

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 1, 1964  
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Shanks, White, Mayor Palmer  
Absent: Councilman Long

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 REVEREND BILL ANDERSON, Trinity United Church, 5800 Cameron Road.

The Council greeted and welcomed the Third Grade Civics Class at Casis School, and its teacher MISS MARGARET McGUIRE. Miss McGuire expressed interest in visiting the Council Meeting, and stated this class had enjoyed Mayor Pro-tem LaRue's talking to it and the pupils were eager to come to the Council to see what he was talking about.

MR. PHIL ZEISSEL, Texas Safety Association, presented three Traffic Safety Awards and gave a background of the work involved in traffic safety necessary to merit these awards. The first award was presented to the Traffic and Transportation Department for outstanding programs of traffic safety engineering. MR. WALTER KLAPPROTH, Traffic Engineer, accepted the award for the Department. Awards on outstanding programs of Police Traffic Supervision and outstanding programs of Maintenance of Accident Records were accepted by POLICE CHIEF BOB MILES and MAJOR BIGGERSTAFF. Mayor Palmer expressed pride to have these Departments recognized; and on behalf of the City, expressed appreciation for these awards.

MR. LEWIS BRACY stated POLICE CHIEF BOB MILES was President of the United Fund this year, but he, as General Campaign Chairman, on behalf of the United Fund of Austin, invited the members of the Council and of the City Departments to the United Fund Kick-Off Dinner, Tuesday, October 6, 1964, at 6:30 P.M. at the Auditorium. He expressed thanks to the various City Departments for their fine contributions and cooperation with the United Fund. Mayor Palmer thanked Mr. Bracy and stated they would certainly try to be present.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 15TH DAY OF OCTOBER, 1964, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Camino Real and sundry other streets)

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

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

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTIONS OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 15TH DAY OF OCTOBER, 1964, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARINGS AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (East 17th Street)

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

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

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The City Manager referred the sketch showing the portion of Orland Boulevard to be vacated. This portion was dedicated at the time the subdivision was laid out but was never opened or improved on the ground. All of the Departments of the City and Planning Commission have recommended that the street be vacated at the request of the property owner on one side of the road, who had acquired from the property owner on the other side a quitclaim deed, if the property is vacated it would become a building site.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL THAT CERTAIN PORTION OF ORLAND BOULEVARD EXTENDING FROM THE SOUTH LINE OF MT. VERNON DRIVE IN A SOUTHEASTERLY DIRECTION TO THE NORTH LINE OF THE I & G. N. RAILROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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 LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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 LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"September 28, 1964

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, September 25, 1964 at the

office of the Director of the Water and Sewer Department for the construction of CARDINAL LANE SANITARY SEWER. The purpose of this construction is to clear this area ahead of paving. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Walter W. Schmidt	\$8,278.50	15
Bland Construction Company	8,361.05	25
Austin Engineering Company	8,880.00	20
H & M Construction Company	9,803.25	15
Ford-Wehmeyer, Incorporated	11,530.25	25
City of Austin (Estimate)	7,650.00	

"It is recommended that the contract be awarded to Walter W. Schmidt on his low bid of \$8,278.50 with 15 working days.

"Yours truly,  
s/ Victor R. Schmidt, Jr.  
Victor R. Schmidt, Jr., Director  
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 25, 1964, for the construction of Cardinal Lane sanitary sewer; and,

WHEREAS, the bid of Walter W. Schmidt, in the sum of \$8,278.50, was the lowest and best bid therefore, 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 Walter W. Schmidt, in the sum of \$8,278.50, be and the same is hereby accepted, and that 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 Walter W. Schmidt.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

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 AS FOLLOWS:

THE WEST 60 FEET OF LOT 1, BLOCK 10, GROOMS ADDITION,  
FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;  
SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY,  
TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING  
OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman White moved that the Council grant the request of DR. ALBERT KLEIMAN to be heard at 10:15 A.M., October 15, 1964. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The City Manager stated MR. DAN GARDNER, Presiding Judge of Precinct 226, would like to use Tarrytown Fire Station for the Election to be held on November 3rd, as Dill School is too small to accomodate the voters while school is in session. Councilman Shanks moved that the Council grant MR. GARDNER'S request, and permit the use of the Tarrytown Fire Station. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

Councilman White moved that the Council refer the petitions for fogging the Joe Sayers and Arroyo Seca areas to the Health Department. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
 Noes: None  
 Absent: Councilman Long

Councilman White moved that the Council grant the BEN HUR SHRINE permission to set up a ticket stand in front of the Austin Hotel and block off two parking meters from October 12th, November 1st. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
 Noes: None  
 Absent: Councilman Long

The City Manager reported there was a set of streets in the down-town area on which they wanted to start development--9th Street, 10th, Trinity and Neches. He said it had occurred to him before they proceeded with 9th and Neches that some determination should be made as to what is to happen to 9th Street between Trinity and Neches. Ninth Street is open from San Jacinto to Trinity, and the principle concern about Neches and 9th Street east of Neches, if 9th is opened between Trinity and Neches, a change in grade is needed, then a part of the work that would be done now would have to be torn out. It is a likelihood if the street is reopened there would be a change in grade. The Director of Public Works showed on the map the portion of 9th Street which was vacated, and which now is owned by the First Baptist Church. MAYOR PALMER inquired about the feasibility of going underneath the building the same as was done at the Post Office. The City Manager said this had been discussed with the Building Committee of the Church, and it did not seem to fit their present plans for development. He said the Public Works Director had met with the Church people to discuss changes in the grade of Neches between 9th and 10th and other streets, and the Church approved all the work proposed for Trinity, 10th, and Neches as proposed.

The Director of Public Works reported on a meeting he had with the Building Committee about cutting the sidewalk area down to grade, thus cutting into the Church property about 16' and the removal of the retaining wall. The Church, in their letter, made no objection. He explained the Church's plan to come in on grade on Trinity and have parking underneath. He told the Committee it was necessary to open 9th Street from Trinity on through to Interstate 35 to complete the one-way street pattern in the down-town area. The Committee said they just could not open it. The Mayor stated the opening was very vital to the one-way down town traffic pattern. The City Manager and Traffic Engineer agreed it was. The Director of Public Works discussed construction over 9th Street similar to that at the Post Office site, and exhibited a plan showing the elevation of the building which would allow a 14' clearance; but the critical point is about 25' east of Trinity. On Trinity the grade cannot be lowered on the west side because the Post Office and Federal Building grades are based on those given when their construction began. He described what could be done to the center line and east curb on 9th Street from Trinity to Neches. He described the plans for the location of the Sanctuary and Office Buildings of the Church, and he believed there possibly could be worked out a way to bridge 9th Street which would permit the reopening of 9th Street. Councilman LaRue inquired if the traffic noise would interfere with the

Church. The Director of Public Works said one representative did bring this question up and objected to building over 9th Street. In other cities expressways have been constructed over buildings. Insulation might be used to keep the noise level down. The Mayor asked how far along was the Church in the development of their plans. Mr. Rountree stated they had not gone any further with the plans than what they had at the time they acquired the property. They had just preliminary drawings and architects' sketches. The architects, the two firms that are working on the plans, had representatives at this recent meeting. Mayor Palmer suggested setting up a meeting with the Governing Body -- the Trustees, or Deacons of the First Baptist Church, and explain this profile, the grade, how their building would be affected, and see if they could work out some satisfactory arrangement about reopening East 9th Street. The City Manager stated there was no design for that 9th Street construction, but it will be possible to establish whatever grade the Church could live with. In the event 9th were opened, it would be desirable to lower the intersection of 9th Street and Neches Street to lessen the steepness of the grade from Neches down. Councilman Shanks suggested so far as the noise angle was concerned, some kind of an ordinance could be passed regulating certain noises. Councilman LaRue moved that the Council set up a meeting with the Board of Deacons. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

The City Manager stated this group of streets included Neches from 7th to 12th; and 9th from Neches to Red River which were involved in this grade question. He asked if the Council would like to separate these and bring in an ordinance for the improvement for these two streets later. Discussion was held.

Mayor Palmer introduced the following ordinance:

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

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The City Attorney stated the Public Works Department is building a bridge across Waller Creek crossing 10th Street; and in taking care of the channel of Waller Creek, and it will be necessary to acquire some property along the creek and five houses, located on the corner of 10th and Sabine. The City Attorney showed on a map the location of the bridge and the property that should be acquired. He stated it would be better for the City to be authorized to make an offer for the property, as they were not able to obtain an offer from the owner, MRS. M. W. STREET. He listed the amount of the proposed offer, for two lots 69' x 128', part of which is in the creek, but the rest is one full lot. The City would be acquiring the entirety of these two lots--four houses and a garage. Councilman Shanks moved that the Council authorize the City Manager to instruct the City Attorney to make this offer as he stated. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

Councilman White inquired if 9th Street were opened, would there have to be another bridge. The City Manager stated there would be another bridge, as ultimately a bridge will be needed to connect Red River and East Avenue to get better circulation of traffic.

The City Manager stated there was a tract of land on the north side of the East Sand Beach that needed to be purchased. The City Attorney stated it was the only tract in the block that the City did not own and showed the location on a map.

This 155' x 150' tract is the Newman property west of the baseball diamond. He would like to make an offer to Mrs. Mayme Newman, sister of Miss Lydia Littman, and listed the amount of the offer. Councilman LaRue moved that the City Manager be authorized to make an offer of \$8,500 for this property just described. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The City Manager stated there was a tract of land on Funston which would be needed in the development of the 35th and Missouri-Pacific Boulevard interchange. The City Attorney stated this was the Winetroub property on which they had a contract for \$17,500 for the 75' lot and a masonry home. Councilman LaRue moved that the City Manager be authorized to acquire the Winetroub property at not more than \$17,500, at 4409 Funston. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

Councilman White moved that the review on the zoning change affecting apartment houses and report from Mr. Osborne on his Washington trip be postponed until all members of the Council were present. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The City Manager reported property on the west side of the 1600 block of Sabine, owned by Mrs. Emma Wellmer is listed for sale, and there has been some question as to waiting until the planning stage for the Hospital complex is farther along before determining that this property should be acquired. He stated it was his belief this property would be needed. The Agent representing Mrs. Wellmer has reported he had a firm offer for the property which he proposes to have her accept unless the City wants to purchase it. There is a small parcel on the south end of the block which was not included in the proposal; and if the City acquired the other property it should acquire this also. The City Attorney stated there were some buildings on this property, and Mrs. Wellmer had an income of \$300 a month from these buildings. This property includes the corner of 17th and Sabine. The City Manager stated the property included the whole block except this 50' lot on the south corner. Councilman LaRue moved that the City Manager be authorized to negotiate for all of the ownership of the property. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor stated this motion authorized them to go ahead and purchase the four residences and to negotiate for the purchase of the corner lot.

Councilman White reported that MR. CHARLES NASH would like to sell his property in this vicinity and would be willing to sell it for what the City had been paying. The City Attorney stated the only property in this particular area that had been purchased, was the Silberstein property. The Council discussed this property but took no action.

Councilman Shanks moved that the City Manager be authorized to execute the supplemental agreement that would allow the F.A.A. to install visual approach slope indicator lights on runway 12. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

The City Manager reported on a meeting with the three Railroads in Austin to discuss speed limits on trains, and he had now received the Traffic Engineer's report on the meeting and his recommendations along with a letter from the Railroads' representative or Attorney dealing with the same subject. For sometime, discussions have been held with the Railroad Companies regarding speeds. The Code presently provides for speed of trains, limiting them to 12 miles per hour except in the area between East Avenue and West Avenue where the speed limit is six miles per hour.

He listed speed limits in various areas which would be reasonable. The Missouri Pacific, Southern Pacific, and Katy Railroads are involved.

<u>From</u>	<u>To</u>	<u>Maximum Speed Miles Per Hour</u>
West Avenue	Interstate Highway 35	10
Interstate Highway 35	Canadian Street	15
Canadian Street	Springdale Road	25
Springdale Road	East City Limits	50
Canadian Street	Anderson Lane	25
(For east bound line)		
Anderson Lane	North City Limits	50

The Mayor asked about the crossings. The City Manager stated this east bound line crosses 11th Street, Rosewood, 12th Street, Manor Road, 19th Street, 45th Street, 53rd Street, Koenig Lane, Denson Drive, and Guadalupe Street.

The City Manager said they were actually operating at higher speeds than these now; and they said if a realistic limit were adopted, they would live with it. The Mayor inquired if all of the crossings had signals. It was answered not all but visibility was good at all of them. Councilman Shanks inquired if all railroads were represented. It was stated each was.

The City Manager listed the limits on the Missouri Pacific Route as follows:

<u>From</u>	<u>To</u>	<u>Maximum Speed Miles Per Hour</u>
South City Limits	Oltorf Street	60
Oltorf Street	West 6th Street	35

<u>From</u>	<u>To</u>	<u>Maximum Speed Miles Per Hour</u>
West 6th Street	Northland Drive	50
Northland Drive	North City Limits	60

The Mayor inquired if it were the feeling these speeds were real safe. The City Manager reported the speeds set were almost what the Traffic Engineer recommended several years ago, but the Railroads were not happy about them because they thought they restricted their speeds too much. They now have agreed that these are acceptable, and he had a letter from MR. WALTER KAVIN, and they understand what was agreed upon the other day as being satisfactory. The Police Department, Mr. Klapproth, the Legal Department, Mr. Rountree and he participated in this discussion with the Railroad people.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 26.11 OF CHAPTER 26  
OF THE AUSTIN CITY CODE OF 1954 PERTAINING TO SPEED  
LIMITS FOR RAILROAD TRAINS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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 LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

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 LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"October 1, 1964

"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 a Part of  
Assessment Paving Contract  
Number 64-A-3

"The work of improving portions of the following named streets in the City of Austin, being a part of Assessment Paving Contract Number 64-A-3, dated March 12, 1964, between the City of Austin and Pat Canon Excavating Co., has been performed and completed by Pat Canon Excavating Co. in full compliance with the contract and the plans and specifications therein contained:

<u>Street</u>	<u>From</u>	<u>To</u>
Alta Vista Avenue	NPL East Riverside Drive	SGL Edgecliff Terrace
Diane Drive	NPL Redd Street	A point 461' north of NPL Redd Street
East Side Drive	A point 168' south of SPL East Live Oak Street	SGL East Live Oak Street
Edgecliff Terrace	ECL Alta Vista Avenue	A point 350' west of WPL Alta Vista Avenue
West James Street	EPL South 5th Street	WPL South 3rd Street
West Johanna Street	EPL South 5th Street	WPL South 1st Street
Kenwood Avenue	NPL Woodland Avenue	SPL Bonham Terrace
Lightsey Road	A point 222' west of WPL South Congress Avenue	WGL South Congress Ave- nue
Longview Street	NPL West 25th Street	A point 600' north of NPL West 25th Street
West Milton Street	A point 176' west of WPL Roma Street	WPL Newton Street
Newton Street	NPL West Live Oak Street	SPL Crockett Street
Oak Crest Avenue	A point 253' south of SPL West Oltorf Street	SPL West Oltorf Street
East Riverside Drive	A point 80' west of WPL Newning Avenue	EPL Kenwood Avenue
Roma Street	NPL West Milton Street	SPL West Monroe Street
West St. Elmo Road	A point 166' east of EPL Mount Vernon Drive	A point 21' east of WPL Bergstrom Field Spur RR ROW
Tillery Street	NPL East 1st Street	SGL East 5th Street
Wilson Street	NPL West Oltorf Street	SPL West Live Oak Street
East 2nd Street	WPL Pleasant Valley Road	NPL East 1st Street
South 3rd Street	NPL West Live Oak Street	SPL West Mary Street
South 3rd Street	A point 1020' south of SPL West St. Elmo Road	SPL West St. Elmo Road
East 4th Street	EPL Linden Street	WPL Tillery Street
South 6th Street	NPL West Mary Street	SPL West Annie Street

"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.

October 1, 1964

HERMAN McKINNEY,  
ET AL, By E. M.  
DeGeurin

2706 Enfield Road  
1500-1504 Exposition Blvd.  
2701-2703 Bonnie Road

From "A" Residence  
To "LR" Local Retail

H. F. BURNETTE  
By B. W. Burnette

3706-3714 Interregional  
Highway  
1015-1019 East 38th St.

From "C" Commercial  
5th Height & Area  
To "C-1" Commercial  
5th Height & Area

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

The Council adjourned at 11:30 A.M. subject to the call of the Mayor.

APPROVED: \_\_\_\_\_

*Lucas E. Palmer*  
Mayor

ATTEST:

*Elis Hoadley*  
\_\_\_\_\_  
City Clerk