

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 7, 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. J. T. BAYLESS, Grace Assembly of God, 5000 Caswell.

Councilman White moved that the Minutes of the meeting of July 31, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

MRS. BIRD KOHN and MRS. J. R. DAVIS, filed a petition signed by approximately 72 people asking that stop signs be placed at the corner of Woodview and Lawnmont. The Mayor stated this would have immediate attention to see if something could be done about the situation.

After discussion, 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 as a filling station site the property located at the southwest corner of the intersection of Bull Creek Road and Highland Crest Drive, which property fronts 125.0 feet on Bull Creek Road and 126.0 feet on Highland Crest Drive being known as a portion of the Thomas J. Chambers Grant in the City of Austin, Travis County, Texas, and hereby authorizes George B. Shepherd 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 George B. Shepherd has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"July 31, 1958

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

"Dear Sir:

"We, the undersigned, have considered the application of George B. Shepherd for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southwest corner of the intersection of Bull Creek Road and Highland Crest Drive, which property fronts 125.0 feet on Bull Creek Road and 126.0 feet on Highland Crest Drive, being known as a portion of the Thomas J. Chambers Grant in the City of Austin, Travis County, Texas, and the property upon which the filling station is to be located is owned by George B. Shepherd. We hereby advise that the following conditions exist.

"The property upon which the filling station is to be located is designated as Local Retail 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 George B. Shepherd 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 the 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 of 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 - 1571.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1571 and shall be of the premoulded 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 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, by instrument dated February 28, 1941, of record in Volume 668, page 477, Deed Records of Travis County, Texas, a blanket easement for electric lines was granted to the City of Austin in, upon, and across that certain tract

of land conveyed by R. J. Ott to Lorene Hibler Bolt on April 9, 1956, such conveyance being of record in Volume 1683, page 287, Deed Records of Travis County, Texas, said land being a portion of the Thomas H. Mays No. 89 Survey, in The City of Austin, Travis County, Texas; and,

WHEREAS, the owner of said tract of land has given a descriptive easement covering all the electric lines on this property, said descriptive easement dated November 22, 1957, and being of record in Volume 1915, page 541, Deed Records of Travis County, Texas; and,

WHEREAS, the owner of above described tract of land has requested that the blanket easement for electric lines, given to the City by R. J. Ott on February 28, 1941, be released; and,

WHEREAS, the descriptive easement dated November 22, 1957, given by Lorene Hibler Bolt adequately covers all the electric lines on above described property, and said blanket easement is no longer needed; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a release of the hereinafter described blanket easement to wit:

That certain tract of land out of and a part of the T. H. Mays and J. C. Harrelson Surveys in Travis County, Texas, which was conveyed to Lorene Hibler Bolt by warranty deed dated April 9, 1956, of record in Volume 1915 at page 541 of the Deed Records of Travis County, Texas, said tract of land described in an instrument dated February 28, 1941, of record in Volume 668 at page 477 of the Deed Records of Travis County, Texas.

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, by instrument dated January 19, 1955, recorded in Volume 1537 at page 331 of the Deed Records of Travis County, Texas, a drainage easement was granted to the City of Austin across two strips of land, the strip of land hereinafter described as No. 1 being twenty-three (23) feet in width, same being out of and a part of Lots 9, 10 and 11, Block R of Crestview Addition Section 4; the strip of land hereinafter described as No. 2 being out of and a part of Lots 1, 2, 3, 4, 5, 6, 7 and 8 of said Block R, Crestview Addition Section 4, said Crestview Addition Section 4 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 record in Book 5 at page 87 of the Plat Records of Travis County, Texas; and,

WHEREAS, the above described easements were initially created as a

temporary measure to provide drainage; and,

WHEREAS, adequate drainage of the area is now afforded along other routes; and,

WHEREAS, the 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 of the City of Austin is hereby authorized to execute a release of the following drainage easements, to wit:

No. 1:

Being the west twenty-three (23.00) feet of the said Lots 9, 10 and 11, Block R of Crestview Addition Section 4, according to map or plat of record in Book 5 at page 87 of the Plat Records of Travis County, Texas.

No. 2:

Being the west twenty-five (25.00) feet of the said Lots 1, 2, 3, 4, 5, 6, 7, and 8, Block R of Crestview Addition Section 4, according to map or plat of record in Book 5, at page 87 of the Plat Records of Travis County, Texas.

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

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

Noes: None

The Mayor and Council greeted a group of foreign students from Central and South America, who are here for six weeks' orientation before they leave for other colleges throughout the United States.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of University Co-operative Society Incorporated to construct and maintain the hereinafter described underground improvements:

A basement under the sidewalk area on the west side of Guadalupe Street, adjoining Lots 35 and 36 of Horst's Subdivision of Outlots 18, 19, 20, 21, 22, 22-1/2, 23, 23-1/2, 34, 35, 36 and 37 of Division D of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Louis Horst's Subdivision being of record in Volume Z at page 613 of the Deed Records of Travis County, Texas, said strip of land ten and one-half (10.50) feet in width being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east line of said Lot 36 of Louis Horst's Subdivision same being the west line of Guadalupe Street which point of

beginning is also the northeast corner of that certain portion of Lots 35 and 36 which was conveyed to the University Co-operative Society Incorporated by warranty deed dated March 6, 1957, recorded in Volume 1791 at page 457 of the Deed Records of Travis County, Texas, and from which point of beginning the northeast corner of said Lot 36 bears in a northerly direction 50.00 feet;

THENCE with the east line of said Lots 36 and 35, same being the west line of Guadalupe Street in a southerly direction 54.50 feet to the southwest corner of this tract;

THENCE with a line perpendicular to the west line of said Guadalupe Street in an easterly direction 10.50 feet to the southeast corner of this tract;

THENCE with a line ten and one-half (10.50) feet east of and parallel to the west line of Guadalupe Street in a northerly direction 54.50 feet to the northeast corner of this tract;

THENCE in a westerly direction and perpendicular to the west line of said Guadalupe Street 10.50 feet to the point of beginning;

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

(1). The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2). The permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted.

(3). The repair or relocation of any and all utilities in the vicinity due to those improvements shall be done at the expense of the University Co-operative Society Incorporated.

(4). The University Co-operative Society Incorporated will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5). The City of Austin may revoke such permit at any time and upon such revocation the owner of the building will construct the necessary walls and footing to separate such space from any buildings or other improvements and pay all costs and expenses attendant therewith.

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

Councilman Long moved that RUSSELL RHODES be granted a building permit at 310 Radam Lane (575' from centerline of Ben White Boulevard). The motion,

seconded by Councilman Pearson, carried by the following vote:

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

Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the east side of Burnet Road about 500 feet south of Koenig Lane which property fronts 117 feet on Burnet Road and is known as a portion of Lots 1 & 2 of Block 1 of Broadacres in the City of Austin, Travis County, Texas, and hereby authorizes the said Virgil F. Bomar 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 Virgil F. Bomar has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

"August 7, 1958

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

"Dear Sir:

"We, the undersigned, have considered the application of Virgil F. Bomar for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the east side of Burnet Road about 500 feet south of Koenig Lane which property fronts 117 feet on Burnet Road and is known as a portion of Lots 1 & 2 of Block 1 of Broadacres in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Virgil F. Bomar and is under lease to H. T. Fletcher and Thomas E. Campbell. 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 Virgil F. Bomar 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 of 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 - C- 2460.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - C- 2460 and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

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

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

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
10.47 ACRES OF LAND, SAME BEING OUT OF AND A PART
OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, 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 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.

MR. DAVID BARROW, Chairman of the Planning Commission, made a report on
the Austin Development Plan and the recommendations of the Planning Commission,
(The Austin plan and City Planning Commission Recommendations on file under
MASTER PLAN) and offered the assistance of the Commission in any way to the Council.
He suggested that the City Attorney be asked to advise on the status of the
plan when adopted. He called attention to a few matters contained in the
Commission report. The Mayor replied that the Council would have the hearings
and handle the report as provided by the Charter, and expressed appreciation of
the Planning Commission in its work.

The City Manager listed the amount of Bonds which would be necessary
to sell during the next fiscal year totaling \$3,500,000.

Recreation	\$ 200,000
Library	200,000
Airport Terminal and other: facilities	600,000
Street & Bridge, etc.	1,250,000
Low Water Dam	1,250,000
	<u>\$3,500,000</u>

Out of this amount he listed the bonds to be sold this fall, and

recommended that they be advertised for sale at 10:00 A.M. September 18, 1958. These bonds would not raise the interest and sinking fund rate.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to advertise for bids on the sale of Bonds of the City of Austin at 10:00 A.M. September 18, 1958, as follows:

Municipal Airport General Obligation Bonds, authorized at an election May 12, 1956 . . .	\$ 600,000.00
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Parks and Playgrounds General Obligation Bonds, authorized at an election May 12, 1956 . . .	150,000.00
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Low-Water Dam General Obligation Bonds, authorized at an election May 7, 1946 . . .	1,250,000.00
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Streets, Bridges and Drainageway General Obligation Bonds, authorized at an election May 12, 1956	500,000.00
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General Obligation Bonds Total	\$2,500,000.00
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Electric Light and Power System Revenue Bonds, authorized at an election May 24, 1958 . . .	\$5,500,000.00
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Waterworks System Revenue Bonds, authorized at an election May 12, 1956 . .	550,000.00
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Sewer System Revenue Bonds, authorized at an election May 12, 1956 . . .	550,000.00
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Revenue Bonds Total	\$6,600,000.00
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Advertisements for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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 11:00 A.M.

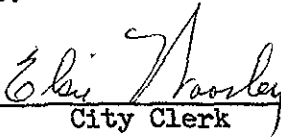
subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:



City Clerk