

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 24, 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.

Councilman White moved that the Minutes of the Meeting of October 17th, and of special meetings of July 15th, August 7th, and August 28th, 1957, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Noes: None

MR. ARTHUR M. CORY, 3701 Balcones Drive, submitted a petition from "Citizens and property owners in Northwest Austin, all daily users of West 35th Street," asking the Council to bring about the immediate paving of West 35th Street from Jefferson on the east to Filter Plant #2 on the west, giving first preference to the stretch between Exposition Boulevard and Balcones Drive. Mayor Miller announced that the project had not been abandoned, and that plans were still underway for the paving; that since September, money from the State had been made available. Also the project is included in the City's current budget. Delays in getting necessary rights-of-way and getting the people signed up had been caused by the City's turning its efforts towards relieving flood conditions during the heavy rains. The City Manager explained the procedure for following a voluntary paving program. The Director of Public Works stated bids for the Culvert would be advertised on November 3rd, and opened on November 19th; for the paving assuming the rights-of-way could be obtained quickly, bids would be advertised for on November 17th, and opened on December 3rd. Names of those present were secured, and the Mayor stated they would be notified of developments. He suggested that the group select a committee of about three to work with the city in any way it could to help in getting the people on 35th signed up. Those taking part in the discussion were MR. CLAYTON W. CHANCE, 3421 Foothills Parkway; JIM DOBBS, 3407 Foothill Terrace; and MR. BILL LUEDECKE, 3403 Foothills Parkway.

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 "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON TWO TRACTS OF LAND OUT OF OUTLOT 24, DIVISION "D", LOCALLY KNOWN AS 708-710-712 WEST 19TH STREET, 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 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 Long, Palmer, Pearson, 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 Long, Palmer, Pearson, 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 Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH

LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Attorney explained a proposed amendment to the Code to prohibit persons from altering the shores and bed of Lake Austin without a permit. The amendment was discussed, and action postponed until the following week.

DR. LOREY HILDRETH, Pastor, Hyde Park Baptist Church, 3901 Speedway, appeared before the Council requesting a building permit for an Educational Building to adjoin the church. After discussion, Councilman Long moved that the City Manager be instructed to grant a building permit. 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)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute and deliver to Braniff Airways, Incorporated, that certain Letter Agreement dated September 16, 1957, heretofore previously executed by Braniff Airways, Incorporated, a copy of which is attached hereto and marked Exhibit "A", extending the lease agreement between the City of Austin and Braniff Airways, Incorporated, dated November 4, 1942, for five years beginning November 16, 1957, and ending November 15, 1962.

The motion, seconded by Councilman Palmer, 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, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in NORTHLAND DRIVE, from Burnet Road to a point 200 feet east of the centerline of Allandale Road, the centerline of which underground telephone conduit shall be 5 feet south of and parallel to the centerline of said NORTHLAND DRIVE.
- (2) An underground telephone conduit in NORTHLAND DRIVE, from a point 200 feet east of the centerline of Allandale Road and five feet south of the centerline of Northland Drive, in a southwesterly direction to a point 100 feet east of the centerline of Shoal Creek Boulevard and 28 feet south of the centerline of said NORTHLAND DRIVE.
- (3) An underground telephone conduit in NORTHLAND DRIVE, from a point 100 feet east of the centerline of Shoal Creek Boulevard to Bull Creek Road, the centerline of which underground telephone conduit shall be 28 feet south of and parallel to the centerline of said NORTHLAND DRIVE.

(4) An underground telephone conduit in BULL CREEK ROAD, from Northland Drive westerly to the corporate limit line of the City of Austin, the centerline of which underground telephone conduit shall be 17 feet north of and parallel to the south property line of said BULL CREEK ROAD.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

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 3.39 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF THE JAMES P. WALLACE SURVEY NO. 57 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 Pearson 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.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 17, 1957, for the purchase of four (4) single axle hydraulic dump trailers for the Street and Bridge Division; and,

WHEREAS, the bid of The Heil Company in the sum of \$12,800.00 for the four (4) dump trailers 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 The Heil Company in the sum of \$12,800.00 be and the same is hereby accepted, and W. T. Williams, 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 Heil Company.

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

The Council received the following:

"October 17, 1957

"Mayor and Members of the City Council
City Hall
Austin, Texas

"Gentlemen:

"This letter is to request withdrawal of petition for change of city ordinance zoning on property at 2815 Rio Grande from "A" to "O", and to ask that the \$10.00 fee be returned to me.

"The \$10.00 was paid by me although signed for by Mrs. D. C. Kinney of 4801 Parkcrest Drive, Austin. The reason for this is that I purchased this property from Mrs. Kinney and relatives and although she signed for the zone change to "O", it was I who paid \$10.00 as part of the sale contract when I purchased the property.

"To keep your records straight and legal, Mrs. Kinney is writing you today also stating that the \$10.00 should be returned to me and not to herself.

"I thank you.

"Sincerely yours,
(Sgd) Alfred J. Kelly, M.D."

The Council accepted the withdrawal of the zoning application of MRS. D. C. KINNEY - 2815 Rio Grande from "A" to "O", as requested by present owner of the property, Dr. Alfred J. Kelly.

Councilman Pearson inquired about the widening of 12th Street from Lamar to Baylor. The Director of Public Works explained this was in connection with the Simmons construction; that if he would setback, the City would pave from the edge of his curb to the edge of the pavement. There is one more lot involved, and it means cutting only the sidewalk area down. These two properties would permit the widening of West 12th in the future when it would be repaved.

Councilman Long submitted a complaint from MR. WALTER FLEET, 1200 South 1st Street, concerning his driveway which had been damaged by a contractor's putting some dirt on the street and causing water to come over his drive. The matter was referred to the Director of Public Works.

The City Manager stated the street working space as authorized for the remodeling of the Littlefield Building provided for 12 feet. When the cornice was taken down, it was necessary to have more space to get some large trucks in to finish the work. Councilman White moved that they authorize the amending of the street working space to provide 15.6 feet instead of 12 feet until they move back again. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager stated that new beds had been provided for the South Austin Fire Station, and the eight bedsteads and springs replaced had no value as salvage. The Fire Chief had recommended they be given to the Salvation Army. No objections were expressed.

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

APPROVED

Tom Miller
Mayor

ATTEST:

Elin Hooley
City Clerk