### MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 10, 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, White, Mayor Miller

Absent: Councilman Perry (due to illness)

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. E. WHEELES, West Austin Baptist Church, 1109 Elm.

Councilman White moved that the Minutes of the Regular Meeting of December 3, 1959 and of the Special Meeting of December 7, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The Council greeted and welcomed the largest Police recruit class that has been selected. CHIEF MILES said these 28 were selected out of 187 who took the first examination. Three hundred and fifty applicants were interviewed. LT. PETE WEAVER introduced the trainees:

ERNEST WILLIAM BECKER, JR.
MICHAEL TERRY BELVIN
JAMES LOUIS BROWN
ROBERT H. DAWSON II
ELTON EDWARDS
CHARLES LLOYD FRANKLIN
ROBERT T. HARGIS
EDWARD F. HARRISON
DILLARD C. KEIRSEY

RICHARD KIPER
FLOYD B. KERKES
OWEN EDWARD LOHMAN
FREDDIE MAXWELL
NOLAN MEINARDUS
ROSS DAVID PECKHAM
JAMES GORDON PERRY
J. DUDLEY POPE, JR.
MONTA JOE REEDY

THURSDON LAMAR RUTHERFORD NORMAN B. RYLANDER WILLIAM JEHU SHERRILL BOBBY NEAL SIDES JAMES WILLIAM SUTTON WILLIAM GILBERT SWANZY CARY L. TAYLOR, JR. DONALD WILLIAM TAYDOR MAL JORDAN WILEY JOHN GREGOR WILLIAMS

The Council declared the day to be DEMOLAY DAY. Introduced were JIMMIE HARREL, Mayor; JACK FERGUSON, Mayor Pro tem; KENNETH SOUTHWELL, MACK FOWLER, Councilmen; MISS TERRY SMITH, Councilwoman; CHARLES DARLING, City Manager; MICKY BENTLEY, City Attorney; JOHN ERWIN, City Clerk; four boys were at the Central Fire Station, and thirteen at the Police Department.

MAYOR MILLER made some statements concerning the very important election on Urban Renewal, and asked that publicity be given to the people that the city was ready for applications; that those who want to fix up their houses, borrowing the money could now be expedited. He asked that the builders and lumber yards construct some minimum standard homes under the provisions -- homes that are good structurally and with the necessities, and that will be maintained over a long period. The Council by rising vote promised to do its very best in this program. The Director of Urban Renewal displayed plans of low cost houses which met minimum standards and were of sound construction, and which ranged from \$6,000 to \$9,000. The Mayor explained some items on which there was misunderstanding, particularly about the payment of paving in the east part of the city, stating all paving with the exception of East 12th and East 19th, which had been paved with help from the Government, had been paid for bye the property owners on the same basis as paving had been paid for all over the city. He said certain credits on this paving in this section as well as for other public works would be set up for the City. He outlined projects of the city which had received money from the government -- nurses home, hospital, streets, Bergstrom field, and others.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS - COPUS; 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, White, Mayor Miller

Noes: None

Absent: Councilman Perry

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, White, Mayor Miller

Noes: None

Absent: Councilman Perry

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, White, Mayor Miller

Noes: None

Absent: Councilman Perry

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 ALTER-NATE 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 REIMBURS-ING 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 AND 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 Bechtol 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 Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The ordinance was read the third time and Councilman Bechtol moved that

the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

The Mayor announced that the ordinance had been finally passed.

Action on the zoning ordinance covering W. E. ARNN and JOHN R. DAVIS, at 4600 Santa Anna Street, 1127E Springdale Road, 1129E Webberville Road, from "A" Residence to "B" Residence was postponed until next week.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L" PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDA-TORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COM-PREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: (1) LOT 6, BLOCK 13, C. R. JOHN'S SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (2) TRACTS OF LAND FRONTING APPROXIMATELY 572.60 FEET ON THE EAST RIGHT OF WAY LINE OF INTERREGIONAL HIGHWAY AND APPROXIMATELY 271 FEET ON THE SOUTH RIGHT OF WAY LINE OF MARIPOSA DRIVE, LOCALLY KNOWN AS 2001-2045 INTERREGIONAL HIGHWAY AND 1601-1611 MARIPOSA DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT AND "LR" LOCAL RETAIL DISTRICT; (3) ONE TRACT OF LAND FRONTING APPROXIMATELY 20 FEET ON THE WEST RIGHT OF WAY LINE OF CAMERON ROAD, LOCALLY KNOWN AS 5500 CAMERON ROAD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (4) LOTS 1-4 AND THE NORTH 150 FEET OF LOT 5, CLARENCE FLOURNOY ADDITION, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (5) A TRACT OF LAND FRONTING APPROXIMATELY 265.01 FEET ON THE WEST RIGHT OF WAY LINE OF THE NEW MANOR ROAD, LOCALLY KNOWN AS 4800 AND 4900 BLOCKS OF THE NEW MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; (6) LOTS 25 AND 26, SHERWOOD OAKS, SECTION 1, LOCALLY KNOWN AS 606-720 EAST OLTORF STREET AND 2302-2318 AND 2303-2319 EAST SIDE DRIVE FROM "A" RESIDENCE DISTRICT AND INTERIM "A" RESIDENCE DISTRICT TO "LER" LOCAL RETAIL DISTRICT; (7) TEN LOTS AND TWO TRACTS OF LAND FRONTING APPROXI-MATELY 280 FEET ON THE NORTH RIGHT OF WAY LINE OF EDGECLIFF STREET AND APPROXIMATELY 360 FEET ON THE EAST RIGHT OF WAY LINE OF INTERREGIONAL HIGHWAY.

LOCALLY KNOWN AS 1204-1304 EDGECLIFF TERRACE AND 1001-1025 INTERREGIONAL HIGHWAY FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (8) THE NORTH 66.56 FEET OF LOT 24, BLOCK X, VIOLET CROWN HEIGHTS, SECTION 2, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The ordinance was read the second time and Councilman Palmer 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, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, by a certain instrument dated October 5, 1959, of record in Volume 2101 at page 309 of the Deed Records of Travis County, Texas, the City of Austin was granted a drainage easement, ten (10.00) feet in width, in, upon and across a part of Lot 10, Block 2, in the extension of La Prelle Place, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said extension of La Prelle Place of record in Book 4 at page 247 of the Plat Records of Travis County, Texas; and

WHEREAS, by a certain instrument dated October 23, 1959, of record in Volume 2105 at page 457 of the Deed Records of Travis County, Texas, the City of Austin was granted a drainage easement, ten (10.00) feet in width, in, upon and across a part of Lot 1, Block 3, in the extension of La Prelle Place, a subdivision of a portion of the Isaac Decker League in the City of Austin,

Travis County, Texas, according to a map or plat of said extension of La Prelle Place of record in Book 4 at page 247 of the Plat Records of Travis County, Texas; and

WHEREAS, drainage easements have been obtained at a more desirable and practical location and said hereinafter described easements are not now needed and hereafter will not be required by the City of Austin; 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 to execute a release of the drainageway easements be and he is hereby authorized to execute a release of the drainageway easements located on the hereinafter described premises, to wit:

- (1) A strip of land ten (10.00) feet in width same being out of and a part of Lot 10, Block 2 of extension of La Prelle Place, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said extension of La Prelle Place of record in Book 4 at page 247 of the Plat Records of Travis County, Texas.
- (2) A sertain strip of land ten (10.00) feet in width, same being out of and a part of Lot 1 Block 3 in extension of La Prelle Place, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said extension of La Prelle Place of record in Book 4, at page 247 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Bechtol, carried by the following vote

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

Councilman White offered the following resolution and moved its adoption:

# (RESOLUTION)

WHEREAS, by three separate instruments (1) dated February 21, 1940 of record in Volume 642 at page 580, Deed Records of Travis County, Texas; (2) dated February 21, 1940, of record in Volume 644 at page 104, Deed Records of Travis County, Texas; and (3) dated June 6, 1941 of record in Volume 678 at page 432, Deed Records of Travis County, Texas, the City of Austin was granted a drainage easement in, upon and across Lot 12, Block 9, Westfield "A", a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Westfield "A" of record in Book 3 at page 107 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has heretofore granted the City of Austin a drainageway easement at a more desirable and practical location, and has requested that the hereinafter described drainageway easement located on such premises be released; and,

WHEREAS, the hereinafter described easement is not now needed and hereafter will not be required by the City of Austin; 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 to execute a release of the drainageway easement located on the hereinafter described premises, to wit:

A strip of land out of and a part of Lot 12, Block 9 in the Westfield "A", a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Westfield "A" of record in Book 3 at page 107 of the Plat Records of Travis County, Texas, said strip of land having been conveyed to the City of Austin for drainage purposes by the following three (3) instruments:

- (1) Dated February 21, 1940 of record in Volume 642 at page 580 of the Deed Records of Travis County, Texas;
- (2) Dated February 21, 1940 of record in Volume 644 at page 104 of the Deed Records of Travis County, Texas;
- (3) Dated June 6, 1941 of record in Volume 678 at page 432 of the Deed Records of Travis County, Texas;

the centerline of said strip of land being more particularly described as follows:

BEGINNING at a point in the west line of said Lot 12, Block 9 in Westfield "A", same being a point in the east line of Exposition Boulevard and from which point of beginning the southwest corner of said Lot 12 bears South 29° 52' West 140.53 feet;

THENCE with the centerline of said strip of land, South 16° 53' East 228.49 feet to point of termination in the north line of Enfield Road, same being the south line of said Lot 12.

The motion, seconded by Councilman Bechtol, carried by the following vote

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

Councilman Bechtol offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, J. C. Evans Construction Co. is the Contractor for the erection and repair of a building located at 103 West 21 Street and desires a portion of

the sidewalk and street space abutting Lots 1 and 2, Outlot 18, Division D, of the City of Austin, Travis County, Texas, during the erection and 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 J. C. Evans Construction Co., 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 University Avenue to a point 10 feet west of the east curb line; thence in a northerly direction and parallel with the center line of University Avenue 140 feet to a point; thence in an easterly direction and at right angles to the center line of University Avenue to the northwest corner of the above described property; thence in a northerly direction and at right angles to the center line of West 21 Street 12 feet north of the south property line; thence in an easterly direction and parallel with the center line of West 21 Street 125 feet to a point; thence in a southerly direction and at right angles to the center line of West 21 Street to the northeast corner of the above described property.

- 2. THAT the above privileges and allotment of space are granted to the said J. C. Evans Construction Co., hereinafter termed "Contractor", upon the following express terms and conditions:
- (1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear of the inside and at least 8 feet high. The same to be covered solidly on the street side with boards to a height of a 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will preventleaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted 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.

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- (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 December 1, 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 furing the occupancy of the space.

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

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 the property situated on the east side of Shady Lane at the intersection of East 7th and Shady Lane as a diesel motor fuel plant consisting of a 1,000 gallon tank and pump for the sole purpose of servicing their own motor equipment, and from which no fuel is to be sold, which property is owned by Economy Furniture, and is the unplatted portion of the Charles H. Petri 3.8 acre tract of the City of Austin, Travis County, Texas, and hereby authorizes the said Economy Furniture to operate a diesel motor fuel plant consisting of a 1,000 gallon tank and pump for the sole purpose of servicing their own motor equipment, and from which no fuel 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 diesel motor fuel 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 Economy Furniture has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas December 10, 1959

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

"Dear Sir:

"I, the undersigned, have considered the application of Economy Furniture, by their Business Manager, Edward A. Kutac, for permission to operate a diesel motor fuel plant consisting of a 1,000 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no fuel is to be sold, upon property located on the east side of Shady Lane at the intersection of East 7th and Shady Lane, which property is designated as the unplatted portion of the Charles H. Petri 3.8 acre tract in the City of Austin, Travis County, Texas, and locally known as 601 Shady Lane.

"This property is located in a D Industrial 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) Dick T. Jordan Building Inspector"

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

Countilman Bechtol 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 BOLM ROAD, from Gardner Road to Howard Road, the centerline of which gas main shall be 4.5 feet south of and parallel to the north property line of said BOLM ROAD.

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

(2) A gas main in HOWARD ROAD, from Bolm Road southerly 588 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said HOWARD ROAD.

Said gas main described above shall have a coverr 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 bases 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 Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The City Manager submitted the following:

"December 9, 1959

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

Contract No. 59-D-28

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, November 8, 1959 for the construction of miscellaneous storm sewers in the following areas: South 6th Street Easement, Barton Skyway Easement, Shoal Cliff Court Easement, Jewell Street Easement, Koenig Lane Easement Nos. 1 and 2, Bruning Avenue Easement, and Crestwood Road Easement - Contract No. 59-D-28.

| C. F. McGill Excavating Contractor J. R. Barnes Engineering Company Ed H. Page Lee Maners Austin Engineering Company Fairey-Simons, Inc. Welter W. Schmidt | \$15,112.20<br>15,707.00<br>16,406.50<br>16,789.11<br>16,791.70<br>17,581.00 |
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| Walter W. Schmidt Capital Construction Company, Inc. Bland Construction Company City's Estimate  | 17,779.00<br>17,896.68<br>24,323.20<br>\$14,918.00                           |

"I recommend that C. F. McGill Excavating Contractor with his low bid of \$15,112.20 be awarded the contract for this project.

"S. Reuben Rountree, Jr. Director of Public Works"

Councilman Bechtol offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 8, 1959 for the construction of miscellaneous storm sewers in the following areas: South 6th Street Easement, Barton Skyway Easement, Shoal Cliff Court Easement, Jewell Street Easement, Koenig Lane Easement Nos. 1 and 2, Bruning Avenue Easement and Crestwood Road Easement - Contract No. 59-D-28; and

WHEREAS, the bid of C. F. McGill Excavating Contractor, in the sum of \$15,112.20, 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 C. F. McGill Excavating Contractor, in the sum of \$15,112.20 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 C. F. McGill Excavating Contractor.

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The City Manager submitted a report on the Status of Water and Sanitary
Sewer Contract Projects as of November 30, 1959. He also called attention to
The reports on Current Construction Street Paving (December 8th) and Proposed
Schedule of Paving Contracts (December 8th). The Council went over these reports
with the City Manager, who said the paving was moving along very nicely in all
respects.

MRS. MILLARD H. RUUD, President of the League of Women's Voters, stated the League was happy to know that the Council had pledged its support in carrying out the provisions of the Urban Renewal Law. She, representing the League, pledged its support to the continued interests of Urban Renewal. She inquired about the timing on the adoption of the Resolution, and the appointment of the Commission. Mayor Miller stated much work and thought was to be given to the appointment of the Commission. He listed some plans he had, and invited the League to the special meetings of the Council and Mr. R. C. Robinson, when they could be arranged. The Mayor reviewed the Urban Renewal program, and asked for cooperation from all.

The Council deferred action on the following zoning application until next week:

RICHARD DAYWOOD

1152E-1154E Webberville Road From "A"Residence

From "A"Residence
To "LR" Local
Retail
RECOMMENDED by
Planning Commission

Opposition was expressed by MARIAH SMITH, and group living in this neighborhood. Opposition was based on the proposed change as being a spot zone, that it was next door to a church, that at the end of the block was commercial property available for such a store without coming into this residential neighborhood, and there were so very few residential area available to these people.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

Councilman Palmer announced that this was a continuation of a hearing by the Heating, Air Conditioning and Ventilating Committee, at the request of MR. H. A. MILLER representing about 34 that were in the commercial refrigeration business. MR.CONRAD WERKENTHIN, representing the Associated Mechanical Contractors in Mr. Martin Harris' absence, stated the first hearing was recessed in order to hear objections made by Mr. Miller, and it was understood that any amendments would be filed a week ahead of time, but they were filed on December 9th. He requested that the material filed yesterday not be considered today, but only matters before the Council as presented previously. As to the setting up of a Board of Appeals, his group had no objections, but had left this matter out as it was of administrative nature. They did object to the fee schedule; as they were set up for refrigeration and air conditioning on horse-power basis, and some refrigeration is not set up that way. MR. FRITZ STRANDIMANN and MR. D. C. STEGAL spoke on consideration of the code as worked out previously, and letting this other proposal be worked out later.

- MR. H. A. MILLER listed some provisions contained in the proposed code with which the commercial refrigeration group did not agree.
- (1) That the manufacturers; designs not be tested; only the installation of the units to be included in the code. The Assistant City Attorney stated "tested" may be defined in the code; that possibly Mr. Miller thought the test was of the unit whereas it should be of the system after the unit had been installed.
- (2) Board of Appeals. The Assistant City Attorney, Mr. Taylor, explained the board as set up in the first draft. He said this could be included under the Administration and Enforcement Section. There were no objections expressed to the Board except Mr. Werkenthin stated they would object to a manufacturer's being on such a board. Councilman Bechtol suggested that a paragraph be included to create a Board of Appeals such as suggested, but leave out distributors or manufacturing representatives and include a general lay man, heating and air conditioner contractor, engineer, refrigeration contractor, with the term of the members to be two years.
- MR. MILLER suggested that his group get together with the other group to see what could be worked out between them and then present it to the Council. Councilman Palmer stated the two groups were not too far apart; that one group

wanted an ordinance controlling refrigeration of food. Mr. Werkenthin had no objections to getting together and working something out; but he wanted to go on with the adoption of the code until they worked this out. Mr. Strandtmann wanted to see the code drawn as it is now, and set up the Board of Appeals; and his group would work with the other group and help them work out something for the commercial refrigeration, and that could be added later.

MR. MILLER objected to the provision of having to submit drawings on any job 15 tons or more. He stated 15 ton units would not need the services of a registered engineer. It was stated this had been discussed previously and agreed upon. Mr. Miller still objected. He had another objection as to the Powers of the Inspector. The City Attorney suggested that under Sec. 38.16 Inspectors - Duties and Powers, that "Inspectors are hereby invested with the power and full police authority of the City in enforcing this Chapter", be ommitted, and that the following be added: "Inspectors shall have the power to issue tickets requiring offenders to appear in Corporation Court,".

The Council went over changes as agreed upon on October 15, 1959, in 38.15 - minimum fees; (a) 1 Fees for Heating Systems, "forced Air" be inserted; 38.22 - "project" to be more fully described; Sec. 38.24; 38.25 - Add ARI. and set up in list of definitions.

MR. IRA WILKE, SOUTHERN UNION GAS COMPANY, made inquiries about some discrepancies in the original draft, and the one which had been submitted by Mr. Miller.

After more discussion, Councilman Bechtol moved that the City Attorney be instructed to bring before the Council an ordinance as agreed to in these discussions including the changes made in the original proposals submitted by this group plus the addition of an Appeals Board. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

It was decided to have this effective on February 1st.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 33 OF THE AUSTIN CITY CODE OF 1954 TO ADD A PARKING METER ZONE 30-60-90-120 TO SECTION 33.43 OF SAID CHAPTER AND ESTABLISH CERTAIN TIME LIMIT PARKING METER ZONES UPON THE STREETS OF THE CITY OF AUSTIN; 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, White, Mayor Miller

Noes: None

Absent: Councilman Perry

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, White, Mayor Miller

Noes: None

Absent: Councilmen Perry

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, White, Mayor Miller

Noes: None

Absent: Councilmen Perry

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 traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the locations hereinafter described upon the street makes it advisable to use mechanical devices in such enforcement, and has found that such locations should be deleted from the Parking Meter Zones indicated and placed in Parking Meter Zone 30-60-90-120 as indicated in the following schedule:

#### SCHEDULE

| From Zone | To Zone                        | <u>On</u>  | Side          | Location          |
|-----------|--------------------------------|------------|---------------|-------------------|
| 60        | 30-60-90-120                   | E. 4th St. | North         | 100 Block         |
| 60        | 30-60-90-120                   | W. 4th St. | North & South | 100 Block         |
| 60        | 30-60-90-120                   | E. 5th St. | North & South | 100 & 200 Block   |
| 60        | 30-60-90-1.20                  | W. 5th St. | North & South | 100 & 200 Block   |
| 60        | 30-60-90-120                   | E. 6th St. | North & South | 100 & 200 Block   |
| 60        | 30-60-90-120                   | w. 6th St. | North & South | 100 & 200 Block   |
| 60        | 30-60-90-120                   | E. 7th St. | North & South | 100 Block         |
| 60        | 30-60-90-120                   | W. 7th St. | North & South | 100 Block         |
| 60        | 30-60-90-120                   | E. 8th St. | North & South | 100 Block         |
| 60        | 30-60-90-120                   | w. 8th St. | South         | 100 Block         |
| 60        | 30-60-90-120                   | w. 8th St. | North         | 100 (E 1/2) Block |
| 30 '      | 30-60-90-120                   | w. 8th St. | North         | 100 (W 1/2) Block |
| 60        | 30-60-90-120                   | E. 9th St. | North & South | 100 Block         |
| 60        | 30-60-90-120                   | W. 9th St. | North & South | 100 Block         |
| 6ŏ        | 30-60-90-120                   | E.10th St. | North & South | 100 Block         |
| 60        | 30-60-90-120                   | W.10th St. | North & South | 100 Block         |
| 60        | 30-60 <b>-</b> 90 <b>-</b> 120 | E.11th St. | South         | 100 Block         |
| 120       | 30-60-90-120                   | W.llth St. | South         | 100 Block         |

Now, Therefore,

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

That the locations upon the streets of the City of Austin as above described be, and they are hereby removed from the Parking Meter Zones indicated and placed in Parking Meter Zone 30-60-90-120 as above shown, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

The motion, seconded by Councilman Bechtol, carried by the following vote

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilmen Perry

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 maximum reasonable and safe speed for the operation of motor vehicles at the following location 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 is twenty-five (25) miles per hour at the following location:

ON STREET FROM

South Lamar Boulevard Treadwell Street 500 feet south of West Gibson Street

OT

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 and Section 33.40 of the Traffic Register.

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The City Manager displayed a picture of the river showing the south bank beginning at the new dam and extending up to the Interregional Highway Bridge, and pointed out a number of holes where sand and gravel had been removed. He pointed out the area that mostly would be submerged before the dam is built, and stated it would be necessary to clear the trees out, and move the dirt back. In talking with two contractors, he said one had given the figure of \$6,182 for doing the work and another had figured \$3,330. Councilman White moved that the City Manager be instructed to proceed with the suggestion he made about cleaning the area out, doing it himself, or getting Mr. Stuessy or anyone he could get or to take bids. The motion, seconded by Councilman Bechtol, carried by the

### following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilmen Perry

The City Manager submitted the problem of dividing the insurance for the City, and explained the manner in which it had been distributed previously, in that the Association of Insurance Agents had written the insurance for the City. A non-member company requested to participate, and the Association arranged with this company to write one-fifth of the fire schedule. Previously arrangements had been made whereby the Association had attempted to settle the controversy with the North American, by letting them write a policy on "reporting form". They had that policy at the time they agreed that 1/5 of the fire schedule would be written by them. In December, 1959, another meeting was held, and the North American agent stated that he thought they were entitled to have the reporting form policy plus 1/5 fire schedule. The Minutes of the December, 1959 meeting were read, and the North American representative stated they were substantially correct. The City Manager read the Minutes of December, 1959, and reported that according to the Minutes, the agreement was that North American would share 1/5 in the fire schedule. The other was renewed in a different company, and the fire insurance does not come due until February. Councilman White asked that he be furnished a copy of the letter, and Councilman Palmer asked that more information be obtained about the companies. Action was deferred.

The City Manager reported that the School District had been expanded to include Summit, and it would be necessary to do some mapping in the territory, and the value of these maps to the city, in addition to their necessity in setting up the tax values of the district. He listed two processes by which the maps could be prepared -- (1) a regular survey on the ground and maps provided from the deed records and survey, and (2) an aerial survey, by which photographs would be made and maps provided showing ownership: the plats would be checked with the deed records, and a key map given. It was his recommendation that the Aerial Survey be used, as the price would be under the other survey; that the aerial maps would give more information. He also explained the manner in which this item was budgeted and the percentage borne by the School on the operation of the tax department. He said it was his understanding that the maps and tracings could be delivered not later than April 1st. Councilman White moved that the City Manager be instructed to proceed with the recommendation which he had made. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIRE-MENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 52, OF ARTICLE XIV, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTION; PRO-VIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY", PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, BY AMENDING SUB-SECTIONS (a) AND (e) OF SECTION 1, OF ARTICLE IV; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

The City Manager made a recommendation regarding the street lighting in subdivisions, that the subdivision ordinance not be amended, but that the fiscal policy be amended so that street lighting requirements be complied with before refund contracts for water and sewer were made. Councilman Palmer asked that this be postponed until more data were submitted. Councilman Bechtol asked that the City Attorney be instructed to prepare a Resolution, and that the matter be publicised and set for public hearing on January 7th. He asked that besides street lighting, that street markers be included. The matter was set for January 7th, 1960.

The City Manager made a further report on the steel columns in the Howson Library drawings, stating the difference in premiums on fireproofing these columns would amount to \$12 to \$16.00 a year, as to the cost of covering them would be several hundred dollars. Councilman White moved to proceed with the Library plans as they are now, with the exposed columns, as the difference in insurance cost would not justify the other construction. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Perry

The City Manager reported on the columns in the Airport Terminal, as to the credit that would be received by fireproofing them. He had a report from the insurance agency, but he wanted to make further check.

The City Manager reported on a growing practice where people that provided set-back curbs, thinking the area belonged to them rather than the the public, would paint the curbs with "Reserved for customer" or "Reserved for Tenants" or some other reserved provision. In some instances they were using the yellow paint as is used by the Traffic Division in painting curbs. Councilman Palmer stated the practice should be discouraged, and that we keep from spending the money, time and labor to repaint the curbs to take the yellow paint off. He suggested giving publicity, letting people know they are prohibited from doing this curb painting. After discussion, Countilman Bechtol moved that a procedure be set up where all instances of this nature be reported to the Traffic Engineer, and that he be instructed to write each property owner a letter that they are in violation; and if nothing is done within a certain time, that he go out and repaint the curbs, and charge it to the owners. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White

Noes: None

Absent: Councilman Perry

Present but not in Council Room when vote was taken: Mayor Miller

Councilman Palmer brought up a letter addressed to the Mayor, from Mr. Tom Kellum, regarding the Palm Property and the curb-cuts on West 14th and West Avenue. He read the letter, and said this location was right at the brow of the hill, and is a bad place to have cars backing out into traffic. The Director of Public Works had recommended against the drives, and reported that the Traffic Engineer had also recommended against it. The Council asked that he get both of the written recommendations. After discussion, Councilman Bechtol moved that the request be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White

Noes: None

Absent: Councilman Perry

Present but not in the Council Room when vote was taken: Mayor Miller

Councilman Palmer read a letter from the Demolay Organization asking permission to use certain city property for go-cart races. Councilman Bechtol moved that the group be written a nice letter stating that others had made similar requests, and that the matter had been discussed at great lengths and that the Council felt that this had no part in Recreational activities that should be sponsored by the City of Austin: also that the Chief of Police was against this sort of thing, and that their request be rejected. The motion, seconded by Councilman White, carried by the following vote:

> Councilmen Bechtol, Palmer, White, Ayes:

Noes: None

Absent: Councilman Perry

Present but not in Council Room when vote was taken: Mayor Miller

The Assistant City Manager submitted a request from the GONZALES WARM SPRINGS FOUNDATION for use of three parking meters (putting them on a five minute basis) for the rest of their drive on December 14th-17th. Their location was at 905 Congress. After discussion, Councilman Bechtol moved that their request be turned down. The motion, seconded by Councilman Palmer, carried by the following vote:

> Councilmen Bechtol, Palmer Aves:

Councilman White Noes: Absent: Councilman Perry

Present but not in Council Room when vote was taken: Mayor Miller

It was explained there were more shoppers in town at this time, and the spaces were badly needed for the public.

The Council informally agreed to set a public hearing on paving for January 7th at 10:30 A.M.

As to scheduling a meeting with the hospital consultant, MR. STEINLE, it was stated he was not available at the time they had tried to contact him. Councilman Palmer suggested that inquiry be made to see if he could meet with the Council sometime during the week of January 11, 1960, and set out what his proposal would cover.

The request of MR. JOHN McMILLAN for permission to use the city property at Hancock and North Loop for the sale of Christmas trees, was presented. Due to the fact this property had deed restrictions upon it, and because of the congestion of traffic at this location, Councilman White moved that the request be denied. The motion, seconded by Councilman Palmer, carried by the following vote:

Councilmen Bechtol, Palmer, White Ayes:

Noes:

Absent: Councilman Perry

Present but not in Council Room when vote was taken: Mayor Miller

The Director of Public Works submitted the request of BURKE MATTHEWS to build over a culvert, on the south side of North Loop Boulevard and east

side of Waller Creek. He stated the architect had submitted plans, and the Engineering Department had checked them and thought they were all right. The proposal was discussed, but the Council deferred action until next week.

The City Attorney filed a proposed revision of the Electrical Code.

There being no further business, the Council adjourned at 6:20 P.M., subject to the call of the Mayor.

APPROVED Som Milla.

ATTEST:

City Clerk