

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 5, 1959
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; Robert A. Miles, Assistant Chief of Police.

Invocation was delivered by REV. DANA S. GREEN, St. Luke's Methodist Church, 1306 West Lynn.

Councilman White moved that the Minutes of the Meeting of January 29, 1959, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. KURT MEYER appeared before the Council regarding the straightening of Riverside Drive to eliminate an "S" curve at Summitt, in the 1600 block. The Director of Public Works outlined the plan for Riverside Drive all the way to Ben White Boulevard, stating that they were in the process of acquiring the rights-of-way. The Mayor asked that this one particular request be worked out now, and then work out the rest of the project. The City Manager stated the whole job was scheduled for 1959, and the tracts of land just east of the city limits would have to be obtained to tie it into the rest of the read. The Mayor asked that a meeting be arranged with MR. BOOTH and MR. IAN MORGAN and he would discuss the matter with them to see what can be worked out on the road.

The Mayor stated a lot of people had work contracted on the lake, and had this bad weather and were anxious that the Council let the lake remain lowered for a while longer. He said he had checked with the L.C.R.A. Councilman Long moved that the time be extended to February 16th. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE 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 USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON A TRACT OF LAND FRONTING APPROXIMATELY 215 FEET ON THE WEST RIGHT OF WAY LINE OF SOUTH LAMAR BOULEVARD AT A POINT APPROXIMATELY 135 FEET SOUTH OF THE SOUTH LINE OF LA CASA DRIVE, LOCALLY KNOWN AS 2606-2612 SOUTH LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The ordinance was read the second time and Councilman Pearson 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 Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Pearson 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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF ANN ARBOR AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, EXTENDING FROM THE SOUTH LINE

OF LA CASA DRIVE, SOUTHERLY TO THE SOUTH LINE OF INWOOD HILLS, SAME BEING THE WESTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 16, AND THE EASTERLY PROLONGATION OF THE SOUTH LINE OF BLOCK 17 OF SAID INWOOD HILLS; RETAINING AN EASEMENT FOR PUBLIC UTILITIES IN THE CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman 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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CASA MONTE COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The ordinance was read the third time and Councilman White moved that

the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, heretofore on January 29, 1959, the City Council of the City of Austin agreed to modify that certain "Agreement for Public Pound Services" executed between the City of Austin and The Humane Society of Austin and Travis County dated August 18, 1955, as amended June 10, 1957; and

WHEREAS, said modification was agreed to apply to the entire month of January, 1959, and subsequent months; Now, Therefore,

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 an agreement modifying the terms of said "Agreement for Public Pound Services" dated August 18, 1955, as amended June 10, 1957, so as to provide for payment to said Humane Society by City at the end of each calendar month the sum of seven hundred dollars (\$700.00) for Public Pound Services performed for City during said calendar month pursuant to the terms and conditions of said contract.

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)

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 northeast corner of the intersection of South Lamar Boulevard and Goodrich Avenue, which property fronts 196.76 feet on South Lamar Boulevard and 185.00 feet on Goodrich Avenue, being known as Lot 1 of "Resubdivision of 1.14 acre of land out of the Isaac Decker League" in the City of Austin, Travis County, Texas and hereby authorizes the said Marvin Browder Oil Company 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 Marvin Browder Oil Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"February 5, 1959

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

"Dear Sir:

"We, the undersigned, have considered the application of Marvin Browder Oil Company 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 northeast corner of the intersection of South Lamar Boulevard and Goodrich Avenue which property fronts 196.76 feet on South Lamar Boulevard and 185.00 feet on Goodrich Avenue, being known as Lot 1 "Resubdivision of 1.14 acres of land out of the Isaac Decker League" in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by W. H. and George B. Luedecke and is under Lease to Marvin Browder Oil Company. 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 Marvin Browder Oil Company 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 - H - 1619.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1619 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 Pearson, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

Mayor Miller announced that the following zoning applications had been withdrawn:

CHARLES BALAGIA	3207-3213 Fairfax Walk	From "A" Residence To "BB" Residence NOT Recommended by the Planning Commission
LEONARD GUSTAFSON	4404 Bellvue Avenue	From "A" Residence To "B" Residence NOT Recommended by the Planning Commission

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

THEODORE W. BERENSON By Robert Sneed, Attorney	Cameron Road, Inter- regional Highway and Reinli Streets	From "C" Commercial 6th H&A To Tract 1-"C" Commercial 2nd Tract 2-"C-2" Commercial 2nd H&A Tract 3-"C-2" Commercial 6th H&A Tract 4-"C-2" Commercial 6th H&A Tract 5-"C-1" Commercial 2nd H&A Tract 6-"C-1" Commercial 6th H&A Tract 7-"C-1" Commercial 6th H&A Tract 8-"C" Commercial 2nd H&A RECOMMENDED by the Planning Commission
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Mr. Sneed stated a restrictive covenant had been worked out in the City's favor as to height of signs. The Mayor asked those who wished to grant the changes to "C" Commercial 2nd Height and Area for Tract 1; to "C-2" Commercial 2nd Height and Area for Tract 2; to "C-2" Commercial 6th Height and Area for Tract 3; to "C-2" Commercial 6th Height and Area for Tract 4; to "C-1" Commercial 2nd Height and Area for Tract 5; to "C-1" Commercial 6th Height and Area for Tract 6; to "C-1" Commercial 6th Height and Area for Tract 7; and to "C" Commercial 2nd Height and Area for Tract 8; to vote "aye", those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced the changes had been granted and the City Attorney was instructed to prepare the necessary ordinance.

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GUS S. WORTHAM DAVID B. BARROW E. R. BARROW	2000-2116 South Inter- regional Highway 1201-1319 Mariposa Drive	From "A" Residence 1st Height and Area To "GR" General Retail 6th Height and Area RECOMMENDED by Plan Com.
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Opposition was expressed by Howard L. Long, Louis C. Barnes, Mrs. Pettit, and Mrs. Gunn. All more or less withdrew their opposition after full discussion. They stated it would not be necessary for him to leave the 50' buffer strip. The Mayor asked those who wished to grant the change to "GR" General Retail 6th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "GR" General

Retail 6th Height and Area and the City Attorney was instructed to prepare the necessary ordinance.

WOODROW W. KNAPE	1012-22 East 52nd Street	From "A" Residence 5th
	5200-06 Interregional Hwy.	Height and Area
	1015-23 East 53rd Street	To "C" Commercial 5th
		Height and Area
		NOT Recommended by the
		Planning Commission
		RECOMMENDED "C" Commercial
		1st Height and Area

No opposition appeared. The Mayor asked those who wished to grant the change to "C" Commercial 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 1st Height and Area and the City Attorney was instructed to prepare the necessary ordinance.

ALLANDALE HOMESITES, INC. By W. W. Patterson	7114-20 Burnet Road 2400-04, 2401-07 Greenlawn Parkway	From Interim "A" Residence and "A" Residence 1st Height and Area To "C" Commercial 3rd Height and Area NOT Recommended by the Planning Commission RECOMMENDED "C" Commer- cial 1st Height & Area
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The Mayor asked those who wished to grant the change to "C" Commercial 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 1st Height and Area and the City Attorney was instructed to prepare the necessary ordinance.

ALLANDALE OF AUSTIN, 3308-10 & 3307-09
 INC. Greenlawn Parkway
 By W.W. Patterson

From Interim "A" Residence
 1st Height and Area
 To "C" Commercial 3rd
 Height and Area
 NOT Recommended by the
 Planning Commission
 RECOMMENDED "LR" Local
 Retail 1st Height & Area

The Mayor asked those who wished to grant the change to "IR" Local Retail 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail 1st Height and Area and the City Attorney was instructed to prepare the necessary ordinance.

ANDY WELLS
 By Robert Sneed

7205-7301 Burnet Road

From "A" Residence
 To "GR" General Retail
 RECOMMENDED by the
 Planning Commission

The Mayor asked those who wished to grant the change to "GR" General Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

WAYNE BURNS
 By Trueman O'Quinn

4327-4333 South 1st St.
 504-14 St. Elmo Street

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

A letter from the Superintendent of the Schools was noted and inquiry was made in behalf of the Schools by the Mayor. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial

and the City Attorney was instructed to prepare the necessary ordinance.

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JESSE HARRELL JONES	1200-04 Cedar Avenue 2504-06 (2510) East 12th Street	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to prepare the necessary ordinance.

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W. T. PATTON	2000-24 US Hwy.290 E. 7001-21 Mira Loma Lane	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to prepare the necessary ordinance.

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WALLACE MAYFIELD C. E. FAULKNER By Ted Wendlandt	1213-1301 West 34th Street	From "O" Office To "C" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to prepare the necessary ordinance.

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GRACE CARUTHERS
By D. G. Ledesma

3524-36 East 7th Street

From "D" Industrial 5th
Height and Area
To "C-1" Commercial 5th
Height and Area
RECOMMENDED by the
Planning Commission

Opposition was expressed by Mr. Quisenberry. Mr. Ledesma stated his permit was for beer-to-go although he served food on the premises - barbecue and short orders. MISS CARUTHERS appeared in her behalf. The Council deferred action until it could make a personal inspection of the area.

JOHN BEASLEY &
FRED D. MANN

1152-54 (1104) Navasota
Street

From "C" Commercial
To "C-2" Commercial
NOT Recommended by the
Planning Commission

Mr. Mann appeared in his own behalf. The Council deferred action until it could make a personal inspection of the area.

C. L. REEVES
By Sidney Purser

4108-14 Bellvue Avenue
4109-13 Alice Avenue
1201 West 42nd Street

From "A" Residence 1st
Height and Area
To "C" Commercial 2nd
Height and Area
NOT Recommended by the
Planning Commission
RECOMMENDED "GR"
General Retail 2nd
Height and Area

Hearing was deferred until Mr. Reeves came before the Council.

Mayor Miller read the following letter from the National Police Officers Association:

"January 28th, 1959

"Dear Mr. Mayor:

"During the past year we have made a study of the progress of your city in reducing traffic fatalities and injuries during 1958. Our records indicate that an outstanding record was achieved during this period. Based upon this record we have cited your police department with the annual WALKER SAFETY AWARD certificate which is enclosed.

"This award commends the members of your police department in their enforcement of traffic regulations in your community. This is a very difficult

job at best but the results are the saving of human lives and loss of property. Because this work goes by without recognition we have instituted this program now in its second year.

"We would appreciate you, on our behalf, presenting this Award to the Chief of Police of your community with our congratulations to all the members of his enforcement team. We hope that next year at this time we will be sending your your second or third award for traffic safety.

"This announcement has been made to the newspaper and radio people in your area and no doubt that they will contact you for a picture or story. This is an ideal time for obtaining favorable publicity for your police department and we urge you to do so.

"Again, our best wishes and congratulations for making your city a safer place to work, live, and play.

"Respectfully yours,
(Sgd) Frank J. Schira
FRANK J. SCHIRA
President"

Mayor Miller presented the Certificate to ASSISTANT CHIEF MILES for the Police Department. Councilman Long moved that the Police Department be congratulated for receiving this award. The motion, seconded by Councilman Palmer, carried by the following vote:

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

MR. JOE DACY appeared calling attention to the bad condition of the alley in the 600 block between Congress and Colorado. The Mayor suggested getting the alley paved, and getting the owners to pay their part.

Councilman Long reported a condition in the alley behind CHENARDS on Guadalupe, and asked that the trees be removed from the alley.

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 the erection of a boat dock on the property owned by H. B. Clagett as described in the Travis County Deed Records and known as part of the Lakeland Park Subdivision approximately 200 yards above Quinlan County Park on the shore of Lake Austin, and hereby authorizes the said H. B. Clagett to construct, maintain and operate this boat dock subject to same being constructed 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 erection of this boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said H. B. Clagett has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
February 5, 1959

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of H. B. Clagett, owner of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being part of the Lakeland Park Subdivision approximately 200 yards above Quinlan County Park, as listed in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 40 feet beyond the normal high water level. The construction details meeting all requirements, and the Lake Austin Navigation Board having considered and approved this project, I recommend that if H. B. Clagett is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"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 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 approved the property situated on the north side of East First Street as a private Propane Gas plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own trucks, and from which no Propane Gas is to be sold, which property is owned by the Texas Construction Service Company, and is 178' x 475' Unplatted part of Lots 9 and 10 of the E. H. Deats Subdivision, Outlot 15, Division O, in the City of Austin, Travis County, Texas, and hereby authorizes the said Texas Construction Service Company to operate a private Propane Gas plant consisting of a 1,000 gallon tank and electric pump for the sole purpose of servicing their own trucks, and from which no Propane Gas 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 Propane Gas 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 Texas Construction Service Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas
February 5, 1959

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

"Dear Sir:

"I, the undersigned, have considered the application of the Texas Construction Service Company, through their agent, R. W. Daily, for permission to operate a private Propane Gas plant consisting of a 1,000 gallon tank with an electric pumping unit whereby the release of any vapors will not be necessary or required for the sole purpose of servicing their own trucks and from which no Propane Gas is to be sold, on property located on the north side of East First Street which property is designated as 178' x 475' Unplatted part of Lots 9 and 10 of the E. H. Deats Subdivision, Outlot 15, Division O, in the City of Austin, Travis County, Texas, and locally known as 3212 East 1st Street.

"This property is located in a D Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the installation of this Propane Gas tank and all valves, fittings, and equipment shall meet the requirements of Liquified Petroleum Gas, Docket Number 1 of the Texas Railroad Commission.

"(2) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where volatile or

flammable liquids are handled or stored.

"(3) 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
Chief Building Inspector"

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

Councilman White moved that D. R. COWSERT be granted a permit for a boat slip about 1200' north of Indian Cove on east bank of Lake. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

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

SECTION 1: That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute, on behalf of the City of Austin, that certain Municipal Maintenance Agreement between the State of Texas and the City of Austin covering a distance of approximately 2.377 miles along the following route to wit: being on Northland Road from the city limit line (approximately 160 feet west of the intersection of Northland Road and Highland Hill Circle) to Allendale Road; Allendale Road to Koenig Lane; Koenig Lane to North Lamar Boulevard (Highway Loop 275); and all being on Ranch to Market Highway 2222; and said City Manager is further authorized and directed to transmit said executed agreement to the Texas Highway Department for appropriate action.

SECTION 2: That this Resolution shall take effect immediately upon its passage.

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

Councilman Palmer introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.53 OF ONE ACRE OF LAND, SAME BEING OUT OF THE T. J.

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

The ordinance was read the first time and Councilman Palmer moved that
the ordinance be passed to its second reading. The motion, seconded by Council-
man White, carried by the following vote:

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

The Council agreed upon the following polling places for the coming
Council Election on April 4, 1959:


Precinct	Polling Place
121	Palm School
122	Pan American Center
123	Saengerrunde Hall
124	Wesley Chapel Methodist Church
125	Doris Miller Auditorium
126	Govalle School
127	Govalle Fire Station
128	Zion Hill Baptist Church
129	County Road Shops
130	University Jr. High School
131	Maplewood School
132	Airport Blvd. Fire Station
221	Pease School
222	O'Henry Jr. High School
223	Austin High School Gym
224	Mathews School
225	19th Street Fire Station
226	Tarrytown Fire Station
227	Wooldridge School
228	North Austin Fire Station
229	Brykerwoods School
230	Casis School
231	Baker School
232	Hyde Park Christian Church
233	Pentecostal Holiness Church
234	Ridgetop School
235	McCallum High School
236	Rosedale School
237	Highland Park School
238	T. A. Brown School
239	Brentwood School
321	Office of Frank W. McBee
322	Zilker School
323	Molly Dawson School

421
422
423

South Austin Fire Station
Travis Heights School
Allison School

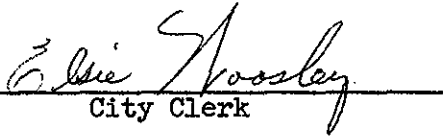
There being no further business, the Council adjourned at 3:45 P. M.,
subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk