

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 28, 1956
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 FATHER PAUL V. MALONEY, St. Austin's Catholic Church, 2010 Guadalupe.

Councilman White moved that the Minutes of the Special Meeting of November 14th and the Regular Meeting of November 22nd be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Council requested the Traffic Engineer to check the parking meters in front of the St. Austin's Church, 2010 Guadalupe to see if something could be worked out for the Church.

MR. DAVE SMITH appeared before the Council regarding the Red Cross Drive to raise money for the Hungarian Refugees. He stated the President of the United States was asking that 5 million dollars be raised and the quota for Austin was \$5,000. Mr. Smith suggested that the sum be sent to the President from the City of Austin and the people be asked to send their donations to the Mayor. The Council discussed this request but took no action.

MR. OTTO STERNBERG appeared before the Council regarding water meters on Koerner Drive. He stated there were five houses on one meter and they were unable to get more meters. It was brought out that this was not in an

approved subdivision and under the subdivision ordinance the city could not furnish more meters; also there was a question of the right-of-way. In the discussion it was stated that the Austin Concrete Company owned the property across the street and they were working on the problem now. The City Manager was asked to make an appointment with Mr. Guiton Morgan and work it out and call Mr. Sternberg.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH GORDON WORLEY
COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY
PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT 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 Pearson, 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 Pearson, 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 Pearson, 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 AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS,
INCORPORATED; PROVIDING FOR THE APPROPRIATION OF
MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT
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 Pearson, 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 Pearson, 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 Pearson, 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 AMENDING CHAPTER 33 OF THE AUSTIN CITY CODE OF 1954 TO DESIGNATE SPECIFIC DAYS EXCEPTED FROM METERED PARKING LIMITS IN ALL PARKING METER ZONES; REPEALING ALL INCONSISTENT PROVISIONS; AND DECLARING AN EMERGENCY.

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.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest corner of the intersection of Barton Skyway and South Lamar Boulevard, which property fronts 150.00 feet on Barton Skyway and 150.00 feet on South Lamar Boulevard, and being known as a portion of Block J of Barton Hills Section 1, in the City of Austin, Travis County, Texas, and hereby authorizes the said Frank C. Barron 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 Frank C. Barron has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"November 28, 1956

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

"Dear Sir:

"We, the undersigned, have considered the application of Frank C. Barron for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northwest corner of the intersection of Barton Skyway and South Lamar Boulevard, which property fronts 150.00 feet on Barton Skyway and 150.00 feet on South Lamar Boulevard, being known as a portion of Block J of Barton Hills Section 1, in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Frank C. Barron. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as General 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 Frank C. Barron 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 grades of the station shall be such that no waste water or oils or 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 - 1477.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1477 and shall be of the pre-moulded type.

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

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
J. C. Eckert
Building Inspector"

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF CONCORDIA AVENUE TRAVERSING A PORTION OF THE RESUBDIVISION OF THE EAST ONE-HALF OF BLOCK 2 OF PLAINVIEW HEIGHTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITIES IN THE CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Pearson, 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 Pearson, 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 Pearson, 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.

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

C. B. SMITH, et al	613-625 St. Johns Avenue	From "A" Residence To "D" Industrial NOT Recommended by the Planning Commission
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MR. JAC L. GUBBELS appeared on behalf of this change and requested the Council to refer this application back to the Planning Commission to permit consideration for a modification of the application. Councilman Long moved that this be referred back to the Planning Commission. The motion, seconded by Councilman White, carried by the following vote:

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

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O. M. RUTLEDGE &
JAMES K. COCKRELL

4525 Airport Boulevard

From "C" Commercial
To "C-2" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "C" for s.e.
corner Airport Blvd. &
E. 46th St., now zoned
LR

MR. COCKRELL and MR. RUTLEDGE appeared on behalf of this change. No opposition appeared. The recommendation of the Planning Commission for "C" was for a very small triangle only and the applicants desired the larger area adjacent to this property to be "C" also. The application was WITHDRAWN and a new application will be made.

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W. L. MAYFIELD, et al

1213 & 1301-05 W. 34th
Street

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

The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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NELSON O. POPE &
FLOYD RALPH RICH

2109 Holly Street

From "A" Residence
To "LR" Local Retail
RECOMMENDED by the
Planning Commission

JOHN and JOSEPHINE MARTINEZ appeared but had no objections to this change. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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The Council discussed the sale of \$2,800,000 General Obligation Bonds (Municipal Auditorium Bonds). It was brought out that the Retirement and Pension Board, of the City Employees Retirement System, was going to bid on these bonds. The Pension System now has its money invested in K and G Government Bonds at a lower rate of interest than they will bid on the City of Austin Bonds and if they are not low bidder on the Auditorium Bonds then they will reinvest in Government Bonds at a higher rate than the bonds they now hold.

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 Manager be, and he is hereby authorized and directed to advertise for bids on the sale of Bonds of the City of Austin at 10 o'clock A. M. January 31, 1957, as follows:

Municipal Auditorium Bonds, authorized at an election May 7, 1946	\$ 300,000.00
Municipal Auditorium Bonds, authorized at an election August 4, 1956	<u>\$ 2,500,000.00</u>
Total	\$ 2,800,000.00

Advertisement for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 27, 1956, for the construction of Paving Skip Assessment Contract Number 56-A-18, Units 1 through 15; and,

WHEREAS, the bid of McKown & Sons in the sum of \$3,385.20 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 \$3,385.20 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 White, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

Councilman Long moved that the following zoning applications, previously set for December 27th, be set for January 3, 1957:

H.L. ROBERTSON & MRS. LUCILLE ROBERTSON	7800-04 N.Lamar Blvd. & 800-810 Stobaugh Street	From "C" Commercial To "C-1" Commercial
IRA WHITE	3407-11 East 7th St.	From "D" Industrial To "C-2" Commercial
THOMAS C. WOMMACK & B. F. MCCOY	5209-5307 Cameron Road	From "A" Residence To "GR" General Retail
EDWIN LONDON	3108-3122 N.Lamar Blvd. & 1001-07 W. 32nd Street	From "A" Residence To "C" Commercial
T. E. FISHER	2401-05 Winsted Lane & 2700-2702 Windsor Road	From "A" Residence To "LR" Local Retail
NELSON PUETT	4308-10 Bellvue Avenue	From "A" Residence To "BB" Residence
MRS. V. G. OKIE	4517-23 Airport Boulevard	From "C" Commercial To "C-1" Commercial
RAYMOND RAMSEY, JR.	5427-35 (5507) Cameron Road	From "C" Commercial To "C-1" Commercial
H. B. CLAGETT	1319-1337 West Mary Street	From "A" Residence 1st & "C" Commercial 2nd To "C" Commercial 2nd
ELLA JOHNSON, JOSEPHINE JOHNSON & JOHN H. JOHNSON	1619-23 East 7th Street	From "A" Residence To "C" Commercial
FRANK E. WATTERSON & KAYTE D. WATTERSON	2612-14 South 1st Street & 600 Cumberland Road	From "A" Residence To "LR" Local Retail
RAYMOND C. LITTLEFIELD	2103-09 Oldham Street	From "BB" Residence To "C" Commercial

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

Councilman White moved that the Council Meeting between Christmas and New Year's be set for WEDNESDAY, DECEMBER 26th. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Council noted the withdrawal of the zoning application of MR. SIDNEY WRIGHT, by his attorney, Sidney Purser, for a change from "BB" to "O" on his property located on North Lamar and 22nd Street. MR. N. J. RABENSBURG requested that his part of the application be left pending.

The City Attorney brought up the matter of renting a house the City had purchased in connection with acquiring the right-of-way for the South Belt Loop. The Council agreed that it be rented for the best possible price.

There being no further business the Council adjourned at 12:40 P.M. subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


Deputy City Clerk