

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 5, 1956
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll Call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by DR. CARLYLE MARNEY, First Baptist Church, 120 West 10th Street.

Councilman Palmer moved that the Minutes of December 29, 1955, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. CARL C. HARDIN, JR., announced that Mayor Tom Miller had consented to head the drive for the MARCH OF DIMES of Travis County. He invited everyone to be present for the opening of the drive at 10:00 A.M., January 6th at the Austin Hotel. He outlined briefly the need for the funds. The Mayor stated it was a good cause and asked the Council to be behind it.

MRS. MARGARET KELLY inquired as to what steps she would have to take to get water at 2909 Goodwin Avenue. She stated when she bought the house she did not know she could not get water as she was in the city limits and the water line ran in front of her house. The City Manager stated this property was not in an approved subdivision but had been sold by metes and bounds. The Council discussed the effect the granting of water to Mrs. Kelly would have on the Subdivision Ordinance. It was agreed by the Council they did not want to do anything that would jeopardize the ordinance. It was suggested that maybe Mrs.

Kelly could file a short form subdivision plat. The City Manager was asked to try to work it out without tearing up the subdivision ordinance.

The Council received a petition signed by 45 citizens, requesting a warning signal at Northwestern Railroad Tracks at East 12th Street. It stated that East 12th Street was one of the main thoroughfares of East Austin and with two schools situated on the east side of the railroad hundreds of children had to cross the tracks daily. The City Manager stated there was a daily run over this track, it leaves at 11:00 A.M. and returns at 3:00 to 5:00 P.M. The City Manager was asked to look into this and take it up with the Railroads and give them an answer.

MR. E. E. SCHOEN spoke for a group and presented the following petition:

"A PETITION FOR REMOVAL OF 2 HOUR PARKING
SIGNS ON NORTH CONGRESS AVENUE--1700 BLOCK

"We the undersigned property owners and residents in and about the above area, petition the removal of the recently installed 2 hour parking signs in the above named block, for the following reasons:

- "1. That the placing of these signs was unwarranted and unnecessary as no more than normal parking problems have been experienced by the users of this street area.
- "2. That these signs have been placed at the request and for the financial benefit and convenience of a small minority to the detriment, unwarranted inconvenience and far greater financial loss to the large majority of the taxpayers and residents of this area.
- "3. That there is MORE than amply off-street parking available to the doctors requesting these parking signs in a private parking area that NEVER has had signs directing patients to park in this private space. Further, there is an adjoining 70 x 120 foot empty lot available for free parking use that has NEVER HAD A CAR PARKED ON IT.
- "4. That if a parking problem did exist, not a single one of the undersigned was ever advised of the problem or was asked in anyway to cooperate in the alleviating of the supposed parking problem.
- "5. That by far the largest majority of the immediate users of this street area are residents and students of the University of Texas and that these parking restrictions can benefit only a few--the doctors.
- "6. In view of the fact that this is the only block in the immediate area that has parking restrictions on it, it has reduced the property values of the student house owners as students will seek housing closer to the University where there are no parking restrictions.
- "7. That the restricting of parking in the above named block has caused an unnecessary parking burden to the property owners in the adjoining blocks.

"8. That the City of Austin would spend taxpayer's money in the placing of these signs and for the continuous expense of policing this one block, at the request and for the benefit of a few individuals, is inconceivable.

"It is therefore respectfully petitioned that these signs be removed immediately." (Approximately 146 signatures)

Mr. Schoen presented the following letter:

"December 22, 1955

"Honorable Mayor Tom Miller
"Austin, Texas

"Dear Mr. Miller:

"The erection of 2 hour parking signs in the 1700 block of North Congress Avenue is a case of restriction of public streets for private use.

"It is possible that in future years, further parking problems will necessitate restrictions in this University area, however at present, there is no justification in isolating one block for special restrictions to satisfy the whims of a few complainants who have adequate private parking facilities that they are not using to capacity.

"The majority of the property in this area is used for the housing of University students and these signs will have a serious effect in the depreciating of these property values.

"To eliminate any reflection on our good city government and to maintain the confidence of our property owners, these signs should be removed at once.

"Yours very truly,
C. V. Terrell"

They asked that the signs be removed now as this was the time the students made arrangements for next semester and they could not rent these rooms with the limited parking time. Mr. Bert Lay, Assistant Traffic Engineer, stated they would make a restudy of this next week. Councilman Long moved that the signs be removed pending the study. The motion, seconded by Councilman White, carried by the following vote:

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

Pursuant to published notice thereof the following zoning application was publicly heard:

FIRST BAPTIST CHURCH	200-04 East 14th St.	From "B" Residence
By Trueman E. O'Quinn	1401-07 Brazos St.	3rd Height and Area
	205 East 15th St.	To "C" Commercial
		3rd Height and Area

The Mayor asked those who wished to grant the change to "C" Commercial and 3rd Height and Area to vote "aye"; those opposed to vote "no". Roll call

showed the following:

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

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

MR. TRUEMAN E. O'QUINN filed an application for an ordinance to be passed vacating and closing the public alley running east and west through Block 171, Original City. This block is bounded by Brazos Street, San Jacinto Boulevard, East 14th and East 15th Streets.

MRS. P. J. LOONEY, speaking for a group from the Rosedale Section requested that the light at Burnet Road and 49th Street be made red and green at all times instead of the manual operated and blinker light that is in operation now. They requested that Burnet Road be better patrolled by the Police and that something be done about the bus route. They stated that the children have to cross Burnet Road and Koenig Lane and Burnet Road and Woodrow to catch the bus and that the cars go 60 miles an hour down Burnet Road. They wanted this light synchronized with the lights at 45th and Hancock Drive. The Mayor stated they would expedite this with the Bus Company and get the police out there. Councilman Long moved that the signal light at Burnet Road and 49th Street be made constant red and green to conform with the other signal lights of the City. The motion, seconded by Councilman White, carried by the following vote:

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

The Council postponed until next Thursday the following zoning:

W. A. BURNS	521-23, 522-24 Sacra- From "A" Residence mento Dr.; 516-18 To "LR" Local Retail Powell Circle; 2807-09 NOT Recommended 2901-07 So. 1st St.
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Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of East 51st Street and Cameron Road which property fronts 114.75 feet on Cameron Road and 114.75 feet on East 51st Street, being known as a portion of Lot 2 of Ridgetop Gardens in the City of Austin, Travis County, Texas, and hereby authorized the said Ben. H. Powell 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 Ben H. Powell has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations Attached)

"January 5, 1956

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

"Dear Sir:

"We, the undersigned, have considered the application of Ben H. Powell 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 East 51st Street and Cameron Road which property fronts 114.75 feet on Cameron Road and 114.75 feet on East 51st Street, being known as a portion of Lot 2 of Ridgetop Gardens in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Ben H. Powell and is under lease to Gulf Oil Corporation. 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.

"There are no storm water drainage facilities in place adjacent to this property. The storm sewer and surface drainage from this filling station is to be disposed of in such a manner that such water and other surface drainage will not flow across the sidewalk area into the street.

"We recommend that Ben H. Powell 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 for 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 - 1422.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1422 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 White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"January 3, 1956

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, January 3, 1956, for the construction of miscellaneous storm sewers in the following areas: Curve and Juniper Streets, Midway and Courtney Streets, St. Joseph Boulevard, Filter Plant No. 2 Easement, and South Congress Avenue Easement.

"Austin Engr. Co.
Joe Bland Const. Co.

\$18,233.04
18,879.70

Ford-Wagner, Inc.
City's Estimate

23,694.21
\$21,853.00

"I recommend that Austin Engineering Company with their low bid of \$18,233.04 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 January 3, 1956, for the construction of miscellaneous storm sewers in Curve and Juniper Streets, Midway and Courtney Streets, St. Joseph Boulevard, Filter Plant No. 2 Easement and South Congress Avenue Easement; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$18,233.04 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 Austin Engineering Company in the sum of \$18,233.04 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

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

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

Noes: None

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.78 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE 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 ordinance was read the first time and Councilman Palmer 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 Palmer moved that the ordinance be 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

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF A TRACT OF 28.24 ACRES OF LAND, MORE OR LESS, AND A TRACT OF 4.43 ACRES OF LAND, MORE OR LESS, BOTH OUT OF THE GEORGE W. 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 ordinance was read the first time and Councilman Palmer 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 Palmer moved that the ordinance be 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:

The Council discussed the wrecker fees. The City Manager stated that the fee was \$3.00 but the wrecker companies now charge \$4.00 and he suggested the fee be made \$5.00.- \$4.00 for the wrecker and \$1.00 for police handling costs. Inquiry was made if cars were being picked up for excessive traffic tickets and if the owners were being notified. The City Manager stated they were being picked up both ways. The Council discussed setting the fee for storage for impounded cars at \$1.00 per day after the first day, and setting a Carnival fee at \$35.00 per day. The Council decided to wait until next week on the wrecker and storage fees. Councilman Long moved that the Carnival fee be set at \$35.00 per day. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF DEL CURTO ROAD WHICH LIES BETWEEN BLUEBONNET LANE AND U. S. HIGHWAY 290 ALSO KNOWN AS SOUTH LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; 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 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.

The City Manager submitted the following:

"Sealed bids opened 10:00 A.M. Dec.
16, 1955
Tabulated by: O. G. Brush, Purchasing
Agent

"TABULATION OF BIDS - MILK & CREAM

BRACKENRIDGE HOSPITAL & AUSTIN-TRAVIS COUNTY T. B. SANATORIUM
CONTRACT TO FURNISH MILK & CREAM FOR SIX (6) MONTHS PERIOD BEGINNING JAN 1, 1956.

	SUPERIOR DAIRIES	*CARNATION CO.	OAK FARMS	**TOTALS USING PRESENT CON- TRACT PRICES ON BIDS TAKEN JUNE 10, 1955
"BRACKENRIDGE HOSPITAL (Net totals bid on estimated quantities)	\$10,762.30	\$11,602.30	\$10,423.43	\$11,101.94
"T. B. SANATORIUM (Net totals bid on estimated quantities)	\$ 1,106.94	Not Complete	\$ 990.76	Unable to compare see Note **
"NET TOTALS BID FOR BOTH INSTITUTIONS	\$11,833.24	- - -	\$11,414.19	

*Carnation Co. did not bid on orange juice for T. B. Sanatorium
Comparison of bids for T. B. Sanatorium less orange juice are:

Superior Dairies	\$1,026.94
Carnation Co.	1,054.94
Oak Farms	990.76

"**Unable to give figures for T. B. Sanatorium since new items added. However those items quoted this bid are slightly less for total amount.

"Recommend low bidder, Oak Farms Dairies be awarded contracts.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 16, 1955, for the purchase of milk and cream for six (6) months period beginning January 1, 1956; and,

WHEREAS, the bid of Oak Farms in the sum of \$11,414.19, was the lowest and best bid therefor, and the acceptance of such bid and the purchase of milk and cream 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 Oak Farms in the sum of \$11,414.19, 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 Oak Farms.

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, on December 20, 1955, bids were received by the City of Austin for the furnishing and installation of an elevator for the Austin Health Center at 14th and Sabine Streets; and,

WHEREAS, it is the intent of the City of Austin to award a contract for the furnishing and installation of such elevator to the lowest acceptable bidder, subject to the approval of the bidding documents by the Federal Government; Now, Therefore,

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

That this declaration of the intent of the City to award a contract to the lowest acceptable bidder, subject to such approval, be and the same is hereby expressed.

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

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

Noes: None

The Council discussed adding to the City Hall by filling in the Patio and remodeling the third floor where the jail used to be. Councilman Palmer moved that the City Manager be instructed to proceed with the preliminary plans. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager reported a call from Mr. Steve Heffington, County Tax Assessor and Collector, stating they would like to set up a Poll Tax Booth at the Police and Courts Building and they would pay the Police 10¢ for each poll tax sold. Councilman Long moved that the Poll Tax Booth be authorized and be put in a prominent place at the Police and Courts Building and to allow the proceeds to go to the Police Fund. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated that Nick Linz had made an offer of \$1,000 for city property adjacent to his at the intersection of Interregional Highway and East 20th Street. He did not recommend that the City accept this and suggested \$1,500 to \$2,500. The Council decided to look at this and act on it next Thursday.

The Mayor announced the reappointment of MR. E. H. PERRY, SR., DR. EDMUND HEINSOHN and MR. W. G. CLARKSON as members of the Austin Housing Authority for a two year term, and instructed the City Clerk to notify them.

Appointments to the various Boards to be made next week.

The Council received notice that the following applications for change of zoning had been referred to the Plan Commission and were set for public hearing for January 26, 1956:

BEN T. JORDAN	1000-1206 So. Lamar Blvd.; 1301-1505 Treadwell Street	From "A" Residence & "C" Commercial To "C-1" Commercial
JACK KEY	5004-08 Interregional Hwy.; 1021-23 East 51st Street	From "A" Residence To "LR" Local Retail
NASH PHILLIPS & CLYDE COPUS	5321-25, 5401-11 Cameron Road	From "A" Residence To "LR" Local Retail

Councilman White moved that the Meeting be adjourned. The motion, seconded by Councilman Long, carried by the following vote:

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

There being no further business, the Council adjourned at 12:05 Noon
subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Grace Monroe
Deputy City Clerk