

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 31, 1956  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by FATHER JOSEPH F. TROY, Pastor, St. Austin's Catholic Church, 2010 Guadalupe Street.

Councilman White moved that the Minutes of May 24, 1956 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. AMOS HEROLD appeared before the Council stating he had made a study of employment and retirement practices in the Country, and made comments regarding the City's retirement system. The system was explained to him and it was stated the present retirement plan is under study by an Actuary who is to report back within a short time.

MR. EMIL NIGGLI displayed plans for the expansion of the City Hall and explained them in detail. The Council took the plans under study until the afternoon meeting.

The Council greeted and welcomed MR. YOUNI DEMLOGE, Director of Civil Aviation, from Damascus, Syria.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE WATERWORKS AND SYSTEM AND THE SANITARY SEWER SYSTEM OF THE CITY OF AUSTIN FOR ALL USES OF SUCH WATER AND SEWER CONNECTIONS AND FACILITIES; REPEALING ALL ORDINANCE, RESOLUTION, AND ORDERS, OR PARTS OF THE SAME, IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL SEPTEMBER 1, 1949, AND IS RECORDED AT LENGTH IN ORDINANCE BOOK "O" AT PAGES 301-302 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 SO AS TO PROVIDE AN ADDITIONAL DISCOUNT ON BILLS FOR WATER FOR RESIDENTIAL PURPOSES RENDERED BETWEEN JULY 1, 1956, AND SEPTEMBER 30, 1956; 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.

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

G. P. NORMAN, et al	1180-82 Salina St.	From "A" Residence
	1700-08 Pennsylvania	To "BB" Residence 2nd
	1181-83 Leona St.	Height and Area
		RECOMMENDED by the
		Planning Commission

The Mayor asked those who wished to grant the change to "BB" Residence 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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FRANK C. HOFFMAN	4006 Marathon Blvd. 4007 Alice Avenue	From "A" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

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H. G. WEST	505-21 Oltorf Street 2401-2411 So. 1st St.	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
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Discussion on zoning of lots 5 and 6, Block 3 was held. The Mayor asked those who favored making the change to "GR" General Retail except lots 5 and 6, Block 3 which will be changed to "O" Office, to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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HUSTON-TILLOTSON COLLEGE, By Herman Jones	1113-17 Sabine 701-09 East 12th St. 1112-16 East Avenue	From "B" Residence To "C" Commercial 5th Height & Area RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to grant the change to "C" Commercial 5th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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INVESTORS REALTY CO.	1000-02 Flores St. 31-33 San Marcos St.	From "A" Residence To "GR" General Retail RECOMMENDED by the Plan- ning Commission and to include City's property adjoining, known as 1004-06 Flores, 35-37 San Marcos, 1001 Clermont, 30-38 Interregional Highway
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The Council noted the Planning Commission's recommendation that 10' be granted for widening of Flores Street. The Mayor asked those who wished to grant the change to "GR" General Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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MURRAY P. RAMSEY	406-08 West 45th St. 4501-05 Avenue "A"	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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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, Pearson, White, Mayor Miller  
Noes: None

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

Councilman Long moved that the park adjacent to Allison School be named CIVITAN PARK. The motion, seconded by Councilman White, 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 T. C. STEINER; 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 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.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 29, 1956 for improvements to South Austin Fire Station; and,

WHEREAS, the bid of C. Ben Hibbetts in the sum of \$42,576.00 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. Ben Hibbetts, in the sum of \$42,576.00 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. Ben Hibbetts.

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

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

Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the addition to a building located at 1710 Guadalupe Street and desires a portion of the sidewalk and street space abutting the North 86 feet of the northeast 1/4 of Outlot 33, Division E, of the Original City of Austin, Travis County, Texas, during the addition to 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. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the north west corner of the above described property; thence in a northerly direction and at right angles to the center line of West 18th Street to a point 12 feet north of the south curb line; thence in an easterly direction and parallel with the center line of West 18th Street approximately 70 feet to a point; thence in a southerly direction and at right angles to the center line of West 18th Street to the north line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, 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 December 31, 1956.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.) 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 White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest corner of West 39th Street and Lamar Blvd., which property fronts 92.8 feet on Lamar Blvd. and 143.0 feet on West 39th Street, and being known as the West 143 feet of Lot 6, Block 3 of Henry B. Seiders Subdivision in the City of Austin, Travis County, Texas, and hereby authorizes the said Carl M. Templeton and Eugene W. Templeton to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that the said Carl M. Templeton and Eugene W. Templeton have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"May 31, 1956

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

"Dear Sir:

"We, the undersigned, have considered the application of Carl M. Templeton and Eugene W. Templeton to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northwest corner of West 39th Street and Lamar Boulevard, which property fronts 92.8 feet on Lamar Boulevard and 143.0 feet on West 39th Street, and being known as the west 143 feet of Lot 6, Block 3 of Henry B. Seiders Subdivision in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Carl M. Templeton and Eugene W. Templeton and we hereby advise that the following conditions exist.



"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Carl M. Templeton and Eugene W. Templeton be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction for the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1443.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2 - H - 1443 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a

final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,  
(Sgd) S. Reuben Rountree, Jr.  
Director of Public Works  
(Sgd) J. C. Eckert  
Building Inspector"

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

The City Manager displayed a change of plans which the State Building Commission desired in the building program north of the Capitol, which had to do with locating the building, and its encroaching on the sidewalk space along 14th Street. The City planned to vacate 14th Street, but the Commission wanted the City to know about the change of plans. The Council indicated approval, as this would be taken care of when the street was closed .

The City Manager submitted a letter from Mr. Ullrich recommending that in the sale of sludge and effluent from the Oxidation tanks, that an experimental operation be set out to show the people what could be done, and that the City make a farm rental agreement with the adjoining property owner, MR. WILL PLATT, who would furnish equipment, seed, etc. and the city furnish the sludge, and receive one-third of the crop. The Council informally agreed, but asked that the agreement provide that the public would have access to the land; and at the same time provide protection for the crops; also the pecan trees not to be included in the lease.

The Council informally agreed on a \$10.00 charge to the U.S. Gypsum Company for use of the Coliseum grounds on June 6th and 7th.

The Council informally agreed on closing a part of the alley adjacent to the Congress Avenue Baptist Church for two weeks from 8:30 A.M. to 11:30 A.M.

The City Attorney explained a proposed land purchase which would be required in the city's program for expansion of the Airport. This land was the Riley property, and the entire tract plus improvements would be \$146,500 and it was the recommendation of the City Manager that this transaction be concluded as outlined. The Council deferred action until the afternoon meeting in order to go see the land and improvements.

The Council recessed at 12:00 until 2:00 P.M.

Recessed Meeting

2:00 P.M.

The Council resumed its meeting at 2:00 P.M.

After discussion, Councilman Palmer moved that they authorize the purchase of the Riley property as recommended. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

(\$146,500 for approximately 105 acres and improvements belonging to Richard and Mrs. Edna E. Riley for Airport expansion) It was understood that the owners would remain there until July or September 1957.

The Council went over the plans for the City Hall. Office space for Council members was to be provided. After discussion, Councilman White moved that the plans be accepted. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Noes: None

It was stated bids would be called for on June 26th.

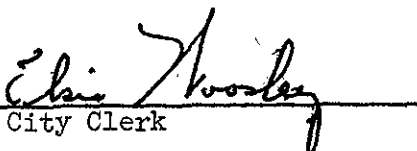
The Council received notice that Mr. McCaskill had withdrawn his zoning request made in the name of DR. SIDON HARRIS and MISS ANNIE B. GILES, 3000-06 and 3100-10 Red River Street, from "A" to "B" as he is filing a new application.

There being no further business the Council adjourned at 3:40 P.M. subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk