

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 3, 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: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney; Robert A. Miles, Chief of Police

Invocation was delivered by COUNCILMAN BECHTOL.

Councilman White moved that the Minutes of the Meeting of October 27, 1960, be approved as corrected. 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

MR. ANGELES RAMOS, spokesman for a group from the Govalle Area, stated the group, as citizens, was entitled to some rights and relief, and wanted action. He stated that everytime it rained, some parts of Govalle went under water; but understanding the problem and doing something about it was two different things. MRS. RICH stated most of the people here had from two to three feet of water in their homes; some had six feet; and the Govalle Baptist Church had three feet of water in the basement. She said the area in the valley was completely closed off, and somewhere there was a stop-up. REV. MARTIN stated he understood some steps have been taken this year and there are other improvements to be made with the securing of easements, and he asked that the property be condemned. He stated the church was suffering; a big loss, as well as his car and home. He stated he had been told that there was no need of coming down as nothing would be done for Govalle, but he asked that some action be taken, as there is a health hazard which affects the whole city. Mayor Pro-tem Palmer stated that the Council members were in the area and other parts of the city all night of the flood; and that similar conditions existed in all parts of town; that when a 10" rain comes and comes in the time that this one did, he doubted if there would be any drainage system that could ever be

designed that would take care of that run-off. The Director of Public Works listed \$63,000 as having been spent on drainage in Govalle during the past three or four years, a storm sewer on Bolm Road, improving structures on Boggy Creek and Shady Lane, and Springdale Road, cleaning out channels, and other miscellaneous work. He stated in the current bond fund \$150,000 is set up for drainage work, and plans are ready to start just as soon as easements can be acquired. He pointed out the various projects for the particular sections, and stated as soon as these projects could be completed, the drainage problem in Govalle would be remedied to a great extent. Councilman Bechtol stated that Austin was designing drainage systems ahead of most municipalities. He noted that many people had built in flood planes and had encroached in the drainage easements and stated that some study possibly should be made of an ordinance not permitting people to build in flood areas. He asked the cooperation of the group with the Council as it tries to help. Councilman White stated, regarding the ordinance, that people in Govalle would be cut off from building under such regulations. Mayor Pro-tem Palmer stated he wanted to pay tribute to the Fire and Police Departments and State Guard in their work in preventing loss of lives. MR. RAY LITTON, 3204 Goodwin, had put in his own underground drainage system, and his house was not flooded, but he suggested that the city should not expect people to give the easements, but should compensate them for the land. One person complained of stopped up storm sewers. MR. DAN W. WOMMACK, SR. read a letter regarding a survey of his property and the amount of swamp property out of the area. He made a request that the property be condemned and released from taxes. MAYOR PRO-TEM PALMER asked the group to go over the plans for this area with the Director of Public Works, and see exactly what was planned.

MR. WALTER LONG appeared before the Council, and stated he had put together a story of a famous crossing where the first herd of cattle went from Austin to Abilene, Kansas, and he presented copies of the book, "The Longhorn Crossing", to the Council members.

Mr. Long expressed appreciation to the Mayor and Council for all they were doing for the City, and stated Austin had a most conscientious Mayor, City Council and City Manager. Mayor Pro-tem Palmer thanked Mr. Long, and stated that Mr. Long had given many years of service to Austin, and that he had formed the first Trades Council before it was known as the Chamber of Commerce.

Mayor Pro-tem Palmer announced that the Attorney for the following zoning application had requested that it be withdrawn:

WILLIAM SHEA	4215 Avenue D	From "A" Residence
By Robert Sneed	105-07 West 43rd Street	To "GR" General Retail
		NOT Recommended by the
		Planning Commission

Councilman Bechtol moved that the withdrawal of the application be accepted. 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 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: FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON AN INTERIOR TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 2509-2511 SOUTH CONGRESS AVENUE, 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 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.

Mayor Pro-tem 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: A TRIANGULAR SHAPED TRACT OF LAND FRONTING APPROXIMATELY 365 FEET ON THE NORTHEAST RIGHT-OF-WAY LINE OF AIRPORT BOULEVARD; APPROXIMATELY 296 FEET ON THE EAST RIGHT-OF-WAY LINE OF GUNTER STREET; AND APPROXIMATELY 213 FEET ON THE NORTH RIGHT-OF-WAY LINE OF GOODWIN AVENUE, LOCALLY KNOWN AS 1132-1134 5/8 AIRPORT BOULEVARD; 1133-1135 1/2 GUNTER STREET AND 3600-3606 GOODWIN AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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.

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

WALTER BOHN	1500 West 34th Street	From "A" Residence
By Ralph J. Tippet	3400-02 Mills Avenue	To "O" Office
		RECOMMENDED by the
		Planning Commission

No opposition appeared. Councilman Perry moved that the change be granted to "O" Office. 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 change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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THEODORE W. BERENSON	5407 Interregional	From "C" Commercial 6th
By Robert C. Sneed	Highway	Height & Area
		To "C" Commercial 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

No opposition appeared. Councilman Bechtol moved that the change be

Retype

granted to "C" Commercial 2nd Height and Area. 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

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

JEANNETTE GILES
By Rogan B. Giles

3220-22 Manor Road
2019-2109 Anchor Lane

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

No opposition appeared. Councilman Bechtol moved that the change to "O" Office be granted. 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

The Mayor Pro-tem announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. CLOTILDE IDA
MANSEBENDEL
By Jessie W. Treadway

701-05 West 38th Street
3510-18 King Street

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

No opposition appeared. Councilman Bechtol moved that the change be granted to "O" Office. 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

The Mayor Pro-tem announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

CECIL V. HAGEN, et al 3002-3106 Oak Springs
By The Marvin Turner Drive
Engineers

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

No opposition appeared. Councilman White moved that the change be granted to "C" Commercial. 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

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

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E. C. THOMAS 2900-3000 Oak Springs
By Trueman O'Quinn Drive

From "A" Residence &
"IR" Local Retail
To "D" Industrial
NOT Recommended by the
Planning Commission
RECOMMENDED "C"
Commercial

No opposition appeared. Councilman White moved that the change to "D" Industrial be DENIED; but that the change be granted to "C" Commercial. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

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

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LAWRENCE C. JOHNSON Rear of 3701 Harmon
Avenue

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

No opposition appeared. Councilman Perry moved that the change be granted to "C" Commercial. 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 change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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O. D. DENSON
 By W. D. Youngblood

1206 Parkway

From "B" Residence
 To "GR" General Retail
 NOT Recommended by the
 Planning Commission
 RECOMMENDED "LR"
 Local Retail

Mr. Youngblood represented the applicant, stating they preferred "GR" General Retail; that they sold nothing but service, would not add any traffic. The Director of Planning stated the reasons the "LR" Local Retail was recommended was that it would necessitate an application for special permit, to work out the driveways. MRS. BETTY EASTON, owner of 1214 Baylor, was concerned over the effects the change of zoning would have on the property on Baylor, and expressed opposition to the change. MRS. BERNARD LAX, 1216 Baylor, expressed opposition. Councilman Bechtol moved that the change to "GR" General Retail be DENIED; but to grant the change to "LR" Local Retail. 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 granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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LOUIS CALDERON

713-15 West Mary Street
 1901-05 South 3rd Street

From "A" Residence
 To "GR" General Retail
 NOT Recommended by the
 Planning Commission

Mr. Calderon represented himself stating he wanted to put in a cafe. Opposition was expressed by petition signed by 20-25 people, and by MR. JOHN A. WHITE, and others. Finally, after more discussion, Mr. Calderon withdrew the application. Councilman Perry moved that the withdrawal be accepted. 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

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THOMAS J. STEPHENS	2101-11 East 19th Street	From "A" Residence
	1808-12 Ferdinand Street	To "LR" Local Retail
		NOT Recommended by the
		Planning Commission

Mr. Stephens asked that this application be withdrawn until he could come back with more specific plans. Councilman White moved that the withdrawal be accepted. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller
 Not in Council Room when vote was taken: Councilman Perry

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TOMMIE E. CRAIG	108 West Live Oak Street	From "A" Residence
		To "B" Residence
		RECOMMENDED by the
		Planning Commission

Mrs. Ruby G. Meredith represented the applicant. Opposition was expressed by petition and by others, objecting only to the change of zone, but not to the operation of a beauty parlor. Councilman White moved that the application be postponed until the Ordinance permitting beauty-parlors under Special Permits in residential areas is brought in. 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

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MRS. JACKIE WHITLOCK	905 (903) East 43rd Street	From "A" Residence
		To "B" Residence
		NOT Recommended by the
		Planning Commission

Councilman White moved that the application be postponed until the Ordinance permitting beauty-parlors under Special Permits in residential areas is brought in. 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

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MAYOR PRO-TEM PALMER asked that the Planning Commission expedite the study on the recommendation of this ordinance. (Beauty Parlors in "A" Residence)

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H. C. RISCH	427-531 Ben White Blvd.	From "A" Residence
By Robert J. Potts, Jr.	4001-03 South 1st Street	To "GR" General Retail
		NOT Recommended by the
		Planning Commission
		RECOMMENDED "B" Residence

Mr. Potts stated the applicant wanted "GR" General Retail, and the "B" Residence would not be acceptable, and that the Plan Commission had recognized the property not be residential. Opposition was expressed by Mr. and Mrs. Coleman, owners of the rest home adjoining the property. Mr. Potts stated the Plan Commission had determined the size was not sufficient for a filling station; and stated the zoning ordinance contemplated the appropriate use of property and was not particularly involved with the size. The Council postponed action on the application until it could make a personal inspection of the property.

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RICHARD L. HOUGH	2109-2201 West Anderson	From "A" Residence
By N. M. Buchholz	Lane	To "GR" General Retail
		NOT Recommended by the
		Planning Commission

Mr. Buchholz represented the applicant. No opposition appeared. The Council said it wanted to make a personal inspection of the property and postponed action.

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C. B. HAHN & CORA HAHN	1012 East 38 $\frac{1}{2}$ Street	From "A" Residence
By Gilbert Prud'homme	3808-10 Harmon Avenue	To "O" Office
		NOT Recommended by the
		Planning Commission

No opposition appeared. The Council wanted to make a personal inspection of the area and postponed action.

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W. R. DUNN

Rear 1708-14 Manor
RoadFrom "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

No one appeared to represent the applicant. MR. EDGAR J. MATHEWS appeared in opposition. The Director of Planning stated there was a question of access to the property, and this is a landlocked piece of property. The Mayor Pro-tem stated the Council could postpone action and permit Mr. Osborne to contact the applicant and obtain a site plan for a "B" Residence zone, and the property owners could be notified when it comes up again. Councilman Bechtol moved to postpone this and refer the application back to the Planning Commission. 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

It was announced that Mr. Dunn was being given an opportunity to apply for "B" Residence and to submit a site-plan and that the property owners would be notified again.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 38 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman White moved that the ordinance be 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

Councilman White moved that the following zoning application be set for public hearing on December 1, 1960:

ELLA JOHNSON, ET AL

610-12 Chalmers Avenue
1611-13 & 1619-23 East
7th StreetFrom "A" Residence
To "C" Commercial

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

The Acting City Manager submitted the following:

"November 1, 1960

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

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, November 1, 1960, at the Office of the Director of Water and Sewer Department for the installation of 30-inch concrete steel cylinder water main in Balcones Trail from Spicewood Springs Road to Greenlawn Parkway. 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>
Capital Construction Company	\$54,926.60	60
Glade Construction Company	54,958.60	40
Bland Construction Company	56,161.30	90
Austin Engineering Company	64,788.32	80
Ford-Wagner, Inc.	69,630.10	75
Fairey-Simons, Company, Inc.	74,502.50	90

"It is recommended that the contract be awarded to Capital Construction Company on their low bid of \$54,926.60, with 60 working days.

"Yours truly,
 (Sgd) Victor R. Schmidt, Jr.,
 Superintendent Water Distribution
 (Sgd) Albert R. Davis
 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 November 1, 1960, for the installation of 30-inch concrete steel cylinder water main in Balcones Trail from Spicewood Springs Road to Greenlawn Parkway; and,

WHEREAS, the bid of Capital Construction Company in the sum of \$54,926.60 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, 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 Capital Construction Company in the sum of \$54,926.60, 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 Capital Construction Company.

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 Acting City Manager submitted the following:

"November 1, 1960

"W. T. Williams, Jr., City Manager

Contract Number 60-D-32

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, November 1, 1960 for the construction of a reinforced concrete culvert across Boggy Creek at East 38 1/2 Street between Brookview Road and Vineland Drive - Contract Number 60-D-32.

"Ed H. Page	\$6,930.00
Texas Bridge Company, Inc.	7,096.80
Maufrais Brothers, Inc.	7,804.20
Capital Construction Company, Inc.	7,968.90
Larson-Pugh, Inc.	8,035.40
Giesen & Latson Construction Co.	8,158.50

"City's Estimate	\$3,185.00
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"I recommend that Ed H. Page with his low bid of \$6,930.00 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 1, 1960, for the construction of a reinforced concrete culvert across Boggy Creek at East 38 1/2 Street between Brookview Road and Vineland Drive - Contract Number 60-D-32; and,

WHEREAS, the bid of Ed H. Page in the sum of \$6,930.00 was the lowest and best bid therefor; and the acceptance of such bid has been recommended by the Director of Public Works 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 Ed H. Page in the sum of \$6,930.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Ed H. Page.

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, bids were received by the City of Austin for the furnishing of furniture for the New Airport Terminal; and,

WHEREAS, the bid of Abel Stationers was the lowest and best bid therefor; and the acceptance of such bid has been recommended by the Director of Aviation and the City Manager; Now, Therefore,

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

That the bid of Abel Stationers be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City with Abel Stationers for an expenditure thereunder not to exceed \$7,141.90.

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)

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 north intersection of Bull Creek Road and Balcones Trail, which property fronts 282.95 feet on Bull Creek Road and 265.76 feet on Balcones Trail, being known as Lot 1 of McCarty Triangle 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)

"November 3, 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 north intersection of Bull Creek and Balcones Trail, which property fronts 282.95 feet on Bull Creek Road and 265.76 feet on Balcones Trail, being known as Lot 1 of McCarty Triangle in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by 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 Local Retail 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 - 1800.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1800 and shall be of the premoulded type.

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

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) Dick T. Jordan
Building Official"

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

The Council went over the following letter:

"November 3, 1960

"Mr. C. Jack Cowart, Chief
Acquisition and Disposal Division
General Services Administration
1114 Commerce
Dallas Texas

"Dear Mr. Cowart:

"The City Council has asked me to express our appreciation for your visit November 1, 1960 and to confirm, in writing, some of our discussion so that nothing in connection with your visit can ever become the basis of any misunderstanding.

"First: It was during your visit of November 1, 1960 that you requested the City Council to reconsider the question of vacating East 9th Street between San Jacinto and Trinity Streets, and this was the first time that any representative of General Services Administration had requested any reconsideration of that question by the City Council since Mr. Ham was advised on May 16, 1960 by our City Manager that the City Council considered the closing of 9th Street objectionable because it is a part of our one-way street pattern for the central business district.

"Second: It was shown to you, in detail, how our central business district traffic plan first prepared in 1951 and completed in segments as money has become available would be disrupted and that northeast traffic out of the central business district would either have to detour north to 11th Street, which is already crowded beyond capacity and which must remain two-way, because of the Capitol grounds, or detour south to East 7th Street.

"Third: You were advised that during the several years since 1951, the City has spent considerable money for land and for engineering; that the construction of a bridge of Trinity Street has long been specifically itemized in the City's Capitol Improvement Program; and that funds have been budgeted for opening Trinity Street to traffic in 1961.

"Fourth: You were advised that the City Council is charged by law with the non-delegable duty of exercising exclusive control over the public streets of Austin; that the City Council has not been requested by General Services Administration to vacate East 9th Street between Trinity and San Jacinto; and has not reached any decision contrary to its earlier decision of which you were advised in writing that the closing of such street would be objectionable for the reasons stated.

"Fifth: While you did not ask for the Council's views as to whether you could afford to spend funds or acquire property upon the assumption that East 9th Street would be vacated if and when requested, you were not advised by inference, by silence, or otherwise that the street would be vacated or that you could risk the expenditure of any money upon the assumption that it would be vacated. Under no circumstance is this letter or any conversation which has heretofore ensued to be constructed as any indication that you can afford to risk the expenditure of money upon the assumption that the City Council will vacate East 9th Street between San Jacinto and Trinity.

"Sixth: You stated that the Government does not provide off-street vehicular parking for its employees, but no discussion was had concerning the off-street parking requirements of the Zoning Ordinance of the City, nor did the Council intimate by silence or otherwise any intention of amending the Zoning Ordinance.

"Seventh: The City Council advised you that the construction which you had attempted to place upon the last paragraph of the City Manager's letter to Mr. Ham dated May 16, 1960 was wholly erroneous, and that while the Council does still desire to work with you in any way that it can, that it does not intend that you construe those good intentions as an abdication of its responsibility under law in matters affecting the City as a whole, specifically concerning the public streets.

"Of course, it is usually difficult to express the views and comments of every individual member of any deliberative assembly such as the City Council, but in every case, each of the foregoing comments expresses both the individual and collective views of a majority of the Council members.

"The four members present today have instructed that this letter be forwarded to you at once, and in the absence of the City Manager and the Mayor, the City Council instructed the undersigned to execute the same.

"Yours very truly,
CITY OF AUSTIN, TEXAS
By

Lester Palmer, Mayor Pro-tem"

Councilman Bechtol moved that the Mayor Pro-tem be authorized to sign the letter to be mailed to MR. C. JACK COWART, with the suggestions of Mr. Perry included in it. 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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the improvement of the natural drainage ditch existing in the general location hereinafter described in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a drainage easement along and across the hereinafter described tract of land to permit the improvement of such natural drainage ditch; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire a drainage easement for said purposes to the following described tract of land:

A strip of land twenty (20.00) feet in width, same being out of and a part of Lots 17 and 18 of the W. Staehely and Charles Wendlandt, Jr. resubdivision of parts of Lots 3, 4, 5, 6, 7 and 8 of Fredericksburg Road Acres No. 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 W. Staehely and Charles Wendlandt Resubdivision of parts of Lots 3, 4, 5, 6, 7, and 8 of Fredericksburg Road Acres No. 2 of record in Book 3 at page 238 of the Plat Records of Travis County, Texas; which Lot 17 was conveyed to Fred Haas Et Ux Estelle Haas by Warranty Deed dated February 8, 1945 of record in Volume 754 at page 375 of the Deed Records of Travis County, Texas; which Lot 18 was conveyed to Fred Haas et ux Estelle Haas by Trustees Deed dated October 22, 1945 of record in Volume 788 at page 166 of the Deed Records of Travis County, Texas; the centerline of said strip of land twenty (20.00) feet in width being a line five (5.00) feet North of and parallel to the hereinafter described line to wit:

BEGINNING at a point on the east line of the said Lot 18, and from which point of beginning the northeast corner of the said Lot 18 bears N 29° 00' E 46.85 feet;

THENCE, N 64° 59' W 100.24 feet to point of termination in the west line of the said Lot 17, and from which point of termination an iron stake at the northwest corner of the said Lot 17 bears N 29° 00' E 53.81 feet.

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, the City Council of the City of Austin has found that public necessity requires the widening and improving of Bluebonnet Lane, a North-South collector street, to connect the Robert E. Lee Road with South Lamar Boulevard to provide for the free and safe flow of traffic in the Zilker School area; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the widening and improving of Bluebonnet Lane; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

Two (2) tracts of land, the tract of land hereinafter described as No. 1 containing 1056 square feet of land, same being out of and a part of Tract No. 2 of the partition of the Elijah Morris Estate, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said partition of the Elijah Morris Estate of record in Volume 197 at page 425 of the Deed Records of Travis County, Texas, which Tract No. 2 was conveyed to Walter A. Jones by Warranty Deed dated March 19, 1938 of record in Volume 584 at page 483 of the Deed Records of Travis County, Texas, the tract of land hereinafter described as No. 2 containing 1570 square feet of land, same being out of and a part of Tracts No. 2 and the remaining portion of Tract No. 3 of the said partition of the Elijah Morris Estate which Tracts No. 2 and No. 3 were conveyed to Walter A. Jones by the aforesaid Warranty Deed dated March 19, 1938 of record in Volume 584 at page 483 of the Deed Records of Travis County, Texas, a portion of said Tract No. 3 having been dedicated to the City of Austin, Travis County, Texas, and to the public in general for street purposes by instrument dated March 8, 1945 of record in Volume 749 at page 626 of the Deed Records of Travis County, Texas, said street now being known as Ashby Avenue, each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

NO. 1 BEGINNING at an iron pipe set at the southeast corner of the said Walter A. Jones tract of land, same being on the present west line of Bluebonnet Lane, same being also at the southeast corner of the herein described tract of land;

THENCE, with the south line of the said Walter A. Jones tract of land N 59° 49' W 17.69 feet to an iron pipe set on the proposed west line of Bluebonnet Lane, same being a line 30.00 feet west of and parallel to the proposed centerline of Bluebonnet Lane as established by the Department of Public Works of the City of Austin, Travis County, Texas, said iron pipe being also at the southwest corner of the herein described tract of land;

THENCE, with the proposed west line of Bluebonnet Lane, N 30° 16' E 60.00 feet to a point for the northwest corner of the herein described tract of land;

THENCE, S 59° 49' E 17.60 feet to a point on the east line of the said Walter A. Jones tract of land, same being the present west line of Bluebonnet Lane, for the northeast corner of the herein described tract of land;

THENCE, with the east line of the said Walter A. Jones tract of land, same being the present west line of Bluebonnet Lane, S 30° 11' W 60.00 feet to the point of beginning.

NO. 2 BEGINNING at the northeast corner of the aforescribed Tract No. 1, same being a point in the east line of the said Walter A. Jones tract of land and the present west line of Bluebonnet Lane, same being also the southeast corner of the herein described tract of land;

THENCE, with the north line of the aforescribed Tract No. 1, N 59° 49' W 17.60 feet to the northwest corner of said Tract No. 1, same being a point in the proposed west line of Bluebonnet Lane, which line is 30.00 feet west of and parallel to the proposed centerline of Bluebonnet Lane as established by the Department of Public Works of the City of Austin, Travis County, Texas, said point being also the southwest corner of the herein described tract of land;

THENCE, with the proposed west line of Bluebonnet Lane, N 30° 16' E 90.00 feet to an iron pipe set at the intersection of the south line of Ashby Avenue, same being the north line of the said Walter A. Jones tract of land, with the proposed west line of Bluebonnet Lane, said iron pipe being also at the northwest corner of the herein described tract of land;

THENCE, with the south line of Ashby Avenue, same being the north line of the said Walter A. Jones tract of land, S 59° 49' E 17.46 feet to an iron pipe set at the northeast corner of the said Walter A. Jones tract of land, same being the intersection of the south line of Ashby Avenue with the present west line of Bluebonnet Lane, same being also the northeast corner of the herein described tract of land;

THENCE, with the east line of the said Walter A. Jones tract of land, same being the present west line of Bluebonnet Lane, S 30° 11' W 90.00 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, the City Council of the City of Austin has found that public necessity requires the widening and improving of Bluebonnet Lane, a North-South collector street, to connect the Robert E. Lee Road with South Lamar Boulevard to provide for the free and safe flow of traffic in the Zilker School area; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the widening and improving of Bluebonnet Lane; and

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

1167 square feet of land same being out of and a part of that certain tract of land out of the Henry P. Hill League in the City of Austin, Travis County, Texas, which was conveyed to Edward Dobrowolski et ux Bronialowa Dobrowolski by Warranty Deed dated September 28, 1951 of record in Volume 1203 at page 113 of the Deed Records of Travis County, Texas said 1167 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of the said Edward Dobrowolski et ux tract of land same being the northeast corner of that certain tract of land which was conveyed to Daniel M. McRae by warranty deed dated June 5, 1950, of record in Volume 1070 at page 85 of the Deed Records of Travis County, Texas;

THENCE with the south line of the said Edward Dobrowolski tract of land same being the north line of the said Daniel M. McRae tract of land, N 58° 46' W 19.05 feet a point on a curve, whose angle of intersection is 89° 50' whose radius is 278.66 feet and whose tangent distance is 277.85 feet;

THENCE with said curve to the left an arc distance of 51.41 feet, the sub-chord of which arc bears N 18° 25' E 51.30 feet to the northwest corner of the herein described tract of land, same being a point on the north line of the said Edward Dobrowolski tract of land;

THENCE with the north line of the said Edward Dobrowolski tract of land S 58° 46' E 29.33 feet to the northeast corner of the said Edward Dobrowolski et ux tract of land;

THENCE with the east line of the Edward Dobrowolski et ux tract of land S 30° 04' W 50.00 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, the City Council of the City of Austin has found that public necessity requires the widening and improving of Bluebonnet Lane, a North-South collector street, to connect the Robert E. Lee Road with South Lamar Boulevard to provide for the free and safe flow of traffic in the Zilker School area; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the widening and improving of Bluebonnet Lane; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

877 square feet of land same being out of and a part of that certain tract of land out of the Henry P. Hill League in the City of Austin, Travis County, Texas, which was conveyed to Daniel M. McRae by warranty deed dated June 5, 1950 of record in Volume 1070 at page 85 of the Deed Records of Travis County, Texas, said 877 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of the said Daniel M. McRae tract of land same being the northeast corner of that certain tract of land conveyed to Walter A. Jones by the following two deeds:

(1) Guardian Deed dated July 3, 1935 of record in Volume 526 at page 166 of the Deed Records of Travis County, Texas;

(2) Warranty Deed dated January 14, 1936 of record in Volume 535 at page 434 of the Deed Records of Travis County, Texas;

THENCE with the south line of the said Daniel M. McRae tract of land same being the north line of the said Walter A. Jones tract of land N 58° 46' W 17.41 feet to a point on the proposed west line of Bluebonnet Lane;

THENCE with the proposed west line of Bluebonnet Lane N 30° 17' E 18.20 feet to the point of curvature of a curve whose angle of intersection is 89° 50', whose radius is 278.66 feet and whose tangent distance is 277.85 feet;

THENCE with said curve to the left an arc distance of 31.89 feet the subchord of which arc bears N 26° 59' E 31.87 feet to a point in the north line of the said Daniel M. McRae tract of land same being the south line of that certain tract of land conveyed to Edward Dobrowolski et ux Bronialowa Dobrowolski by warranty deed dated September 28, 1951 of record in Volume 1203 at page 113 of the Deed Records of Travis County, Texas;

THENCE with the north line of the said Daniel M. McRae tract of land same being the south line of the said Edward Dobrowolski et ux tract of land S 58° 46' E 19.05 feet to the northeast corner of the said Daniel M. McRae tract of land;

THENCE with the east line of the said Daniel M. McRae tract of land S 30° 04' W 50.00 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

The Council recessed until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M., the Council heard the following tax appeals:

JULIUS FRANKI - Property located at 600 South 1st Street - 10.75 acres, Lots 2 and 5, Block B, James E. Bouldin Estate (Parcel No. 1-0201-0601). He complained about the value of the land as compared to land in the back of this on Barton Springs Road which is set at \$1,000 per acre, and the property south at \$1,000. His property was set at \$1,500. He stated 60' of his property was in the creek; that the Creek on South 1st overflowed, and about one-third of his property was flood property. He did not believe with these conditions, and the fact that there was a bluff on the land and inadequate approach the property was worth as much as it was listed. He said his deed called for 10.75 acres, but part had been dedicated for South 1st Street. He asked that his land be put in at \$1000 per acre as land on the north and south of him, and make a 50% adjustment instead of a 10% for bluff and other conditions, and calculate the value of what is there instead of what the Tax Department says. Councilman White stated he wanted to make a personal inspection of the area.

MR. TRUEMAN O'QUINN represented the SHOPPERS WORLD in its appeal that pertains to its personal property. He pointed out the method in which the rendition for furniture and fixtures was submitted and stated that the Tax Department, by some method, raised the figure \$2,500--from \$26,070 to \$28,570. He stated the values placed on the inventory were raised by the Tax Department up to \$161,000. These increases were on the Shoppers World, the Shoe Department, and the Hardware Department, and amounted to a difference of \$129,953. The Chairman of the Board of Equalization explained valuations on a square foot basis and comparisons. The Tax Assessor reviewed the procedures used in appraising the properties. After lengthy discussion, the Mayor Pro-tem stated that the Council would meet with the Tax Board and go over these various items and the sales information. Mr. O'Quinn stated he would ask Mr. Woodie Garrett to come down also.

MR. DAVE CEDER represented the properties owned by the Ceder family in the School District, stating the appeal was on the land and not on the improvements. The Tax appraiser explained how the values were determined. Mayor Pro-tem Palmer asked that data on specific sales be obtained for Mr. Ceder. Mr. Ceder stated that 400 acres of the 640 acres were pasture, waste land and flood land; and that around 200 acres were actually cultivated; and part of the land yielded no income at all. Mr. Ceder displayed an aerial survey map of the property, made by the Taylor Soil Conservation District. The Council asked to borrow this map to use when it made a personal inspection of the area.

MR. GAYNOR KENDALL represented United Federal Life Insurance Company in its appeal, in this case, on the value placed on the assets of the company, which included a \$100,000 note signed by the purchaser of a hotel in Ranger, Texas. He stated the note was being carried at too high a value and should be reduced to \$25,000. He stated their appeal was on the value of this note, but they would like consideration of the deferred and uncollected premiums, due prior to December 31st which have not been paid, and which may not be paid if the policy were permitted to lapse. The amount of premiums in this respect would be around \$42,000. Discussion was held on the appraisal of the Hotel, and the rendition made in Ranger. The Mayor Pro-tem stated the Council would look into this and discuss it with the Legal and Tax Departments.

MRS. ROBERT N. SHANE appealed the values of the property at 2511 Woodmont Avenue, stating this was the first time the improvements had ever been decreased but the value of the land had been raised several times. She explained about the drainage ditch; and although the drain had been covered partially, her land has been flooded twice. The Mayor Pro-tem stated the Council would go by and look at the land.

MR. GEORGE NALLE made his appeal on the valuations placed on the land on Congress Avenue. He stated he had made a 20% cut on one of the leases, although the taxes had been increased over the five years by 27%. He stated the space next door stayed vacant over a year; and when he did rent it, it was for only 50% of the former rent, and this lessee did not make a go, and the property is now renting for 33% less. At 908 Congress, the lessee told him he would have to cut the rent 40% and release the company from any participation in payment of any taxes, or it would move out. The Company made only a year's lease. Mr. Nalle stated the Avenue needed some relief. Discussion of a revaluation of the property was held. The Tax Assessor stated it would be necessary to have income data. Mr. Nalle asked that a 25% discount be allowed to offset the reductions in rents. Mr. Nalle mentioned the property in the school district which had been set at about \$645 per acre, and brought in \$50 for a hay crop. He stated this property was on a dying artery; and at this time had no particular value. He stated, however, his main interest was in obtaining relief on Congress Avenue. After more discussion, the Mayor Pro-tem stated that the Council would go into this matter further with the Board and Tax Department.

Councilman Bechtol moved that the tax appeal of JUDGE BEN ROBERTSON be set for hearing at 2:30 P.M. Thursday, November 10, 1960; and immediately after that hearing, a session with the Equalization Board; and that Saturday, November 12th at 8:30 A.M. be set to meet at the City Hall and proceed to Mr. Perry's home and look at the other properties. 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

Councilman White moved that since Christmas comes on Sunday, that the City Employees be given a holiday on Monday, December 26th. 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 Bechtol moved that the Council Session for the Thanksgiving week be set at 10:00 A.M., Tuesday, November 22, 1960. 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 Acting City Manager, MR. REUBEN ROUNTREE, made inquiry if the Council wanted to set a hearing on the street barricade ordinance. After discussion, Mayor Pro-tem Palmer asked that the ordinance be brought in next Thursday for first reading.

The Council discussed the purchasing of crushed stone with Mr. Jack Pearce. Councilman White moved that the Acting City Manager be instructed to proceed with the contract with the Texas Crushed Stone Company for this material. 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. JACK PEARCE recommended that the City assimilate information as to what streets will cost property owners and the city in certain areas, and make a pamphlet or brochure so that when a person is assessed for street paving, or when his street is torn up, he will know what a good deal he is getting. He stated one reason for this, is the Department of Public Works, which is the most efficient in the State. He stated people here were really getting a bargain in their street improvements.

The Acting City Manager stated an application for a propane gas filling station had been filed. He stated it was proposed to operate this in connection with a gasoline service station, located on Bastrop Highway south of Vargas Road. The Building Inspector stated some cities allowed these stations in areas that

were not congested and the applications had to be passed on by the Building Inspector and Fire Marshall, and had to be installed under Railroad Commission regulations. Councilman Bechtol suggested that this applicant be informed that the Council had the application under consideration; and in the meantime, the Building Inspector, Fire Marshall and City Attorney could get together and work out definite recommendations.

The Acting City Manager stated an application for annexation of some property effective January 2, 1961, had been received. It was stated that the property should be brought in effective before January 2, 1961.

Councilman White moved that the appeal of GENE NAUMAN regarding short form resubdivision of property on the corner of Comal and Hackberry Street be granted. The motion was seconded by Mayor Pro-tem Palmer. Roll call showed the following vote:

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

The motion lost for a lack of majority.

There being no further business, the Council adjourned at 6:20 P.M., subject to the call of the Mayor.

APPROVED _____

Mayor Pro-tem

ATTEST:

Elin Masley
City Clerk