

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 17, 1958
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. A. L. DENNIS, First Nazarene Church, 120 West 30th Street.

Councilman White moved that the Minutes of the Meeting of July 10, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

MR. CLEMENT C. McDANIEL, 7301 Grover Avenue, appeared for the residents in the 6900-7500 block of Grover asking relief on the sewage overflow problems which they have in rainy weather, and asking for a storm sewer in the area. Mr. McDaniel filed a petition for paving. The Superintendent of the Water Department reported on the corrections that were now underway, in that engineers had already been engaged to draw the special designs, and that work would begin in the next fiscal year. The Mayor thanked Mr. McDaniel for coming up and congratulated the group for its efforts to get the paving started.

MR. McDANIEL reported a bad condition along the ditch by the railroad track at the Jefferson Chemical property in that it overflowed when it rained now. The Mayor advised him to contact the Public Works Department when this occurred next time, that it may have to be made deeper.

MR. RAS REDWINE appeared in the interest of GEO. B. SHEPHERD'S zoning application on Northland Drive and Bull Creek Road with reference to the area where the filling station had been planned, and stated that the requirements of the Director of Public Works had been complied with, the money for utilities

had been put on deposit, and they had a letter from their bank guaranteeing financing the paving when the City was ready. The Public Works Director suggested as an alternate for the drainage that Mr. Shepherd tie the filling station into the inlet on Balcones and Northland Drive. The City Manager explained that the station itself would come in on a special permit, and all arrangements would have to be complied with then. Councilman Palmer moved that the original zoning be established as "LR" Local Retail (boundaries for this part of Tract 1, Area 6, Original Zoning to be defined). (See Minute Book 33, pages 545-547 for map) The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced that the zoning had been established as "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

MAYOR MILLER stated that for months the Council had been discussing and telling the people through the radio, television, and newspaper, about a probably increase of wages which would necessitate an increase in the tax rate. Councilman Long moved that the City Manager be directed to decrease the temporary employees' work period from six months to three months; that the minimum salary be increased during the temporary work period to .97¢, and that the 6% be applied to the minimum salary after three months, which will be around \$1.02 per hour minimum. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Mayor stated this would not apply to the seasonal employees.

Councilman Palmer moved that the firemen's base pay be increased as follows:

Hosemen & Laddermen	From \$300.00	to	\$325.00 per month
Driver	From \$320.00	to	\$345.00 per month
Captain	From \$340.00	to	\$370.00 per month
District Chief	From \$370.00	to	\$410.00 per month
Asst. Chief	From \$420.00	to	\$470.00 per month

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

Councilman Palmer moved that the policemen's base pay be increased as follows:

Patrolmen	From \$320.00	to	\$345.00 per month
Sgt. & Investigators	From \$360.00	to	\$390.00 per month
Lieutenants	From \$400.00	to	\$440.00 per month
Captains	From \$440.00	to	\$490.00 per month

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

Councilman Palmer moved that all other city employees be increased six percent across the board. The motion, seconded by Councilman Pearson, carried by the following vote:

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

*Councilman Long made the following statement regarding her vote:

"I am going to vote for it because I think it is the best we can do at this time, although I do not believe that six percent is the best way to increase city employees, as I would like to do it on a certain amount per month, or certain dollars and cents per day, or hour. I think we could spread it more evenly among employees, but we have worked on this long and hard and it seems to be the felling of the majority of the Council at this particular time that this is the best way to apply it. I am in agreement with the 6% as an overall increase for the \$600,000 increase because I think this is as much as we can possibly raise at this time. We have gone over it and studied it and this means a 14¢ tax increase on the people, and I think they are taking it very nicely, and I appreciate the attitude of the city people as a whole, and I hope the city employees will also take this and be proud of it and appreciate it, and I feel sure that the majority of them will. I make this statement because that is exactly the way I feel. I represent the people of Austin, and I believe they and at least those here should know how I feel about this increase and how we worked on it and as a representative of the people, I take it very seriously, and I feel that I owe it to the people to make a full statement."

**Mayor Miller made the following statement:

"We hope all of our city employees will consolidate and concentrate their work; that all departments will work together for a better Austin. The City has not in five years raised their rate or the general assessed value, and we are very sorry that we have to raise it at this time. There will be in effect a 14¢ rate increase that will be voted on when the budget is gotten ready, but that will be the rate increase. I vote 'aye'. We thank the people who have been patient, and the tax payers who have permitted this. All government is only instituted by the consent of the governed. We are very grateful. We wish there was more for some of the people, but there is a limit to all the things that we can do. We thank you. We have gone over this matter many, many hours with a great deal of thought and worry. We do not have many people heretoday, but this about expresses our opinion."

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 AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING

REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE 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 USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON LOTS 9 AND 10 AND THE WEST 13.75 FEET OF LOT 11, ARCHWAY SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE 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 Long, carried by the following vote:

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

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 Long, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated September 15, 1952, recorded in Volume 1286 at page 430 of the Deed Records of Travis County, Texas, there was dedicated a drainageway seven (7) feet in width across Lot 13, Block E, Crestview Addition Section 3, and a drainageway seven (7) feet in width across Lot 14, Block H, Crestview Addition Section 3, according to a map or plat of said Addition of record in Book 5 at page 14 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described lots has requested that the west two (2) feet of the aforementioned easements be released; and,

WHEREAS, the hereinafter described portions of said 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 located on the hereinafter described premises:

Two (2) strips of land, each of the said two (2) strips of land being two (2.00) feet in width, the strip of land hereinafter described as No. 1 being out of and a part of Lot 13, Block E, Crestview Addition Section 3; the strip of land hereinafter described as No. 2, being out of and a part of Lot 14, Block H of said Crestview Addition Section 3; said Crestview Addition Section 3 being 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 Crestview Addition Section 3 of record in Book 5 at page 14 of the Plat Records of Travis County, Texas, each of the said two (2) strips of land two (2.00) feet in width being out of and a part of those certain two (2) strips of land seven (7.00) feet in width granted to the City of Austin, Travis County, Texas for drainageway by instrument dated September 15, 1952, of record in Volume 1286 at page 430 of the Deed Records of Travis County, Texas, each of the said two (2) strips of land two (2.00) feet in width being more particularly described as follows:

NO. 1:

Being the west two (2.00) feet of the east seven (7.00) feet of the said Lot 13, Block E of Crestview Addition Section 3.

NO. 2:

Being the west two (2.00) feet of the east seven (7.00) feet of the said Lot 14, Block H of Crestview Addition Section 3.

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

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

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CRESTVIEW HOME BUILDERS, 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, 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 Palmer, 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 Palmer, 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, bids were received by the City of Austin on June 30, 1958, for one sterilizer for Brackenridge Hospital; and,

WHEREAS, the bid of Wilson Xray and Surgical Company in the sum of \$8,659.28 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Wilson Xray and Surgical Company in the sum of \$8,659.28 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 Wilson Xray and Surgical Company.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Travis County Water Control and Improvement District No. 13 providing for the sale and delivery of water by the City of Austin to the District, for the management of the affairs of said District, and for the performance of the City of various services for the District.

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

The Mayor read the following letter from SNEED & VINE:

"July 17, 1958

"City Council
Municipal Building
Austin, Texas

"Dear Mrs. Long and Gentlemen:

"This letter is filed on behalf of Mr. M. K. Hage, Sr. pertaining to the change in set-back requirements application of Mr. Slaughter, Mr. Hage owns the property immediately to the West of the subject property and opposes this variation in the set-back requirement for the reason that 32nd Street and Red River is a major intersection with considerable problems as to the traffic hazards involved. A set-back of only ten feet will not permit clearance of the automobiles parking in front of the property off Red River Street, and the consequences of such a proposed variation would result in increased traffic hazards and materially interrupt the normal flow of the traffic north and south on Red River Street.

"It should be specifically noted that Mr. Hage desires to see the City of Austin grow and for property to be developed, but he is firm in his convictions that unless the traffic problem is fully accounted for, any development will be a detriment to the City and the property rather than an enhancement.

"It is for these reasons that Mr. Hage respectfully requests that such change be denied.

"Yours very truly,
SNEED & VINE
(Sgd) Robert C. Sneed
Robert C. Sneed"

Councilman Palmer 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 crossing BASTROP HIGHWAY, from a point 8.5 feet north of the south property line of said Bastrop Highway to the north property line of said Bastrop Highway, the centerline of which gas main shall be 6.5 feet west of and parallel to the southerly prolongation of the east property line of Herrera Street.

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

(2) A gas main in GUADALUPE STREET, from a point 181.0 feet south of West 43rd Street, northerly 793 feet, the centerline of which gas main shall be 4.0 feet east of and parallel to the west property line of said GUADALUPE STREET.

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

(3) A gas main in HOUSTON STREET, from Joe Sayers Avenue, westerly 121.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HOUSTON STREET.

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

(4) A gas main in PASADENA DRIVE, from Burnet Road easterly 121.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PASADENA DRIVE.

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

(5) A gas main in BURNET ROAD, from Pasadena Drive to Burnet Lane, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BURNET ROAD.

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

(6) A gas main in BURNET LANE, from a point 50.0 feet south of Cullen Avenue, easterly and southerly 170.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BURNET LANE.

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

(7) A gas main in ROBERTS AVENUE, from a point 196.0 feet east of Clawson Road, easterly 41.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ROBERTS AVENUE.

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

(8) A gas main in DELONEY STREET, from East 12th Street, northerly 79.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DELONEY STREET.

Said gas main described above shall have a cover of not

less than $2\frac{1}{2}$ feet.

(9) A gas main in HASKELL STREET, from a point 562.0 feet east of Canadian Street easterly 46.0 feet, the centerline of which gas main shall be 20.0 feet south of and parallel to the north property line of said HASKELL STREET.

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

(10) A gas main in SCENIC DRIVE, from a point 221.0 feet south of Stevenson Avenue, southerly 61.0 feet, the centerline of which gas main shall be 24.0 feet east of and parallel to the west property line of said SCENIC DRIVE.

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

(11) A gas main in AIRPORT BOULEVARD, from a point 90.0 feet south of East 51st Street, southerly 82.0 feet, the centerline of which gas main shall be 17.0 feet west of and parallel to the east property line of said AIRPORT BOULEVARD.

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

(12) A gas main in CEDAR AVENUE, from a point 261.0 feet south of New York Avenue, southerly 122.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said CEDAR AVENUE.

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

(13) A gas main in BRENTWOOD STREET, from a point 112.0 feet west of Arroyo Seca, westerly 100.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BRENTWOOD STREET.

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

(14) A gas main in WILLIAMS STREET, from Shirley Avenue easterly 157.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WILLIAMS STREET.

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

(15) A gas main in CLUB TERRACE, from a point 529.0 feet west of Montopolis Drive, westerly 57.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CLUB TERRACE.

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

(16) A gas main in HIGHLAND HILLS DRIVE, from a point 85.0 feet south of Highland Hills Parkway, northerly and easterly 586.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said HIGHLAND HILLS DRIVE.

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

(17) A gas main in HIGHLAND HILLS PARKWAY, from Highland Hills Drive, westerly 265.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HIGHLAND HILLS PARKWAY.

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

(18) A gas main in HIGHLAND HILLS TERRACE, from Highland Hills Drive, northwesterly 161.0 feet, the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said HIGHLAND HILLS TERRACE.

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

(19) A gas main in HIGHLAND HILLS TERRACE, from Highland Hills Drive, easterly 380.0 feet, the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said HIGHLAND HILLS TERRACE.

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

(20) A gas main in WOODROW AVENUE, from Anderson Lane, southerly 860.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said WOODROW AVENUE.

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

(21) A gas main in RUTGERS AVENUE from Anderson Lane, southerly 843.0 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said RUTGERS AVENUE.

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

(22) A gas main in DUKE AVENUE from Rutgers Avenue, to Woodrow Avenue, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said DUKE AVENUE.

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

(23) A gas main in BARBARA STREET from Rutgers Avenue to Woodrow Avenue, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BARBARA STREET.

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

(24) A gas main in EAST POWELL LANE, from Georgian Drive, easterly 959 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST POWELL LANE.

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

(25) A gas main in OAK SPRINGS ROAD, from a point of 582 feet west of Gunter Street, westerly 60.0 feet, the centerline of which gas main shall be 12.0 feet south of and parallel to the north property line of said OAK SPRINGS ROAD.

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

(26) A gas main in EAST ST. JOHNS AVENUE from Interregional Highway, easterly 692.0 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST ST. JOHNS AVENUE.

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 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 Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Dick Mason is the Contractor for the replacement of fire damages to a building located at 1610 Lavaca Street and desires a portion of the sidewalk and street space abutting the center 36.5 feet of the south 143 feet of the east 128 feet of Outlot 37, Division E, of the (Original) City of Austin, Travis County, Texas during the repair of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Dick Mason, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Lavaca Street to a point 12 feet east of the west curb line; thence in a southerly direction and at parallels with the center line of Lavaca Street 36.5 feet to a point; thence in a westerly direction and at right angles to the center line of Lavaca Street.

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

(1) THAT the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) THAT the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) THAT no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) THAT "No Parking" signs shall be placed on the street side of the barricades.

(5) THAT the Contractor is permitted to construct a temporary work office

within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) THAT the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) THAT provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) THAT the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting 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 October 1, 1958.

(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 Contractor's 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 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 property

situated on the north side of East First Street as a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Ingram Equipment Company, and is the C. D. Woods .644 acre tract out of the J. C. Tannehill League in the City of Austin, Travis County, Texas, and hereby authorizes the said R. P. Marr to operate a private gasoline plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and 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 R. P. Marr has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
July 14, 1958

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

"Dear Sir:

"I, the undersigned, have considered the application of Ingram Equipment Company, (through their agent, R. P. Marr,) for permission to operate a private (gasoline) plant consisting of a 1,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side East First Street, which property is designated as the C. D. Woods .644 acre tract out of the J. C. Tannehill League in the City of Austin, Travis County, Texas, and locally known as 4826 East First Street.

"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) J. C. Eckert
Building Inspector"

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

The City Manager stated he had a letter from MR. McKOWN making a proposal about the extension of West 1st Street, which he is paving. The City Manager said original plans were to do the work with a double penetration and without curbs and gutters at this time; but the price Mr. McKown had offered to put in a permanent type paving and curbs and gutters was so much lower, that the savings would more than take care of repair to the small section that there might be some settlement on, that he would recommend the new proposal. After discussion, Councilman Long moved that the Council accept the proposition of putting in the curbs and gutters, and authorize the change order to make this a permanent type paving, for \$18,000. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Pearson voting against the motion with the statement that he felt this was completely renegotiating the bids; and if this were to be changed, the bids should be completely readvertised. Mayor Miller stated the contractor just recommended this, as the traffic was very heavy, and he made a price lower than anything that has been bid on. Councilman White said The City Manager and Director of Public Works, after studying it over, recommended the change, and that the City was saving money, and this would be a heavily travelled thoroughfare.

The City Manager submitted a recommendation for mowing weeds in Lake Austin around private docks. Based on a study of the costs of previous operations, his recommendation was a fee of \$7.50 per hour. Councilman Palmer moved that the Council set this \$7.50 per hour fee up as a trial basis to see if it is a mutually satisfactory rate of pay. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long submitted a request of a citizen, who had obtained permission from the owner of some vacant lots in the Linda Lane area, to use these for a playground until the owners developed the lots, and he was asking the city to clear off the lots and put water on it. The Mayor said the gentleman had been asked to bring in a petition from the citizens in the area, and to get an official offer from the owner of the property that it be put to playground use.

The City Attorney inquired as to the Council's desire about selling the 6000 square feet of land on the East side of the Interregional Highway. An offer had been made for the property. The Council informally agreed to study it over, and look at the property and advertise it for sale, as it was a building site in itself, and was more than just a little excess property between the highway and other property.

MR. A. B. GRIFFITH, 1806 Justin Lane, complimented the Council highly in the way it handled its work. He suggested, since the lakes were being advertised and since there is a low water dam in the making, that a scenic drive all around the water's edge be constructed, and give people a chance to see the beauty of the lakes. He congratulated the Council on what it had already done and what it proposed to do.

The City Attorney reported on a tenant who is in arrears in his rent to the City, and asked for authority to proceed to evict the tenant. The Mayor asked for a report.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

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

MR. MARCOS LOFTIS, representing the Building Trades Group, appeared before the Council asking that the prevailing wage scale for the new reservoir be included in the coming advertisement for bids. He stated the building and contractors prevailing wage scale, which the city uses, was the proper rate to be used on this reservoir project; and although in past similar jobs, which had not included this scale in the advertisement, the prevailing wages had been paid by the contractor. Discussion was held on classifying this work under heavy construction work or building. The City Manager gave a report of a study made of this and of trying to comply with the requirements of the state statutes. The engineers, MONTGOMERY, WILLIAMS, and LEVANDER had listed the crafts that would be required to do this project, and it was determined that the work fell under heavy construction. MR. J. M. RICHARDS, Associated General Contractors, Texas Highway and Heavy Construction Branch, stated the wage scale fell under this heavy construction classification. MR. BOB HARREL thought contractors were being discriminated against in competition with the contractors who did the heavy construction. The Mayor stated that bids had been taken for the excavation and LARSON & PUGH were low bidders, and he asked if there was any objection on awarding them this contract. There was no objection to letting the contract--just the question of advertising the wage scale in the coming contracts. MR. RICHARDS went into detail about the wages for heavy construction work. MR. LARSON stated this was nothing but heavy construction. The Council took no action at this meeting, as it wanted to make further study.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of St. Martin's Lutheran Church for a building permit together with a site plan dated June 9, 1958, for certain building establishment at 15th, 16th,

Nueces and Rio Grande Streets, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of a church and church school the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is 59 parking spaces; Now, Therefore,

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

That fifty-nine (59) spaces is an adequate number of parking spaces for the establishment shown on the site plan of St. Martin's Lutheran Church dated June 9, 1958, for use of the premises for the purpose of a church and church school.

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

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

Noes: None

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council on August 21, 1958:

HENRY WIRE	2038 South Lamar Boulevard	From "C" Commercial To "C-1" Commercial
MRS. W. W. KNAPE By Daniel Mercado	3409-3411 East Avenue	From "C" Commercial To "C-2" Commercial
MRS. S. P. WOLFF	3313 East Avenue	From "A" Residence To "C" Commercial
RANDOLPH STARR	2100 Willow Street 91-93 Anthony Street	From "A" Residence To "C" Commercial
ALVIN GOERLITZ By W. W. Patterson	8322-8328 Burnet Road	From "A" Residence To "C-1" Commercial
CONGER POAGE	904-912 Lamar Blvd.	From "A" Residence To "C-1" Commercial
GEORGE WITT	910 South 1st Street	From "A" Residence To "LR" Local Retail
THOMAS BROTHERS LUMBER COMPANY	6519-21 Burnet Lane	From "A" Residence To "GR" General Retail
ALLAN BOWSER, JR. et al	1177-1187 Angelina St. 1401-07 Cotton	From "A" Residence To "C" Commercial


BARTON D. NEAL	4114-18 South 1st St. 600-04 Radam Lane	From "C" Commercial To "C-1" Commercial
DR. W. M. COLLINS	2919-2921 East 12th Street	From "A" Residence To "C-1" Commercial
ISAAC CRAIG, JR.	2200-2204 Washington 1161-65 Coletto	From "A" Residence To "BB" Residence
L. L. McCANDLESS	Tract 1: 900-02 East 23rd St. 2301-05 Swisher Tract 2: 906-08 East 23rd St. 2314-20 Interregional Tract 3: 2307-2311 Swisher 801-09 East 23½ St. 2330-36 Interregional Tract 4: 2326-2328 Interreg- ional Highway	From "BB" Residence To "B" Residence From "BB" Residence To "B" Residence From "C" Commercial To "C-1" Commercial From "C" Commercial To "C-2" Commercial

There being no further business, the Council adjourned at 6:00 P.M.,
subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk