

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 2, 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. JACK HOOPER, Associate Pastor, University Methodist Church.

Councilman White moved that the Minutes of the Meeting of May 26, 1960, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

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

Noes: None

MR. EDGAR BROWN, representing A.M. Gas Service Company, asked that the Council postpone action on the ordinance pertaining to persons authorized to dispense flammable liquids from filling station pumps until his client, who had three gas stations, could obtain information and gather statistics, so they could present in opposition to this ordinance, which if passed, would put three stations now operating out of business. MR. JOHNNY B. ROGERS stated he learned recently that these people purchased this site and had one man operating under normal service station routine; and that this ordinance was in the public interest. After discussion, Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 11 OF THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO A NEW SECTION DESIGNATED AS SECTION 11.79-A PERTAINING TO PERSONS AUTHORIZED TO DISPENSE FLAMMABLE LIQUIDS FROM FILLING STATION PUMPS; AND DECLARING AN EMERGENCY.

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 White, carried by the following vote:

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

MR. BAUMGARDNER stated he had an option to purchase property on Redwood and Old Manor Road. Pointing the property out on a map, he asked if the Council would consider trading the point with 16,000 square feet for 60,000 square feet that he had, as he wanted frontage on Manor Road. He said in the future that if Redwood were opened 25' more, he would like to be reimbursed with another 25' of land in the rear. The Mayor stated the Council would discuss this with the engineers and go into it and see what they recommended.

MR. JACK PEYTON, representing "BEST IN SPORTS" explained his project of going into areas and listing all the entertainment, recreation and cultural activities in the community, and compiling a book. There will be free tickets in the book for the various activities. The books would be sold through the personnel departments of the businesses and merchants. He said \$500 would be contributed to the Parks Fund for their going into this program. The Mayor stated it would be necessary to have the written recommendation from the Director of Recreation and also to check in with the Business Advertising committees. Councilman Bechtol suggested that Mr. Peyton be referred to the Better Business Bureau, Solicitation Board, and Recreation Department; and said that by this referral, he did not mean to say that the Council was endorsing it. The Mayor told Mr. Peyton that the Council would take it up with Mr. Sheffield, and directed him to go before the Better Business Bureau and other committees and see if they wanted to endorse his proposition.

MRS. RUBY MILLER invited the Council to the Dedication Game on Alamo Field, East 22nd & Alamo Street, Monday, June 6, 1960, 3:00 P.M.

In accordance with the published notice thereof, at 10:30 o'clock A.M. it was announced that the Council would proceed with the hearing involving the improvement and paving of portions of Mira Loma Lane, South 5th Street, Eilers Avenue, West Live Oak, Manorwood Road, McKinley Avenue, Pressler Street, San Marcos Street, Speedway, East 8th Street, East 9th Street, East 11th Street, East 14th Street, East 14½ Street, East 17th Street, East 18½ Street, Chesterfield Avenue, Avenue F, Helms Street, Houston Street, Keating Lane, Retama Street, Rowena Avenue, Sabine Street, Shelley Avenue, Tom Green Street, Watson Street, West 9½ Street, West 31st Street and East 51st Street. No one appeared in opposition.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE

OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Mira Loma Lane)

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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY

ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (South 5th Street)

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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND

DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.(Eilers Ave. and sundry other streets)

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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF

PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Chesterfield Avenue and sundry other streets)

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.

The Mayor announced that there were a few people present to protest the fogging operations, and that the Council would not take any action today, as there were 15 or 20 people called in who wanted to be heard on the continuation of the fogging. MRS. STUART HARRIS read a statement asking that the city proceed with caution in the program of indiscriminate fogging with DDT and other poisonous compounds until a thorough investigation is made of the safety and effectiveness of such a program. She filed a petition of approximately 228 signatures requesting that fogging with chlorinated hydrocarbons (DDT, Chlordane, etc) be stopped, as the fogging program was ineffective, wasteful, very expensive, and that there is no proof that the fogging program controls or prevents the spread of disease; and that it ruins home food gardens, and is harmful to the health of the citizens. Councilman Perry asked if there were any chemicals

effective against flies and mosquitoes that would meet with their approval. Mrs. Harris stated that cleaning up breeding places would be helpful, and stocking creeks with minnows; spraying garbage cans, but not private garbage cans, and spraying only where it is definitely and specifically needed. MISS MARGARET L. HILL read statements regarding the effects of DDT and other chemicals. DR. BEN PRIMER outlined the spraying to control insects. He stated he felt that the program had helped so much that he would not want to risk stopping it. He listed examples--that the number of infant mortality had been reduced drastically since the spraying program had been in effect, in the cases of infant diarrhea; that as long as the mosquito that carried encephalitis was present, there should be some sort of program to control that, and he would hesitate to stop the mosquito control. MR. HARGIS explained the percentage of chemicals used as recommended by the State Health Department and World Health Organization. He said it was hard to spray parts of the street and miss those who ask not to be fogged, although he said the drivers had instructions not to fog where they had special requests, and he apologized for those that had been overlooked. Councilman Perry asked if there were other chemicals other than DDT that could be used. Mr. Hargis stated some had been used successfully, but were extremely expensive. The question was raised why exterminators that did private work were not licensed. MR. CHARLES RAINES suggested spot applications rather than fogging or spraying, on places that were breeding places. A suggestion was made that publicity be given when the fogging was to be done in an area, so that people could close their windows and keep the fog out, particularly if they had fish. MR. H. C. CURRIE stated that the fogging did not reach the insects intended, as most of them were found in decaying matter, or the insects were hiding out in the daytime and the DDT did not reach their hide-outs. Councilman Perry asked that a comparison be worked out of the effectiveness and costs of using chemicals other than DDT. Mayor Miller stated that another meeting would be held, as there are people who want the spraying and fogging. Councilman White suggested that the group appoint a committee and meet with DR. PRIMER and MR. HARGIS and discuss this further. Councilman Perry suggested that representatives from the manufacturers who make the chemicals be invited, and they might have some facts. Later in the meeting, Councilman Bechtol stated that it was his opinion that the Council was agreeing that Dr. Primer and the Health Department would continue the spraying and fogging at this time. Present were J. M. HARRIS, STUART HARRIS, MRS. J. G. MOOR, CHARLES C. RAINES, MRS. JOE ATKINSON, SR., H. C. CURRIE, MRS. C. L. NASCHKE, MRS. CLARK HUBBS, MRS. WM. S. BURFORD, WM. M. ELLIOTT, MRS. PRISCILLA WIMBERLY, MARGARET LOUISE HILL, MR. & MRS. JAMES T. KEE, MAX WATSON, MR. & MRS. H. S. CHINN, and SARAH PENN HARRIS.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. C. Evans Construction Company is the Contractor for the remodeling of a basement located at 601 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 69, of the Original City of Austin, Travis County, Texas, during the remodeling of the basement, 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 J. C. Evans Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the west line of the Congress Avenue alley which point is 30 feet north of the north property line of East 6th Street; thence in an easterly direction and at right angles to the center line of Congress Avenue alley 5 feet to a point; thence in a northerly direction and parallel with the center line of Congress Avenue alley 62 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue alley 5 feet to a point and said point being the northeast corner of the above described tract.

2. THAT the above privileges and allotment of space are granted to the said J. C. Evans Construction Company, 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 sidewalk 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 July 15, 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White

Noes: None

Not in Council Room when vote was taken: Councilman Perry, 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 the property situated on the east side of Canadian Street as a private gasoline plant consisting of an 8,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by The Rich Plan, and is the northwest corner of Lot 2, H & TC Addition, Outlot 6, Division A, of the City of Austin, Travis County, Texas, and hereby authorizes the said Rich Plan to operate a private gasoline plant consisting of an 8,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject 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 Rich Plan has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
June 2, 1960

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

"Dear Sir:

"I, the undersigned, have considered the application of The Rich Plan, by their agent, Wayne R. Rodgers, for permission to operate a private gasoline plant consisting of an 8,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the east side of Canadian Street, which property is designated as the northwest corner of Lot 2, H. & T.C. Addition, Outlot 6, Division A in the City of Austin, Travis County, Texas, and locally known as 607 Canadian Street.

"This property is located in an "E" Heavy Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) Dick T. Jordan
Building Official"

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, White
Noes: None
Not in Council Room when vote was taken: Councilman Perry, 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 the property situated on the south side of East 5th Street as a private gasoline plant consisting of a 6,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by C. D. Yarbrough Construction Co., and is of the H & TC Railroad Tract, Outlot 3, Division A, of the City of Austin, Travis County, Texas, and hereby authorizes the said C. D. Yarbrough Construction Co. to operate a private gasoline plant consisting of a 6,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject 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 C. D. Yarbrough Construction Co. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
June 2, 1960

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

"Dear Sir:

"I, the undersigned, have considered the application of C. D. Yarbrough Construction Company, by their agent, Vernon Wattinger, Jr., for permission to operate a private gasoline plant consisting of a 6,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 5th Street, which property is designated as H & TC Railroad Tract, Outlot 3, Division A, in the City of Austin, Travis County, Texas, and locally known as 1301 East 5th Street.

"This property is located in a "D" Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the

property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) Dick T. Jordan
Building Official"

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

Ayes: Councilmen Bechtol, Palmer, White

Noes: None

Not in Council Room when vote was taken: Councilman Perry, Mayor Miller

The Mayor announced that the following zoning application, advertised to be heard on June 16th, had been withdrawn by the applicant:

CLINT SMALL, JR.	Tract 1	From "A" Residence
	3201-3205 West 35th St.	To "GR" General Retail
	3213-3221 West 35th St.	
	3422-3428 Scenic Drive	
	and	
	Tract 2	From "A" Residence
	3207-3211 West 35th St.	To "C-1" Commercial

The Council took no action on the request to amend the contract with Water Control and Improvement District No. 9 to make refund contract with Barton View, Inc. Councilman Palmer suggested checking with the bond-holders.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT TO "C-1"

COMMERCIAL DISTRICT ON AN INTERIOR TRACT OF LAND HAVING DIMENSIONS OF 70 FEET BY 90 FEET, LOCALLY KNOWN AS 1400-1402 EAST 38 1/2 STREET; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Perry

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 Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Perry

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, White, Mayor Miller
Noes: None
Present but not voting: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING:
(1) A 0.55 ACRE TRACT OF LAND FRONTING 90.92 FEET ON THE WEST RIGHT OF WAY LINE OF SOUTH 1ST STREET, APPROXIMATELY 310 FEET ON THE NORTH RIGHT OF WAY LINE OF BEN WHITE BOULEVARD, AND 310.57 FEET ON THE SOUTH RIGHT OF WAY LINE OF BANISTER LANE, LOCALLY KNOWN AS 3900-3902 SOUTH 1ST STREET, 600-610 BEN WHITE BOULEVARD AND 601-611 BANISTER LANE, FROM "A" RESIDENCE DISTRICT

AND FIRST HEIGHT AND AREA DISTRICT TO "IR" LOCAL RETAIL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; (2) AN INTERIOR TRACT OF LAND 60 FEET BY 45 FEET HAVING NO STREET FRONTAGE AND BEING AN INTEGRAL AND INTERIOR PART OF TRACT 1 AS DESCRIBED ABOVE, LOCALLY KNOWN AS 3900 SOUTH 1ST STREET, 602-604 BEN WHITE BOULEVARD AND 603-605 BANISTER LANE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; SAID ABOVE PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
 Noes: None
 Present but not voting: Councilman Perry

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 Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
 Noes: None
 Present but not voting: Councilman Perry

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, White, Mayor Miller
 Noes: None
 Present but not voting: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the trade of property with MR. BASCOM GILES for property adjoining the airport, in exchange of the property which the City owns in back of Mr. Giles' property in Delwood. He said the trade had been approved, and the Planning Board Chairman had approved it, and Mr. Giles was to put in a storm sewer in the property to be approved by the Director of Public Works. The Mayor stated that subject to everything being put in order, the drainage ditch, etc., he would recommend the trade. Mayor Miller moved that the City Manager be instructed to have MR. BASCOM GILES meet with him, the City Attorney, and the City Planners, and get it all worked out; and that when it is all acceptable it would be signed; and that it be done the next week. The motion, seconded by Councilman Bechtol, carried by the following vote:

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

The City Manager submitted the following:

"May 31, 1960

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

Assessment Paving Contract No. 60-A-13
Consisting of 17 Units

"Following is a tabulation of the bids received at 11:00 A.M., Tuesday, May 31, 1960 for the construction of approximately 45 blocks of pavement and accessories known as Assessment Paving Contract No. 60-A-13, consisting of 17 units.

"McKown & Sons	\$143,134.91
Lee Maners	148,897.60
J. H. "Bud" Chastain & Sons	150,408.51
Giesen & Latson Construction Co.	160,947.80
Collins Construction Co. of Texas	177,023.38

"City's Estimate	\$166,797.46
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"I recommend that McKown & Sons with their low bid of \$143,134.91 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 May 31, 1960, for the construction of approximately 45 blocks of pavement and accessories known as Assessment Paving Contract No. 60-A-13, consisting of 17 units; and,

WHEREAS, the bid of McKown & Sons in the sum of \$143,134.91 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 McKown & Sons in the sum of \$143,134.91 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 McKown & Sons.

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

The City Manager submitted the following:

"May 31, 1960

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

"Municipal Airport
F.A.A. Projects Nos. 9-41-078-5702,
9-41-078-5904, & 9-41-078-6005

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. May 31, 1960
Tabulated by: O. G. Brush, Purchasing Agent

"CITY OF AUSTIN, TEXAS, BIDS FOR RADIO CONTROLLED WARNING SIRENS AND
RADIO CONTROL EQUIPMENT

BID #		GRAYBAR ELECTRIC COMPANY	FEDERAL SIGN & SIGNAL CORP.	MOTOROLA C & E INC.
8609X	Radio Controlled Warning Sirens per OCD and City Specifications	<u>\$34,635.16</u>	\$37,550.00	No Bid
8610X	Radio Controlled remote switching equipment per OCD and City specifica- tions	\$12,137.30	No bid	\$14,506.00
Lowest net total both bids		\$46,772.46		

"NOTE: Prices shown are net after deduction of cash discounts where
allowed.

Recommendation: Low bidder on all items, Graybar Electric Company of
Austin, meets all specifications and it is recommended
this firm be awarded the contract.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 30, 1960, for
radio controlled warning sirens and radio control equipment; and,

WHEREAS, the bid of Graybar Electric Company in the sum of \$34,635.16 for
radio controlled warning sirens and in the sum of \$12,137.30 for radio controlled
remote switching equipment was the lowest and best bid therefor, and the accep-
tance of such bids has been recommended by the Purchasing Agent 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 Graybar Electric Company in the total sum of \$46,772.46
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 Graybar Electric Company.

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

Mayor Miller stated that on account of the reverence for the Office of the President of the United States, the important service to our City, County, State, and Nation by SENATOR LYNDON B. JOHNSON, Majority Leader of the United States Senate, who is a real and potential candidate for president, although personally unannounced, that we do hereby grant the use of these signs, and that we cannot waive the customary charges for the City Electric Department's suspending them, and that the signs comply with all the ordinances as to signs and wind hazards, and that they be made of nylon, it is hereby voted on and unanimously granted by the City Council of the City of Austin, that the signs be hung at 7th and SAN JACINTO, BARTON SPRINGS ROAD and LAMAR, SEVENTH and CONGRESS AVENUE, DAWSON ROAD and RIVERSIDE DRIVE, WEST 19TH and GUADALUPE.

The Council had a letter the Chariman of the Daughters of the Republic of Texas Museum, and the Past President General, Texas Division, United Daughters of the Confederacy, requesting reserved parking space at the 11th Street entrance to the Museum. Mayor Miller suggested referring this to the Chief of Police. The Council, informally referred the letter to the Traffic Engineer.

The Assistant City Manager reminded the Council that it was invited to a fish fry at 5:30 P.M. Friday, June 3, given by Capitol Aggregates.

Mayor Miller brought up the following ordinance for its third 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 8.784 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE 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 third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, 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.

Councilman White moved that the appeals (Filed through petition by MR. SAM S. WOOD on May 10, 1960, and by individual filing through Mr. Robert C. Sneed, for MR. LLOYD M. COLLINS on May 13, 1960) be set to be heard at 11:00 A.M., June 23, 1960, the date the zoning of the property at 2815-2841 Hancock Drive is set for public hearing. The motion, seconded by Councilman Perry, carried by the following vote:

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

Councilman Bechtol 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 accept the offer of the United States of America and to execute on behalf of the City of Austin, Texas, that certain grant agreement with the United States of America, Department of Commerce, Civil Aeronautics Administration, designated Contract No. FA2-1347, Robert Mueller Municipal Airport, Project No. 9-41-078-6005 dated May 12, 1960, in accordance with the terms and provisions of said grant agreement, exhibited to the City Council by the City Manager and attached hereto; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to keep this resolution together with the attached Grant Agreement above described in the permanent files of the City of Austin without recording said Grant Agreement at length upon the Minutes of the City Council.

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

Councilman White offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, heretofore by resolution, on the 1st day of August, 1957, and by resolution, on the 13th day of November, 1958, the City Council of the City of Austin, Texas, duly passed and adopted resolutions designating Thomas Jefferson Heights, Kealing Project, as an Urban Renewal Area; and,

WHEREAS, the Housing and Home Finance Administrator was requested to reserve for an Urban Renewal Project in such proposed Urban Renewal Area, federal capital grant funds in an amount sufficient to enable the City of Austin to finance the undertaking of the Project; and,

WHEREAS, the filing of an application by the City of Austin for an advance of funds from the United States of America in an amount not to exceed \$47,755.00 for surveys and plans for an Urban Renewal Project in such area was approved; and,

WHEREAS, pursuant to such resolution, application for such funds was made, and subsequently approved and granted, and a contract for planning advance for surveys and plans for such Urban Renewal Project, dated February 13, 1958, as amended May 1, 1958, and as amended August 27, 1959, designated as Contract No. TEX. R-20(A) for \$66,508.00, by and between the United States of America acting by and through the Housing and Home Finance Administrator, and the City of Austin, Texas, as the Local Public Agency, was made and executed; and,

WHEREAS, surveys and planning studies conducted to date show the need for additional funds in the amount of \$11,954.00 to carry out the necessary

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, May 31, 1960 for the construction of an Aircraft Loading Apron, Parking Apron, Parking Area, Entrance Road, Taxiways, Storm Drains, and Utility Installations to Terminal Building at the Robert Mueller Municipal Airport known as FAA Project Numbers 9-41-078-5702, 9-41-078-5904, and 9-41-078-6005.

"Giesen & Latson Construction Co.	\$394,206.98
Dean Word Company	419,294.85
H. B. Zachry	421,431.95
Collins Construction Co. of Texas	429,848.82
Texas Bitulithic Company	434,137.77
J. H. "Bud" Chastain & Sons	486,397.07

"City's Estimate	\$399,227.46
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"I recommend that Giesen & Latson Construction Company with their low bid of \$394,206.98 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 May 30, 1960, for the construction of an Aircraft Loading Apron, Parking Apron, Parking Area, Entrance Road, Taxiways, Storm Drains, and Utility Installations to Terminal Building at the Robert Mueller Municipal Airport known as FAA Project Numbers 9-41-078-5702, 9-41-078-5904 and 9-41-078-6005; and,

WHEREAS, the bid of Giesen & Latson Construction Company in the sum of \$394,206.98 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 Giesen & Latson Construction Company in the sum of \$394,206.98 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 Giesen & Latson Construction Company.

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

planning work for the completion of Part I of the Project Report; and,

WHEREAS, an additional sum of \$12,614.00 is needed as a reserve fund for the completion of Part II of the Project Report; Now, Therefore,

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

That the filing of a Survey and Planning Budget revising the amount of funds from \$66,508.00 to \$91,076.00 is hereby approved, and that the City Manager be, and he is hereby authorized and directed to execute and file such budget revision with the Housing and Home Finance Administrator, and to provide such additional information and to furnish such documents as may be required by said Administrator, and to act as the authorized representative of the City of Austin.

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

The request by MR. V. A. GORDON, Missouri Pacific Railroad, for increase in speed zone from the 12 mile per hour limit was referred to the Traffic Committee for approval for next week.

The Council recessed at 12:50 until 2:00 P.M. at which time it planned an Executive Meeting to discuss appointments to the various Boards, and later to go over the maps of the river and hear the City Manager discuss what ideas were being considered for the new lake.

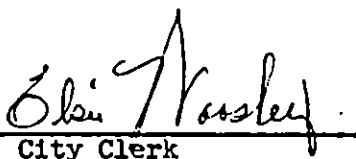
The Council met in Executive Session, and went into open session to make a study of the maps of the new lake.

There being no further business, the Council adjourned at 6:00 P.M., subject to the call of the Mayor.

APPROVED _____

Mayor

ATTEST:



City Clerk