

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 24, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. SIDNEY HAWKINS, South Austin Christian Church.

Councilman White moved that the Minutes of June 17th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain public utility easements were reserved and dedicated to the public on a map or plat of Ridgewood Village, Section 1, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgewood Village, Section 1, of record in Book 6, at page 59, Plat Records of Travis County, Texas; and,

WHEREAS, the hereinafter described portions of such 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. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the hereinafter described portion of such

public utility easements, to wit:

No. 1: The north five (5) feet of lot 38 of said Ridgewood Village Section 1.

No. 2: The south five (5) feet of Lot 30 of said Ridgewood Village Section 1.

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

The City Manager submitted the following :

"June 15, 1954

"Memo to: Mr. W. E. Seaholm, City Manager

From : D. C. Kinney, Superintendent Electric Division

"Quotations were received at 10:00 A.M., on June 14, 1954, and tabulated on Dimineralizing Equipment, Contract No. 33, for the Power Plant extension

	<u>Permutit Company</u>	<u>Cochrane Corp.</u>	<u>Graver Water Cond. Company</u>	<u>Elgin Co.</u>
Bid Bond	1,000.00	1,650.00	1,400.00	
Item I	19,403.00	29,355.00	19,899.00	NO BID
Price	Firm	-	Firm	
Delivery	150	140	100	
	Days	Days	Days	

"These quotations were analyzed and concur with Mr. Hartung of Burns & McDonnell Engineering Company, and recommend the Contract be awarded to Permutit Company for \$19,403.00, as the lowest and best bid.

"(Sgd) D.C.K.
D. C. Kinney, Superintendent
Electric Division

Approved
W.E. Seaholm, City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 14, 1954, the City of Austin received bids for Dimineralizing Equipment, Contract No. 33, for the Power Plant extension; and

WHEREAS, an evaluation of the bids received for such equipment shows the bid of Permutit Company in the amount of \$19,403.00 to be the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Electric Division of the City of Austin and the City Manager; Now, Therefore

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

That the bid of Permutit Company in the sum of \$19,403.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Permutit Company.

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

The City Manager submitted the following:

"June 15, 1954

"Memo to: Mr. W. E. Seaholm, City Manager
 From : D. C. Kinney, Superintendent Electric Division

"Quotations were received and tabulated on Intake Screens, Contract No. 25, for the Power Plant extension. A copy of the tabulation is attached.

"These quotations were analyzed and concur with Mr. Hartung of Burns & McDonnell Engineering Company, and recommend the Contract be awarded to Link Belt Company on Item 1 for the sum of \$36,566.00, as the lowest and best bid.

"(Sgd) D.C.K.
 D.C. Kinney, Superintendent
 Electric Division

"Approved
 W.E. Seaholm, City Manager

"Attachment

INTAKE SCREENS - CONTRACT No. 25

"Bids opened 10:00 A.M., June 14, 1954

	<u>Bid Bond</u>	<u>Item 1</u>	<u>Erection</u>	<u>Item 2</u>	<u>Erection</u>
Chain-Belt Pingry	4,000.00	38,136.00	8,845.00	19,025.00	4,985.00
Link Belt Elam	4,500.00	<u>36,566.00</u>	6,713.00	18,452.00	3,875.00
	<u>2-Speed Drive Addi.</u>	<u>2-Speed in Drive Mech Item 2</u>	<u>Erection Super- vision per day</u>	<u>Delivery</u>	
Chain-Belt Pingry	896.00	488.00	55.00	120 days	
Link Belt Elam			55.00	153 days	"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 14, 1954, the City of Austin received bids for the furnishing of Intake Screens, Contract No. 25, for the Power Plant extension; and

WHEREAS, an evaluation of the bids received for such equipment shows the bid of Link Belt Company, in the amount of \$36,566.00 to be the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Electric Division 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 Link Belt Company in the sum of \$36,566.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Link Belt Company.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

MESSRS. JAMES L. HENDERSON, J. C. WOOD, AND ~~MR. G. WHITEHEAD~~ presented petitions from citizens on their routes stating they had done a good job in performing a valuable service and urging the city to reconsider their dismissal and restore their jobs and salary. Councilman White asked the group if they understood that the Council was powerless to restore their jobs, and the group stated they just wanted to file the petition. Councilman Thompson suggested that the matter not be heard today, but that it be heard in Executive Session, as it was a matter of personnel and it would not be proper to hear it in open meeting. Councilman Long stated there was nothing in the Charter that gave the Council permission to go into this matter in executive session. Councilman Thompson believed that all personnel matters were outside the jurisdiction of the City Council, unless city employees were being abused by the administration. Then the Council would want to investigate and see what abuse had been done, and it would have the power to hold this investigation, but it would not be proper to have a public hearing on the matter. Councilman Long stated every citizen of Austin had a right to come before the Council; that these men were not asking the Council to hire them; that they had petitions showing they had done a good job. Councilman Thompson was willing to hear the matter and stated he would ask that the Council investigate it, or have the Mayor appoint a committee to investigate it, but he was not willing to carry on the investigation in public meeting. MR. HENDERSON, MR. WOOD and MR. ~~WHITEHEAD~~ were interested in clearing the charges made against them and getting their names cleared. Councilman Long inquired if they took part in the work stoppage a year ago in the Sanitation Department. Mr. Henderson stated he was one of the committee members. Councilman Long asked him if he thought he were fired because he took part in that work stoppage. The Mayor asked the group to leave their petitions, and that the Council would look into the matter and let them know in two weeks.

Discussion was held on the purchase of two units of 20,000 KW Turbo-Generator and 17,000 square feet condenser and auxiliaries from Westinghouse; one unit lot of switchgear from General Electric; and two units of 225,000 pound/hour Steam Boiler from Combustion Engineering Company. The City Manager explained the escalation prices, and stated the letter of intent tied down the delivery time from that date. Councilman Long inquired as to the ceiling price. The City Manager explained this as dependent upon the time of delivery and the steel market, and that the price would go no higher than this ceiling. Councilman Long wondered if all the companies had been called as was Westinghouse, or if bids were taken, would the low bid now be as low as the \$815,000. The City Manager stated it would not, as the base prices were higher now; that the City would get earlier delivery and would save between \$200,000 and \$400,000 by going ahead under the present plan. Councilman Long thought maybe the foreign markets coming in might have a tendency to adjust prices downward in the future; and when purchases are bought on letters of intent, it might be well to reserve the right to take bids again. Councilman Pearson believed that the administration used good judgment in placing a letter of intent to purchase this equipment, and that there was a possibility of saving some \$400,000; and there is a letter of intent for the third machine, which gives the people a savings of \$600,000, the purchase of the third machine depending on the growth of the city. He commended the administration on its good judgment in placing a letter of intent. Councilman Long stated that new bids were not taken; that the company that bid \$815,000, when called, quoted a higher price, and if sealed bids were taken from all the companies, it might have been different. Councilman White offered the following resolution, and Councilman Long amended the motion to include the words "as quoted by the low bidders" following the words "the current price of such equipment," in the fourth paragraph, line three. Councilman White accepted the amendment and moved the adoption of the resolution:

(RESOLUTION)

WHEREAS, during the year 1952, in anticipation of the purchase of certain equipment to be delivered in subsequent years, the City of Austin requested bids for the sale to the City of from one to three units of each of the items of equipment listed below, and

WHEREAS, in response to such request the following bids were received:

Prime Equipment - Power Plant Extension - 1952

	<u>Allis- Chalmers</u>	<u>General Electric</u>	<u>Westinghouse</u>
<u>Item 1.</u> 20,000 KW Turbo-Generator			
Base bid per unit	\$685,000	\$682,878	\$679,950
Plus 20% Escalation	\$822,000	\$819,453	\$815,940
<u>Item 2.</u> 17,000 sq.ft. Con- denser & Auxiliaries			
Base bid per unit	\$112,500		\$109,900
Plus 10% Escalation	\$123,750		\$120,890
<u>Item 3.</u> Lot of Switchgear			
Base bid per unit		\$323,568	\$338,194
Plus 20% Escalation		\$388,281	\$405,832

	<u>Riley Boiler Co.</u>	<u>Babcock & Wilcox Co.</u>	<u>Combustion Engineering Co.</u>
<u>Item 4.</u> 225,000 lbs./hour Steam Boiler			
Base bid per unit	\$356,886	\$374,615	\$351,608
Plus 20% Esculation	\$428,263	\$449,538	\$421,929

and

WHEREAS, upon receipt of such bids, "Letters of Intent" were issued to each of the low bidders, declaring the intent of the City to purchase for delivery at a later date from one to three units of each of such items of equipment at the low bid prices, plus escalation, where applicable; and

WHEREAS, it has been found necessary at this time to consummate the purchase of one unit of Item 3 of said equipment, and two units each, of Items 1, 2 and 4, and in each case, the current price of such equipment, as quoted by the low bidders, is far in excess of the base bids plus escalation; Now, Therefore

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

That the "Letters of Intent" heretofore issued to the low bidders aforesaid be and the same are hereby confirmed, and W. E. Seaholm, City Manager, is hereby authorized and directed to consummate the purchase at this time of one unit of Item 3 of said equipment, and two units each, of Items 1, 2 and 4, at the prices indicated by the low base bids plus escalation.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

H. E. BECKER

300 Blk. Willow

From "B" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted and the City Attorney was instructed to draw the ordinance to cover.

SHAFIE G. SABER

3818 South Congress

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted and the City Attorney was instructed to draw the ordinance to cover.

K. R. MEYER

1902-04 Lake Austin Blvd.

From "A" Residence
To "C" Commercial
NOT RECOMMENDED by the
Planning Commission

Mr. K. R. Meyer appeared on behalf of his application. Mr. Lee Booth, 503 Arlington, opposed this change and asked that the area be kept Residential. The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: None
Noes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

The Mayor announced that the requested change had been granted and the City Attorney was instructed to draw the ordinance to cover.

GENE NAUMANN

1124 Nile Street

From "A" Residence
To "B" Residence
NOT RECOMMENDED by the
Planning Commission

Mr. Naumann appeared on behalf of his application. He stated this house was 104 years old and he bought it to keep it from being torn down and he wished to restore it as it belonged to Governor Andrew Jackson Hamilton. In the meantime he would like to use it as a rest home. The Mayor asked those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: None
Noes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

The Mayor announced that the requested change had been granted and the City Attorney was instructed to draw the ordinance to cover.

JACK H. KEY

1501-05 Scenic Drive

From "A" Residence
To "C" Commercial
NOT RECOMMENDED by the
Planning Commission

MR. HERMAN JONES represented the applicant. He stated the surrounding corners were already either zoned commercial or was being used commercially. This corner was particularly low, and the people living on Enfield Road could not see this lot, and he was unable to understand why they would object. The property was not residential in character, and if it were not zoned commercial, it would be condemned. Objection was expressed by MR. EAKIN, stating Scenic Drive was a narrow, scenic drive; and if this property is changed, the traffic would increase, and be thrown up this narrow two-lane drive. He saw no need for commercial establishments as within a short distance there were already two shopping centers. MR. CARL HARDIN, attorney for the opposition, listed the number of times this application had been up for public hearing. There had been several bad traffic accidents at this corner; and if it were zoned commercial and traffic increased, the traffic problem would be terrific. He asked that the Planning Commission's recommendation be upheld. After much discussion pro and con by the applicants and the opposition, the Mayor asked that those who wished to uphold the recommendation of the Planning Commission and deny the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Pearson, Thompson

Noes: Councilman White, Mayor McAden

Councilman Long made the following statement regarding her vote:

"I believe that twice before I voted on this proposition and voted with the Plan Commission to uphold their contention that it is not "C" in nature. The proponents have not shown that there is any change since they made the other application so in order to be consistent, I think I will vote along with the Plan Commission. I will say, however, there are some amendments being proposed to the zoning ordinance, and I donot know, but I would be of the opinion that this piece of property would fit into some of the classifications that would be drawn up under this new zoning ordinance; so for the time being, I am going to vote with the Plan Commission to deny it, but that does not mean when we get an amendment to the zoning ordinance the character of this situation may change."

Councilman White made the following statement regarding his vote:

"On this particular piece of property--I was up here when this came up before; and on this particular corner, I would not want to build a home and live there myself, and I have come to the conclusion that this should be commercial, and I do not believe it could be used for anything else, and I believe in the near future when we get the new ordinance that all of these places will be taken care of, and I am going to vote 'No'."

The Mayor announced that the change had been denied, having failed to receive a four-fifths vote necessary to overrule the recommendation of the Plan Commission.

The following application for change of zoning was postponed indefinitely and the property owners are to be sent notices when this comes up for public hearing again:

DR. SIDEON HARRIS &
MISS ANNIE B. GILES
(By Dan McCaskill)

3000-06 & 3100-10
Red River

From "A" Residence and
1st Height & Area
To "B" Residence and
6th Height & Area

Councilman Long moved that the Council continue the policy pursued in the past (regarding withdrawal of applications for change of zoning) since it is not defined in the Charter or Ordinances setting out withdrawals of applications. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council then accepted the withdrawal of the following application for change of zoning:

F. H. BECKER

2601-13 Hancock
Drive

From "A" Residence
To "C" Commercial

The Council received a letter from NELSON PUETT, JR. withdrawing his property 2511-2515 Hancock Drive from this joint application, and the Council accepted this withdrawal.

The City Manager submitted the following:

"June 23, 1954

"Memorandum to: Walter E. Seaholm, City Manager

Memorandum from: Albert R. Davis, Superintendent, Water Department

Subject: Proposals for installation of twenty-four inch water main in Oltorf Street.

"Proposals for the installation of 2,360 feet of 24" water main in Oltorf St. from South 1st St. to South Congress Avenue were received until 10:00 A.M., June 22, 1954, and then publicly opened and read. The following proposals were received:

	<u>Cast Iron</u>	<u>Steel Cylinder Concrete</u>	<u>Working Days</u>
Pelphrey-Basham, Inc	No Bid	\$27,760.00	150
Joe Bland Construction Co.	No Bid	32,098.40	20 days after receipt of materials
Karl B. Wagner Engineering Construction, Inc.	No Bid	34,458.00	60
H. B. Zachry Co.	No Bid	37,246.74	160
Austin Engineering Co.	No Bid	38,501.00	50
Stevens Construction Co.	No Bid	41,153.00	45

"The above proposals have been analyzed, and it is my recommendation that the proposal of Pelphrey-Basham, Inc. be accepted as the lowest and best proposal received.

"Albert R. Davis,
Superintendent, Water Department

Approved
City Manager"

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 22, 1954, for the construction of a twenty-four inch (24") water main in Oltorf Street, from South 1st Street to South Congress Avenue; and

WHEREAS, the bid of Pelphrey-Basham, Inc., in the sum of \$27,760.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water 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 Pelphrey-Basham, Inc., in the sum of \$27,760.00 be, and the same is hereby accepted and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with the pelphrey-Basham, Inc.

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

The City Manager submitted the following:

"June 23, 1954

"Memorandum to: Walter E. Seaholm, City Manager
Memorandum from: Albert R. Davis, Superintendent, Water Department

Subject: Proposals for installation of thirty inch water main in South 1st St.

"Proposals for the installation of 5,230 feet of 30" water main in South 1st St. from Oltorf St. to Center St. were received until 10:00 A.M., June 22, 1954, and then publicly opened and read. The following proposals were received:

	<u>Cast Iron</u>	<u>Steel Cylinder Concrete</u>	<u>Working Days</u>
Pelphrey-Basham, Inc.	No Bid	\$69,308.00	150
Karl B. Wagner Engineering Construction, Inc.	No Bid	74,208.50	75
Joe Bland Construction Co.	No Bid	78,843.00	35 days after receipt of material

H. B. Zachry Co.	No Bid	81,286.12	180
Austin Engineering Co.	No Bid	88,814.50	120
Stevens Construction Co.	No Bid	90,391.50	120

"The above proposals have been analyzed, and it is my recommendation that the proposal of Pelphrey-Basham, Inc. be accepted as the lowest and best proposal received.

"Albert R. Davis
Superintendent, Water Department

Approved
City Manager

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 22, 1954, for the construction of a thirty-inch (30") water main in South 1st Street, from Oltorf Street to Center Street; and

WHEREAS, the bid of Pelphrey-Basham, Inc., in the sum of \$69,308.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water 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 Pelphrey-Basham, Inc., in the sum of \$69,308.00 be, and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with the Pelphrey-Basham, Inc.

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

Councilman Pearson suggested if the Council were going to be asked to hear City employees, if it wouldn't be wise to set up a special committee to hear differences of opinion, as the Council would be completely out of order to enter into personnel problems. Councilman White could not agree, as these people were not city employees, but were public citizens. Councilman Pearson suggested setting up a Board consisting of three employers and two employees to listen to any problem and make disposition. Councilman Long stated there had been a recommendation from MR. NOLVIN WARD. She did not think the Council could set up a Board saying a person should be hired or fired.

There being no further business the Council adjourned at 12:30 P.M.

subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk