

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 28, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Palmer presiding.

Roll call:

Present: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Absent: Mayor Miller

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 COUNCILMAN EDGAR PERRY.

Councilman White moved that the Minutes of the Meeting of July 21, 1960, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

MR. DAVID CARSON, 2501 Keating Street, appeared before the Council regarding property owners of particular corners to cut the shrubs back to clear the intersections and make them safer for children that need to cross. He stated the particular intersection at this time was DORMARION LANE and BOWMAN ROAD at the north east corner. He stated this corner had been reported repeatedly through the years, and he displayed pictures taken right after the City forces had cut the shrubs back. The Assistant City Manager made a report on this intersection, stating the shrubbery had been cut back, and the corner did comply with the ordinance; and that there were four-way stop signs. The City Manager explained how the shrubbery on this rounded corner did comply with the ordinance. Mr. Carson suggested considering changing the ordinance requiring further set-backs for the shrubbery, and made reference to an accident on Keating and Bowman, due to a blind corner. He asked that the police power of the City be used.

Mayor Pro-tem Palmer brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 9 OF THE AUSTIN CITY CODE OF 1954 PERTAINING TO ELECTRICITY; THE REGULATION OF PERSONS DOING ELECTRICAL WORK; AND ESTABLISHING MINIMUM STANDARDS FOR ELECTRICAL FACILITIES.

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

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a general warranty deed on behalf of the City of Austin conveying the following described tract of land to Harry S. Wilder and wife, Alice Ann Wilder, said property being conveyed by the City to said Harry S. Wilder and wife, Alice Ann Wilder, being more particularly described as follows, to wit:

5997 square feet of land same being all of that certain portion of the George W. Spear League in the City of Austin, Travis County, Texas, which was conveyed to the City of Austin by a Warranty Deed dated March 9, 1953 of record in Volume 1325 at page 213 of the Deed Records of Travis County, Texas said 5997 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of the said City of Austin tract of land, same being a point in the south line of Koenig Lane and in the west line of that certain tract of land conveyed to Harry S. Wilder et ux Alice Ann Wilder by warranty deed dated January 2, 1947 of record in Volume 829 at page 359 of the Deed Records of Travis County, Texas;

THENCE, with the north line of the said City of Austin tract of land same being the south line of Koenig Lane, S 59° 57' E 27.06 feet to an iron stake at the point of curvature of a curve having an intersection angle of 90° 00' a tangent distance of 15.00 feet, and a radius of 15.00 feet;

THENCE, following said curving line to the right an arc distance of 23.56 feet the long-chord of which arc bears S 14° 57' E 21.21 feet to an iron stake at the point of compound curvature between the aforementioned curve and a curve to the right having an intersection angle of 23° 00', a tangent distance of 93.40 feet, and a radius of 461.52 feet;

THENCE, following said curving line to the right same being the west line of Grover Avenue and arc distance of 185.27 feet the long-chord of which arc bears S 41° 33' W 184.02 feet to an iron stake at the point of reverse curvature between the aforementioned curve and a curve to the left having an intersection angle of 23° 05' a tangent distance of 127.48 feet, and a radius of 624.25 feet;

THENCE, following said curving line to the left an arc distance of 13.15 feet, the sub-chord of which arc bears S 52° 27' W 13.15 feet to an iron stake at the most southerly corner of the said City of Austin tract of land same being in the east line of the said Harry S. Wilder et ux tract of land;

THENCE, with the west line of the said City of Austin tract of land, same being the east line of the said Harry S. Wilder tract of land, N 29° 58' E 207.53 feet to the point of beginning.

The motion, seconded by Councilman Bechtol, carried by the following vote:
 Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following locations during the times stated is less than thirty (30) miles per hour when pedestrians are present, due to the proximity of said streets to schools; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles on school days during the hours 7:30 A.M. to 4:30 P.M. when pedestrians are present is twenty (20) miles per hour at the following locations:

<u>ON STREETS</u>	<u>FROM</u>	<u>TO</u>
Alice Ave.	43rd Street	45th Street
Ashwood Street	Maplewood	Kirkwood
Avenue "B"	38-1/2 St.	41st Street
Berkman Drive	Wheless Lane	Sweetbriar
Bluebonnet Lane	Ford	300' South of Zilker School
Bouldin Ave.	Annie	Jewell
Brackenridge St.	Live Oak	Mary
Canadian St.	Garden	E. 1st Street
Clarkson St.	49th Street	52nd Street
Exposition Blvd.	McCullough	Bridge 340' North of Casis School
Exposition Blvd.	10th Street	12th Street
Fairview Drive	Hancock	Big Bend Drive
Hampton Blvd.	32nd Street	Greenway Drive
Hargrave St.	Neal	300' North of Anderson School

Harris Ave.
Hether St.
Jefferson St.
Johanna St.
Justin Lane
Leland Ave.
McCall Road
Manchaca Road
Maplewood St.
Monroe Street
Montopolis Road

Newton Street
Nueces Street
Oltorf Street
Oltorf Street

Red River St.
Red River St.
Rio Grande St.
Rosewood Ave.
St. Joseph Blvd.
San Jacinto Blvd.
Shady Lane
Thompson Street
West Avenue
West Lynn Street
South 1st Street
E. 5th Street
10th Street
11th Street
11th Street
19th Street
34th Street
38-1/2 Street
39th Street
40th Street
45th Street
51st Street

Harris Park Ave.
Goodrich
33rd Street
Congress
Arroyo Seca
Congress
Griswold Lane
Casey
38 1/2 Street
3rd Street
Crumley

Elizabeth
24th Street
South Congress
Live Oak

31st Street
Luther Lane
10th Street
Hargrave
Burnet
Trinity
E. 7th Street
Hargrave
10th Street
8th Street
St. Elmo Road
Linden
San Jacinto
Concho
West Ave.
East Ave.
Mills Street
Cherrywood
Avenue "C"
Avenue "C"
Burnet Road
Eilers Ave.

Red River
Bluebonnet Lane
35th Street
Brackenridge
Yates
Clifton
Windsor Road
Redd Street
Kirkwood Road
5th Street
300' South of
Montopolis School
Nellie Street
26th Street
Euclid Street
West property line of
Wm.B.Travis School
Luther Lane
37th Street
14th Street
Webberville
Hardy Drive
21st Street
Airport Blvd.
Webberville
14th Street
10th Street
Radam Lane
Tillery Street
Brazos Street
Chicon Street
Nueces Street
Whittier Street
Jefferson
Clarkson
Guadalupe
Gundalupe
Bellview Street
Airport Blvd.

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

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Attorney submitted two offers for leasing property at the corner of Jessie and Toomey Road--one from Mr. Carl Schueler who owns a trailer park and would use the property as a play area; and one from Wm. K. Holts Machine Company, that wanted to use the property for storage of heavy machinery. Councilman Bechtol suggested that Councilman White look into this; also the possibility that the Red Cross would need the property for a parking area; and if there is

a possibility of revenue, the City should be receiving it. Councilman Palmer suggested turning both offers down as the rental was worth more than what had been offered.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING, TO PUBLIC TRAVEL, THAT CERTAIN PORTION OF AN ALLEY WHICH TRAVERSES BLOCK 4 OF BOULEVARD HEIGHTS, NORTH OF WEST EIGHTH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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

Mayor Pro-tem Palmer introduced the following ordinance:

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

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

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

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

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

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Maufrais Brothers, Inc. is the Contractor for the waterproofing of a building located at 512 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 4, 5, 6 and the north 16 feet of Lot 3, Block 55, of the Original City of Austin, Travis County, Texas, during the water-proofing of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Maufrais Brothers, Inc., the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point which is the southeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue to a point 14 feet east of the west curb line; thence in a northerly direction and parallel with the center line of Congress Avenue 154 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to a point which is the northeast corner of the above described property; thence in a northerly direction and at right angles to the center line of West 6th Street to a point which is 14 feet north of the south curb line; thence in a westerly direction and parallel with the center line of West 6th Street 160 feet to a point; thence in a southerly direction and at right angles to the center line of West 6th Street to a point which is the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Maufrais Brothers, Inc., hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the side walk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 30, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at

the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

Mayor Pro-tem Palmer brought up the following zoning applications deferred from last week:

ROBERT MEISKE	4205 Bellvue Street	From "A" Residence To "O" Office NOT Recommended by the Planning Commission
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Councilman Bechtol moved that the change be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The Mayor Pro-tem announced that the change had been DENIED.

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SECURED INVESTMENTS, INC.	3122 Manor Road	From "O" Office To "C-2" Commercial RECOMMENDED by the Planning Commission
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Councilman White moved that the change be granted to "C-2" Commercial. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: Councilman Perry
 Absent: Mayor Miller

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

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The Council took no action on the following zoning application, and asked that the applicant be contacted and given an opportunity to withdraw it:

HORACE W. ELY and
ANDREW H. VISCARDI

901-07 East 51st Street

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

At this point MAYOR MILLER entered the Council Room and presided.

The Council postponed action on the following zoning application:

PHILLIP BAKER

1010-12 (1008) East
11th Street

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

The Council set Friday, August 19th, 3:00 P.M. as the date to meet with Mr. Steinle again on the Hospital Report.

The Assistant City Manager stated that the University of Texas had asked permission for a Parade for BAND DAY on October 1st, at 10:00 A.M., and all details had been worked out with the Police Department.

The City Manager stated the Austin Public Schools had asked to use Disch Field for Junior High football on Saturday mornings. This would be during the fall, and they had agreed to move the temporary fence, and level the pitchers mound and put the field back in order for the baseball season. Councilman Perry suggested giving consent to this request, subject to clearing it legally. Mayor Miller suggested checking the contract, and try to accomodate the schools as much as possible.

The City Attorney submitted a recommendation concerning the purchase of property necessary for the widening of West 38th Street and Guadalupe, on the southwest corner, in that the whole tract be purchased rather than the minimum amount for the right-of-way. After discussion, Councilman Palmer moved that the City Manager be authorized to enter into a contract to purchase this land. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Attorney submitted the offer of the North East American Legion Post for purchase of some land across the street from Bartholomew Park. Councilman Palmer stated it was necessary to study this whole eight-acre tract of land before any part of it is sold off. The Council took no action at this time.

There being no further business, the Council adjourned at 11:40 A.M.,
subject to the call of the Mayor.

APPROVED _____

Mayor

ATTEST:



City Clerk