

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 3, 1955
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 DR. D. H. BONNER, Congress Avenue Baptist Church, 1511 South Congress Avenue.

Councilman White moved that the Minutes of October 27, 1955 be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

MR. HENRY LeBLANC appeared before the Council asking relief of some kind from the paving of Exposition Boulevard. Regrading of the street would cause him to lose his retaining wall, and he would lose about 4 trees unless he could rebuild the retaining wall, which would be an added expense. He cannot enter on the cash program, and did not want to be penalized an extra \$212 on an assessment program. The City Manager suggested a procedure whereby when 80% of the money had been paid in, the Council might fix a policy that of those remaining after the 80% had been paid in, the City could accept a voluntary lien for those who were unable to get their paving financed elsewhere; but in order to do that, it would be best to charge an interest rate which would discourage parties from getting the City to finance this paving where they could get it financed elsewhere. He suggested a seven or eight percent instead of the present five percent. The City Manager also pointed out disadvantages of this plan which would affect the paving program. Councilman Palmer suggested that Mr. LeBlanc take the matter up with the Company who held the notes on his home, and work out a plan where his payments would not be larger, but would be extended two or three years longer,

as it had been his information several companies were doing this, realizing the added value to the property that the paving would cause. Councilman Palmer stated he would contact this particular company and see what could be worked out for Mr. LeBlanc.

The Council went over the following bids:

Diesel Tractor with Bull-dozer Blade and Three Cubic Yard Capacity Bucket

TABULATION OF TRACTOR BIDS

October 24, 1955 at 2:00 P.M.

Equipment Company	Tractor Weight (pounds)	Bucket Size	Horse-power (draw bar)	Bid Price	Less: Trade-in on old TD 18 Tractor	Dis-count	City's Cost	Deli-very Date (FOB Aus-tin)	Re-Marks
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Allis-Chalmers HD-IIG (W.H. Lewis Equip.Co.) IIG-Bid:	34,000	3 3/4	85	\$22,717	\$3,800	Net	\$18,917	From San Antonio Few Days	Meets specifications
Alternate:		2 5/8	85	\$22,717	\$3,800	\$1000	\$17,917		

International Tractor (Jess McNeel) TD-18A Bid:	26,340/ 9,000 35,340	3	89.29	\$22,882	\$3,000	2%	\$19,484.36	3 weeks	Meets specifications
Alternate:									
TD-14 & loader Bid:	17,930/ 8,000 25,930	2	66	\$19,646	\$3,000	2%	\$16,313.08	3 weeks	Not to Specifications

Caterpillar No.6(Wm.K. Holt) No.6 Bid:	32,056	3	87 1/2	\$22,223	\$2,500	Net	\$19,723	15-30 days	Meets Specifications
Alternate:	32,056	2 1/4	87 1/2	\$22,223	\$2,500	\$130	\$19,593		

The City Manager and Director of Public Works explained in detail the bids received, and the alternates, and the additional offer after the bids had been opened. It was the City Manager's and the Public Works Director's recommendation that W. H. LEWIS EQUIPMENT COMPANY'S bid be accepted. After discussion, Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 24, 1955, for the purchase of one diesel tractor with bull-dozer blade and three (3) cubic yard capacity bucket; and,

WHEREAS, the bid of W. H. Lewis Equipment Company in the sum of \$17,917.00 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 W. H. Lewis Equipment Company in the sum of \$17,917.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with W. H. Lewis Equipment Company.

The motion, seconded by Councilman White, 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)

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 to execute a quitclaim deed conveying the following described property to C. F. Williams on payment of the consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, SAVE and EXCEPT, however, a public utility easement in, upon and across said tract is to be retained by the City of Austin, said tract of land being described as follows; to wit:

A certain portion of a strip of land fifteen (15.00) feet in width which was dedicated to the public for drainage and utility purposes on a map or plat of Green Acres Addition, a subdivision of a portion of George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of the said Green Acres Addition of record in Book 4 at page 333 of the Plat Records of Travis County, Texas, which certain portion of the said strip of land fifteen (15.00) feet in width lies between Lots 14 and 15, Block 3, of the said Green Acres Addition, in the City of Austin, Travis County, Texas.

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 AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CERTAIN CONTRACT WITH S. Z. SKINNER;
PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO
THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLAR-
ING 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.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainageway and utility easement, five (5) feet in width, was dedicated to the public in, upon and across a part of Lot 7, Block A, Barton Hills, Section 1, a subdivision of a portion of the Henry P. Hill Survey lying partly within and partly without the corporate limits of the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills Section 1, of record in Book 7 at page 106, Plat Records of Travis County, Texas; and,

WHEREAS, such easement does not adequately describe the needed location for such drainageway and public utilities; and,

WHEREAS, the owner of Lot 8, Block A, Barton Hills Section 1 has heretofore granted the City of Austin an easement describing the proper location for such facilities; and,

WHEREAS, the hereinafter described easement is not now needed and will not hereafter be required by the City of Austin; 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 a release of said drainageway and public utility easement, located on the following described property, to wit:

The north 144.66 feet of the east five (5.00) feet
of the west ten (10.00) feet of Lot 7, Block A,
Barton Hills Section 1, in the City of Austin,
Travis County, Texas.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF
IMPROVING BURRELL DRIVE IN THE CITY OF AUSTIN, TEXAS,
WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY
COLLINS CONSTRUCTION COMPANY, AUTHORIZING AND
DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTI-
FICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY,
AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE
IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Pearson 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 Pearson 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 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 White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 28, 1955, for the installation of 2,124 feet of 12 inch and 5,556 feet of 16 inch cast iron water main in East 19th Street and Springdale Road; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$16,237.60 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 \$16,237.60 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 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 the City Council of the City of Austin hereby approves as a filling station site the property located at the southwest corner of the intersection of Hancock Drive and Bull Creek Road, which property fronts 131.15 feet on Hancock Drive and 118.32 feet on Bull Creek Road and being known as Lot 1, Newton and Luckey Addition to the City of Austin, Travis County, Texas, and hereby authorizes the said Humble Oil and Refining Company 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 after hearing it is found by the City Council that the said Humble Oil and Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"November 3, 1955

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

"Dear Sir:

"We, the undersigned, have considered the application of Humble Oil and Refining Company 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 southwest corner of the intersection of Hancock Drive and Bull Creek Road, which property fronts 131.15 feet on Hancock Drive and 118.32 feet on Bull Creek Road and being known as Lot 1, Newton and Luckey Addition to the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by J.B. Newton and D. C. Luckey and is under lease to Humble Oil and 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 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 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 Humble Oil and Refining Company 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-1412.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-1412 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
(Sgd) 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

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 northeast corner of the intersection of Airport Boulevard and East 18th Street, which property fronts 175 feet on Airport Boulevard and 175 feet on East 18th Street and being a part of a 5.51 acre tract out of Outlot 27, Division B in the City of Austin, Travis County, Texas, and hereby authorizes the said Jack Ritter Inc. Oil Company 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 after hearing it is found by the City Council that the said Jack Ritter Inc. Oil Company has failed and refused and will to continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"November 3, 1955

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

"Dear Sir:

"We, the undersigned, have considered the application of Jack Ritter Inc. Oil Company 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 northeast corner of the intersection of Airport Boulevard and East 18th Street, which property fronts 175 feet on Airport Boulevard and 175 feet on East 18th Street and being a part of a 5.51 acre tract out of Outlot 27, 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 W. J. Pannell and is under lease to Jack Ritter Inc. Oil 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 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 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 Jack Ritter Inc. Oil Company 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- 1413.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1413 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
(Sgd) 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

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 Burnet Road and Pegram Avenue, which property fronts 135.5 feet on Burnet Road and 82.7 feet on Pegram Avenue and being known as part of lots 14 and 15, Block 3, Green Acres Addition to the City of Austin, Travis County, Texas, and hereby authorizes the said Texas Company 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 after hearing it is found by the City Council that the said Texas Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"November 3, 1955

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

"Dear Sir:

"We, the undersigned, have considered the application of the Texas Company 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 Burnet Road and Pegram Avenue, which property fronts 135.5 feet on Burnet Road and 82.7 feet on Pegram Avenue and being known as part of lots 14 and 15, Block 3, Green Acres Addition to the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by C. F. Williams and is under lease to the Texas 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 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 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 the Texas Company 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 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 - 1411.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1411 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
(Sgd) 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

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 southwest corner of (the intersection of) West 49th Street and Burnet Road, which property fronts 103.9 feet on West 49th Street and 153.39 feet on Burnet Road and being known as Lots 11 and 12, Block 34, Rosedale H Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Hilliare F. Nitschke 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 after hearing it is found by the City Council that the said Hilliare F. Nitschke has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"November 3, 1955

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

"Dear Sir:

"We, the undersigned, have considered the application of Hilliare F. Nitschke 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 southwest corner of (the intersection of) West 49th Street and Burnet Road, which property fronts 103.9 feet on West 49th Street and 153.39 feet on Burnet Road and being known as Lots 11 and 12, Block 34, Rosedale H Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Hilliare F. Nitschke 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 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 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 Hilliare F. Nitschke 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 - 1414.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1414 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
(Sgd) 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

The Council received the following letter from the P.T.A. of Travis Heights School:

"Austin, Texas
November 3, 1955

"TO THE MEMBERS OF THE CITY COUNCIL
Municipal Building
Austin, Texas

"The Parent-Teacher Association of Travis Heights School sincerely appreciates the promptness with which the Council considered the petition signed by many members of the Association and submitted last week by Mr. Ben White.

"Your favorable action on our request that a portion of Alameda Street be designated as "one way" is, we believe, a real contribution to the safety of the children attending the school.

"(Sgd) Mrs. Tom Caldwell
Mrs. Tom Caldwell, President
Travis Heights Parent Teacher
Association
(Sgd) Mrs. John Barton
Mrs. John Barton, Safety Chairman"

The City Manager recommended that the Sanitation Department go ahead with its garbage pick-up services on November 11th. He stated some of the men did want to work, while there might be some that did not; however, he believed it

to be best to have this pick up, with the men of course receiving the overtime. Councilman Long suggested that they be told in advance that they would be paid overtime.

The Director of Finance stated he had verified the statement sent to the Council by the Southern Union Gas Company, with the reports filed with the Railroad Commission. The difference in the reports, was the inclusion of \$8,000 additional revenue, more than was shown in the Railroad Commission report, due to adjusting figures that came about through a tax refund; and this adjustment will be filed with the Commission also. The rendition on the tax rolls is in excess of the rate base as used in their report. The Director of Finance went over some of the statements filed. The Council took no action at this time, and the matter was laid over until the following week.

The City Manager stated that sometime ago an inquiry was made as to the possibility of disposing of the esplanade on Lamar from the River to Barton Springs Road. The Traffic Engineer had made a study, and did not think it was necessary to take it out at this time and recommended widening the throat where there would be three lanes of traffic. This would be about \$475, whereas removing the esplanade would run around \$12,000. The City Manager asked that the Council authorize proceeding with the widening providing for a left turn. After studying the situation, Councilman Long moved that the City Manager be instructed to proceed with the plans as worked out, and setting the curb back, extending further north. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Palmer stated he had been down at the Service Building at 7:00 A.M. and noted the congestion and loss of man-hours in trying to get the trucks loaded and out. This congestion was caused by the fact there is only one access. He suggested using the area on the Webberville Road to store the equipment and heavy materials of the Water Department. The City Manager explained the original plan of providing four service yards over the City where all utility materials would be available and cut down on the long hauls, but this was not ready to be set up at this time; and in the meantime the water and sewer department equipment could be separated to eliminate the congestion. Councilman Palmer moved that the problem in the material handling down at the Service Building be studied with the thought in mind of utilizing the 14 acres which the City now owns down on the Webberville Road, which could be used to a very good advantage; and that the problem be studied to see what could be worked out and what the cost would be to cover this. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long inquired about the traffic control on Woodrow and Koenig Lane. She had asked the Traffic Engineer, and he was studying the situation. She believed the matter to be urgent. The Mayor stated that as soon as the report was completed, that the Council be informed.

Councilman Long moved that November 23, 1955 be set as the date for passing the ordinance authorizing the issuance of time warrants. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman White reported a businessman had asked him what had become of the money for the bonds voted in 1946 for the low-water dam, and he was under the impression they had been spent. Councilman White explained to the gentleman that these had never been issued, but he believed that the people should be advised about these bonds, and they were under the wrong impression. The City Manager showed the schedule of these unissued bonds in the Annual Financial Report. Councilman White thought there should be some way of getting this information to the public.

The City Manager presented a report on the Voluntary Paving, during October, and including a summary of the petitions returned from June 16 through October 31st. The Director of Public Works went over this report.

Councilman Pearson stated he had been getting complaints from owners of homes that had bought insulation which they find now is ground up paper in powdered form and was highly inflammable, and they were asking that an ordinance be passed to eliminate this. The City Manager stated there was an ordinance in effect, and that about three years ago the sale of the material was stopped after it was detected. The people were being warned to check their insulations and see what they have.

The Council received notice that the following application had been referred to the Plan Commission and was set for public hearing on November 23, 1955:

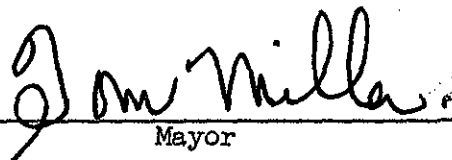
RAYMOND BROWN

Missouri-Pacific Railroad
and Oltorf Street

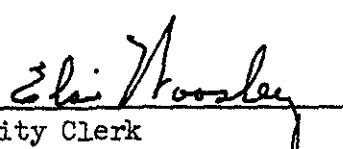
From "A" Residence and
"D" Industrial
To "LR" Local Retail and
"C" Commercial

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

APPROVED


Mayor

ATTEST:


City Clerk