

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 18, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call :

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney; Robert A. Miles, Chief of Police.

Invocation was delivered by REV. JERRY SMITH, St. Mark's Methodist Church, 11203 Motheral Drive.

Councilman White moved that the Minutes of the meeting of June 11, 1959, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. ARTHUR FEHR, on behalf of the Architects and the Contractor for the Airport Terminal, presented a silver plated shovel "Commemorating Austin's Gateway to Air Travel, Ground Breaking Ceremonies, Robert Mueller Municipal Airport Terminal Building, 14 May, 1959, Presented to the City Council of Austin, Texas, Tom Miller, Mayor. B. L. MCGEE, General Contractor, FEHR & GRANGER, Architects." The Mayor on behalf of the Council thanked the Architects and Contractor, and stated that the shovel would be placed in the City Hall until the new Terminal Building was completed.

MR. L. E. BELDING appeared before the Council requesting the use of and the closing of South First Street from Barton Springs Road to the crest of the hill for the soap box derby to be held July 26th, from noon until 6:00 P.M. Discussion was held on this location as to rerouting traffic, and possible change of location, and checking with property owners. Councilman White moved that the request be referred to the City Manager to work out with the Police

Department and with the committee sponsoring the soap box derby. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 southwest corner of the intersection of West 35th Street and Kerbey Lane which property fronts 122.2 feet on West 35th Street and 66.0 feet on Kerbey Lane, being known as Lot 1 of Glenview Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Hugo A. Klint 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 Hugo A. Klint has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"June 18, 1959

"Mr. S. Reuben Rountree, Jr.
Acting City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Hugo A. Klint 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 West 35th Street and Kerbey Lane, which property fronts 122.2 feet on West 35th Street and 66.0 feet on Kerbey Lane, being known as Lot 1 of Glenview Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Hugo A. Klint and is under lease to State-wide Investment Trust Company. We hereby advise that the following conditions exist.

"The property upon which this 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 Hugo A. Klint be granted permission to construct, maintain, and operate a 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 - H - 1650.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1650 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 Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.03 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THAT CERTAIN 12.88 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, 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 second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

No action was taken on the bid for the house at 2211 Nolen Street as the Council wanted to make a personal inspection of the building.

MRS. OPAL McBRIDE appeared before the Council requesting that a vacant lot which the City owns on East 22nd Street from Alamo to Poquito be cleared, and lights be installed for a little league park. The club was already organized and used Rosewood Park, but it was desired to have this place for the children to practice. Councilman Bechtol explained the policy of the City to provide the land, but not the lights, and asked if this group could develop the field if the City made available the land. Mrs. McBride said it might be possible. Councilman Palmer stated the Council would look into this request and asked that Mrs. McBride and her group contact the Recreation Director, Mr. Sheffield, and to be sure they would comply with the rules and policy of the City.

The Council deferred action on the contract with the TELE-TRIP COMPANY for machine and counter sales of travel insurance, at the Airport until additional information could be obtained.

MR. HAROLD LAWRENCE reported that his house had been burglarized some time back while he was out of the city, and highly complimented the Police Department and its Detective section on the work it had been doing on the case.

He listed as a cause of the burglaries the influx of people into Austin that had been driven out of other cities in their fight against vice and crime. He stated he had talked with the District Attorney, County Attorney and Sheriff about this. He believed if the houses were closed down in the County that these people would not drift into Austin and be the menace that they are. Chief Miles reported on the situation as far as the Austin Police Department was concerned and that it tried to stay ahead of the matter at all times. The Mayor asked Mr. Lawrence to bring any specific evidence he had to the Police Department. He stated that the County and District officials were being diligent in their work, and that he would be glad to talk with the District Attorney and County officials.

MR. TOM GEE appeared representing the BOARD OF TRUSTEES, LULING PUBLIC SCHOOLS, in its application for change of zoning from "A" Residence to "GR" General Retail at 4814 East Avenue, stated that Mr. Nelson Puett could not enter into the previously discussed agreements and meet the requirements. After discussion, the Council took no action in denying the change, but gave another week for Mr. Puett's consideration.

MR. TRUEMAN E. O'QUINN ask that the Council postpone a hearing which had been advertised for public hearing for June 25, 1959. Councilman Palmer moved that the following application for change of zoning set for June 25th, be postponed and reset for Thursday, July 23rd, and that the City Clerk notify the property owners of the new hearing date:

LE ROY MELCHER	Tract 1: 5702-12 Berkman Dr.	From "A" Residence To "LR" Local Retail
	Tract 2: Rear of 5710-5712 Berkman Drive	From "A" Residence To "LR" Local Retail (As amended NOT Recommended by the Planning Com- mission

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

MR. TRUEMAN E. O'QUINN asked for a hearing on some plans being drawn for use of MR. HOWARD CLAGGETT who owns 18 acres on the river front that joins property the city owns. The Mayor stated the City would have to formulate some plans and he did not believe it could lease any of its property at this time. He stated the Council would have a public hearing on Mr. O'Quinn's request next week (June 25th) between 2:30 and 4:00, as soon as the regular business scheduled for that day was completed.

MR. A. S. HULL appeared before the Council regarding traffic on Lake Austin and pointing out many violations, and calling attention to the recent accident on the Lake as a result of some of these violations. He mentioned a slough or draw at Lake Austin Inn where people went swimming and where V.F.W. had a Boy Scout Camp; also where university girls practiced canoeing. Although

this slough was marked off with signs, the skiers continued to come into this area. Mr. Hull reported speeding around boat docks, and around the entrance of Bull Creek; and reported that when the Lake Patrol were notified, it took from an hour to an hour and a half before they arrived. Mr. Hull asked for rules and regulations on the lake. The Chief of Police explained the procedure followed for enforcement on the lake and the ratio of manpower to the number of boats registered as to the manpower and number of cars registered. Mr. Hull asked that Police Officers be placed in these danger spots and give a few tickets, which he believed would stop some of the violations. Councilman Palmer stated that the City would look further in the state law and try to make the lake as safe as it possibly could.

MR. REUBEN ROUNDTREE, Acting City Manager, made a report on the traffic pattern around the Auditorium and Chambers of Commerce Building, as had developed from a meeting with the two Chambers and the Traffic Engineer and himself. The recommended traffic plan was agreeable to both the Junior and Senior Chambers of Commerce. As to the triangular tract of land in back of the Building, the Acting City Manager recommended that the Chambers of Commerce be permitted to pave that part for the use of it, as they had requested.

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

The Mayor announced that further discussion of passing the ordinance vacating East 9th Street between Neches and Trinity Street would be held in a Special Meeting called for 10:00 A.M., Tuesday morning, June 23, 1959.

Councilman Bechtol moved that the property owners within the 300' be notified, and carry a separate legal advertisement in the American and Statesman and noon additions on the following zoning application: (Hearing to be June 25)

CAPITOL BOWLING COMPANY	5732 Grover Avenue	From "C" Commercial
HARRY S. WILDER	(Rear)	To "C-1" Commercial
		RECOMMENDED by the
		Planning Commission

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

MAYOR MILLER made an announcement regarding a letter received by the Council members from the Austin Travis County Democratic Women's League, pertaining to appointments on the various Boards. He stated the Council had passed a motion thanking the people who had served on the Boards who had not been re-appointed.

Councilman Bechtol moved that the Acting City Manager be authorized to execute a contract with TRAVIS MATERIALS to effect the exchange of material which we have already discussed and to take care of a waiver of all damages and to purchase those two tracts that are the STROBERG tract and the tract across the river for a maximum of \$375.00 an acre. (About 41 acres around the dam) The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Attorney explained the provisions of the present ordinance pertaining to clearing lots, and suggested an amendment to the ordinance to provide for notice to the property owners by registered mail by the Health Officer or Fire Marshall, and that the property owners be given more than one notice, and be given an opportunity to get the cleaning done within a reasonable time; and then allow the Health Officer to order the work done, permitting an appeal to the Council from the action of the Health Officer or Fire Marshall if there are grievances. The Mayor suggested that a list of people doing this type of cleaning be furnished the property owners with explanation that the City was not soliciting for these on the list, as many people just did not know whom to call to get the work done. Councilman White inquired about cleaning the blind corners, and it was stated this could be included in the same ordinance. Councilman Bechtol moved that the City Attorney be instructed to draw up an ordinance along the lines he has just outlined, and that the ordinance include the trimming of hedges and trees where it interfered with intersections. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council for July 23, 1959:

RANDALL TALLEY & WILLIE DURHAN, By C.T. Uselton	5213-15 Evans	From "A" Residence To "LR" Local Retail
WYATT O. STONE	2003-05 West 35th Street	From "A" Residence To "LR" Local Retail
MRS. J. L. CRAWFORD By Lockhart-Hutchens Realtors	1013 East 38 $\frac{1}{2}$ Street	From "A" Residence To "O" Office
NORTHWAY CREST DEVELOPMENT CO., INC. By S.Webb Ruff	7613-7717 Guadalupe & 513-17 Northway Drive	From "A" Residence To "B" Residence
E. T. HOWELL, Owner R.L. TENNISON, Appli- cant	3503 Webberville Road	From "C" Commercial To "C-1" Commercial

JOHN A. MERCADO

5300-02 Evans Street
504-06 East 53rd Street

From "LR" Local Retail &
"A" Residence
To "C" Commercial

HUGO A. KLINT &

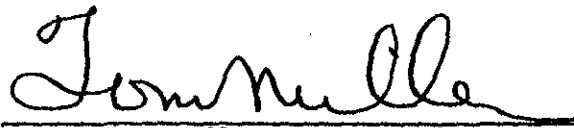
2601-3019 Interregional
Highway

CARL E. RICHARD, Owners
By T.B. Kellum, Atty.

From Interim "A" Residence
6th Height & Area
To "GR" General Retail
6th Height & Area

There being no further business, the Council adjourned at 6:00 P.M.,
subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk