: Councilmen Armstrong, Shanks

MR. C. E. STONE appeared stating his interest in working with the Senior Citizens of Austin and in teaching a new method of painting. He read a number of letters commending him in his efforts.

Councilman White moved that the Minutes of the Meeting of October 18th and of the Special Meeting of October 2, 1962 (Tax Hearing), be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Palmer

Noes: None

Absent: Councilmen Armstrong, Shanks

The Council discussed the following zoning application:

HOWARD ONSTOT, et al	200-206, 302-304 and	From "A" Residence 1st
	308-312 W. 38th Street	Height & Area
	3801-09 Avenue B	To "B" Residence 2nd
	201-311 W. 38 $\frac{1}{2}$ Street	Height & Area
	Additional Area:	NOT Recommended by the
	300-306 W. 38th Street	Planning Commission

The Director of Planning stated 38th Street should have an 80 foot right-of-way, and Mr. Uselton, representative of Howard Onstot, had offered 15' for widening for his portion of the property, but he did not commit owners of other property. The Planning Director stated "B" First Height and Area with additional street width might be considered. The Mayor suggested that Mr. Uselton be contacted with the view of his getting the other property owners to join with him on this widening. The City Manager stated under the zoning laws one of the primary considerations for zoning is the congestion that is created on the street; and where a street is already congested and is not wide enough to accommodate additional traffic, it is a strong consideration in determining whether the uses of the property should be changed to permit a greater and more intense use of the property which would result in more congestion in the street. The Mayor stated in light of this comment, and with a recommendation of "B" 1st Height and Area, with the required right-of-way, this should be referred back to the Planning Commission. Councilman Perry moved to submit the application back to the Planning Commission for that study. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager had a request for annexing Richland Estates for development of property along Dalton Lane, and he discussed some matters relating to this development. He described, according to the Development Plan and some Highway Department plans considered in the past, the East Loop stating the Highway Department now had deleted this route from their plans, but it was still a part of the Development Plan as a future thoroughfare. The subdivision is 1000' north of the Bastrop Highway and is not contiguous to the city; and if it were annexed, the City would inherit the street in its present condition. It is not the policy to take in any streets which are not paved or not going to be paved. Since the Highway Department is no longer considering coming down Dalton Lane, the City would have to make its plans as to the width of the right-of-way and as to the type of thoroughfare to construct. The subdivider proposed to put a 90' set back on the street so that ultimately as much as 60' could be acquired, which would be acceptable, but the problem was what to do about the present type of construction of Dalton Lane. The City Manager recommended that the subdivider be told that the City does not want to annex Dalton Lane unless it is paved according to city standards. The Director of Planning pointed out the location in relation to the flight plan from Bergstrom Field. Brief discussion of a refund contract for utilities in this area was held. The Public Works Director stated he had just received a request for annexing Section 2 and showed the area on a plat. The City Manager suggested that annexation of that area could be considered and all of Section 1, except Dalton Lane and the lots

fronting on Dalton Lane, in that the whole subdivision plat could be approved and recorded, and a provision on the plat regarding the use of that property not annexed could be required. Since this new request had been received, possibly a different approach could be studied. The Mayor suggested that the annexation be held up until all of these matters had been resolved with the subdivider, and that he come in and go over these various matters with the City Manager.

At this point COUNCILMAN ARMSTRONG entered the Council Room.

The City Manager submitted the following:

"October 25, 1962

"To the City Council
City of Austin, Texas

Re: Completion and Acceptance of Work
Improving Portions of Certain Streets
in the City of Austin Being Part of
Assessment Paving Contract Number
62-A-10

"The work of improving portions of the following named streets in the City of Austin, being part of Assessment Paving Contract Number 62-A-10, dated June 14, 1962, between the City of Austin and Joe Badgett Construction Co., has been performed and completed by Joe Badgett Construction Co. in full compliance with the contract and the plans specifications therein contained:

<u>Street</u>	<u>From</u>	<u>To.</u>
Lamar Boulevard	NPL W. 5th St.	NPL W. 24th St.
Red River Street	NPL E. 5th St.	SPL E. 19th St.
San Jacinto Street	SPL E. 11th St.	SPL E. 19th St.
Trinity Street	NPL E. 5th St.	SPL E. 6th St.
East 1st Street	EPL Congress Ave.	WPL E. Avenue
West 1st Street	WPL San Antonio St.	WPL Congress Ave.
West 5th Street	EPL Lamar Blvd.	WPL Colorado St.
West 6th Street	EPL Missouri Pacific Railroad Right-of-way	WPL Lamar Blvd.

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
s/ S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Palmer introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF LAMAR BOULEVARD AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY JOE BADGETT CONSTRUCTION COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 OF LOT NO. 1 MALONE AND FUNDERBURG SUBDIVISION, FRONTING 148.20 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF EAST 52ND STREET, LOCALLY KNOWN AS 1211-1215 EAST 52ND STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Perry 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, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the second time and Councilman Perry 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, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted a request from ROLLINS OUTDOOR ADVERTISING, INC., for a permit to install a sign board on the bank of Shoal Creek on West 6th Street, (north side of West 6th Street and west side of Shoal Creek). The offer was \$120.00 a year rental. After discussion, Councilman White moved that the request for a sign board on the Shoal Creek property be DENIED. The motion, seconded by Councilman Perry, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THE CAPTION AND PART 1 OF
ORDINANCE NO. 621018-D, PASSED BY THE CITY COUNCIL
OF THE CITY OF AUSTIN, TEXAS, ON OCTOBER 18, 1962,
OF RECORD IN ORDINANCE BOOK 62, AND SUSPENDING THE
RULE REQUIRING THE READING OF ORDINANCES ON THREE
SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager discussed the request of the M.W.C.A. for permission to revise the interior of the first floor of their building cutting it up into class rooms, and that the Council waive the off-street parking requirements. Councilman White moved that the Council grant them permission to proceed with their construction without providing additional off-street parking. The motion, seconded by Councilman Perry, carried by the following vote:

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

The City Manager submitted a letter from MR. BILL HOWARD, Capitol Aggregates, asking that the dredging of a portion of the river bottom (Town Lake) be accepted and that Capitol Aggregates be released from further responsibility for reworking or working the area between Lamar Bridge, the north bank of the river, the Railroad Bridge, and the south bank of the river. Councilman White moved that the work completed by Capitol Aggregates be accepted and that they be released from further responsibility as a result of their dredging the area in Town Lake bounded on the west by Lamar Bridge; on the north by the north bank of the river; on the east by the Railroad Bridge; and on the south by the south bank of the river. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

Councilman White moved that November 22, 1962, be observed as THANKSGIVING DAY, and that the Council meet on Wednesday, November 21st. The motion, seconded by Councilman Perry, carried by the following vote:

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

The City Manager stated there was a small subdivision on which a request for annexation had been made, and on which are some problems to be discussed. The subdivision is north of Rogge Lane and east of Manor Road. He described the subdivision, and stated the one street entering it intersected with a road which is not recognized as an existing street. The main problem is the fact there is 50' United Gas Pipe Line easement cutting diagonally through the subdivision; and because of the terrain, it was necessary to obtain sanitary sewer easements paralleling the pipe line. About five of the lots in the subdivision are unusable, the 50 foot easement prohibiting the building sites on three of the lots. The City Manager suggested that the Council and Planning Commission meet and discuss the approval of subdivisions with problems like this and work out an approach that would recognize the problems that exist before a developer spent any money on his subdivision and then be denied the privilege of being annexed and obtaining a refund contract. On this particular subdivision, the Mayor suggested that the developer be contacted and something worked out with him, in that he would agree not to sell those lots or permit any structures to be built on them.

The City Manager discussed various railroad crossings in north Austin. The Mayor asked that the City Manager bring in his recommendations for review next week.

The City Manager discussed the extension of Hart Lane, a proposed cross-town thoroughfare, and showed on a map the desired route, pointing out some costs. A part of the area needed for right-of-way is in a 34 acre tract of Allandale Terrace, Sec. 3, and the Planning Commission had delayed action on its recommendation for two weeks. The Mayor asked all the Council members to look at these maps, and take the matter up again next Thursday.

The City Manager submitted a request from MR. MOTON CROCKETT for the purchase of some property at Barton Springs Road and Lamar Boulevard, stating there was a strong possibility that this would be needed for future traffic ways and widening, and he did not recommend selling the property. The Council all agreed.

The City Manager announced that on October 31, from 10:00 - 11:00 A.M. the Max Starcke Dam will be dedicated near Marble Falls, and all Council members had received invitations. It was suggested that all could go in a group.

The City Manager reported he had a letter from the Covenant Presbyterian Church regarding the City plans for the Missouri-Pacific right-of-way on Balcones Trail and Northland Drive, as the Church is ready to build their church. The Mayor stated the Council was going to get together on this Missouri Pacific right-of-way.

The City Manager stated he had a recommendation from the Administration and from the Hospital Board at Brackenridge Hospital to increase the charges at Brackenridge on the rooms. He asked that this be taken up next week. Councilman White stated Mr. Crandall had asked him about this room rent charge increase, and he thought the garbage increase was taking care of the additional wage increase expense. The City Manager explained the \$150,000 deficit stating the garbage

collection fee did not take care of it.

Councilman Armstrong moved that the Council abolish the office of Deputy Clerk-Parking at the Corporation Court due to increased efficiency of the automation, enabling these records to be recorded on I.B.M. and there being no further need for this position. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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

The City Manager stated the Civil Defense Office budget provided for an automobile, but the office is now confronted with the problem of moving supplies to store in these shelters. It was going to rent equipment from other Departments of the City, but he suggested since there was an appropriation for this car, that they go ahead and purchase one that could be used for transportation of people as well as supplies. The Department thought it had found one that could hold more with a smaller outlay--one that had side loading--a foreign compact station wagon. The supplies to be transported would occupy space 4x4x6'.

The City Manager announced that the American Statesman Building had been approved by the Federal Regional Director of Civil Defense as the first public shelter in Austin, and there would be a ceremony at 9:00 A.M., Monday, October 29, 1962.

After discussion, Councilman Armstrong moved that the Council authorize the sale to Roadmac Corporation of a 75'x250' strip of land obtained from the Brentwood Church of Christ, for \$3875.00 if Roadmac will accept \$6,007.00 for the property which the City needs for Right-of-way on Highway No. 183. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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

Councilman Armstrong moved that the City Manager be authorized to renew the lease with Braniff Airways for a remote radio transmitter site. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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

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

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elsie Hooley
City Clerk