

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 8, 1959  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll call:

Present: Councilmen Bechtol, Palmer, Perry, 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; Robert A. Miles, Chief of Police.

Invocation was delivered by REV. E. OTIS MOORE, First Southern Presbyterian Church, 200 East 8th Street.

Councilman White moved that the Minutes of the Meeting of October 1, 1959, be approved. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Public hearing to determine whether or not the Council should call an election on the Urban Renewal program was opened as advertised in the American-Statesman on July 26th and October 4th, 1959.

Former Senator JOE HILL suggested that the Director of the Department of Urban Renewal present the program. MRS. MILLARD H. RUUD, President, League of Women's Voters, filed a Resolution adopted by the League, requesting the City Council to call a referendum on the question of Urban Renewal and pledging their support of the program. MR. E. W. JACKSON, member of the Greater East Austin Development Committee, but representing himself, favored the calling of an election on Urban Renewal. MR. RIGGIN, President of the Chamber of Commerce, stated that the Board of Directors had endorsed the submission of this matter at an election 100%. Sen. JOE HILL expressed opposition to an election at this time as the people had not informed themselves sufficiently on this matter. MR. FRANK MONTGOMERY, not opposed to urban renewal, expressed his opposition to it as set forth in House Bill 70, stating it had objectionable provisions. He

asked that the Director of Urban Renewal present the plan so that all would have an idea of what was being proposed, as he did not believe the voters had sufficient knowledge and information on the matter. Sen. HILL asked that the Director of Urban Renewal explain what the plans were and bring in certain maps. Former Councilman EMMA LONG expressed wholehearted support for the program and said she hoped that the election would be held and that much information would be given to the people. MR. HARRY WHITTINGTON stated he was for urban renewal, but not for adopting it under House Bill 70, and accepting federal aid, as he believed the job could be done locally. He did not want this program submitted to the voters. MRS. DON spoke in favor of submitting the matter at an election. MR. HAL HENDRIX, Real Estate, objected to the program as it would necessitate federal aid in a local problem. He objected to calling an election until more information was made available. W. ASTOR KIRK favored an election and endorsed the program. Sen. Hill asked that certain information be brought in and that the Director explain what has been done. Councilman Bechtol suggested that the Council meet again at 2:30 P.M. and resume the hearing. MR. DAVE BARROW favored calling the election and adopting the urban renewal program. The Council recessed this hearing until 2:30 P.M.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF THAT CERTAIN ALLEY, LOCALLY KNOWN AS COLE STREET ALLEY, WHICH LIES BETWEEN LOTS 1-A AND 9, IN FISCHER ADDITION, A SUBDIVISION OF A PORTION OF OUTLOT 23, DIVISION C, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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 Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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)

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 on behalf of the City of Austin a warranty deed conveying the following described property to C. T. Uselton:

521 square feet of land, same being a portion of Lot 1-A in Fischer Addition and portion of that certain portion of an alley twenty (20.00) feet in width, which lies between Lots 9 and said Lot 1-A in Fischer Addition, said Fischer Addition being a subdivision of a portion of Outlot 23, Division C of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Fischer Addition being of record in Book 3 at page 167 of the Plat Records of Travis County, Texas, a portion of Lot 1-A having been conveyed to the City of Austin by warranty deed dated May 20, 1948, of record in Volume 906 at page 55 of the Deed Records of Travis County, Texas, a portion of said alley twenty (20.00) feet in width having been vacated by the City Council of the City of Austin by ordinance dated October 8, 1959; said 521 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the west right of way line of the Interregional Highway same being in the south line of said Lot 1-A, Fischer Addition;

THENCE, with the south line of said Lot 1-A, same being the south line of the Fischer Addition, in a westerly direction 14.20 feet to the southwest corner of the herein described tract of land;

THENCE, with a line ten (10.00) feet west of and parallel to the west line of said Lot 1-A in a northerly direction to a point in the easterly prolongation of the north line of Lot 9 in Fischer Addition;

THENCE, with the easterly prolongation of the north line of said Lot 9 in an easterly direction to a point in the west right of way line of the Interregional Highway;

THENCE, with the west right of way line of the Interregional Highway, same being the east line of the herein described tract of land in a southerly direction to the point of beginning.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH MRS. M. J. WASHINGTON; 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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, the City of Austin received and opened bids on October 6, 1959, on the sale of certain improvements on City-owned property located at 4305 Merle Drive and at 4208 Banister Lane; and,

WHEREAS, A. F. WHITE submitted the highest and best bid in the amount of \$2,610.00 for the improvements located at 4305 Merle Drive; and,

WHEREAS, J. H. MEANS submitted the highest and best bid in the amount of \$301.00 for the improvements located at 4208 Banister Lane; and,

WHEREAS, the City Manager has recommended the sale of such improvements to said bidders; Now, Therefore,

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

That the said bids be and the same are hereby accepted and the City Manager is hereby authorized to execute contracts of sale for said improvements at the above described locations with said bidders.

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

Councilman Bechtol 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 east side of Burnet Road, south of Jeff Davis Avenue, which property fronts 244.00 feet on Burnet Road, and being known as Lot 3, Block 8 of Broadacres in the City of Austin, Travis County, Texas, and hereby authorizes the said Estate of Charles Wendlandt, Jr. to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. 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 Estate of Charles Wendlandt, Jr. has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"October 8, 1959

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

"Dear Sir:

"We, the undersigned, have considered the application of the Estate of Charles Wendlandt, Jr. for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the east side of Burnet Road, south of Jeff Davis Avenue which property fronts 244.00 feet on Burnet Road, being known as Lot 3, Block 8 of Broadacres in the City of Austin, Travis County, Texas and the property upon which this filling station is to be located is owned by the Estate of Charles Wendlandt, Jr. and is under lease to Knox Stations, Inc. 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. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that the Estate of Charles Wendlandt, Jr. be granted permission to construct, maintain, and operate said drive-in gasoline filling

station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so 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 - 2709.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - C - 2709 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 Palmer, carried by the following vote:  
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Bob Allen is the Contractor for the repair of a building located at 2113 East Avenue and desires a portion of the sidewalk and street space abutting Lot 13, Block 3, Gammell and Taylor Subdivision, of the City of Austin, Travis County, Texas, during the repair 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 Bob Allen, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the center line of East Avenue to a point 4 feet east of the east curb line; thence in a northerly direction and parallel with the center line of East Avenue approximately 46 feet to a point; thence in an easterly direction and at right angles to the center line of East Avenue to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Bob Allen, 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 or extending from the sidewalk to the underside of the present awning 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 2 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 systems 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 November 10, 1959.

(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 Contractors expense.

(13) 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Dick Mason is the Contractor for the second story addition to a building located at 900 East 6th Street and desires a portion of the sidewalk and street space abutting Lots 1, 2 and 3, Block 2, Connors Addition, Outlot 1, Division A, of the City of Austin, Travis County, Texas, during the addition to 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 Dick Mason, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Brushy Street 15 feet to a point; thence in a northerly direction and parallel with the center line of Brushy Street 128 feet to a point; thence in an easterly direction and at right angles to the center line of Brushy Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Dick Mason, 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 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 systems 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 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 January 20, 1960.

(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 Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Nees: None

Councilman Bechtol stated that in adopting the recreation fees, it was not clear on the golf fees for high school teams, and that he would like to see set up a team limit of ten at the high schools, and eight at the junior high schools and give them green fees of .50¢. The Mayor suggested that they play in the mornings, and Councilman Palmer suggested that this rate be limited to school days rather than on the week-ends. Councilman Bechtol moved that the

High School teams be limited to ten players, and the junior high school teams be limited to eight, on their permanent squad, and that they be allowed to play at all times for 50¢ per round, and that a three week try-out period be allowed for each one of the schools in which all of the participants in the try-out be also allowed to play for 50¢, the tryouts to be held on week days. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Councilman White stated he had talked to MR. TOM BRADFIELD who had requested that the street (extending Bull Creek Road) be constructed; and when he told him that he did not think this road was going to be built, Mr. Bradfield asked if the City would give the property back to him. Councilman Bechtol asked that this be referred to the City Manager. The City Manager stated his recommendation was that nothing be done about building a road through at this location. The Mayor stated that if this road was to be constructed through the Cemetery, it would not be done.

The City Manager submitted a letter from the Board of Equalization as follows:

"October 5, 1959

"City Council  
City of Austin  
Municipal Building  
Austin, Texas

"Dear Council Members:

"The Board of Equalization has now completed its hearings on pending appeals and other equalization matters that were before the Board at the time of its report to the City Council September 24, 1959.

"There were 475 appeals, covering a total of 1073 property assessments, heard and considered by the Board. Valuations were adjusted in 191 cases and no changes made in 882 cases.

"The Board of Equalization, having completed its work, stands adjourned subject to the call of the City Council to render any assistance the Council may desire.

"Respectfully submitted,  
(Sgd) L. Theo Bellmont  
(Sgd) Harry D. Pruett  
(Sgd) Carl B. Sterzing"

The Council stated it would set a date on tax appeals soon.

The City Manager read a letter from Maurice Acers regarding a long term lease on City property (where the Old Pan American center was located) for a Boy's Club. No action was taken by the Council.

Councilman Bechtol 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 establishment of a branch of the public library of the City of Austin in West Austin near the intersection of Exposition Boulevard with Bowman Road in order to make the facilities and books of said public library more readily available to citizens of the City of Austin; and,

WHEREAS, the City Council has found and determined that the hereinafter described land must be acquired in order to provide for the establishment of said branch of the City of Austin's public library; and,

WHEREAS, the City of Austin has negotiated with the owner of such 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:

Lot 35 and Lot 36 in Tarrytown Subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision appearing of record in Volume 3, page 213, of the Plat Records of Travis County, Texas.

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

Councilman Bechtol moved that the Council grant permission to MR. ARTHUR FEHR, State Architects Convention, to have a fireworks display at the Fiji Club, October 16th, 7:00 P.M., subject to clearance with the Fire Marshal. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Councilman White moved that the Boy Scouts be granted permission to have a parade in February. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Assistant City Manager made a report on the request of MR. BOB LOCKART for traffic controls on Forest Trail, and the recommendation was not to install a signal. The Council accepted the report.

MR. FRANK DENIUS appeared before the Council and discussed rates charged by the Telephone Company in various cities.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

The Council resumed its business at 2:30 P.M. and continued the hearing on whether or not the City should call an election on Urban Renewal.

The City Attorney reviewed the Urban Renewal program up to this date, and the status as it stands now that there cannot be any adoption of any plan until after an election has been held, and further public hearings. The City Manager explained some of the questions the federal authorities had raised in connection with the city's powers as a home-rule city. Lengthy discussion was held, with MR. WHITTINGTON, MR. FRANK MONTGOMERY, and Sen. HILL in opposition of calling an election. The Director of Urban Renewal gave an overall picture of some surveys that had been made and some statistics that had been gathered. MR. ARTHUR DEWITTY spoke in favor of continuing the urban renewal program. MR. HENDRIX asked what had the City been doing towards slum clearance, and what were the people doing to help themselves. The Mayor answered Mr. Hendrix. After more very detailed discussion, 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, Texas, call a special election, under the Urban Renewal Law of the State of Texas, on the question of whether the City Council should adopt a Resolution making certain findings, determinations and elections under and pursuant to the Urban Renewal Law of Texas.

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

There being no further business, the Council adjourned at 5:00 P.M., subject to the call of the Mayor.

APPROVED

Tom Miller  
Mayor

ATTEST:

Elsie Hassley  
City Clerk