

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 21, 1957
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, 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.

Invocation was delivered by REV. W. A. McCANN, First Assembly of God, 503 West 37th Street.

Councilman White moved that the Minutes of March 14, 1957, be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"March 19, 1957

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

W. T. Williams, Jr., City Manager

"Resurfacing of Lake Austin Boulevard - Contract 57-C-9

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, March 19, 1957, for the resurfacing of Lake Austin Boulevard from Hearn to Arlington Street.

"Giesen & Latson Const. Co.	\$ 7,807.66
Collins Const. Co. of Texas	17,192.36

"City's Estimate	\$7,210.84
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"I recommend that Giesen & Latson Construction Company with their low bid of \$7,807.66 be awarded the contract for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 19, 1957, for the resurfacing of Lake Austin Boulevard from Hearn to Arlington Street; and,

WHEREAS, the bid of Giesen & Latson Construction Company in the sum of \$7,807.66 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 \$7,807.66 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 Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

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 "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 1500-1512 SOUTH LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; 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 Long 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 Long, Palmer, Pearson, White, Mayor Miller

Noes: None

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

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"Bids were received at 10:00 A.M. March 14, 1957 for furnishing the City Street and Bridge Division with Emulsified Asphalt for 1957. Listed below is a tabulation of bids.

"THE TEXAS COMPANY	410,000 gals. @ \$0.1139	\$46,699.00
	Less 2% cash discount	933.98
	Total bid	\$45,765.02
Collins Construction Co.	410,000 gals. @ \$0.1141	\$46,781.00
	No cash discount	
Cosden Petroleum Co.	410,000 gals. @ \$0.1256	\$51,496.00
	Less 2% cash discount	1,029.92
	Total bid	\$50,466.08

"Price paid in 1956 season was \$0.1175 per gallon

"It is recommended that low bid of Texas Company be accepted."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 14, 1957, for furnishing the City Street and Division with Emulsified Asphalt for the year 1957; and,

WHEREAS, the bid of The Texas Company in the sum of \$45,765.02 for 410,000 gallons of emulsified asphalt was the lowest and best bid therefor, and the acceptance of such bid 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 Texas Company in the sum of \$45,765.02 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 The Texas Company.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, A. W. Bryant is the Contractor for the erection of a building located at 504 West 17th Street and desires a portion of the sidewalk and street space abutting Lots 3 and the east 14 feet of 4, Block 28, Division E, of the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said A. W. Bryant, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles to the center line of West 17th Street to a point 12 feet south of the north curb line; thence in an easterly direction and parallel to the center line of West 17th Street 60 feet to a point; thence in a northerly direction and at right angles to the center line of West 17th Street to the southeast corner of the above described property.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(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 system 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 1, 1957.

(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 of 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 (\$5000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Frank Evans is the Contractor for the sand blasting and painting of a building located at 801 Congress Avenue and desires a portion of the sidewalk space abutting Lot 1, Block 97, of the Original City of Austin, Travis

County, Texas, during the sand blasting and painting of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

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

Sidewalk Working Space

Beginning at the southeast corner of the above described property; thence in a southerly direction and at right angles to the center line of East 8th Street to a point 4 feet north of the north curb line; thence in a westerly direction and parallel with the center line of East 8th Street approximately 160 feet to a point; thence in a northerly direction and at right angles to the center line of East 8th Street to the southwest corner of the above described property.

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

(1) That the Contractor will be permitted to erect and maintain a portable scaffold to be moved from time to time within the above described working space as the work requires inclosing same with a tarpaulin and protect pedestrians and cars from all harm or damage during the progress of the work.

(2) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk immediately after the necessity for their existence on said sidewalk 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 April 13, 1957.

(3) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000), 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 public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Npes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE DETERMINING THE WIDTH TO WHICH MOUNTAIN TOP CIRCLE AND A PART OF MONTE VISTA DRIVE, PUBLIC STREETS WITHIN THE CITY OF AUSTIN, SHALL BE OPENED AND IMPROVED; AND SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long 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 Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Attorney gave a report on the Central Freight Lines' right-of-way offer, stating they had made the offer to dedicate the right-of-way, and made a mistake and were willing to pay \$2,000 and be relieved of a voluntary obligation that they had made. He gave details of their plans for development and the location of their present building. After much discussion, the Council decided to go and look at the property.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 15, 1957, for one 14,000 G.P.M. Pumping Unit, complete with across-the-line motor starter to be installed in the Water and Sewage Treatment Plant; and,

WHEREAS, the bid of Southern Engine and Pump Company in the sum of \$22,762.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water and Sewage Treatment Plant and by the City Manager; Now, Therefore,

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

That the bid of Southern Engine and Pump Company in the sum of \$22,762.00 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 Southern Engine Pump Company.

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

MRS. MAUDE PRIDGEN reported on a wreck she had with Mayze Fowler, Jr., and her complaint filed in the Corporation Court against Mayze Fowler, Jr., in that he should pay for the damages done to her car. The City Manager stated this was a matter that would go into the County Court. Mrs. Pridgen filed her papers with the Council. (On file under COMPLAINTS)

MR. WALTER CARRINGTON appeared before the Council regarding his application for change of zoning, previously heard on September 6, 1956, and later postponed indefinitely at his request. Councilman Long moved that the following application be set for public hearing on April 18th:

CARRET CORPORATION

706-710 W. 17th St.
1701 West Avenue

From "A" Residence
To "O" Office

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE ACCEPTING THE DEDICATION OF KOENIG LANE
ACROSS THE RAILROAD RIGHT OF WAY OF TEXAS AND NEW
ORLEANS RAILROAD COMPANY; PRESCRIBING CERTAIN RESPONSIBILITIES FOR THE IMPROVEMENT OF THE CROSSING,
INSTALLATION OF DRAINAGE, AND TRAFFIC SIGNAL SYSTEMS;
AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long 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 Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Discussion of appropriating \$900 for the visual-audio presentation of the development plan was held. It was stated this amount would cover the presentation and take care of some equipment that would be of permanent good to the city.

Councilman Long moved that the City Manager be instructed to bring in the proper vehicle to appropriate the \$900 for the Planning. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Mrs. Mitchell inquired about the additional \$800 for the printing and preparation of the report. The Mayor stated the Council would try to meet with the Planning Board within the next two weeks. As to the printing, he stated there was a lump sum budgeted; and if it took more, the Council would go over that with the Commission.

Councilman Pearson brought up the question of some unpaved intersections that had been mentioned sometime back, with particular reference to Ruth Street and Brentwood. The Director of Public Works gave a report stating Mr. Pat Canion was getting people signed up from Koenig Lane north on Grover, and it looked as though Grover would be paved all the way through and that would take care of any intersections that were not paved.

Mayor Miller brought up the following zoning application postponed from February 28th:

CHARLIE BROWN, JR.	1813-1815 Walnut Avenue	From "A" Residence
	2701-03 East 19th Street	To "LR" Local Retail
		NOT Recommended by the Planning Commission

FATHER DEASON, speaking for BISHOP REICHER, called in that Holy Cross Hospital would withdraw their opposition after discussing the zoning with Mr. Caswell, who is going to build a filling station. Councilman Long moved that the change be granted to "LR" Local Retail. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

MR. L. BELDING, introduced by Mr. McKown, appeared before the Council stating the Optimist Club, with the American Statesman, and Capital Chevrolet, were sponsoring a soap box derby, and they would like to appear before the Council next week with the various chairmen, for approval of a site to hold the derby.

MR. HUME COFER, filed notice of a claim made by Charles D. Ferguson, dated March 21, 1957, with the Mayor and the Council.

The Director of Public Works submitted the paving report on Oltorf from South 1st to Congress Avenue, stating that 73% had put up the money, 10% indicated they would pave before they were skipped, and about 10% had not given a definite answer. The Council indicated approval of proceeding with the paving.

The Council received notice from the City Manager that the following zoning applications had been referred to the Plan Commission, and set for public hearing before the Council on April 25, 1957:

MAYO GRANTHAM	135-139 West Oltorf	From "A" Residence 1st Height and Area To "GR" General Retail 2nd Height & Area
FRANK D. KERBOW	5301-07 Jeff Davis 1608-10 North Loop	From "A" Residence To "C" Commercial
FRED WONG	2509-11 East 7th Street	From "D" Industrial To "C-1" Commercial
ROLLINS MARTIN	1170E-1174E Webberville Road	From "C" Commercial To "C-1" Commercial
FRANK C. BARRON	1921-1931 East 38 $\frac{1}{2}$ St.	From "A" Residence To "BB" Residence
FRANK C. BARRON	1213-15 Anderson Lane 7813 Gault Street	From "A" Residence To "C" Commercial
WALTER WUKASCH, et al	500-04 West 30th Street 3001-05 Fruth Street 408-10 West 30th Street 3000-04 Fruth Street	From "B" Residence To "O" Office
JOE H. DAYWOOD, et al	9401-07 Interregional Highway, 800 East Rundberg Lane	From "A" Residence To "E" Heavy Industrial
MRS. A. H. SCHUMANN, et al	5300 Avenue H; 304-06 E. 53rd St.; 5302 Ave. H; 5213-15 Ave. G; 301-03 E. 53rd St.; 5214 Ave. H; 305-07 E. 53rd; 5303 Ave. G; 5301 Ave G; 5300 Ave. G; & 206 E. 53rd Street	From "A" Residence To "LR" Local Retail
BESSIE LEE ALLMAN	3702 East Avenue	From "A" Residence To "C" Commercial
D. F. GRIGG	2904 San Gabriel St.	From "A" Residence To "GR" General Retail

ANCIENT & ACCEPTED
SCOTTISH RITE OF
FREE MASONRY

2212-2306 Hancock Dr.
2129-2233 North Loop

From "A" Residence
To "GR" General Retail

CHARLES D. MADISON

2411-13 East 12th Street

From "A" Residence
To "C" Commercial

SECURED INVESTMENTS,
INC.

3110B Manor Road

From "O" Office
To "C-1" Commercial

MRS. D. E. COLEMAN

100-110 Krebs Lane &
3808-10 So. Congress

From "C" Commercial
To "C-1" Commercial

EDWARD FLORES, JR.

1135D Ebert Avenue

From "A" Residence
To "LR" Local Retail

There being no further business the Council adjourned at 11:45 A.M.
subject to the call of the Mayor.

APPROVED

Tom Miller

Mayor

ATTEST:

Elise Hoosley
City Clerk