

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 16, 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, Director of Public Works.

Invocation was delivered by REV. A. L. DENNIS, First Church of the Nazarene.

Councilman White moved that the Minutes of February 9th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

REV. J. L. DAWSON, representing the National Association for the Advancement of Colored People, read a petition regarding "Request for Issuance of a new statement of policy for the Austin Transit Company and the Austin Police Department." MR. W. ASTOR KIRK asked the Council to issue a statement of policy to have it understood that the Police Department of Austin will recognize the right of any individual to sit anywhere he wants to in a bus. He stated the matter was going to be clarified, and they would like to see the Council clarify it without leaving local people no other recourse than to resort to a Federal agency. He said people were arrested, and then the cases were dropped in the County Court. MR. AMOS HEROLD spoke. The Mayor and members of the Council explained the situation as pertained to the state law.

The Council deferred action on approving a filling station site at 19th and Guadalupe until next week, giving the members an opportunity to look at the site on the ground.

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

PLANNING COMMISSION	Area bounded by E.19th, Red River, Interregional Highway, Wahrenberger St.	From "A" Residence To "BB" Residence RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "BB" Residence 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.

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MRS. ALMA POWELL	2600-32 So. Congress Ave. 112-200 Cumberland Road	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
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The Planning Commission recommended to change the West 60 feet to "B" and the remainder to "GR" on condition that the applicant will agree to dedicate 30 feet on the north for one-half a street and will make available that portion of his property needed to widen Cumberland Road to a 60' Street and Mr. L. J. STRUHALL, representing the applicant, agreed. Opposition was expressed by MRS. DOROTHY FINLEY and MR. HERMAN HOOVER. The Mayor asked those in favor of the change from "A" to "GR" and those in favor of change to "B" in the back area of 60' and the remainder to "GR" on these conditions please say "aye"; and those opposed say "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.

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MRS. L. A. COOK	3714-20 Goodwin Avenue 1132-34 $\frac{1}{2}$ Springdale Rd.	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
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Mr. L. G. Cook, speaking for himself and his mother Mrs. L. A. Cook, agreed to grant the city the necessary property to widen Goodwin Avenue and Springdale Road when the city deems it necessary to do so. Mr. Cook was asked to get the papers signed through the City Attorney's Office. The Mayor

asked those whoswished to grant the change to "C" 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.

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The Council had the request of MR. SAMUEL A. THIELEPAPE to purchase the portion of Broadmore Street lying between his property and the H&TC right-of-way, extending from East 53rd Street northerly approximately 148' to an alley, before it. The Council wanted to look at this property, and deferred action until next week.

The Mayor brought up the following ordinance for its third 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 67.76 ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE 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 third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer 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 south side of Toomey Road as a private gasoline plant consisting of a 1000 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

leased by Sani-Products of Texas, and is the unplatted 100 x 300 feet of the Frank McPhail 4 acre tract, of the City of Austin, Travis County, Texas, and hereby authorized the said Sani Products of Texas to operate a private gasoline plant consisting of a 1000 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 Sani Products of Texas has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
February 16, 1956

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

"Dear Sir:

"I, the undersigned, have considered the application of Sani Products of Texas through James T. Peal for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and 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 south side of Toomey Road which property is designated as the unplatted 100 x 300 feet of the Frank McPhail 4 acre tract, in the City of Austin, Travis County, Texas, and locally known as 1623 Toomey Road.

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

- "(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.
- "(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.
- "(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.
- "(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

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)

WHEREAS, bids were received by the City of Austin on February 14, 1956, for the construction of 5850 feet of 42" and 1162 feet of 24" sanitary sewer main and appurtenances along Colorado River from Bowie Street to Hearn Street; and,

WHEREAS, the bid of Hardin Construction Company in the sum of \$118,432.82 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent 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 Hardin Construction Company in the sum of \$118,432.82 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 Hardin Construction Company.

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

MAYOR MILLER announced the following called Council Meetings:

Greater East Austin Development Committee - 7:30, February 27th.  
County and Council, Thursday afternoon, February 23rd.

The Council had before it the following offer:

"February 14, 1956

"Austin Recreation Department  
Mr. Beverly Sheffield  
Director of Recreation  
Austin, Texas

"Dear Sir:

"In line with our previous conversation in regards to expansion of the P-O-N-Y

League baseball program, and the addition of our new C-O-L-T League program. We, The Junior Baseball, Inc. of Austin & Travis County, Texas, request the use of the southern part of the New North-West Park for the new Pony field and a Colt field. This area is ideal in that it will take care of the need for these programs in North Austin, West Austin, and Northeast and Central Austin.

"If the City of Austin, will grant this request we propose to develop the two fields in the following manner:

"We will build a chain-link fence on each field; develop parking area; build bleachers; build concession stands; and light the fields as the need develops.

"We only ask that you furnish water for the maintenance of the field and for drinking water and the electricity for the lighting of the field.

"These two fields will take care of three-hundred-twenty (320) boys in the ages bracket of thirteen, fourteen, fifteen and sixteen years. We consider this as a supplement to the operation of your recreation department.

"As time is the Essence of this request, we pray that our request will immediately be granted.

"Very truly yours,  
JUNIOR BASEBALL, INC. of AUSTIN  
(Sgd) O. B. McKown, Sr.  
President"

The Recreation Director displayed plans of the park and these two fields. The Council had also before it the following recommendation of the Parks and Recreation Board:

"February 15, 1956

"Memorandum to: The City Council

"The Parks and Recreation Board at its regular meeting on February 13, 1956, moved to recommend to the City Council that the request of the Junior Baseball, Inc. of Austin for a Colt and Pony League baseball field, to be built in the southern part of the new Northwest Park, be granted upon the following conditions; namely,

- "1. That the layout of the fields to be approved by the City Recreation Department.
- "2. That whether two fields are developed will depend upon the preservation of land for a battery of tennis courts and a playground baseball field for neighborhood use.
- "3. That permission be granted for the operation of this league with the Recreation Department on a year-to-year basis, as was specified on the other baseball fields built on city lands.
- "4. That the signs sold for the ball fields be removable so they may be taken down when the season ends.
- "5. That the City Recreation Department may make use of the fields when they are not being used for the conduct of the Colt or the Pony League. It is understood that during the regular season play any use of the field will have to be cleared with the officials of the Junior Baseball, Inc. However, once the baseball season is over the Recreation Department can make full use of the grounds.

"6. That all improvements will revert to the City in the event this Organization ceases to function.

"Present and voting: Ayes: Mrs. Alden Davis, Mrs C. E. Browning, Mr. W. T. Caswell, Mr. Nash Moreno, Mr. V. A. Kormeier, Mr. Frank D. Quinn, Dr.D.K.Brace  
Nays: None  
Absent: Mrs. Frank Davol and Mrs. Fagan Dickson"

After discussion, Councilman Long moved that this offer be accepted, following the recommendation of the Parks and Recreation Board, and to thank Mr. McKown very much for his plans. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The City Manager submitted data on a study made on the taxes, revenues and utilities in working up information on bond needs for the next five years, concluding that the present .34% interest and sinking fund tax rate, \$11,120,000 bonds could be issued during the next five years without increasing that rate. Out of the 11 million, approximately nine (9) million would be new obligations. He listed the projects--

Airport construction	\$1,200,000
Fire Stations (five)	300,000
Rights-of-way	1,500,000
Parks and Recreation	700,000
Sanitation Department	700,000
Streets & Bridges	4,850,000

In addition to the Tax Bonds, the City Manager listed the needs of the Water, Electric, and Sewer Plants, and estimated that \$17½ million could be financed without increasing utility rates, and still have \$2,750,000 to transfer to the General Fund, meet the existing interest and principle obligations, and put aside for more capital improvements. He recommended \$6½ million for Electric; \$5½ million for water and \$5½ million for sewer. The City Manager stated maps were prepared showing the proposed projects. The Mayor stated the Council would look into this proposal, meet with the Chamber of Commerce, the bankers, neighborhood groups, and have a series of public meetings to discuss this.

MAYOR MILLER asked that publicity be given to the plan and model of East Avenue inviting the public to come up and look at the plans.

Mayor Miller recommended that the City call attention to the wells; and when the complaints come into the Police Department, and the owners are warned and do not get it settled, it should be reported to the City Manager and City Attorney for action. It is not the desire to fine anyone, but that the town had grown so fast, and a lot of these wells had been abandoned.

Mayor Miller stated that the Council should authorize the City Manager to accept the proposal of Linscomb, Snautz and Moore on Riverside Drive; and also

accept Mr. Crockett's proposal, not limiting, however, the time of paving within two months, but just as soon as possible. Councilman Long moved that the proposal be accepted as worked out by the City Manager and City Attorney; and accept the agreement on the 20' right-of-way with Mr. Crockett, paving as soon as possible, but not that it could be done within 60 days. 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 a recommendation from the Architects on the Auditorium that separate bids be taken as follows:

1. General Construction
2. Heating and Airconditioning
3. Plumbing, with the option of combining 1, 2, and 3
4. Electric
5. Elevator

The Council informally accepted this method.

There being no further business the Council adjourned at 1:30 P.M. subject to the call of the Mayor.

APPROVED \_\_\_\_\_

Mayor

ATTEST:

Elaine Housley  
City Clerk