

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 15, 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. EDWIN SCHAEFER, Evangelical and Reformed Church, 5800 Cameron Road.

Councilman White moved that the Minutes of the Meeting of May 8, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

Councilman Long moved that the Junior Chamber of Commerce be granted permission to hold the annual July 4th celebration at Zilker Park, working through the City Manager. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. REX SHIELDS, President, Austin Chamber of Commerce, read the following Resolution of the Board of Directors of the Chamber of Commerce:

"May 6, 1958

"Honorable Tom Miller, Mayor of City of Austin
AND
Members of the Austin City Council

"Honorable Tom Miller:

"The following resolution was recommended by the Central Industrial Committee of the Austin Chamber of Commerce and passed by its Board of Directors at its monthly meeting on Tuesday, May 6, 1958.

"WHEREAS, engineering studies have revealed that the present electrical generating system of the City of Austin will be inadequate by 1960

"AND WHEREAS, studies have shown it would be impractical to expand the present power plant due to space limitations and inadequate raw water supply

"AND WHEREAS, a \$1,250,000 bond issue has been previously voted to construct a low water dam and create a "Town" Lake

"AND WHEREAS, the lake would provide an adequate raw water supply for the old system and proposed new plant

"AND WHEREAS, the City now owns property suitable for construction of the new plant on the proposed "Town" Lake

"AND WHEREAS, if Austin is to continue to grow and be a leader in the field of state government, higher education and economic development, an adequate electrical generating system will be required

"THEREFORE BE IT RESOLVED:

That the Honorable Tom Miller, Mayor of the City of Austin and members of the Austin City Council be commended for their progressive efforts in recommending to the citizens of Austin the twenty million dollar bond issue for construction of a new electrical power plant and expansion of the City's electrical system. And be it further resolved that the Board of Directors of the Austin Chamber of Commerce hereby endorses the action of the Council in calling this election and urges the citizens of Austin to give it their wholehearted support.

(Sgd) Rex Shields
President Austin Chamber of
Commerce

(Sgd) Joe Crow
Vice President Economic
Development"

REV. H. P. WADDILL, spokesman for a group in Walnut Hills, came before the Council regarding sewers in that area stating that the City had made the promised survey, and this group was anxious to hear the recommendation. The plan for the system to the whole Walnut Hills area had been prepared, and particularly to Walnut Hills as it exists now. The City Manager went over the \$68,000 plan in detail, the policy of the City of providing service on a basis of 100' of line to a house, and this policy would not apply in this area. His recommendation was that the owners of vacant lots put up the cost of 100' for each lot, and the City paying the difference; then the owners would have their money refunded whenever a house were built and connected to the sewer. There would be no charges to the lots where there were houses. The cost would amount to \$391.00 per lot. This plan was not satisfactory to two owners of quite a number of lots, MR. VERNON

COOK and MR. OMER E. EVANS. MRS. E. M. WORDEN, President, Walnut Hills Citizens Association, spoke for providing sewers to the citizens in this section as did MR. ROY JOHNSON. Different financial proposals were made. Mr. Cook and Mr. Evans were to study the proposals and come back to the Council meeting at 3:00. Later in the afternoon a plan was worked out with Mr. Cook and Mr. Evans through their Attorney, Mr. Jack Sparks, whereby they would pay 6% interest on \$391.00 per lot, starting 30 days after the bid for sewers has been accepted. When the lot is sold, they will pay \$391.00. The acreage (which would be included in the sewer service) of approximately 22 lots will be annexed. When the sewer connections are in place, the City will pay these lot owners \$200.00 and no refund contract. The City Attorney was asked to get with Mr. Sparks and draw up the necessary resolution for next Thursday's meeting.

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

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE PRESCRIBING FARES AND CHARGES COLLECTIBLE, BEGINNING THE 1ST DAY OF JULY, 1947, BY EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM FOR LOCAL TRANSPORTATION OF PASSENGERS FOR HIRE USING OR OPERATING UNDER A PUBLIC FRANCHISE; PRESCRIBING PAYMENTS TO THE CITY OF AUSTIN, BASED UPON GROSS ANNUAL RECEIPTS FROM OPERATIONS, BY EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM; FIXING TIMES FOR SUCH PAYMENTS; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN JUNE 26, 1947, AND IS RECORDED IN BOOK "M", PAGES 523-524, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING RATES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY BUS WITHIN THE CITY OF AUSTIN.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be 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

Councilman Long stated in this regard, she had had some requests that another public meeting be held, but the people were not here today, and she supposed they had withdrawn their request. Mr. Denius stated they had been contacted and some now were supporting the proposal; some had not yet been contacted.

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 FOLLOWING: (1) LOTS 16, 17 AND 18, BLOCK 4, ALTA VISTA SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (2) LOT 57, PAUL SIMMS ADDITION, FROM "D" INDUSTRIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF 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.

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

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT PORTION OF SABINE STREET LYING BETWEEN THE NORTH LINE OF EAST 14TH STREET AND THE SOUTH LINE OF EAST 15TH STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND PERPETUALLY VACATING AND CLOSING THAT CERTAIN ALLEY WHICH EXTENDS FROM THE WEST LINE OF SABINE STREET, WESTERLY TO THE EAST LINE OF RED RIVER STREET, WHICH ALLEY TRAVERSES BLOCK 167 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED:
"AN ORDINANCE ESTABLISHING VOTING PRECINCTS OF THE
CITY OF AUSTIN AND FIXING THE BOUNDARIES THEREOF; REPEALING
ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH;
AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED
BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON JULY 23,
1953, AND RECORDED IN ORDINANCE BOOK "S" AT PAGES 432-
449, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY
OF AUSTIN, BY AMENDING SECTIONS 29 AND 30 OF SAID
ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES IN CONFLICT HEREWITH; 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.

In connection with voting precincts, the Mayor suggested that signs be placed at Palm School stating that the election in that precinct will be held at Ward Memorial Church.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 9, 1958, for the purchase of five pick-up trucks to be used by the Fire Prevention and Water Distribution Departments of the City of Austin; and,

WHEREAS, the bids of Armstrong-Johnson, in the sum of \$1,383.00 for one 1/2-ton Ford pick-up; in the sum of \$1,737.00 and trade-in for one 1-ton Ford pick-up; in the sum of \$1,285.00 and trade-in for one 1/2-ton Ford pick-up; and in the sum of \$2,597.00 and trade-ins for two 1/2-ton Ford pick-up, were the lowest and best bids therefor, and the acceptance of such bids 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 bids of Armstrong-Johnson in the sum of \$1,383.00 for one 1/2-ton Ford pick-up; in the sum of \$1,737.00 and trade-in for one 1-ton Ford pick-up; in the sum of \$1,285.00 and trade-in for one 1/2-ton Ford pick-up; and in the sum of \$2,597.00 and trade-ins for two 1/2-ton Ford pick-ups, be and the same are 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 Armstrong-Johnson.

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 W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute on behalf of the City of Austin a contract between the City of Austin and Travis County Water Control and Improvement District No. 9 modifying that certain contract dated February 21, 1957 between the City of Austin and Travis County Water Control and Improvement District No. 9 and authorizing Travis County Water Control and Improvement District No. 9 to contract for and to sell and deliver to Travis County Water Control and Improvement District No. 14 water purchased from the City by Travis County Water Control and Improvement District No. 9 in accordance with that certain contract dated May 1, 1958 by and between the City of Austin and Travis County Water Control and Improvement District No. 9, a copy of which is attached hereto but which contract the City Clerk need not record at length in the Minutes of the Council.

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, be and he is hereby authorized and directed to enter into a contract with Travis County Water Control and Improvement District No. 14 providing for the management of the affairs of Travis County Water Control and Improvement District No. 14 and for other services to be performed by the City of Austin in accordance with that certain contract dated May 1, 1958, by and between the City of Austin and Travis County Water Control and Improvement District No. 14, a copy of which is attached but which contract the City Clerk need not record at length in the Minutes of the City Council.

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)

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 Riverside Drive as a private gasoline plant consisting of a 550 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 C. H. Spencer, and is the G. M. Harper 0.67 acre unplatted tract, of the City of Austin, Travis County, Texas, and hereby authorizes the said C. H. Spencer to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his 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 said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said C. H. Spencer has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 12, 1958

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

"Dear Sir:

"I, the undersigned, have considered the application of the Austin Fence Company, owner, C. H. Spencer, for permission to operate a private gasoline plant consisting of a 550 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 of Riverside Drive, which property is designated as G. M. Harper 0.67 acre unplatted tract in the City of Austin, Travis County, Texas, and locally known as 6108 Riverside Drive.

"This property is located in a Residence "A" (existing non-conforming use) 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 Palmer, 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)

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 1st Street as a private gasoline plant consisting of a 8000 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 Charles Sandahl, Jr., and is Lots 3, 4, 5, 6, Alff Addition, O.L. 26, Division 0, of the City of Austin, Travis County, Texas, and hereby authorizes the said Charles Sandahl to operate a private gasoline plant consisting of a 8000 gallon tank and electric pump for the sole purpose of servicing

his 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 said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Charles Sandahl has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 15, 1958

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

"Dear Sir:

"I, the undersigned, have considered the application of Sandahl Beverages Company, by Charles Sandahl, owner, for permission to operate a private gasoline plant consisting of a 8000 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 of East 1st Street, which property is designated as Lots 3,4,5,6, Alff Addition, O.L. 26, Division O, in the City of Austin, Travis County, Texas, and locally known as 2412 East 1st Street.

"This property is located in a "C" Commercial 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 Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation the City Council has found that traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the location herein-after described upon the street makes it advisable to use mechanical devices in such enforcement, and has found that the following location should be placed in Parking Meter Zone 60:

<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
Brazos Street	East	800 Block

Now, Therefore

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

That the location upon the street of the City of Austin as above described be and it is hereby placed in Parking Meter Zone 60, and that the City Clerk be, and she is hereby authorized and instructed to record the finding in Section 33.43 of the Traffic Register.

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

The City Attorney brought up the contract with the Civitan Waterama, stating there had been a change of admission charge from that of last year, and he did not want to include that change in the contract until the Council were consulted. The Council informally agreed to the change.

Along with the discussion of sewage in Walnut Hills, Mr. Vernon Cook reported an unusually bad condition in the 6100-6300 block of Adalee Avenue. (Mrs. Whitaker, 6105 Adalee, specifically) The matter was referred to the Health Department to see if they could drain this location and spray it.

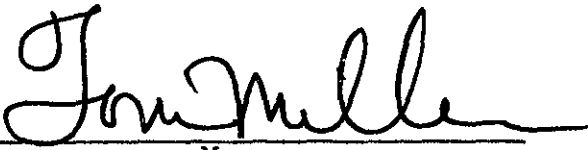
The City Manager submitted a list of applicants for the Auditorium Manager, listing the local applicants, and the out-of-town people. (On file under AUDITORIUM-Manager) It was his recommendation that he appoint the Manager with the Council's advice, this next week so that he could start to work just as soon as possible.

The Assistant City Manager submitted a request of the Austin Safety Council for permission to put up two outdoor advertising signs, 12' x 26' on two city owned tracts of land, and listed four selected locations. No action was taken.

The City Manager submitted a suggestion for enlarging the dining room area at the Airport Terminal, stating that MR. HARRY AKIN, did not believe the present space would provide the type of dining area that would be desired and that would attract local people as well as the others. The additional cost would be \$70,000. Mr. Akin stated he would rent the space at a price that would amortize this. No action was taken at this time.

There being no further business, the Council adjourned at 5:50 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk