

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 3, 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: Reuben Rountree, Jr., Acting City Manager; Robert J. Potts, Assistant City Attorney.

Invocation was delivered by REV. EVERETT G. SMITH, Holy Trinity Episcopal Church.

Councilman White moved that the Minutes of the meeting of June 27, 1957, be approved. 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 13.63 ACRES OF LAND, SAME BEING ALL OF WINDSOR PARK NO. 2 SECTION 3, A SUBDIVISION OF A PORTION OF THE DINSMORE SIMPSON SURVEY NO. 27, 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

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 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 northeast corner of the intersection of Avenue F and East 53rd Street which property fronts 50.0 feet on Avenue F and 125.0 feet on East 53rd Street, being known as lots 31 and 32 of the Highlands in the City of Austin, Travis County, Texas, and hereby authorizes the said Howell 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 Howell Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"July 3, 1957

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

"Dear Sir:

"We, the undersigned, have considered the application of Howell 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 northeast corner of the intersection of Avenue F and East 53rd Street which property fronts 50.0 feet on Avenue F and 125.0 feet on East 53rd Street, being known as Lots 31 and 32 of the Highlands in the City of Austin, Travis County, Texas and the property upon which this filling station is to be located is to be located is owned by Howell 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 Use District upon the zoning maps of the City of Austin.

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

"We recommend that Howell 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 there from 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 - 1516.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1516 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 Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Council had before it the following:

"July 2, 1957

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

"Dear Sir:

"Sealed proposals for the construction of 30" Water Main in Koenig Lane and Grover Avenue from the North Austin Booster Station to approximately 210 feet north of Ruth Street were received until 2:00 P.M., Tuesday July 2, 1957, and publicly opened and read.

"The following is a tabulation of the bids received:

<u>"FIRM</u>	<u>TOTAL BID</u>	<u>WORKING DAYS</u>
Karl B. Wagner Engineering Const.Co.	\$84,971.25	65 Working Days
Austin Engineering Company	86,461.00	85 Working Days
Joe Bland Construction Company	92,717.00	90 Working Days
Hardin Construction Company	92,860.71	90 Working Days

"It is recommended that the contract be awarded to Karl B. Wagner Engineering Construction Co. on their low bid of \$84,971.25 with 65 working days.

"Yours truly,
Albert R. Davis, Director
Water and Sewer Department

"APPROVED BY: City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 2, 1957, for the construction of 30" water main in Koenig Lane and Grover Avenue, from the North Austin Booster Station to approximately 210 feet north of Ruth Street; and,

WHEREAS, the bid of Karl B. Wagner Engineering Construction Co. in the sum of \$84,971.25 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director 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 Karl B. Wagner Engineering Construction Co. in the sum of \$84,971.25 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 Co.

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

The Council had before it the following zoning applications deferred from last week:

G. C. PROCK	1105D-1109D Springdale Road (1153)	From "A" Residence To "D" Industrial NOT Recommended by the Planning Commission
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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: None
Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the change had been DENIED.

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LYDIA HASTINGS	5510-12 Jeff Davis Ave.	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
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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: None
Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the change had been DENIED.

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JESSE MITCHELL

6900-02 Guadalupe St.
600-604 Kenniston DriveFrom "A" Residence
To "LR" Local Retail
RECOMMENDED by the
Planning Commission

The Mayor asked those who wished to grant the change to "LR" Local Retail 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 "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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WILLIAM SHIVE

1700 West 34th Street
3400-02 Jefferson StreetFrom "A" Residence
To "O" Office

Mrs. Sam Harris represented the applicants and filed a letter of intent of use of the property for the next 10 years. MR. C. L. ZEIGLER, MR. R. T. EDENS, MRS. MARY A STRAUS, and MRS. LINDSEY expressed opposition. MRS. SAM HARRIS pointed out 17 property owners out of 20, within 200', favored the change. The Mayor asked those who wished to grant the change to "O" Office 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 and the City Attorney was instructed to draw the necessary ordinance to cover.

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The Director of Public Works submitted information on paving of South 1st Street with particular reference to the area between the two bridges (State School for the Deaf). He stated 63% of the money was collected; 17% had promised to pay, and 19.7% had not signed. The Council was anxious to proceed with the paving as soon as possible.

Councilman Pearson brought up a request of MR. JOE TAYLOR, who owns property on West 10th Street, just back of the Blanco Fire Station, and who claimed his property had been damaged by locating a substation on the fire station property. Mr. Taylor's request was for the Council to buy his property. The matter was reviewed and discussed. Mr. Pearson stated he would get a proposition and bring back to the Council.

The Council discussed the disposition of the Ulit house, 609 East 15th; and two story stucco building at 1407 Red River. After discussion, the Council decided to go look at these buildings, and decide later whether to readvertise them or to negotiate with the high bidders.

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

APPROVED

Tom Miller
Mayor

ATTEST:

Elsie Hooley
City Clerk