

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 18, 1957

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, 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 REV. EDWIN M. SCHAEFER, Evangelical and Reformed Church, 1120 Reinali.

Councilman Pearson moved that the Minutes of the Meeting of April 11, 1957, 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 (not in Council Room when vote was taken)

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BUFORD STEWART DEVELOPMENT COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman 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 Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long (not in Council Room when vote was taken)

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 Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long (not in Council Room when vote was taken)

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 Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long (not in Council Room when vote was taken)

The Mayor announced that the ordinance had been finally passed.

MR. LANDON BRADFIELD appeared before the Council regarding annexation of territory. He stated those outside the city facing along Balcones Trail, with all utilities ready, were ready to be brought in if they knew what the zoning would be. He asked the Council to call a meeting of the interested property owners to discuss the matter. He was particularly interested in the area north of Northland Drive. Later in the meeting, MR. DAVID BARROW came in and expressed his interest in bringing some property in, and an application to bring 1.39 acres had already been filed. MR. DEASON, K.V.E.T., was not interested in being annexed at this particular time, and the use of the property would not add anything to the City, and it was being used now to good advantage outside of the city.

After discussion, 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 10.28 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. 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 (not in Council Room when vote was taken)

The ordinance was read the first time and Councilman Palmer moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long (not in Council Room when vote was taken)

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 46.44 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS, AND OUT OF AND A PART OF THE JAMES P. DAVIS SURVEY 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 Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman Palmer moved that the ordinance be 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

Councilman Long 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 1.39 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. 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 Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman Long moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman Long 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 216.82 ACRES OF LAND MORE OR LESS OUT OF THE J. C. HARRELSON SURVEY, THE HENRY WARNELL SURVEY, A PORTION OF OUTLOTS 51, 52 AND 54, OF DIVISION B AND ALL OF OUTLOT 53, DIVISION B OF THE GOVERNMENT OUTLOTS 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 Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman Long moved that the ordinance be passed to its second reading. 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:

"April 17, 1957

"S. Reuben Rountree, Jr.
Director of Public Works

"W. T. Williams, Jr., City Manager

"Construction of Miscellaneous Storm Sewers - Contract No. 57-D-14

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, April 16, 1957 for the construction of miscellaneous storm sewers in the following areas: Bouldin Avenue from Colorado River to pipe in place 200 feet south of West Riverside Drive, Bastrop Highway to 250 feet easterly of Highway at approximately 1000 feet north of intersection of Lockhart Highway, Landon Lane Easement from Harris Park Boulevard easterly 300 feet, and Benelva Street from East 31st Street northerly 60 feet - Contract No. 57-D-14.

"Karl B. Wagner Engineering Const., Inc.	\$ 9,328.95
Capitol City Utilities	10,432.00
Precision Grading & Const. Co.	12,304.00
Joe Bland Construction Co.	12,887.80
"City's Estimate	\$ 8,710.00

"I recommend that Karl B. Wagner Engineering Construction, Inc. with their low bid of \$9,328.95 be awarded the contract for this project."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 16, 1957, for the construction of storm sewers in Bouldin Avenue from Colorado River to pipe in place 200 feet south of West Riverside Drive, in Bastrop Highway to 250 feet easterly of highway at approximately 1000 feet North of intersection of Lockhart Highway, in Landon Lane Easement from Harris Park Boulevard easterly 300 feet, and in Benelva Street from East 31st Street northerly 60 feet - Contract No. 57-D-14; and,

WHEREAS, the bid of Karl B. Wagner Engineering Construction, Inc., in the sum of \$9,328.95 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 Karl B. Wagner Engineering Construction, Inc. in the sum of \$9,328.95 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 Karl B. Wagner Engineering Construction, Inc.

The motion, seconded by Councilman White, 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)

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 51st Street and the Interregional Highway, which property fronts 139.88 feet on the Interregional Highway and 88.49 feet on East 51st Street, being known as Lots 3 and 4 of Alice E. Miller's Resubdivision, and a portion of Lot 4, Block L of Ridgetop in the City of Austin, Travis County, Texas, and hereby authorizes the said Sinclair 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. 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 Sinclair Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"April 18, 1957

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

"Dear Sir:

"We, the undersigned, have considered the application of Sinclair 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 51st Street and the Interregional Highway, which property fronts 139.88 feet on the Interregional Highway and 88.49 feet on East 51st Street, being known as Lots 3 and 4 of Alice E. Miller's Resubdivision and a portion of Lot 4, Block L of Ridgetop in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Sinclair Refining Company. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as Local Retail upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Sinclair 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 - 1502.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1502 and shall be of the premoulded type.

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

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

The motion, seconded by Councilman Long, 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)

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 north side of East 4th Street as a private gasoline plant consisting of a 3000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by the Kerville Bus Company, Inc., and is the east 183 x 293 feet of the South Texas Cotton Oil Company Tract, unplatted, of the City of Austin, Travis County, Texas, and hereby authorizes the said Kerville Bus Company, Inc. to operate a private gasoline plant consisting of a 3000 gallon tank and electric pump for the sole purpose of servicing their 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 Kerville Bus Company, Inc. has

failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
April 18, 1957

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

"Dear Sir:

"I, the undersigned, have considered the application of the Kerville Bus Co., through H. A. Mathews, Operating Manager, for permission to operate a private gasoline plant consisting of a 3000 gallon underground tank and electric 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 north side of East 4th Street, which property is designated as the east 183 x 293 feet of the South Texas Cotton Oil Company Tract, unplatted, in the City of Austin, Travis County, Texas, and locally known as 1920 East 4th Street.

"This property is located in a "D" Industrial 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
Building Inspector"

The motion, seconded by Councilman Long, 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, Charles C. Madden is the Contractor for the remodeling of a building located at 911 Congress Avenue and desires a portion of the sidewalk and street space abutting the north 23 feet of Lot 3, Block 111, of the Original City of Austin, Travis County, Texas, during the remodeling of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Charles C. Madden, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point on the east property line of Congress Avenue which is approximately 140 feet north of the north property line of East 9th Street; thence in a westerly direction and at right angles to Congress Avenue to a point which is 5 feet west of the east property line of Congress Avenue; thence in a southerly direction and parallel with the center line of Congress Avenue 23 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue 5 feet to a point which is the south line of the above described property.

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

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

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

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

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 1, 1957.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

Noes: None

The following zoning application was brought up for public hearing:

CARRET CORPORATION	706-710 West 17th St.	From "A" Residence
By Walter Carrington	1701 West Avenue	To "O" Office
		RECOMMENDED by the Planning Commission

Mr. Forrest Pearson asked (1) for "O" zoning to permit construction of office building for 3 professional men, or (2) for "B" 2nd Height and Area to permit a five unit apartment house, on this property which had been vacant for 39 years. Opposition was expressed by MR. GIBSON RANDLE, representing MR. WILL SCARBROUGH, and JACK CHILES, JR. and others; and by MISS THOMPSON; MR. TOM KELLAM for MRS. GEORGE SHELLY; MR. RAYMOND DEAR, MR. AHLGRIMM, objecting to "O", but not to "B"; by MR. ALLEN, representing MR. WILL SCARBROUGH; by MR. CHAS. H. BEARDSLEY objecting to "O", but not to "B". The Council deferred action until next week.

The Council received notice from the applicant that the following zoning request had been withdrawn as a new application was being filed:

N. J. RABENSEBURG	1903 North Lamar Boulevard	From "BB" Residence To "O" Office
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The Council took no action on the following zoning applications pending plans for the needed right-of-way in the area:

C. T. USELTON	6000-04 Cameron Road 1126-1132 Clayton Lane	From "A" Residence To "GR" General Retail
LOUIS C. HAUSMAN, JR.	6018-6102 Cameron Road	From "A" Residence To "GR" General Retail

The Council received a petition from Mr. Bernard J. Hillen requesting that the N. 60', Lot 4, Block 3, Patterson Addition (Rear 50' of property at Lamar Boulevard and 32nd Street recently zoned "C" Commercial) be zoned from "C" Commercial District and Fifth Height and Area District back to "A" Residence District. Councilman Long moved that the petition be referred to the Plan Commission for further action. The motion, seconded by Councilman White, carried by the following vote:

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

In discussing the annexation of certain property, the Mayor asked that proceedings be started to bring in the property from Northland Drive up to Gullett School, east and west side.

Councilman Long made inquiry about the status of the parking lot by the American Statesman Building, and wanted to get it started. The Mayor suggested that plans be submitted on this. No action was taken at this time.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and widening of an additional east-west thoroughfare in the City of Austin to provide for the free and safe flow of traffic from East to west in South Austin on and along the street known as West Oltorf Street; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of all of the hereinafter described tract of land for right-of-way to permit the widening of a portion of the aforesaid West Oltorf Street; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

A portion out of the middle portion of Lot No. Twenty-Three (23) of Fredericksburg Road Acres, according to the map or plat recorded in Book 3, Page 169 of the Plat Records of Travis County, Texas, being the same tract which was conveyed by R. L. Waggoner et ux to William M. Geyer et ux by Warranty Deed dated June 18, 1953, and recorded in Vol. 1351, page 104 of the Deed Records of Travis County, Texas; and being more particularly described by metes and bounds as follows to wit:

BEGINNING at an iron pipe set in the West line of Bentley Street and the East line of Lot 23, of Fredericksburg Road Acres according to the map or plat of said Subdivision recorded in Book 3, Page 169 of the Plat Records of Travis County, Texas, said beginning point being located S. 17 deg. 48' E. 72.68 feet, from the Northeast corner of said Lot 23, for the Northeast corner of this tract;

THENCE, with the line between Lot 23 and Bentley Street, S. 17 deg. 48' E. a distance of 75.0 feet, to an iron pipe set for the Southeast corner of this tract located N. 17 deg. 48' W. 82.33 feet, from the point of curve in the West line of Bentley Street;

THENCE, S. 71 deg. 17' W. a distance of 97.96 feet, to an iron pipe set for an inner corner of this tract;

THENCE, S. 17 deg. 48' E. parallel to the West line of said Lot 23, a distance of 24.10 feet, to an iron pipe set for the most Southerly Southeast corner of this tract;

THENCE, S. 64 deg. 41' W., parallel to the South line of said Lot 23, a distance of 50.0 feet, to an iron pipe set in the West line of Lot 23, and the East line of Lot 24, for the Southwest corner of this tract located N. 17 deg. 48' W. 125.0 feet, from the Southwest corner of said Lot 23;

THENCE, with the West line of Lot 23 and the East line of Lot 24, N. 17 deg. 48' W. a distance of 104.5 feet, to an iron pipe set for the Northwest corner of this tract located S. 17 deg. 48' E. 75.0 feet, from the Northwest corner of said Lot 23;

THENCE, N. 71 deg. 17' E. a distance of 147.52 feet, to the place of beginning.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The Council discussed bids that were received for the furnishing of intravenous solutions for Brackenridge Hospital for a two year period, and the recommendation of the City Manager. The recommendation is as follows:

"April 16, 1957

"TO: Honorable Mayor and Members of the City Council
FROM: City Manager
SUBJECT: Bids for two year supply of intravenous solutions for Brackenridge Hospital

"The following bids were received on the above contract at 2:00 P.M., March 26, 1957, and at that time publicly opened and read.

"The bids were as follows:

"Wilson X-Ray (Cutter)	\$19,949.59
Sands Professional Pharmacy (Abbott)	20,097.47
Abbott Laboratories (Abbott)	20,719.04
Mead-Johnson Co. (MJ)	Did not meet specs--see note (*) below
American Hospital Supply (Baxter)	Did not meet specs--see note (*) below

"Mr. Fourgurean and I recommend that the bid of Wilson X-Ray be accepted as the lowest bid meeting specifications. We have been using their solutions for several years and their service has been excellent.

"*Bids of Mead-Johnson Company and American Hospital Supply should not be considered because they did not meet our specifications which stated that "All Companies or agents must maintain a local supply at their place of business in amount at least equal to one week's normal use for Brackenridge Hospital," and "In case of emergencies the supplier must make deliveries on Saturdays, Sundays, Holidays, and at any hour of the day or night. The phone number of the supplier must be supplied with the bid and filed with the Hospital in Austin.

"Neither Mead-Johnson nor American Hospital Supply had a local supplier at the time of the bid opening and Mead-Johnson gave no indication as to any representative being located any closer than Houston.

"Two weeks after the bids were opened, Mead-Johnson submitted a letter stating that they had made an agreement with a local supplier.

"American Hospital Supply maintains their stock in San Antonio, Texas, and would make their emergency deliveries from that city.

"We are confident that this is the type contract that can be handled best by a local company. In the event of a disaster in the community, having a local supplier would be very important.

"W. T. Williams, Jr.
City Manager"

Later Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 26, 1957, for the furnishing of intravenous solutions for Brackenridge Hospital for a period of two years; and,

WHEREAS, the bid of Wilson X-Ray (Cutter) in the sum of \$19,949.59 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the City Manager of the City of Austin; Now, Therefore,

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

That the bid of Wilson X-Ray (Cutter) in the sum of \$19,949.59 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 Wilson X-Ray (Cutter).

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

Ayes: Councilmen Palmer, White, Mayor Miller

Noes: Councilman Long

Absent: Councilman Pearson

The Mayor reported on a recommendation from the Recreation Director regarding the playground at Wooten School, in that it was suggested that a concrete block be put in, a sprinkling system installed, and the two little ball fields be fixed up. It would take about \$5,000 for this. The playground at Harris School will need a little more planning. Councilman Long moved to go ahead on these two parks as recommended. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Planning Commission and were set for hearing before the Council on May 23, 1957:

LEE R. BARTON	711 East 38 $\frac{1}{2}$ Street 3716 Robinson	From "A" Residence To "O" Office
NELSON PUETT	1500 Fort View Road	From "A" Residence To "C" Commercial
AUSTIN NEEDELS & J. P. GRIFFITH	2400 Winsted Lane	From "A" Residence To "BB" Residence
EARL SIMMS, JR.	1002 Rio Grande Street	From "B" Residence To "O" Office
SAM WILLIAMS	2301-09 North Loop	From "A" Residence To "GR" General Retail
THEO MEYER, JR.	2201 College Avenue	From "C" Commercial To "C-1" Commercial
JEWEL DOBBINS & WILLIE M. RISHER	3313 East 12th Street	From "A" Residence To "C" Commercial
MRS. JAMES C. BREWER, JR.	2644 West 45th Street	From "A" Residence To "LR" Local Retail
W. T. CASWELL	2800 Block Manor Road	From "LR" Local Retail To "C" Commercial
SECURED INVESTMENTS, INC.	3110 & 3138 Manor Road 3200 Manor Road	From "A" Residence To "C" Commercial
E. L. STRYK	4906 Grover Avenue	From "A" Residence To "BB" Residence
W. F. FISHER	3304-3312 Oak Springs Drive	From "A" Residence To "GR" General Retail
R. M. DURBIN, ET AL	4710 Grover Avenue	From "A" Residence To "O" Office
W. N. COLEMAN, ET AL	1901-2201 Lamar Blvd. 1306-08 & 1309-11 West 22nd Street	From "BB" Residence To "O" Office
JOHN LEACH	1306 Original 19th Street, west	From "A" Residence To "O" Office
ERNEST JOSEPH & PHILLIP L. JOSEPH	1003 West 34th Street	From "C" Commercial To "C-2" Commercial

There being no further business the Council adjourned at 2:00 P.M.
subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elaine Hosley
City Clerk