

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 10, 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 MR. R. H. WILLIAMS, North Side Church of Christ, West 43rd & Avenue B.

Councilman White moved that the Minutes of November 3, 1955, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Noes: None

MR. DON ABEL believed there was a problem with itinerant vendors that could not be coped with successfully, and representing the Better Business Bureau, asked that the Council consider these problems, and instruct the City Attorney to study it and recommend to the Council a reasonable and suitable ordinance to meet the need. The B.B.B. offered their files, information and cooperation. Different points were discussed. MR. HOWARD BERQUIST, pointed out three practices that needed to be remedied--(1) out of town people selling misrepresented merchandise at overvalued prices; (2) itinerant workers operating from vacant lots or parked cars selling watches, fountain pens, appliances, etc., that were defective; diseased shrubbery, etc., and engaging in business practice that would not enable them to survive in the business community; (3) unscrupulous door-to-door salesmen. Councilman Palmer moved that the recommendation be referred to the City Attorney to make a study of the ordinance of other cities and report back to the Council. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Noes: Councilman Long

Councilman Long made the following statement regarding her vote:

"I think the Austin citizen is capable of taking care of his own desires without passing a restraint ordinance, and I see no reason for studying it, and I vote 'No'."

Mayor Miller made the following statement regarding his vote:

"I am willing to review it and see what can be done about it. It has to be handled fairly to everybody to make it stand up. We can look over it and try to see what can be done."

MR. HENRY LeBLANC, in regard to paving in front of his property, inquired as to his position at this time. He had not quite finished working out the financial details, and yet the work had been started in front of his house. The City Manager explained the work was in connection with the storm sewer. Councilman Palmer stated he would continue working with Mr. LeBlanc in this matter. Mr. LeBlanc was ready to sign for the paving but had to wait on the papers before he could go on with it.

MR. AMOS HEROLD appeared before the Council regarding the seating capacity of the Auditorium. He wanted to review and study both the original and approved plans. He was advised the approved plans were on file in the City Hall, and he was welcome to study them. The original plans belonged to the architects.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement, five (5) feet in width, was dedicated and reserved in, upon and across a part of Lot 3, Block 3, of the Smith and Abrahamson Subdivision, a resubdivision of Blocks 45 and 50 of The Highlands, a subdivision of a portion of the James P. Wallace Survey in the City of Austin, Travis County, Texas, of record in Book 3 at page 55 of the Plat Records of Travis County, Texas, a map or plat of the said Smith and Abrahamson Subdivision being of record in Book 4 at page 252 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of said lot have heretofore granted the City of Austin an easement across their property at a more desirable location; and,

WHEREAS, the hereinafter described public utility 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 to execute a release to the owners of the public utility easement located on the following described property, to wit:

The East 105.00 feet of the North five (5.00) feet of Lot 3, Block 3 of the Smith and Abrahamson Subdivision, SAVE and EXCEPT an electric transmission and distribution line easement is retained on all of said property.

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

Councilman Pearson moved that the following ordinance be introduced and ordered published in accordance with Article 1, Section 6 of the Charter:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 6.64 ACRES OF LAND, SAME BEING OUT OF AND A PART OF BLOCKS 1 AND 2, AND A PORTION OF PATTON AVENUE, ALL OF BERGSTROM DOWNS NO. 1, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE 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 Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman 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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 33.43 OF  
CHAPTER 33 OF THE AUSTIN CITY CODE OF 1954;  
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 Long, 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 Long, 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 Long, 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, after an engineering and traffic investigation, the City Council has found that traffic conditions are such that an urgent need for enforcement

of strict limits upon the time of parking of vehicles at the location hereinafter described upon the street makes it advisable to use mechanical devices in such enforcement, and has found that such location should be removed from Parking Meter Zone 30 and placed in Parking Meter Zone 63:

<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
East 11th Street	South	200 Block in front of First Federal Savings & Loan Building

Now, Therefore,

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

That the location upon the street of the City of Austin as above described be and it is hereby removed from Parking Meter Zone 30 and placed in Parking Meter Zone 63 as above shown, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the location hereinafter described upon the street makes it advisable to use mechanical devices in such location, and has found that such location should be placed in Parking Meter Zone 60:

<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
East 11th Street	South	200 Block East 11th Street from alley west of the First Federal Savings & Loan Building to Brazos Street

Now, Therefore,

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

That the location upon the street of the City of Austin, as above described, be and it is hereby placed in Parking Meter Zone 60 as above shown, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the location hereinafter described upon the street makes it advisable to use mechanical devices in such location, and has found that such location should be placed in Parking Meter Zone 64:

<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
East 11th Street	North	200 Block of East 11th Street from San Jacinto to Brazos Street

Now, Therefore,

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

That the location upon the street of the City of Austin, as above described, be and it is hereby placed in Parking Meter Zone 64 as above shown, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that a reasonable and safe speed for the operation of vehicles at the following location is between forty miles per hour and fifty miles per hour; and,

WHEREAS, after said investigation the City Council has found that the maximum and minimum reasonable and safe speeds for the operation of vehicles are fifty miles per hour maximum and forty miles per hour minimum at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Express roadways of U.S. 81 Expressway	East Third Street	East Liveoak Street

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.41 of the Traffic Register.

The motion, seconded by Councilman Pearson, 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 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 East 12th Street and Comal Street, which property fronts 87.5 feet on East 12th Street and 149 feet on Comal Street and being known as part of Lot 3, Block 9, George L. Robertson Subdivision in the City of Austin, Travis County, Texas, and hereby authorized 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 10, 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 East 12th Street and Comal Street, which property fronts 87.5 feet on East

12th Street and 149 feet on Comal Street and being known as part of Lot 3, Block 9, George L. Robertson Subdivision in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by 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 - C - 2001.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - C - 2001 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.  
S. Reuben Rountree, Jr.  
Director of Public Works  
(Sgd) J. C. Eckert  
J. C. Eckert  
Building Inspector"

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

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 East 7th Street and Calles Street, which property fronts 132 feet on East 7th Street and 137.7 feet on Calles Street and being known as Lots 40, 41 & 42, Paul Simms Addition, a subdivision of Outlot 22, Division A in the City of Austin, Travis County, Texas, and that portion of Carranza Street vacated by the City Council on April 20, 1955, and hereby authorizes the said Reed-Phillips 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 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)

"November 10, 1955

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

"Dear Sir:

"We, the undersigned, have considered the application of Reed-Phillips 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 southwest corner of the intersection of East 7th Street and Calles Street, which property fronts 132 feet on East 7th Street and 137.7 feet on Calles Street and being known as lots 40, 41, & 42, Paul Simms Addition, a subdivision of Outlot 22, Division A in the City of Austin, Travis County, Texas, and that portion of Carranza Street vacated by the City Council on April 20, 1955, and the property upon which this filling station is to be located is owned by E. D. Bohls and William Zamarripa, and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "D" Industrial 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 Reed-Phillips 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 and 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 - C - 2002.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - C - 2002 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.  
S. Reuben Rountree, Jr.  
Director of Public Works  
(Sgd) J. C. Eckert  
J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Nees: 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 the City Council of the City of Austin hereby approves the property situated on the East side of Comal Street as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, which property is leased by W. C. Trousdale and is part of Block 4, Outlot 21, Division O, of the City of Austin, Travis County, Texas, and hereby authorizes the said W. C. Trousdale to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, 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 private gasoline 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 W. C. Trousdale has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations Attached)

"Austin, Texas  
November 10, 1955

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

"Dear Sir:

"I, the undersigned, have considered the application of W. C. Trousdale for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and one pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the East side of Comal Street, which property is designated as part of Block 4, Outlet 21, Division 0, in the City of Austin, Travis County, Texas, and locally known as 103 Comal Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

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

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any 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  
J. C. Eckert  
Building Inspector

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

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

HERBERT NASSOUR	705-11 Cummings Street	From "A" Residence
	40-58 $\frac{1}{2}$ East Avenue	To "C" Commercial
	705-11 River Street	RECOMMENDED by the
		Planning Commission

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

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

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

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ALLEN M. FORBES, MD	1120-22 West 19th Street	From "B" Residence 2nd
By F.F. Knight		To "O" Office 2nd
		RECOMMENDED by the
		Planning Commission and
		to include all of block
		bounded by Lamar Blvd.,
		Relocated West 19th St.,
		and Old West 19th St.

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

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

The Mayor announced that the change had been granted to "O" Office 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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NASH PHILLIPS &	901-11 Wahrenberger St.	From "A" Residence 1st,
CLYDE COPUS	900-12, 901-13 E. 24th	"B" Residence 2nd,
	2307-11, 2313-21, 2401-09	"C" Commercial 5th
	Swisher; 2400-08 Cole;	To "C" for Block 47;
	2326-36, 2338-60 Inter. Hwy;	"O" for the "A" por-
	900-12, 901-13 E. 23 $\frac{1}{2}$ St.	tion of the n/2 of
		Blk 44, & all of
		Blk. 57, 5th Height
		and Area
		RECOMMENDED by the
		Planning Commission

Opposition was expressed by MR. SMOTHERS, 813 East 23rd Street, who stated it would be hard to rent his apartments with a Commercial Building nearby. Mr. Jones displayed plans for the million dollar project and the planting strip between the Smothers property and this motor hotel. Several property owners favored the change, but did not make any statement--just stood up in favor of the zoning. The Mayor asked those who wished to make the change as recommended by the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial and "O" Office 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

BAPTIST FOUNDATION OF  
TEXAS  
By Trueman O'Quinn

501-03 Elmwood Place  
2803 San Jacinto Blvd.

From "B" Residence 2nd  
To "LR" Local Retail  
2nd Height and Area  
RECOMMENDED "O" Office  
by the Planning  
Commission

Opposition was expressed by MR. M. H. CROCKETT, SR; J. D. COPELAND, SR., MRS. JAMES A. KING, MRS. RICHARD CORNER. The Council deferred action on the application until the following week.

In connection with the ALLEN M. FORBES' zoning application, Councilman Long noted the Plan Commission's suggestion that old 19th Street be vacated. The Mayor stated the Council could look into this matter and consider it next week.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 8, 1955, for the construction of a Wading Pool in Olive Street Playground; and,

WHEREAS, the bid of Earl Rogers in the sum of \$4,286.10 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 Earl Rogers in the sum of \$4,286.10 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 Earl Rogers.

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)

WHEREAS, Howard White is the Contractor for the alteration of an awning located at 125-131 East Sixth Street and desires a portion of the sidewalk and street space abutting on the west 70 feet of Lots 7 and 8, Block 56, of the original City of Austin, Travis County, Texas, during the alteration of the awning, 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 Howard White, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the north west corner of the above described property; thence in a northerly direction and at right angles to the center line of East Sixth Street to a point 10 feet north of the south curb line; thence in an easterly direction and parallel with the center line of East Sixth Street approximately 60 feet to a point; thence in a westerly direction and at right angles to the center line of East Sixth Street to the north line of the above described property.

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

(1). That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(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 shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(6) 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.

(7) 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.

(8) 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 November 30, 1955.

(9) 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.

(10) 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.

(11) 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 Contractor's expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000) 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 Palmer, carried by the following vote:

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

Noes: None

The City Manager submitted the following:

"Bids opened 10:00 A.M., Nov. 2, 1955  
Tabulated by: O.G. Brush, Purchasing  
Agent

"BIDS ON ALUMINUM SERVICE CABLE

"(All prices shown are not totals)

"STERETT SUPPLY COMPANY	*PRIESTER SUPPLY COMPANY	GRAYBAR ELECTRIC COMPANY	SOUTHERN ELECTRIC COMPANY	WALTER TIPS COMPANY
"\$19,739.00	<u>\$19,077.00</u>	\$18,779.00	\$20,294.00	\$20,294.00

"The tabulation of bids for covered aluminum conductor opened 10:00 A.M., November 2, 1955, has been reviewed. The low bidder, Graybar Electric Company, does not have a delivery which will meet the construction requirements of the City. The next low bidder, Priester Supply Company, offers satisfactory delivery and offers the option of accepting either delivery of total quantity in a single factory shipment or delivery in quantities as required by the City from local warehouse stock.

"It is recommended that in order to meet the delivery requirements of the City that a contract be executed with Priester Supply Company for this material, to be delivered as required by the City from local warehouse stocks.

"Approved:

"City Manager

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on November 2, 1955, the City of Austin received bids for the purchase of aluminum service cable; and,

WHEREAS, an evaluation of the bids received for such cable shows the bid of Priester Supply Company in the sum of \$19,077.00 to be the 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 Priester Supply Company in the sum of \$19,077.00 for the furnishing of aluminum service cable, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized to execute a contract on behalf of the City of Austin with Priester Supply Company.

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 report from the Greater East Austin Development Committee:

"TO THE MEMBERS OF THE CITY COUNCIL, AUSTIN, TEXAS:

"In a meeting held by your Greater East Austin Development Committee at the City Hall at 7:30 p.m. October 27, by resolution made the following recommendations to you.

"Determine whether present city ordinances, if enforced, would prevent the construction of houses that are inadequate to safeguard the health, welfare, and safety of the occupants and neighbors, as related to sound construction, adequate screening, water, electricity, gas, proper sewage disposal, and adequate heating system. It should also be determined whether the ordinances now on the books provide any means for eliminating houses that do not meet adequate standards. If standards are not defined by ordinance specifically enough to be enforceable such standards should be enacted into ordinance form.

"The Committee further recommends that when adequate ordinances are provided that they be enforced by use of occupancy permits. When a complaint is filed as to sub-standard condition of any house it should be inspected by a properly designated authority and the owner notified that if the house is presently occupied it could not be rented again once it becomes vacant until the minimum standards are met. In the case of houses presently vacant, on complaint and determination that they do not meet minimum standards the owner should be notified that they could not be occupied until they had been brought up to these minimum standards.

"It is realized that the city has not now available the staff for making inspections throughout the city to determine substandard conditions. In view of that, it is recommended that permits be refused only after complaint and inspection by duly authorized official. Complaints might be filed either by officials or by individuals. It is the hope of the Committee that a great deal of voluntary assistance could be had in filing complaints about sub-standard conditions.

"To prevent the load being too heavy on city inspection department initially, it is recommended that the enforcement be concentrated in what the Committee terms a pilot area for the first year of the accelerated enforcement plan. The Committee suggests as a pilot area the territory bounded by the following streets: beginning with Chalmers on the East and following East 7th to East Avenue, from East Avenue to 12th Street, 12th Street to San Bernard, San Bernard to East 11th, East 11th to Chalmers, and Chalmers back to East 7th.

"The above area was selected not because all of the housing in it is bad but because there is a great deal of very bad housing in that area and because there are a number of church and school organizations in the area that would doubtless be willing to furnish voluntary help in pointing out the worst conditions and filing complaints on them.

"The Committee does not believe that adequate ordinance and law enforcement is the complete answer to unsatisfactory housing conditions in East Austin. It believes that a great deal can be done by voluntary activity on the part of the owners and tenants and it is the purpose of the Committee to organize

local groups within the pilot area to stimulate pride in better surroundings and to voluntarily improve their homes and home sites to the extent of their ability. But the Committee is strongly of the opinion that voluntary action will be ineffective unless supported by strong legal action to positively prevent from now on the construction within the area of sub-standard housing, and the elimination as rapidly as possible, consistent with housing needs and property rights, existing sub-standard buildings within the area.

"While the Committee does not now recommend an enlargement of the City staff for the purpose of carrying out this program, it suggests that a vigorous enforcement program would likely so improve housing conditions in the area that increased taxable values would offset any increased cost incurred in providing a larger staff for adequate enforcement.

"Respectfully submitted,  
Greater East Austin Development  
Committee  
by E. W. Jackson, Chairman"

Councilman Long moved that the City adopt the portion of this plan that has to do with the occupancy of the empty sub-standard houses; that an ordinance be drawn, setting out standards, and move along with it as fast as possible; and that the rest of the ordinance be studied and the portions that the Council feels necessary be adopted as soon as possible. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White moved that permission be granted to the SOUTH AUSTIN REBELS to hang a banner in the middle of Congress Avenue Bridge, that has to do with the ball game between McCallum and the South Austin Rebels; the banner to be hung by City employees. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager stated there was a drainage problem on the south side of Delwood 4, where the drainage facilities empty into the property down grade. The situation was created before the subdivision ordinance went into effect requiring subdividers to provide for the drainage. The subdividers of the property affected by this drainage problem will fill in their property, which filling would cause water to back up into the streets. He suggested that the Council go look at this area. He listed two solutions, with the estimates necessary to carry them out.

The Council Okeyed DECEMBER 1st, as the date of the Demolay Boys to participate in the City Government.

The Council informally agreed to give BEN HUR TEMPLE permission to put a booth in front of the Austin Hotel from November 12th through November 19th

to sell football tickets for the Freshmen Thanksgiving Game for the Crippled Children's fund.

The Council received the following recommendation from the Parks and Recreation Board:

"November 8, 1955

"Memorandum to: The City Council

"The Parks and Recreation Board at its regular meeting, November 2, 1955 moved to recommend to the City Council to carry out a recommendation to the City Planning Commission to have a study made of the ground water of Travis County. The Board Members have a deep concern about the danger to the water supply at Barton Springs. It is only through knowledge of source of the underground water that steps can be taken to protect the future of the Springs.

"Present and voting:

Ayes: Mrs. Alden Davis  
Mrs. Eagan Dickson  
Mrs. C. E. Browning  
Mrs. Frank Davol  
Dr. D. K. Brace  
Mr. W. T. Caswell  
Mr. Nash Moreno

Nays: None

Absent: Mr. V. A. Kormeier  
Mr. Frank D. Quinn

"(Sgd) D. K. Brace  
Dr. D. K. Brace, Chairman  
PARKS AND RECREATION BOARD"

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission and set for public hearing December 15, 1955:

MISS DOLLY M. BRYANT	2840 Enfield Road	From "A" Residence 1st Height & Area To "BB" Residence 2nd Height & Area
C. H. PAGE	808-10 Rio Grande 701-03 West 9th St.	From "B" Residence 2nd Height & Area To "O" Office 2nd Height & Area

JAKE SILBERSTEIN

1022-30 E. 11th St.  
1150-54 Waller StreetFrom "C" Commercial  
2nd Height & Area  
To "C-2" Commercial  
2nd Height & Area

T. A. MAYES

1808-12 E. 12th St.

From "C-1" Commercial  
2nd Height & Area  
To "C-2" Commercial  
2nd Height & Area

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

APPROVED

  
Mayor

ATTEST:

  
City Clerk