

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 4, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
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 REV. PEYTON WADDILL, Windsor Park Presbyterian Church.

Councilman White moved that the Minutes of the meeting of July 28, 1960, be approved. The motion, seconded by Councilman Bechtol, carried by the following vote:

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

Councilman Bechtol introduced MR. CHARLES LAWLER, Consulting Engineer of Houston, who stated his consulting engineering firm of approximately 80 people offered its services to the City on any of its projects.

MR. TOM BROWN, Southwestern Bell Telephone Company, displayed plans for the administration building to be located between West 15th and West 16th Streets and Guadalupe and San Antonio Street. He stated 101 parking spaces could be provided, and asked the Council to approve a building permit with this number of off-street parking spaces. After discussion, Councilman Palmer moved that SOUTHWESTERN BELL TELEPHONE COMPANY be granted permission to provide 101 off-street parking spaces and permission to proceed with their plans. The motion, seconded by Councilman White, carried by the following vote:

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

Mr. Brown stated that if at any time additional spaces were needed and head-in parking were considered, he would provide it, break the curb and make the repairs.

MR. JOE CROW representing MR. HERBERT WILLIAMS, owner of the corner on 23rd and Guadalupe, stated there were eight off-street parking spaces for the present building, and they could proceed to extend the building; but if they constructed a new building, they would need 16 parking spaces. After discussion Councilman Palmer moved that MR. H. H. WILLIAMS be granted permission to proceed with his plans providing eight off-street parking spaces, either for the existing building with its extension or for an entirely new building. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor brought up the following zoning application deferred from last week:

PHILLIP BAKER	1010-12 (1008) East 11th Street	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
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Councilman Palmer moved that the zoning be changed to "C-1" Commercial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, White, Mayor Miller
Noes: Councilmen Bechtol, Perry

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance.

The Council had before it the following zoning application:

HARRY DAUGHERTY	1311-1403 Montopolis Drive	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
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The City Attorney reviewed the application and explained the status. Councilman Palmer moved that the change be granted to "GR" General Retail. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN THE USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
A TRACT OF LAND FRONTING APPROXIMATELY 118.04 FEET ON THE EAST RIGHT-OF-WAY LINE OF MONTOPOLIS DRIVE, LOCALLY KNOWN AS 1311-1403 MONTOPOLIS DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED 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 Palmer 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, Palmer, Perry, White, Mayor Miller
Noes: None

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

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

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

The Mayor announced that the ordinance had been finally passed.

MR. RUSTY WALDEN appeared asking if the provisions of the Electrical Ordinance applied to work outside of the city limits. The City Attorney explained the provisions.

Councilman White moved that the Electrical Ordinance which was before the Council for final passage, be amended by deleting the reference dates of (12-23-54) in various sections. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Mayor then brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING CHAPTER 9 OF THE AUSTIN CITY
CODE OF 1954 PERTAINING TO ELECTRICITY; THE REGULA-
TION OF PERSONS DOING ELECTRICAL WORK; AND ESTABLISH-
ING MINIMUM STANDARDS FOR ELECTRICAL FACILITIES.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN THE USE AND CHANGING THE USE MAPS ACCOMPANY CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: THE WEST 20 FEET OF THE EAST 104 FEET OF LOT 8, BLOCK D, MANOR HILLS ADDITION FROM "D" OFFICE DISTRICT TO "C-2" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED 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 Palmer 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, Palmer, White, Mayor Miller
Noes: Councilman Perry

The ordinance was read the second time and Councilman Palmer 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, Palmer, White, Mayor Miller
Noes: Councilman Perry

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer moved that the Council accept the withdrawal of the following zoning applications, as written requests had been filed:

HORACE W. ELY and ANDREW H. VISCARDI	901-07 East 51st Street	From "A" Residence To "C" Commercial
E. M. CHOTE, JR.	2811-17 San Pedro 2810-16 Salado	From "A" Residence To "B" Residence

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

MR. JOE F. PINEDA made complaint about a junk yard on East 3rd Street, stating it was damaging his rent property at 1208 East 3rd, and that the alley was practically blocked. The City Attorney stated that regardless of what the City did about the situation and complaint, that Mr. Pineda had a right to consult his own attorney about the damage to his property.

The City Manager submitted the following:

"August 2, 1960

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

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, August 2, 1960, at the Office of the Director of the Water and Sewer Department, for the construction of the Sanitary Sewer and Water Lines in Tirado Street, Middle Fiskville Road, Reinli Street and Highway 290. 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>"Firms</u>	<u>Amount</u>	<u>Working Days</u>
Bland Construction Company	\$17,527.75	45
Fairey Simons, Company, Incorporated	17,621.88	50
Karl Wagner, Incorporated	19,807.40	60
Glade Construction Company	21,028.60	45
Austin Engineering Company	23,215.20	80

"It is recommended that the contract be awarded to the Bland Construction Company on their low bid of \$17,527.75, with 45 working days.

"Yours truly,
(Sgd) Victor R. Schmidt, Jr., Supt.
Water Distribution
(Sgd) S. A. Garza, Superintendent
Sanitary Sewer Division
(Sgd) Albert R. Davis, Director
Water and Sewer Department"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 2, 1960, for the construction of the sanitary sewer and water lines in Tirado Street, Middle Fiskville Road, Reinli Street and Highway 290; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$17,527.75 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 Bland Construction Company in the sum of \$17,527.75 be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Bland Construction Company.

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

The City Attorney stated an inquiry had been made regarding purchasing a 40 x 165' parcel of city property at North Loop and Chesterfield, and displayed sketches showing the property and drainage ditch. No action was taken by the Council, as it wanted to see the property on the ground.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement, ten (10) feet in width, lying five (5) feet on each side of the line between Lot 2, Block H, Park Forest Section 2 and Lot 38, Block H, Park Forest Section 5, was reserved and dedicated to the public on maps or plats of Park Forest Section 2 of record in Book 9 at page 32, and of Park Forest Section 5, of record in Book 9 at page 33, of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has granted the City of Austin easements at a more desirable and practical location, and has requested that the hereinafter described public utility easement located on such premises be released; and,

WHEREAS, the hereinafter described public utility easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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 to execute a release of the public utility easement located on the hereinafter described premises, to wit:

Two (2) strips of land, each five (5) feet in width, the strip of land hereinafter described as No. 1 being out of and a part of Lot 2, Block H, of Park Forest Section 2, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Park Forest Section 2 of record in Book 9 at Page 32, Plat Records of Travis County, Texas, and the strip of land, hereinafter described as No. 2, being out of and a part of Lot 38 of Block H of Park Forest Section 5, a subdivision of a part of the Isaac Decker League, in the City of Austin, Travis County, Texas, according to a map or plat of said Park Forest Section 5 of record in Book 9 at page 33, Plat Records of Travis County, Texas, said strips of land five (5) feet in width being more particularly described as follows:

- (1) The south five (5) feet of Lot 2 of Block H of said Park Forest Section 2;
- (2) The north five (5) feet of Lot 38 of Block H of said Park Forest Section 5.

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

Councilman Palmer 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 at the northwest corner of the intersection of Ben White Boulevard and Manchaca Road which property fronts 125.00 feet on Ben White Boulevard and 110.02 feet on Manchaca Road, being known as a part of Lots 38 and 39 Goodnight and Pearson Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Humble Oil and Refining Company 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 Humble Oil and Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"August 4, 1960

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

"Dear Sir:

"We, the undersigned, have considered the application of Humble Oil and Refining Company 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 at the northwest corner of the intersection of Ben White Boulevard and Manchaca Road, which property fronts 125.00 feet on Ben White Boulevard and 110.02 feet on Manchaca Road and being a part of Lots 38 and 39 Goodnight and Pearson Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by J. B. Ford and is under lease to Humble Oil and Refining Company. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" 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 Humble Oil and Refining Company 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 - 1782.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1782 and shall be of the pre-moulded 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,
 (Sgd) S. Reuben Rountree, Jr.
 Director of Public Works
 (Sgd) Dick T. Jordan
 Building Official"

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

The Council discussed the report of the Status of Water and Sanitary Sewer Contract Projects as of August 1, 1960.

MR. H. H. LAMAR, of San Antonio, appeared regarding a franchise for placing benches on City property at bus stops, and to sell advertising space to business firms. The Mayor reviewed former requests, and stated the Council would have to look into this before a hearing were ever set, if it got that far. Councilman Bechtol stated he would like to look into the proposition before it were turned down. Mr. Lamar submitted his proposal in writing. The Mayor stated the Council defer the proposal at this time.

Councilman Bechtol moved that MR. A. C. BRYANT be appointed to the Planning Commission to replace MR. PHIL BIBLE who resigned because of State connections. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Perry moved that MR. PERICLES CRISS be appointed as a member of the Planning Commission on the basis of Mr. Johnson's resignation. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Bechtol moved that the Council call a Special Meeting to canvass the returns of the Bond Election at 8:00 P.M., August 6, 1960. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The City Manager submitted the request of the Schools for the use of Disch Field during the fall for foot-ball for the Junior High Schools, and reported that the Mayor had contacted MR. HOWARD COX. It had been suggested that Mr. Cox, and a representative from the School, and the City Manager work it out. Councilman Palmer added the Council's liason, Councilman Bechtol. Discussion of the concessions was held, and the Mayor stated the concessions should not be taken from the Ball Park operations.

MAYOR MILLER read a letter from MAJOR GENERAL STANTON BABCOCK announcing that the President had issued a proclamation setting aside September 13th as PRESHING DAY, as that day is General Pershing's 100th birthdate, and suggesting that some public facility be named in his honor. The Mayor asked that a letter be written to General Babcock stating that the proclamation would be made here

honoring the great soldier and that some public facility, possibly a street, would be named in memory of GENERAL JOHN J. PERSHING.

Mayor Miller submitted a letter from MRS. JEAN MIKESKA, suggesting the Council's awarding a life membership to Barton Springs to MR. CHARLIE MORRISON on August 25th for his 85th birthday. Councilman Bechtol moved that a lifetime membership be awarded to MR. CHARLIE MORRISON for Barton Springs, and the City Manager be instructed to draw the appropriate Resolution. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Director of Public Works displayed a map showing paving to be done on Hancock Drive east of Finlay Drive to Burnet Road, and explained a problem of one of the property owners, Mr. Lancaster. The Council wanted to go look at the area.

The Council approved the request of the Junior Chamber of Commerce to place banners for the Annual Jaycee Calvacade of Commerce for 1961, to be placed about the 15th of February, 1961, at the following locations:

1st and Congress, facing south
7th and Congress, facing north
19th and Guadalupe on 19th facing west
South Lamar and Barton Springs Road, on South Lamar facing north.

The Council received notice from the City Manager that the following zoning applications had been received and referred to the Planning Commission, and that a public hearing had been set before the Council for September 8, 1960:

T. & N.O. RAILROAD By R. V. Miller	4205-07 Interregional Highway	From "A" Residence To "C" Commercial
T. & N.O. RAILROAD By R. V. Miller	6919-21 North Lamar Blvd. 6967-71 Airport Blvd.	From "A" Residence To "C" Commercial
MARY BELL TURNER & JACK TURNER By Robert Sneed	1132-34 5/8 Airport Blvd. 1133-35 1/2 Gunter Street 3600-06 Goodwin Avenue	From "A" Residence To "C" Commercial
THOMAS G. MORENA	3814 Wadford Street 200-04 Dunlap Street	From "A" Residence To "C-1" Commercial
SOUTHERN OAKS REALTY CO. By James E. Crozier	Rear of 2509-11 South Congress Avenue	From "A" Residence To "C" Commercial
MRS. C.A. WEISE & MRS. ALICE WEISE By Betty Lane	2906-10 Red River 2905-13 Hampton Road	From "A" Residence To "O" Office

P. E. WORSHAM	6000-06 Interregional Hwy. 6007-11 Brooks Street Part 2 6017-6105 Middle Fiskville 800-822 & 801-827 Tirado 6014-18 Brooks Street Part 3 824-26 Clayton Lane 6000-06 Brooks Street	From "C" Commercial To "C-1" Commercial From "A" Residence To "C" Commercial 6th Hgt. & Area From "A" Residence 1st Hgt. & Area To "C-1" Commercial 6th Hgt. & Area
W. E. BLONDAHL	1317-21 Oltorf Street 2300-2402 South Interregional Highway	From Interim "A" Residence 1st Hgt. & Area To "GR" General Retail 5th Hgt. & Area
MODERN INDUSTRIAL DEVELOPMENT CO. By Glen E. Lewis, Pres.	9312-9760 F.M. 1325 (McNeill Road)	From "A" Residence To "D" Industrial
LEROY ELLETT	3717 Hollywood Avenue 1209-11 East 38 $\frac{1}{2}$ Street	From "A" Residence To "B" Residence
R. L. ROBERTS	3505-07 Interregional Highway	From "C" Commercial & "C-1" Commercial To "C-2" Commercial
ALEX WARREN By Richard T. Doyle	1511 North Loop Boulevard 5219-5223 Jim Hogg	From "A" Residence To "O" Office
TERRELL TIMMERMAN By Robert J. Potts	5307 Link Avenue 5304-06 Avenue F	From "A" Residence To "BB" Residence
THOMAS ANDREW MAYES By Kenneth Lamkin	1808-12 East 12th Street	From "C-1" Commercial To "C-2" Commercial
L. W. CARROLL By Cecil Nobles	1127 $\frac{1}{2}$ -1129 3/4 Gunter	From "A" Residence To "C" Commercial
H. C. RISCH By Buford Stewart	427-531 Ben White Boulevard 4001-03 South 1st Street	From "A" Residence To "GR" General Retail

There being no further business, the Council adjourned at 12:00 Noon,
subject to the call of the Mayor.

ATTEST:

Elis Harsley

City Clerk

APPROVED

Tom Miller

Mayor