

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 10, 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; Robert E. Beckham, Assistant Director of Public Works.

Invocation was delivered by DR. LEWIS SPEAKER, First Lutheran Church, 3001 Whitis.

Councilman White moved that the Minutes of the Meeting of July 2, 1958, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Council greeted and welcomed the new police trainees. LT. PETE WEAVER introduced MESSRS. HORACE BOATRIGHT, EMIL BRAUNE, JR., DONALD CARPENTER, HARRY EASTMAN, GEORGE HARDIN, BERT KELSEY, ROBERT LEWALLEN, JIMMIE MOORE, FRANKLIN PEASE, JOE L. PERRY, JAMES REED, BRYAN STEVENS, HENRY TOMLIN, GERALD WATKINS, and stated that MR. GEORGE WILKERSON, one of the group, was not present at this time. The Mayor and Mayor Pro-tem complimented the Police Department on the good work it was doing, and stated letters were constantly being received from people commenting on the courtesies of the Department in its work.

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 ON THE FOLLOWING: (1) (a) A TRACT OF LAND BEING A PART OF LOT 10, BLOCK D, OF JAMES E. BOULDIN ESTATES, LOCALLY KNOWN AS 4400-4406 SOUTH FIRST STREET AND 601-607 ST. ELMO ROAD FROM "A" RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND (b) A TRACT OF LAND BEING A PART OF LOT 21, FORT VIEW, LOCALLY KNOWN AS 4401-4407 SOUTH FIRST STREET AND 507-513 ST. ELMO ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Mayor brought up the following zoning application deferred from last week:

JAMES T. WATSON

214-302 Archway Street
301-05 East 26½ Street

From "B" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on furnishings for 40 rooms in the Nurses' Residence; and,

WHEREAS, the bid of Austin Industries, Austin, Texas, in the sum of \$18,802.48 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Administrator of Brackenridge Hospital of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Austin Industries, Austin, Texas, in the sum of \$18,802.48 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Industries, Austin, Texas.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 1, 1958, for the installation of a water main in Florence Drive, East Drive and Capital Drive; and,

WHEREAS, the bid of Austin Engineering Co. in the sum of \$12,527.84 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Austin Engineering Co. in the sum of \$12,527.84 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Co.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 8, 1958, for the construction of Assessment Paving Contract No. 58-A-28 consisting of 19 units; and,

WHEREAS, the bid of Giesen & Latson Construction Co. in the sum of \$113,990.99 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, and by the City Manager; Now, Therefore,

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

That the bid of Giesen & Latson Construction Co. in the sum of \$113,990.99 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 Giesen & Latson Construction Co.

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 HOLIDAY
REALTY COMPANY, INC.; PROVIDING FOR THE APPRO-
PRIATION OF MONEY PAID TO THE CITY OF AUSTIN
UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE ESTABLISHING FOUR (4) BUILDING LINES ON THE EAST SIDE OF LAVACA STREET BETWEEN THE NORTH LINE OF WEST 15TH STREET AND THE SOUTH LINE OF WEST 19TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING ANY CLAIM WHICH THE CITY OF AUSTIN MAY HAVE FOR REAL OR SUPPOSED ENCROACHMENT ON SAID STREET; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman 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 Pearson 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 Pearson 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, there exists a public utilities easement in, upon and across the south 15.0 feet, more or less, of Lot 12, Block D, of Park Forest Section 1, a subdivision out of and a part of the Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, as shown on a map or plat recorded in Plat Book 7, Page 152, Travis County Plat Records; and,

WHEREAS, the owner of the above described premises has requested that a portion of said public utilities easement located thereon be released; and,

WHEREAS, the herein described portion of said 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 said public utility easement located on the following described property, to-wit:

A strip of land being fifteen (15) feet in width more or less and being the East 104.25 feet of the South 15.0 feet more or less of Lot 12, Block D of Park Forest Section 1, a subdivision out of and a part of the Isaac Decker League Survey No. 20 in the City of Austin, Travis County, Texas, as shown on a map or plat recorded in Plat Book 7, Page 152, Travis County Plat Records.

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

Councilman Long moved that the Council approve a building permit for structure at 4001 Reyna, which is 250' from the centerline of Ben White Boulevard. The motion, seconded by Councilman Pearson, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 30.05 ACRES OF LAND BEING A PORTION OF THAT CERTAIN 49.21 ACRE TRACT OF LAND OUT OF AND A PART OF THE A. W. CANFIELD SURVEY NO. 11 IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following locations is less than

thirty miles per hour; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is twenty-five (25) miles per hour at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
42nd Street	Alice Avenue	Ramsey Avenue
44th Street	Alice Avenue	Ramsey Avenue
Rosedale Avenue	41st Street	45th Street
Burnet Road	41st Street	45th Street

Now, Therefore,

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

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that because of changed conditions the present maximum reasonable and safe speed for the operation of vehicles at the following location is not now forty (40) miles per hour and that its previous finding of a maximum reasonable and safe speed of forty (40) miles per hour for the operation of vehicles at the following location should be deleted from Section 33.40 of the Traffic Register:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
East 19th Street	Airport Boulevard	East City Limits;

and,

WHEREAS, after an engineering and traffic investigation the City Council has found the present maximum reasonable and safe speed for the operation of vehicles is forty-five (45) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
East 19th Street	Airport Boulevard	East City Limits;

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 33.40 of the Traffic Register.

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

Councilman Long stated that the speed limit on East 19th from the railroad east should be increased to 35 miles per hour.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING MISSOURI PACIFIC RAILROAD COMPANY TO CONSTRUCT, MAINTAIN AND OPERATE A CERTAIN RAILROAD INDUSTRIAL TRACK IN, UPON, ALONG, ACROSS AND OVER WEST FIRST STREET IN THE CITY OF AUSTIN, TEXAS, AND PRESCRIBING THE TERMS AND CONDITIONS OF SAID AUTHORIZATION AND RIGHT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman 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 Pearson 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 Pearson 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.

Discussion of the type of ties to be used in this spur track was held. Councilman Long suggested that wooden ties not be used.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on July 1, 1958, the State Highway Commission, passed Minute Order No. 44222, tendering a proposal to the City of Austin for widening and improving State Highway No. 71 (East 7th Street) from East Avenue to Chicon Street; and,

WHEREAS, the proposal tendered by the State Highway Commission in such

Minute Order is acceptable to the City of Austin; Now, Therefore,

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

That the provisions contained in said Minute Order No. 44222, dated July 1, 1958 be and the same are hereby accepted and the City Manager, W. T. Williams, Jr., is hereby authorized and directed to so advise the appropriate State Highway Department officials of such acceptance.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of J. M. Christal for a building permit together with a site plan dated July 2, 1958, meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2512 Guadalupe Street, 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 erecting a barber shop and two retail stores 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 nine parking spaces; Now, Therefore,

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

That nine (9) spaces is an adequate number of parking spaces for the establishment shown on the site plan of J. M. Christal dated July 2, 1958, for use of the premises for the purpose of erecting a barber shop and two retail stores.

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

The Council received the following:

"July 7, 1958

"City Council
City Hall
City

"Dear Sirs and Madam:

"If it meets with your approval, I would like to take my summer vacation

beginning July 21st and continuing until August 4th, 1958, being a two-weeks period.

"Will you please arrange for someone to fill the bench during my absence.

"Thanking you, I am


"Respectfully,
(Sgd) Pat H. Dougherty"

Councilman White moved that MR. JOHN BRADY be appointed to relieve JUDGE PAT H. DOUGHERTY during his vacation time from July 21st to August 4th, 1958. The motion, seconded by Councilman Palmer, carried by the following vote:

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

There being no further business, the Council adjourned at 11:05 A. M., subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk