

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 1, 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 REV. E. M. JENNINGS, First Cumberland Presbyterian Church, 1400 Ruth.

Councilman White moved that the Minutes of February 23, 1956 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. JOHN B. HOLT, 1311 St. Johns Avenue, submitted a petition asking that the paving on St. Johns in the 1200 and 1300 blocks be rejected. The Mayor announced that the paving contractors were going to do the work over again, as there had been a bad freeze at the time this was done; but it will be remedied.

MR. FRED EBY asked that the lake be left lowered for another two weeks as the weather had not been such as to kill out the weeds. Councilman Long moved that the City Manager be instructed to arrange with the L.C.R.A. to leave the lake down a week or ten days, or two weeks, if possible. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor suggested that the city see what it could do now towards getting the weeds out; that it could not cut the weeds the whole length of the

lake, but with the property owners' help it would be a good start. Mr. McKown stated his company had a barge and power that might be used as an experiment.

Councilman Pearson 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 West 19th Street and Guadalupe Street, which property fronts 144 feet on Guadalupe Street and 79 feet on West 19th Street, being known as a portion of Outlot 34, Division E in the City of Austin, Travis County, Texas, and hereby authorizes the said Louis W. Wickham 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 Louis W. Wickham has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"February 16, 1956

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

"Dear Sir:

"We, the undersigned, have considered the application of Louis W. Wickham, acting as guardian of the Estate of Emma L. Otto, NCM, and as agent for Augusta L. Wende, 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 West 19th Street and Guadalupe Street, which property fronts 144 feet on Guadalupe Street and 79 feet on West 19th Street, being known as a portion of Outlot 34, Division E in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Augusta L. Wende, and the Estate of Emma L. Otto, N.C.M.. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C-1" 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 Louis W. Wickham 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 Ordinances, 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 - 1434.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1434 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 White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Attorney noted this might be amended when a lease was made to a definite company, as to the location of the building.

Discussion of the bids of the concession rights at Barton Springs was held. The Mayor stated Mr. Matthews had been told that the best bid of 30% would be accepted; and if he did not accept that, then new bids would have to be taken or the contract given to the next best bidder. Councilman Long moved that the Council pass a Resolution giving the contract to the best bidder, MR. BURKE MATTHEWS, accepting his highest bid. 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:

"Following are two (2) of the bids received at 2:00 P.M., Monday, February 27, 1956, for the construction of two blocks of pavement and accessories known as City Paving Contract Number 56-C-2 on Riverside Drive from South 1st Street to South Congress Avenue:

"McKown & Sons	\$27,043.75
Collins Const. Co.	30,854.05
"City's Estimate	\$26,292.60

"I recommend that McKown & Sons with their low bid of \$27,043.75 be awarded the contract for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 27, 1956, for the construction of two blocks of pavement and accessories known as City Paving Contract Number 56-C-2 on Riverside Drive and South 1st Street to South Congress Avenue; and;

WHEREAS, the bid of McKown & Sons in the sum of \$27,043.75 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 McKown & Sons in the sum of \$27,043.75 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 McKown & Sons.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in FORESTHILL DRIVE, from Manchaca Road easterly to a point 65 feet south of Treaty Oak Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FORESTHILL DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in FORESTGLADE DRIVE, from Manchaca Road easterly to Treaty Oak Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FORESTGLADE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in FRONTIER TRAIL, from Manchaca Road southerly to a point 85 feet south of Treaty Oak Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said FRONTIER TRAIL.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in TREATY OAK DRIVE, from Frontier Trail easterly to a point 120 feet east of Foresthill Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said TREATY OAK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in EVERGLADE DRIVE, from Philco Drive to Forestglade Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east line of said EVERGLADE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in GLENHAVEN, from Everglade Drive easterly 445 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GLENHAVEN.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in BURRELL DRIVE, from a point 43 feet north of Beckett Street northerly to a point 300 feet north of Villanova Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BURRELL DRIVE

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in POLAR DRIVE, from a point 17 feet north of Beckett Street northerly to Villanova Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said POLAR DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in KROMER STREET, from a point 30 feet north of Beckett Street northerly to a point 150 feet north of Villanova Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said KROMER STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in VILLANOVA DRIVE, from Burrell Drive easterly to a point 15 feet east of Kromer Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said VILLANOVA DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in SAN CARLOS DRIVE, from Polar Drive to Kromer Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SAN CARLOS DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in OVERBROOK DRIVE, from Pecan Springs Road southerly to East 51st Street, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said OVERBROOK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in SPRING CIRCLE, from Overbrook Drive easterly 253 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SPRING CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in NORTHLAND DRIVE, from a point 141 feet west of Fairlane Drive easterly to Shoal Creek Boulevard, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said NORTHLAND DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(15) A gas main in FAIRLANE DRIVE, from Northland Drive northerly to a point 135 feet north of Marilyn Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said FAIRLANE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(16) A gas main in LOUISE LANE, from Fairlane Drive southerly to Northland Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of LOUISE LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(17) A gas main in MARILYN DRIVE, from Northland Drive northerly to a point 240 feet north of Fairlane Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MARILYN DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(18) A gas main in SUSIE CIRCLE, from Louise Lane westerly 357 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SUSIE CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(19) A gas main in MICHAEL STREET, from Ridgeview Street northerly 273 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MICHAEL STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(20) A gas main in TILLERY STREET, from a point 212 feet south of Holton Street northerly 137 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said TILLERY STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(21) A gas main in GREENLEE DRIVE, from a point 405 feet east of Pecos Street westerly 222 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GREENLEE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(22) A gas main in CARLTON ROAD, from a point 155 feet west of Exposition Boulevard westerly 300 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CARLTON ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(23) A gas main in RAILROAD STREET, from a point 383 feet south of Rosewood Avenue southerly 159 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said RAILROAD STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(24) A gas main in GAULT STREET, from Morrow Street northerly 165 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GAULT STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(25) A gas main in MORROW STREET, from Tisdale Street to Gault Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said MORROW STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(26) A gas main in TISDALE STREET, from Morrow Street to Anderson Lane, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said TISDALE STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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, Erie Enameling Company is the Contractor for the alteration of a building located at 101 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 1 and 2, Block 6, of the Original City of Austin, Travis County, Texas, during the alteration 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 Erie Enameling Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the south east corner of the above described property; thence in a southerly direction and at right angles to the center line of East First Street to a point 4 feet north of the north curb line; thence in a westerly direction and parallel with the center line of East First Street 160 feet to a point; thence in a northerly direction and at right angles to the center line of East First Street to the south west corner of the above described property.

Thence in a westerly direction and at right angles to the center line of Congress Avenue to a point 4 feet east of the west curb line; thence in a northerly direction and parallel with the center line of Congress Avenue 92 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue to the north west corner of the above described property.

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

(1) That the Contractor shall construct in the alley a guard rail within the boundary line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(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 April 28, 1956.

(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 (\$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 Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.88 ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE, IN TRAVIS COUNTY, TEXAS, WHICH 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

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 erection of a boat dock on the property owned by George E. Clark, Jr., the same being a piece of property abutting Lake Austin, across the road from 2409 Scenic Road, as listed in the Travis County Deed Records, and hereby authorizes the same George E. Clark, Jr., to construct, maintain and operate this boat dock subject to same being constructed 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 erection of this boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said George E. Clark, Jr., has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas
March 1, 1956

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of George E. Clark, Jr., owner of a piece of property abutting Lake Austin, across the road from 2409 Scenic Road, and listed in the Travis County Deed Records, for permission to construct and maintain a private boat dock projecting out into Lake Austin approximately 24 feet.

"I recommend that if George E. Clark, Jr. be granted permission to construct and maintain said private boat dock that it be subject to the following conditions:

"(1) That the boat dock as proposed be reduced to not more than 10 feet in width.

"(2) That George E. Clark, Jr. submit a written statement from the adjacent property owners, stating that they have no objection to a boat dock being placed nearer than ten feet from the adjoining property line and that this statement be attached to his request for a permit.

"(3) That nothing but creosoted or cedar piles and heavy iron bolts or concrete be used in the construction of this pier, dock or wharf.

"(4) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine

supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(5) That no structure shall extend into Lake Austin more than fifty (50) feet beyond normal high water, unless such structure is located in the area where a greater extension is permitted and has been approved by the Navigation Board, or more than one-third the distance from shore to shore at the point where structure is located, and not nearer than ten (10) feet to the side property or lease line, except as mentioned above.

"(6) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(7) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

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

"I hereby give consent to Dr. George Clark to erect a boat dock and to build steps leading to said dock, providing that the said building of said steps and dock will not be built closer than one foot of my north property line.

"(Sgd) Stella I.F. Farron
March 1st, 1956"

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

Councilman Pearson 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 erection of a boat dock on the property owned by Tom Miller, Jr., the same being across the road from 2413 Scenic Road, as listed in the Travis County Deed Records, and hereby authorizes the same Tom Miller, Jr. to construct, maintain and operate this boat dock subject to same being constructed 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 erection of this boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Tom Miller, Jr. has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas
March 1, 1956

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Tom Miller, Jr., owner of a piece of property abutting Lake Austin, across the road from 2413 Scenic Drive, and listed in the Travis County Deed Records, for permission to construct and maintain a private boat dock projecting out into Lake Austin not more than 50 feet.

"I recommend that if Tom Miller, Jr. be granted permission to construct and maintain said private boat dock that it be subject to the following conditions:

"(1) That nothing but creosoted or cedar piles and heavy iron bolts or concrete be used in the construction of this pier, dock or wharf.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That no structure shall extend into Lake Austin more than fifty (50) feet beyond normal high water, unless such structure is located in the area where a greater extension is permitted and has been approved by the Navigation Board, or more than one-third the distance from shore to shore at point where structure is located, and not nearer than ten (10) feet to the side property or lease line.

"(4) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(5) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"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 Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 9, 1956, for the purchase of automotive equipment, consisting of 7 passenger cars, 1

pick-up truck and 1 two ton truck, such equipment to be used by the Electric Distribution Department and the Water and Light Office of the City of Austin; and,

WHEREAS, individual bids for each piece of equipment by Swearingen-Armstrong Company, making a total of \$12,291.00, were in each instance and in total, the lowest and best bids therefor, and the acceptance of such bids 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 bids of Swearingen-Armstrong Company in the total sum of \$12,291.00, be and the same are 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 Swearingen-Armstrong.

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

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

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

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

The ordinance was read the third time and Councilman Long 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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH SHEPPARD CONSTRUCTION COMPANY, INC.; 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 Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

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 Long, Palmer, Pearson, 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, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles between the hours of 7:30 o'clock A.M. and 4:30 o'clock P.M. on school days at the following locations is less than thirty miles per hour; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles between said hours on school days is twenty (20) miles per hour at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Justin Lane	Arroyo Seca	Yates Avenue

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

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

Councilman Long made a statement that she would vote for this reluctantly, pending a restudy, and with the understanding that nobody would be fined in the times when there were no children going to school. The Council had discussed studying the matter around all the schools with the Police Chief and Captains.

MAYOR MILLER stated a meeting would be scheduled sometime next week to go over the bond issue and get it under way so that public meetings could be called.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING GUY A. THOMPSON, TRUSTEE, INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY, DEBTOR, TO RELOCATE, CONSTRUCT, MAINTAIN, OPERATE, AND USE A RAILWAY SPUR TRACK IN, UPON, AND ALONG A PORTION OF WEST THIRD STREET BETWEEN NUECES STREET AND GUADALUPE STREET, IN THE CITY OF AUSTIN, SUBJECT TO CERTAIN CONDITIONS; AND SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ UPON 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 Pearson, 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 Pearson, 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 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.

The City Manager submitted the progress of the paving of Justin Lane stating the blocks in which the greatest number had paid in was 51% and the next was 50%. A dead line of March 2nd had been set to get these in, and the people wanted to be refunded their money if the program had not gone through by then. The Council felt that the paving of Justin Lane was very important, and that it should be done. The City Manager suggested that he then write the people, telling them the Council wanted to extend the time another 30 days; but if the people wanted their money back now, it would be refunded.

The City Manager presented a request from the C.A.P. that it be permitted to construct headquarters at the airport; and that a site was recommended on 51st Street just east of the driveway going into the Ragsdale hangars. The C.A.P. wants to make a contract whereby they will be given free ground rent for 10 years; then the city would get title to the building, and rent it to the C.A.P. Councilman White stated that MR. BOB RAGSDALE wanted some more hangars. The Mayor suggested that the City Manager start negotiations with the C.A.P. and also to ask Mr. Ragsdale what he wanted to do.

The City Manager submitted a request from COLONEL TOM GREEN for a site to build another Armory, on which will be spent several thousand dollars. He listed two sites that the City might have, one by the fish hatchery, and two, the property north of 51st Street by the Airport. It was desirable to have available about five acres. Another suggestion was the sand beach reserve, or where the shelter was to be located.

The City Manager explained a situation about the Congress Avenue Bridge in which the Highway and County were also participating; that the extras had amounted to a little more, and the total was now \$89,000. The City had done some work, and the Highway Commission was giving it credit for \$47,000 that would be done with city forces. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the State of Texas, the County of Travis, and the City of Austin have cooperatively undertaken the renovation and resurfacing of the Congress Avenue Bridge across the Colorado River on U.S. Highway 81, within the City of Austin and County of Travis; and,

WHEREAS, the cost of such project now appears likely to exceed the original estimate of \$75,000.00, and the contract heretofore entered into by and between the State Highway Department, the County of Travis, and the City

of Austin was based upon such estimate; and,

WHEREAS, the Texas Highway Department and County of Travis have made it known to the City of Austin that each will participate to the extent of one-third in the cost of the project and that a new agreement to that effect will supersede the old agreement heretofore executed; Now, Therefore;

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 and directed to execute on behalf of the City of Austin a new contract with the State Highway Commission of the State of Texas, the Commissioners Court of Travis County, Texas, in accordance with the terms and provisions of said agreement as exhibited to the City Council by the City Manager.

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

Councilman Pearson reported on his negotiations with Mr. Leigh for property to widen Riverside Drive and listed the three offers made to Mr. Leigh. The Mayor stated the City's preference would be the exchange of the 19th and Lamar property; but not the triangle on the Interregional Highway. Councilman Pearson was to contact Mr. Leigh further.

The Mayor announced that the Hospital Board had fixed SUNDAY, APRIL 8th, as a date for the formal opening of the Hospital.

The City Manager recommended fixing the rates for the swimming pools soon, as they would be opening before long, and the charges should be set before the pools opened.

The City Manager had a letter from the Schools asking if the City still wanted to participate in obtaining property for playgrounds adjoining the school. It was a general policy that that be worked out. The School was purchasing a site south of Manor Road on Rogge Lane, and wanted to know if the City wanted to participate and make the tract larger. The Council informally agreed that if the playground were needed, it had been a standard policy. The City Manager stated the Park Board and Recreation Director said a playground in this area would be needed later on.

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Plan Commission and had been set for public hearing before the Council on March 22nd:

AUSTIN BASEBALL CLUB, INC.

1026 Barton Springs
Road

From "D" Industri-
al
To "C-1" Commer-
cial

There being no further business the Council adjourned at 12:30 P.M.
subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk