

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN

Regular Meeting

January 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, White, Mayor Miller
Absent: Councilman Pearson

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by DR. F. E. BROOKS, First Presbyterian Church, 212 West 7th Street.

Councilman White moved that the Minutes of the meeting of January 17, 1957, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council on October 4, 1956, authorized the negotiation of a contract with Lumbermen's Association of Texas for the maintenance and improvement of certain lands of the City east of Lamar Boulevard and north of West 25th Street, and for the opening and improving of West 25th Street between Lamar Boulevard and Longview Street; and,

WHEREAS, said contract has been prepared and meets the approval of the City Council; Now, Therefore,

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 the contract exhibited to the City Council, a copy of

which is attached hereto and made a part hereof as though fully set out herein, and the City Clerk is authorized to record this Resolution in the Minutes of the City Council without setting out the attached contract at length therein.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

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 AND HEIGHT AND AREA DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT ON LOTS 5, 6, AND 7, AND THE NORTH 60 FEET OF LOT 4, BLOCK 3, PATTERSON ADDITION, IN THE CITY OF 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 Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

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 Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"Sealed Bids opened 2:00 P.M. January 18, 1957
 Tabulated by: O.G. Brush, Purchasing Agent

"BIDS ON WHITE LIME - FILTER PLANTS TWELVE MONTHS CONTRACT
 FEB. 1, 1957 - JAN. 31, 1958

"Invitations to bid sent to: AUSTIN WHITE LIME COMPANY, ROUND ROCK WHITE LIME COMPANY, WHITE STONE LIME CO., LEANDER, TEXAS, U.S. GYPSUM COMPANY, NEW BRAUNFELS, TEXAS. Only two bids were received

ST. QUANTITY	AUSTIN WHITE LIME CO.		ROUND ROCK WHITE LIME CO.		U.S. GYPSUM COMPANY
	Unit	Total	Unit	Total	
3500 tons	\$15.70 ton	\$54,950.00	\$15.70 ton	\$54,950.00	Letter advising unable to bid at this time
Less cash disc. if pd. by 10th prox.	NET		NET		

"Bids Received Dec. 1955 for 1956 contract (All identical)
 Unit Total
 Using todays
 Est. Quan.
 \$15.41 \$53,935.00
 ton
 Net No cash disc.
 Contract awarded to Austin White Lime Co.

Bids Received Dec. 1954 for 1955 contract (All identical)
 Unit Total
 Using todays
 Est. Quan.
 \$14.66 \$51,310.00
 ton
 Net No cash disc.
 Contract awarded to Round Rock White Lime Co.

"The Austin White Lime Company was awarded 1956 contract. In 1955 the Round Rock White Lime Company had contract. It is therefore recommended that Round Rock White Lime Company be awarded the 1957 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 January 18, 1957, for furnishing lime for the City Filter Plants for a twelve month period beginning February 1, 1957; and,

WHEREAS, the bids of Austin White Lime Company and Round Rock White Lime Company in the sum of \$15.70 per ton were identical; and,

WHEREAS, neither the U. S. Gypsum Company nor White Stone Lime Company submitted bids; and,

WHEREAS, the Austin White Lime Company was awarded the 1956 contract for lime after the submission of a bid identical to Round Rock White Lime Company; and,

WHEREAS, Round Rock White Lime Company was awarded the 1955 contract for lime after the submission of a bid identical to Austin White Lime Company's bid; and,

WHEREAS, the City Council deems it to be in the interest of the City of Austin to accept the bid of Round Rock White Lime Company, and the acceptance of such bid has been recommended by the City Manager and the Purchasing Agent of the City of Austin; Now, Therefore,

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

That the bid of Round Rock White Lime Company in the sum of \$15.70 per ton, 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 Round Rock White Lime Company.

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

Ayes: Councilmen Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Present but not voting: Councilman Long

The Mayor announced the withdrawal of the following zoning applications:

T. E. FISHER	2401-2405 Winsted Lane	From "A" Residence
	2700-2702 Windsor Road	To "LR" Local Retail

This application was withdrawn by request of Mr. T. E. O'Quinn

W. W. KNAPE	3409-11 East Avenue	From "C" Commercial
		To "C-1" Commercial

This application was withdrawn by letter from Jerome M. Smith.

Councilman Pearson entered the Council Room at this time.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the south side of East 12th Street east of Chicon Street, and on the east side of Chicon Street south of East 12th Street, which property fronts 101 feet on E. 12th Street and 52.5 feet on Chicon Street,

being known as Lots 8 and 9 and the south 52.5 feet of Lot 10 Block 16 of F. B. Foster Sub. of Outlot 58, Div. B, in the City of Austin, Travis County, Texas, and hereby authorizes the said John Beasley 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 John Beasley has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

"January 24, 1957

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

"Dear Sir:

"We, the undersigned, have considered the application of John Beasley 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 south side of East 12th Street east of Chicon St., and on the east side of Chicon Street south of East 12th Street, which property fronts 101 feet on E. 12th Street and 52.5 feet on Chicon Street, being known as Lots 8 and 9 and the south 52.5 feet of Lot 10 of Blk. 16 of F. B. Foster Sub. of Outlot 58, Division B, in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by John Beasley. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as C-1 Commercial Use District 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 John Beasley be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department

of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2-H-1493.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2-H-1493 and shall be of the premoulded type.

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

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

The motion, seconded by Councilman Palmer, 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, M. W. Cole is the Contractor for the alteration of a building located at 1011-1015 San Jacinto Blvd. and desires a portion of the sidewalk and street space abutting Lot 12, Block 121, of the Original City of Austin, Travis County, Texas, during the alteration 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 M. W. Cole, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the west line of the above described property approximately 50 feet north of the southwest corner; thence in a westerly direction and at right angles to the centerline of San Jacinto Blvd. 5 feet to a point; thence in the northerly direction and parallel with the centerline of San Jacinto Blvd. approximately 20 feet to a point; thence in an easterly direction and at right angles to the center line of San Jacinto Blvd. to the west line of the above described property.

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

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use one parking meter space immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.

(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 February 15, 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 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 One Thousand Dollars (\$1000), 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

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. January 15, 1957
Tabulated by: O. G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR TWO MOTOR GRADERS PUBLIC WORKS -
STREET & BRIDGE

	South Texas Equip. Co.	H.W. Lewis Equip. Co.	Jess McNeel Mach. Co.	Girard Mach.Co.	Ingram Equip.Co.
Net price for two motor graders per City's Specifications including trade in of following:	\$25,438.00	\$28,300.00	\$27,183.00	\$31,998.00	\$40,180.00

E-112 - 1948 Maintainer	Wm.K. Holt	Wm.K. Holt	Dulaney
E-117 - 1948 "	Mach. Co.	(Alternate)	Service Co.
E-78 - 1944 Cletrac & set of shoes	\$32,700.00	\$27,900.00	\$27,048.00
E-3835 - Cletrac			
One pull grader - no City number			

"Recommend low bidder, South Texas Mach. Co.
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 January 15, 1957, for the purchase of two motor graders; and,

WHEREAS, the bid of South Texas Equipment Company in the sum of \$25,438.00 with trade-in 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 South Texas Equipment Company in the sum of \$25,438.00 with trade-in 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 South Texas Equipment Company.

The motion, seconded by Councilman Pearson, 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 agreeable to the terms of a certain contract dated September 23, 1955, entered into by and between the City of Austin and A. D. Bolm and wife, Mae Bolm, the 12th day of December, 1956, is determined to be the date on which the sanitary sewer sludge pipe line constructed in, upon, and across certain lands belonging to A. D. Bolm and wife was first placed in use by the City of Austin; and delivery of a certified copy of this Resolution shall be notice in writing to A. D. Bolm and wife of the completion of said pipe line and the date the City began to use said pipe line; and the City Clerk is hereby authorized and directed to note December 12, 1956, on the City's original of such contract and such date shall mark the beginning of the thirty-year period of time mentioned in paragraph 2(b) of said contract during which Bolm may withdraw sludge from said pipe line in quantities indicated in said contract.

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

MR. HOWARD CULP, 1409 Concordia, requested traffic controls at 33rd and Lafayette--either four-way stops, or Yield-to-right-of-way signs. The matter was referred to the City Manager.

The Mayor brought up the following zoning application postponed from last week:

FRANK E. WATTERSON & KAYTE D. WATTERSON	2612-2614 So.1st St. 600 Cumberland Road	From "A" Residence To "LR" Local Retail
--------------------------------------------	---------------------------------------------	--------------------------------------------

The Council considered the zoning application and deferred action indefinitely. Councilman Pearson was to contact Mr. Watterson regarding this application.

MAYOR MILLER announced the following appointments to the Housing Authority for the term expiring December 23, 1958:

MR. HUBERT B. JONES
MRS. LOUISE HAYNIE

The Mayor announced the following appointments on the various Boards as listed:

LIBRARY COMMISSION - MR. T. H. WILLIAMS, JR., filling the vacancy of Dr. C. E. Castaneda, resigned

NAVIGATION BOARD - MR. MARION FOWLER
MR. A. N. McCALLUM, JR.
MISS MARGUERITE WARREN
MR. W. J. (BILL) MURRAY
Terms expiring January 1, 1959

SOLICITATION BOARD - MR. GEORGE HALDEN
MR. FRANK WALLING
Terms expiring November 5, 1958

The Mayor announced that an ordinance increasing the number on the Navigation Board to seven would be brought in next week.

The City Manager reported on a communication received by him from the Highway Department stating that \$1,100,000 now programmed for the Travis County Loop 293 project had been transferred to Colorado River Bridge on State Highway 71 in Bastrop County; and that Loop 293 in Travis County would be included in the next available program.

The City Manager stated in order to get some of the utility work completed, it would be necessary to employ engineering firms to design the work. He had a form of agreement worked up by three of the firms, SEAHOLM & LEVANDER, MONTGOMERY & WILLIAMS, and MARVIN TURNERS. Also he had a list of the projects to be designed and the allocation to each engineering firm, and a list of the

engineering fees in various brackets. The City Manager was asked to bring back figures as to what each job would amount to.

The Director of Public Works gave a progress report on the following:

Paving of Exposition Boulevard, Riverside Drive, Downs Field, to be ready to go next week.

Paving of Oltorf - all property owners from South Congress to Interregional Highway have been contacted.

With respect to the paving of Oltorf, the Mayor asked the City Manager to inform the Superintendent of Public Schools that the paving was ready to go in, as the Schools will pay their part. If the people across the street will not come in, to go ahead on an assessment program.

Paving of Lake Austin Boulevard -

The Mayor asked that Mr. Moore contact everyone concerned here, and get this job under way. Also to see about widening 5th Street if possible at the underpass.

Paving of Koenig Lane - plans to be ready after the first of next month.

The Mayor urged that these jobs be started right away.

Discussion was held on annexing the property between the city limit lines along Oltorf.

Councilman Long inquired about the status of the money taken from the policemen's salary for social security. The City Manager explained it was in a trust fund, and a meeting was scheduled with the various shifts next week to talk with them about it. They will have an election to determine whether or not they want to continue the deductions.

The City Manager outlined plans of the sewer extensions in the south part of the city, including Morgan Lane, Radam Lane, Manchaca Road, Forrest Oaks, and Normandy and South 1st, a lift station.

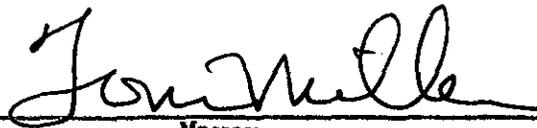
The Mayor inquired about some paving on Ford Village, where a former County road had been torn out and repaved. The City Manager stated the repaving was a maintenance job, as the old road was completely gone. Mr. Bert Ford had made inquiry, and the Mayor asked that he be notified of the project.

Councilman Long reported a complaint made by MR. M. W. NAUERT, 5405 Clay, about a filling station on Burnet Road and Houston Street, who was letting its water and oil overflow into the street. The matter was referred to the City Manager's Office.

Councilman Pearson expressed appreciation to the Council from the Optimist for its assistance in the Christmas-tree sales on city property.

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

APPROVED



Mayor

ATTEST:



City Clerk