

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 4, 1955
10:00 A.M.

Council Chamber, City Hall

The Meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Palmer, Pearson, White, Mayor Miller
Absent: Councilman Long

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. C. A. GREENWALDT, Pastor Tarrytown Methodist Church, 2601 Exposition Boulevard.

Councilman Palmer moved that the Minutes of July 28 and of the Special Meetings of July 20 and 22 be approved. The motion, seconded by Councilman White, carried by the following vote:

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

Action on the appeal of the Plan Commission's approval of a Special Permit to establish a Veterinary Hospital at 2171 South Lamar was postponed until the following week at the request of the real estate agent for the V.F.W. who owns the property under contract for sale.

Councilman White moved that the Austin Trades Council be granted permission to Parade, Labor Day Monday, September 5, at 10:00 A.M. as set out, and with all cooperation of the City. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. WM. A. HERRIN, Assistant Parade Marshall, invited the City Council to join them in this Parade, and invited the City to place some of its equipment in

the parade as it has in the past.

MR. NEVILLE JOHNSTON, representing a club sponsoring the Babe Ruth World Series on August 14th-21st, asked for and was granted permission to have a ticket booth at 7th and Congress on Monday and Tuesday.

DR. E. H. GIVENS thanked the Council for not raising the tax; for the lights on East Avenue at 11th and 12th; the proposed light at 19th and Airport Boulevard. He asked that some consideration be given to the Olive Street playground, that there were no sanitary facilities and no lights. The Mayor stated he had been looking into a proposition agreed on previously but never consummated and that was some property on Chestnut, between 16th and 17th, to be purchased for a park for the small children. He hoped that the City could acquire that. Dr. Givens asked for a little swimming pool in the recreational program. He recommended some property on the south side of 19th Street just beyond Heflin Lane, and some on 12th Street, the Hamilton place, as good park land. The Mayor stated they would try to get the Chestnut Street property and look into these other requests and try to remedy and improve the situations. Dr. Givens asked that out of the 36 policemen that were being asked for that there be three colored ones. The Mayor stated that the Council's policy would be to include East Austin in protection and representation in whatever portion the Police Force was increased. Councilman Pearson noted that it was hard to get applicants for policemen during the past year. Dr. Givens stated they hesitated to go up for the applications. He introduced the delegation with him - PROFESSOR DENNIS, GRAND MASTER MARSHAL, ROBERT SHAW, MR. TIMMONS, REV. DAVIS, DEACON JONES, and the pastor of the A.M.E. Church. The Mayor announced that the Greater East Austin Development Committee was going to be revised, and he asked these people to help in seeing what could be done about some of the paving, and help the St. John's Addition in getting the people out there to get in their water taps.

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 West side of Kirk Avenue at its intersection with Airport Boulevard as a bulk gasoline storage plant, which property is owned by Reed-Phillips Oil Company and is designated as the unplatted 0.494 acres of land out of the original 10.05 acre tract of W. P. Goodwin in Outlot 49, Division A, in the City of Austin, Travis County, Texas and locally known as 1128 Airport Boulevard, and hereby authorizes the said Reed Phillips Oil Company to erect a bulk gasoline storage plant, 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 bulk gasoline storage 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 Reed Phillips Oil Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
August 4, 1955

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

"Dear Sir: .

"I, the undersigned, have considered the application of Reed-Phillips Oil Company for permission to erect a Bulk Gasoline Storage Plant consisting of three 6,000 gallon tanks and three 12,000 gallon above ground storage tanks upon property located on the west side of Kirk Avenue at its intersection with Airport Boulevard as shown on the sketch attached hereto, being the unplatted 0.494 acres of land out of the original 10.05 acre tract of W. P. Goodwin in Outlot 49, Division A, in the City of Austin, Travis County, Texas, and locally known as 1128 Airport Boulevard.

"This property is located in a "C" Commercial District on which a variation was granted by the Zoning Board of Adjustments for a period of two years to operate a Bulk gasoline Storage Plant. I therefore recommend that this permit be granted subject to expire with this variation unless the Zoning change applied for has been granted in the meantime, and further subject to the following conditions:

"(1) That all pumps, and other equipment used in connection with the handling of gasoline or other volatile liquid, shall bear the label of the Underwriter's Laboratories, Inc., and all such equipment shall be installed in compliance with the rules and regulations governing such installations as prescribed by the National Board of Fire Underwriters and all such equipment shall be inspected by and approved by the Fire Marshall of the City of Austin before being placed in service. All pumps and other equipment shall meet the standards and specifications of the National Board of Fire Underwriters.

"(2) That only electric lights shall be used in buildings or on premises where gasoline or other volatile liquid is stored or handled, and all electric wiring for lights or meters shall be installed in compliance with the ordinances and regulations of the City of Austin governing the wiring of any such building or premises, and shall be inspected and approved by the Electrical Inspector of the City of Austin.

"(3) That there shall be provided in all buildings, or on premises where gasoline or other volatile liquids are stored or handled, at least one National Board of Fire Underwriters approved type fire extinguisher for every two thousand (2000) square feet of floor space or fraction thereof, each of which fire extinguishers shall be kept in good working order at all times.

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

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

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

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

Councilman Pearson inquired of Mr. Johnston about the paving petitions. Mr. Johnston did not have the required 85%. He was asked to contact the paving coordinator, Mr. Moore, if he needed him in any way.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of an order of sale issued out of the 53rd District Court of Travis County, Texas, in Cause No. 41,400 styled City of Austin v. Lizzie V. Larremore and Sam Larremore, the hereinafter described property was sold for taxes by the Sheriff of Travis County, Texas, to the City of Austin by deed dated November 4, 1926, being of record in Volume 400, page 454, Deed Records of Travis County, Texas; and,

WHEREAS, the taxes on said property which were involved in the tax suit upon which said sale was based and all costs accruing in said suit and said sale being fully paid unto the City of Austin; and,

WHEREAS, the successors in title to said Lizzie V. Larremore and Sam Larremore have requested a quitclaim deed from the City of Austin to remove the cloud from their title which has arisen by virtue of said suit and deed; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized and directed to execute on behalf of the City of Austin a quitclaim deed to Lizzie V. Larremore and Sam Larremore, their heirs, assigns and successors in title, all right, title and interest acquired by the City of Austin by the above described deed in and to the following described property, to wit:

The east one-half (1/2) of Lot 3, less south 65' of said lot, Block 9, Outlot 56, Division B of the Government Outlots adjoining the Original City of Austin, Travis County, Texas.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS AND CLYDE COPUS, JR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL ON JULY 7, 1955, BY AMENDING SECTION 1 THEREOF SO AS TO ADD TO THE CONTRACT A PROVISION FOR THE CITY TO PARTICIPATE IN THE CONSTRUCTION OF A HEAVY-DUTY CULVERT ON BRIARCLIFF BOULEVARD; 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 Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 26.63 ACRES OF LAND, SAME BEING OUT OF THE A. SILSBE SURVEY NUMBER 1, THE C. J. STROTHER SURVEY NUMBER 611, AND THE T. S. CHAMBERS GRANT 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 motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

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 northwest corner of the intersection of North Loop Boulevard and Avenue "F", which property fronts approximately 105 feet on North Loop Boulevard and 75 feet on Avenue "F" and being known as Lots 1, 2 & 3, Block 44, The Highlands Addition and a part of Lot 3, Smith and Abrahamson Subdivision in the City of Austin, Travis County, Texas, and hereby authorizes the said Theo Burkland and Fred Schnitzer, Jr. 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; and 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 it is found by the City Council that the said Theo Burkland and Fred Schnitzer, Jr. have failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"August 4, 1955

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

"Dear Sir:

"We, the undersigned, have considered the application of Theo Burkland and Fred Schnitzer, Jr. 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 North Loop Boulevard and Avenue "F", which property fronts approximately 105 feet on North Loop Boulevard and 75 feet on Avenue "F" and being known as Lots 1, 2 & 3, Block 44, The Highlands Addition and a part of Lot 3, Smith and Abrahamson Subdivision in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Theo Burkland and Fred Schnitzer, Jr. and is under lease to Sinclair Refining Company and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial and "O" Office Use District upon the zoning maps

of the City of Austin. A permit known as "Special Permit Resolution No. 7" has been issued by the City Planning Commission allowing construction of a filling station within the "O" Office district on this site.

"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 further more, shall not create a nuisance to others in the neighborhood and 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 Theo Burkland and Fred Schnitzer, Jr. 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 placed 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, pumpislands, 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 - 1394.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1394 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.
Acting Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

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

*Councilman Pearson voted for this with the statement that there was no opposition at this time, although he did vote against the change of zoning.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BERGER STREET from a point 140 feet south of Alf Avenue, southerly 296 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said BERGER STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in HIGHLAND CREST DRIVE from Lakeland Drive easterly to Northland Drive, the centerline of which gas main shall be 5 feet south of and parallel to the north property line of said HIGHLAND CREST DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in NORTHLAND DRIVE from Highland Crest Drive easterly to Balcones Trail, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said NORTHLAND DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in HIGHLAND HILLS DRIVE from Northland

Drive northerly to Trail Ridge Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said HIGHLAND HILLS DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in HIGHLAND HILLS DRIVE from Trail Ridge Drive westerly to a point 150 feet west of Highland Hills Circle, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HIGHLAND HILLS DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in TRAIL RIDGE DRIVE from Highland Hills Drive northerly 70 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said TRAIL RIDGE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in HIGHLAND HILLS CIRCLE from Highland Hills Drive easterly 487 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HIGHLAND HILLS CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in DUVAL STREET from a point 39 feet south of East 55th Street northerly 444 feet, the centerline of which gas main shall be 14 feet east of and parallel to the west property line of said DUVAL STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in BRENTWOOD STREET from a point 451 feet west of Goodnight Lane easterly 360 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BRENTWOOD STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in EAST AVENUE from a point 453 feet south of East 49th Street, southerly 88 feet, the centerline of which gas main shall be 6 feet east of and parallel to the west property line of said EAST AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in LEONA STREET from a point 218 feet south of Rosewood Avenue, northerly 63 feet, the centerline of which gas main shall be 13 feet west of and parallel to the east propertyline of said LEONA STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in MIDWAY STREET from a point 19 feet south of Courtney Street southerly 189 feet, the centerline of which gas main shall be 10 feet east of and parallel to the west property line of said MIDWAY STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in GLEN RAE STREET from Wayne Street northerly 345 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GLEN RAE STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in HIDALGO STREET from a point 330 feet west of Pedernales Street westerly 45 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said HIDALGO STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(15) A gas main in OAK CREST AVENUE from Oltorf Street southerly 259 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said OAK CREST AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(16) A gas main in SOUTH 1ST STREET from a point 36 feet south of Clifford Street southerly 354 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SOUTH 1ST STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(17) A gas main in PARAMOUNT AVENUE from a point 326 feet south of Rundell Place southerly to a point 34 feet north of Wilke Drive, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said PARAMOUNT AVENUE.

Said gas main described above shall have a cover of not

less than $2\frac{1}{2}$ feet.

(18) A gas main in ANN ARBOR AVENUE from a point 346 feet south of Rundell Place southerly to a point 15 feet north of Wilke Drive, the centerline of which gas main shall be 1.5 feet east of and parallel to the west property line of said ANN ARBOR AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(19) A gas main in EAST ANNIE STREET from a point 109 feet west of Nickerson Street westerly 81 feet, the centerline of which gas main shall be 13.5 feet south of and parallel to the north property line of said EAST ANNIE STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, a municipal corporation of the State of Texas, that W. T. Williams, Jr., said corporation's City Manager, be and he is hereby duly authorized and fully empowered to enter

into and execute, for and in the name of said corporation, one certain written agreement, dated July 28, 1955, effective July 12, 1955, between said corporation and Guy A. Thompson, Trustee, International-Great Northern Railroad Company, Debtor, herein called Carrier, respecting among certain things the construction, ownership, maintenance, and use of two (2) certain sewer lines crossing Carrier's premises at Engineer's Chaining Station 9688/21 (18" line) and 9738/50 (12" line), at or near Austin, Travis County, Texas, all as more particularly set out in said agreement, to which reference is made the same as if fully set out herein.

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

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 2, 1955, for the installation of 8262 feet of 8", 15", 18", and 24" sanitary sewer, generally along Boggy Creek from Bryan Street to Manor Road; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$71,915.87 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water and Sewer Department 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 Austin Engineering Company in the sum of \$71,915.87 for the installation of such sewer 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 Austin Engineering Company.

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

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Discussion was held on permitting candy kitchens, contractors' storage yards and similar businesses in "C" Commercial Zone. The Council discussed amending the ordinance and authorizing a hearing to be set and advertised. Councilman Palmer was anxious to obtain a complete zoning ordinance. The City Manager stated a study of the two ordinances was under way as in some instances the ordinance should be amended, as subsequent ordinances had the effect of repealing some provisions, and they should be expressly repealed. The City Attorney suggested submitting a codification of the existing zoning ordinances with correction of clerical errors that had been made and with the minor changes

that had been suggested. Councilman Palmer asked that a study be made and included in the hearing, of pigeon-hole parking facilities; that the off-street parking requirements were confiscating property. The City Manager stated that a small area in the down-town section had been excluded, and it was probably desirable to extend that area. Councilman Palmer asked that study be made of this.

The Mayor asked that an amendment be brought in legalizing fishing in the river between Barton Creek and the plant, checking to see if there are any objections from the Power Plant as to fishing or swimming around the little dam; and if so, exempt that part. He asked that this ordinance be brought in next week repealing the one that was passed during the war prohibiting swimming boating, and fishing in that area.

The Council recessed until 2:00 P.M.

Recessed Meeting

2:00 P.M.

At 2:00 P.M. The Council resumed its business. The Mayor stated he personally was not in favor of granting the request for use of paddle boats in Barton Creek at this time, as he believed there was too much danger to life, due to the moss, and swift water in places. He suggested if the Council wanted to lay this over until next year, it could go into the matter again, as the season was about over now.

The Mayor, with reference to the fiscal policy, stated the Council was going to have to do something about the 3% interest, as the City this year was paying \$290,000 back to the subdividers, and asked the Council to think about this. The City was far ahead of other cities in its participation. The Council went over the schedule "SUBDIVISION POLICIES AND PRACTICES 12 LARGE TEXAS CITIES - August 55". Councilman Pearson asked that the City Manager get the actual costs of the three percent interest over the past three years. The Mayor stated the City had always tried to help the subdivider but it could not go on a 25-year period and return 3/4 of the water bill and pay 3% interest. After more discussion, the Council set this matter for hearing on Thursday, August 11th at 7:30 P.M.

Councilman Pearson had been asked to submit an offer for leasing the Pool property at 27th and Guadalupe for \$150-\$200 per month for three years. Councilman Pearson stated if they did not utilize the 15' setback, it would be worth so much more for sale. Councilman White urged selling the property. The City Manager stated that Guadalupe above 27th Street was not as wide as it was below; and if the Council did not think it best to widen between 25th and 27th, it might be well to look into the question of widening north of 27th. The City Attorney stated one reason the Pool property was purchased was that the owners of all the property from Fruth Street down within one lot of the Pool tract had agreed to donate the right-of-way if the street were widened.

The Mayor suggested about the sale of all the city property that the zoning be established, and get the best zoning possible with the least detriment to the neighborhood. In some instances, he thought zoning for apartments would be the best; with reference to the highway property, he thought there were several pieces suitable for filling stations, and the oil companies should be contacted. He urged early consideration of the zoning of the city property.

The Council discussed the working papers of the Fire Department Budget. The Council was concerned over the telephone costs per month, and asked for a detail statement from the Telephone Company. The City Attorney explained that for the 14 stations the bill was \$500.00 annually, amounting to about \$42.00 per month, which included the special equipment. The City Manager pointed out the improvements on the two fire stations and construction of the third. The Mayor suggested if the 30th Street Fire Station were relocated, it might be well to check the corner of 34th and Shoal Creek, and suggested also that this location be discussed with the University officials.

The Council then looked over the Budget for the Police Department. The Mayor read the contract with the Humane Society about the operation of the shelter. He suggested a reserve in the budget to take care of the dogs if the Society did not raise their money for the shelter. Funds for longevity and overtime were pointed out. Councilman Pearson questioned the need of four employees to man a service station day and night. Councilman White was concerned over the amount of gasoline used by the motorcycles. Discussion of adding six women to check the meters was held. Councilman Pearson moved that the Budget be supplemented to hire the six extra women and provide the necessary clothing and equipment in an effort to give the men a chance to be out and patrol more. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

The Council discussed the merit increases. The City Manager stated no extra compensation had been requested for the Chief of Police--the other employees did get merit increases or longevity pay, but not the Chief. He stated he would like to bring up some salary adjustments for department heads later on.

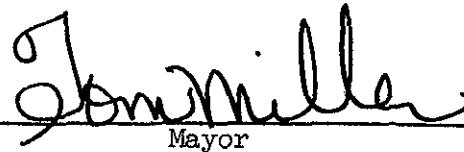
Regarding the Fiscal Policy of the City, the Mayor asked that a resume be drawn up as to what Austin is doing on the subdivision policy, similar to the one submitted on the 12 largest cities. He asked for a copy of the Fiscal Policy.

The Council had under consideration the working paper for the budget of the Electric Department. Mr. Kinney explained each item. As to new customers, Mr. Kinney explained they had set up 200 per month, but last month 287 were connected; and if this increase continues, they would have to come before the Council for a new appropriation; although they would mean more revenue.

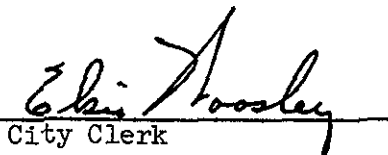
The Council then went over the Water and Sewer working papers. Mr. Albert Davis outlined all the projects included.

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk