

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 9, 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. BILLY IRWIN KENNEDY, South Austin Nazarene Church, South 5th Street and West Milton.

Councilman White moved that the Minutes of the Meeting of April 2, 1959, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Councilman White moved that the Minutes of the Special Meeting of March 31, 1959, 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 (As he was absent from the Meeting of March 31, 1959)

Councilman White moved that the Minutes of the Special Meeting of April 6, 1959, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Present but not voting: Councilman Long (As she was absent from the Meeting of April 6, 1959)

The Council heard the appeal of MRS. FLORENCE E. RICHEY from the decision of the Planning Commission denying permission for a Special Permit for a Veterinary Hospital at 1701 South Congress Avenue. MR. ROBERT SNEED represented the applicant, describing the safeguards that were planned to keep the operation from being offensive, and pointing out this request received a tie vote in the Planning Commission as one member was absent. He stated the application was amended now to request a special permit only for the one resident, and excluding the rental property in the back. He stated this hospital was to be used as a hospital and no animals would be boarded. MR. ROBERT POTTS represented the opposition, nine residential neighbors and two commercial neighbors. He displayed photographs, and noted the short distance from the proposed Veterinary Hospital to the Fire Station, and to a neighborhood of nice homes. He stated there was vacant property in the neighborhood, and he did not believe anyone wanting to erect a commercial building would chose this location with a veterinary hospital across the street exhausting odors into the air. He added that besides depressing the residential and commercial neighborhoods, this would adversely affect the types of commerce that would develop on the main throughfare leading to the Capitol. After more discussion, the Council deferred action on the appeal until it could make a personal inspection of the area.

MR. THOMAS G. GEE requested that the pending appeal of NELSON PUEITT & ASSOCIATES, regarding the width of Lightsey Road in the proposed South Terrace Addition be set for hearing. Councilman Long moved that the hearing be set for 10:30 A.M., April 23, 1959. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Mayor brought up the following zoning applications deferred from last week:

O. H. BUAAS	1130 West 6th Street	From "C" Commercial To "C-2" Commercial RECOMMENDED by the Planning Commission
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Mr. Buaas to write a letter guaranteeing that there will be no tavern for the period of this lease and during his ownership. The Mayor asked those who wished to grant the change to "C-2" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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LILLIE BERLOWITZ

705 West 24th Street

From "B" Residence 1st
To "C-1" Commercial 2nd
RECOMMENDED by the
Planning Commission

Mr. Ramsey to provide a letter from the owners or from the people who control the land that there will be a barrier--planting strip or wall--put up; that the trash and garbage will be properly taken care of, and that there will in no way be any offensive operation. Mr. Ramsey stated he would submit this agreement. 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 draw the necessary ordinance.

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CARRET CORPORATION

3407 Helms

From "A" Residence 1st
To "B" Residence 2nd
RECOMMENDED by the
Planning Commission

The Council deferred action until the following Thursday.

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DAN E. McCASKILL
By Trueman O'Quinn

819-21 East 32nd Street
3106-3110 Red River

From "A" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

MR. STUART PURCELL withdrew opposition to "O" Office but still opposed a filling station on this property. Representative from the Texas Bible Chair, 810 East 32nd Street, had no opposition to "O" Office, but did oppose a filling station. (Councilman White to discuss type of development with Mr. McCaskill.) The Council deferred action until the following Thursday.

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M. E. CHERNOSKY, Owner 1013 Vargas Road
ISAAC GUZMAN, Purchaser

From "A" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission

The Council deferred action until the following Thursday.

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EVELYN MARIE SMITH
JOHNSON

5601 Sunshine Drive

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission

The Council deferred action until the following Thursday.

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HENRY G. KRAUSS
By Smartt & Fallon

2311-13 Rebel Road

From "A" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

The Council deferred action until the following Thursday.

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Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the certain agreement dated April 9, 1959, between the State of Texas and the City of Austin for the adjustment and relocation of all water lines within the proposed right of way of Interstate Highway 35 between East 19th Street and the Colorado River in the City of Austin be and the same is hereby approved, and W. T. Williams, Jr., City Manager, is hereby authorized to execute said agreement on behalf of the City of Austin, and to transmit the same to the State of Texas for appropriate action.

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)

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

That the certain agreement dated April 9, 1959, between the State of Texas and the City of Austin for the adjustment and relocation of all sanitary sewers within the proposed right of way of Interstate Highway 35 between East 19th Street and the Colorado River in the City of Austin be and the same is hereby approved, and W. T. Williams, Jr., City Manager, is hereby authorized to execute said agreement on behalf of the City of Austin, and to transmit the same to the State of Texas for appropriate action.

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)

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

That the certain agreement, dated April 8, 1959, between the State of Texas and the City of Austin for the relocation or adjustment of all electrical installations within the proposed right of way of Interstate Highway 35 from East 19th Street to the Colorado River in the City of Austin, be and the same is hereby approved and W. T. Williams, Jr., City Manager, is hereby authorized to execute said agreement on behalf of the City of Austin and to transmit the same to the State of Texas for appropriate action.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

(1) An underground telephone conduit in EAST FIFTEENTH STREET, from the west line of San Jacinto Street westerly to a point 130' west of the west line of Brazos Street, the centerline of which underground telephone conduit shall be 3 feet south of and parallel to the centerline of said EAST FIFTEENTH STREET.

(2) An underground telephone conduit in EAST FIFTEENTH STREET, from a point 3 feet south of the centerline of said East Fifteenth Street and 130 feet west of the west line of Brazos Street, thence following a line at a right angle to the centerline of East Fifteenth Street to a point in the south line of said EAST FIFTEENTH STREET.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Long, 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, certain public utilities and drainage easements were reserved and dedicated to the public across two tracts of land, each being out of and a part of the Frank E. Pease Subdivision, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Frank E. Pease Subdivision of record in Book 5 at page 135 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the hereinafter described premises have requested that said public utilities and drainage easements located thereon be released; and,

WHEREAS, the hereinafter described portions of said easements are not now needed and hereafter will not be required by the City of Austin, save and except a five (5) foot strip at the rear necessary for electric lines; 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 to execute a release of the easements for public utilities and drainageway, saving and excepting a five (5) foot strip at the rear for electric lines, located on the hereinafter described premises, to wit:

Two (2) tracts of land, each of the said two (2) tracts of land being out of and a part of the Frank E. Pease Subdivision, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Frank E. Pease Subdivision of record in Book 5, at Page 135 of the Plat Records of Travis County, Texas; the tract of land hereinafter described as No. 1 containing 2832 square feet of land, the tract of land hereinafter described as No. 2 containing 4052 square feet of land; each of the said two (2) tracts of land are to be released from public utility and drainage easement provided on said plat of Frank E. Pease Subdivision and each being more particularly described by metes and bounds as follows:

NO. 1 BEGINNING at the northwest corner of the herein described tract of land same being the northeast corner of Lot 25 of said Frank E. Pease Subdivision;

THENCE, with the north line of the herein described tract of land, same being the north line of the said Frank E. Pease Subdivision, S. 59° 51' E. 30.00 feet to the northeast corner of this tract, same being a point in the west line of Goodnight Lane;

THENCE, with the east line of this tract same being the west line of Goodnight Lane, S. 30° 26' W. 92.37 feet to the southeast corner of this tract same being a point in the curving north line of Brentwood Street, said curve

having an intersection angle of $12^{\circ} 36'$, a tangent distance of 57.76 feet and a radius of 523.18 feet;

THENCE, following said curve to the left an arc distance of 30.31 feet the sub-chord of which arc bears N. $67^{\circ} 32'$ W. 30.30 feet to the southwest corner of the herein described tract same being the southeast corner of said Lot 25;

THENCE, with the west line of the herein described tract same being the east line of Lot 25, N. $30^{\circ} 26'$ E. 96.40 feet to the point of beginning less and excepting however, the north five (5.00) feet of the above described tract;

NO. 2 BEGINNING at the northwest corner of the herein described tract of land same being the northeast corner of Lot 12 of Frank E. Pease Subdivision said point being a point in the curving south line of said Brentwood Street, said curve having an intersection angle of $12^{\circ} 36'$ a tangent distance of 52.24 feet and a radius of 473.18 feet;

THENCE, following said curve to the right an arc distance of 30.42 feet, the sub-chord of which arc bears S. $68^{\circ} 20'$ E. 30.36 feet to the northeast corner of the herein described tract of land, same being a point in the west line of Goodnight Lane;

THENCE, with the east line of the herein described tract same being the west line of Goodnight Lane, S. $30^{\circ} 26'$ W. 137.32 feet to the southeast corner of the herein described tract of land, same being a point in the south line of the said Frank E. Pease Subdivision;

THENCE, with south line of the herein described tract, same being the south line of the Frank E. Pease Subdivision, N. $59^{\circ} 51'$ W. 30.00 feet to the southwest corner of this tract, same being the southeast corner of said Lot 12;

THENCE, with the west line of this tract same being the east line of said Lot 12, N. $30^{\circ} 26'$ E. 132.82 feet to the point of beginning, less and excepting however the south five (5.00) feet of the above described tract.

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, by that certain instrument dated March 16, 1957, of record in Volume 1793 at page 262 of the Deed Records of Travis County, Texas, Caldwell Smith and wife, Dolly Smith, granted to the City of Austin a sanitary sewer easement 15 feet in width, in, upon and across Outlot 22, Division B of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, and of record in Book 9, page 42 of the Travis County Plat Records; and,

WHEREAS, the owner of said property has heretofore granted to the City of Austin an easement at a more desirous location, and has requested that said sanitary sewer easement located on the hereinafter described premises be released; and,

WHEREAS, the hereinafter described easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the easement for sanitary sewer located on the hereinafter described premises, to wit:

All of that certain strip of land fifteen (15) feet in width out of Outlot 22, Division B of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; said sanitary sewer easement granted to the City of Austin by Caldwell Smith and wife, Dolly Smith, by instrument of record in Volume 1793 at Page 262, Deed Records of Travis County, Texas. The centerline of said strip of land fifteen (15) feet in width being more particularly described by metes and bounds as follows:

BEGINNING at a point in the eastern Boundary line of a tract of land conveyed to Caldwell Smith by deed of record in Vol. 1014, page 499, Deed Records of Travis County, Texas, same now being the east line of a subdivision known as Greenwood Heights, of record in Book 9 at Page 42, Plat Records of Travis County, Texas, and from which point of beginning the southeast corner of the said Caldwell Smith tract bears in a southeasterly direction 243.6 feet;

THENCE, N. 58° 29' W. 37.85 feet to a point;

THENCE, N. 27° 29' W. 246.70 feet to a point;

THENCE, N. 8° 39' W. 124.25 feet to a point;

THENCE N. 61° 16' W. 342.7 feet to a point and N. 85° 01' W. 23.28 feet to point of termination in the west line of said Greenwood Heights, and from which point of termination the northwest corner of Outlot 22, Division B bears in a northwesterly direction 244.70 feet.

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, two strips of land, one for drainageway and one for drainageway and public utility easement, both being out of and a part of Lot 4, Brykerwoods

Annex No. 2, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to the map or plat of said Brykerwoods Annex No. 2 of record in Book 5, at Page 152, Plat Records of Travis, County, Texas; and,

WHEREAS, the owner of said Lot 4 in Brykerwoods Annex No. 2 has requested that such drainageway easement and such drainageway and public utility easement be released; and,

WHEREAS, the City of Austin does not now have and will not in the future need either such drainageway easement or such drainageway and public utility easement; 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 to execute a release of such drainageway easement and such drainageway and public utility easement; the same being more particularly described by metes and bounds as follows, to wit:

Two (2) strips of land, each of the said two (2) strips of land being out of and a part of Lot 4 in Brykerwoods Annex No. 2, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas according to a map or plat of said Brykerwoods Annex No. 2 of record in Book 5 at Page 152 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as No. 1 being a drainage easement ten (10.00) feet in width, the strip of land hereinafter described as No. 2 being a drainage and public utility easement seven and one-half (7.50) feet in width, the centerline of each of the said two strips of land being more particularly described as follows:

NO. 1 Beginning at a point in the north line of said Lot 4, same being in the south line of West 30th Street and from which point of beginning a concrete monument at the most northerly corner of said Lot 4 bears N 61° 14' W. 5.00 feet;

THENCE, S 28° 46' W. 107.50 feet more or less to point of termination.

NO. 2 Beginning at a point in a line 3.75 feet north of and parallel to the south line of said Lot 4 and from which point of beginning the southeast corner of said Lot 4 bears S 61° 14' E 10.00 feet and S 28° 46' W. 3.75 feet;

THENCE, with a line 3.75 feet north of and parallel to the south line of said Lot 4, N 61° 14' W 94 feet more or less to point of termination on the east line of a drainage easement twenty-five (25.00) feet in width described in an instrument of record in Volume 843 at page 241 of the Deed Records of Travis County, Texas.

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, bids were received by the City of Austin on March 27, 1959, for one 4650 CFM Blower Unit, complete with motor, bed, plate, check valves, etc., for the Sewage Treatment Plant; and,

WHEREAS, the bid of Roots-Connersville in the sum of \$19,932.00 was the lowest and best bid therefor, and the acceptance of such bid 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 bid of Roots-Connersville in the sum of \$19,932.00 be and the same is 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 Roots-Connersville.

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

MR. LOUIS PAGE appeared before the Council regarding his agreement concerning right-of-way for the Northeast Drive, stating the route had been tentatively changed and moved northward, and he would no longer have two corners. The property owner to his north would have a corner, and yet would not have given any right-of-way. The City Attorney explained that in case the property he dedicated was not incorporated within the right-of-way of the Highway, that his property would be deeded back to him. Mr. Page stated he had not changed his mind, but the highway had tentatively been relocated. The agreement had been signed by him, and he would have his attorney deliver it to the City. The Mayor stated that all of the property owners had formally ratified the agreement, and that the Highway Department would be notified.

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) (A) LOTS 17 AND 18 LOUIS HORST SUBDIVISION, AND (B) THE NORTH 50 FEET OF LOT 19, LOUIS HORST SUBDIVISION, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL

DISTRICT AND THIRD HEIGHT AND AREA DISTRICT; (2) (A) THE WEST 23 FEET OF LOT 7 AND THE EAST 23 FEET OF LOT 8, BLOCK 168, ORIGINAL CITY OF AUSTIN, AND (B) THE EAST 46 FEET OF LOT 7 AND THE WEST 46 FEET OF LOT 8, BLOCK 168, ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (3) LOTS 12 AND 13, BLOCK 5, PENN SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (4) A TRIANGULAR TRACT OF LAND FRONTING APPROXIMATELY 755 FEET ON THE EAST RIGHT OF WAY LINE OF AIRPORT BOULEVARD, LOCALLY KNOWN AS 4601-4723 AIRPORT BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (5) (A) LOT 14, BLOCK 1, BROADACRES SUBDIVISION, AND (B) LOTS 15 AND 16, BLOCK 1, BROADACRES SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (6) LOT 10, BLOCK 5, SHELLEY HEIGHTS NUMBER 2, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (7) LOTS 27, 28, AND 29, BLOCK E, BARTON HEIGHTS SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (8) (A) LOTS 4 AND 5, E. B. ROBINSON SUBDIVISION AND (B) LOT 3, E. B. ROBINSON SUBDIVISION, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (9) (A) ALL OF LOT 6 AND THE EAST 9.7 FEET OF LOT 5, BLOCK 162, OF THE ORIGINAL CITY OF AUSTIN, AND (B) ALL OF LOT 4 AND THE WEST 39 FEET OF LOT 5, BLOCK 162, ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT; (10) LOT 5, BLOCK 13, RIDGETOP ANNEX, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND, (11) AN INTERIOR TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 3510-3512 (3504) INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD SUCH CHANGES; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Long, 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 Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has entered into a contract with the United States of America providing for financial aid under Title I of the Housing Act of 1949 (as amended); and,

WHEREAS, one of the requirements of the Housing and Home Finance Agency is the appraisal by an independent appraiser of the properties located within the urban renewal area; and,

WHEREAS, the Director of Urban Renewal and the City Manager have recommended the employment of C. P. Henderson for the making of such appraisals; Now, Therefore,

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

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized to execute that certain appraisal contract exhibited by him to the City Council under the terms of which C. P. Henderson would perform the appraisal work described in said contract upon the terms therein set forth. (\$10.00 per hour with guaranteed maximum of \$50.00 residential ownership and \$90.00 on commercial ownership.)

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

The City Manager submitted the following:

"April 7, 1959

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

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, April 7, 1959, at the Office of the Director of Water and Sewer Department for the Taulbee Lane and Morrow Street Water Main. The bids were then publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Fairey - Simons Company	\$15,645.86	45
Karl B. Wagner Construction Engr. Co.	15,956.30	45
Walter W. Schmidt	17,181.07	65
Bland Construction Company	17,405.15	50
J. Wells Fainter	21,837.75	45
Austin Engineering Company	21,979.00	60

"It is recommended that the contract be awarded to the Fairey-Simons Company on their low bid of \$15,645.86, with 45 working days.

"Yours truly
 (Sgd) Victor R. Schmidt Jr. by
 S. A. Garza
 Victor R. Schmidt, Jr., Superintendent
 Water Distribution
 (Sgd) Albert R. Davis
 Albert R. Davis, Director
 Water and Sewer Department

"Approved:
 W. T. Williams, Jr.
 City Manager"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin for the Taulbee Lane and Morrow Street Water Main; and,

WHEREAS, the bid of Fairey-Simons Company in the sum of \$15,645.86 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department and by the City Manager of the City of Austin; Now, Therefore,

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

That the bid of Fairey-Simons Company in the sum of \$15,645.86 be and the same is 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 Fairey-Simons Company.

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

The Council had before it the following:

"April the 2nd
 1959

"The Hon. Tom Miller and
 Members of the City Council
 of Austin, Texas
 Municipal Bldg. Austin, Texas

"Dear Mayor and Council Members:

"As I have been appointed as a representative of the International Brotherhood of Electrical and will be traveling much of the time, I must resign my position as representative of the Journeymen electricians on the City Electrical Board as soon as you can appoint my successor. Although I shall be traveling much of the time, I will maintain my home and headquarters here in Austin, Texas.

"It has been a pleasure and I consider it an honored privilege to have served my City for the past twelve years as a member of the Electrical Board. My association with the Electrical Board and City officials has been a pleasant one.

"Very truly yours,
(Sgd) Marcus Loftis
Marcus Loftis"

The Council accepted the resignation of MR. MARCUS LOFTIS as a member of the Electric Board. Councilman Long moved that MR. VERNON LOFTIS be appointed to fill the unexpired term of Mr. Marcus Loftis on the Electric Board, representing the Journeyman Electricians. 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 MR. DICK PETTWAY had been quite a leader in Library Development, and that the FRIENDS OF THE AUSTIN PUBLIC LIBRARY had adopted a Resolution of appreciation to him. Mayor Miller stated that Mr. Pettway had been a very valuable Chairman and that the Council wanted to take notice of his work as such, and have the City Attorney write a letter expressing the appreciation for his ten years' service. Councilman Palmer moved that appreciation be expressed to Mr. Pettway for his long service in the Library work, and that the City Attorney write a letter along this line. The motion, seconded by Councilman Long, 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, the City of Austin and Travis County Water Control & Improvement District No. 10 executed a contract dated July 8, 1957, for purchase and sale of water under which contract it is provided that water delivered to the district by the City of Austin shall not be sold to consumers outside of the limits of the district without the written consent of the City; and,

WHEREAS, Austin Amateur Radio Club, a non-profit corporation, has leased and now occupies land owned by the City of Austin which is not within the limits of said Travis County Water Control & Improvement District No. 10; and,

WHEREAS, it is the desire of said Austin Amateur Radio Club of Travis County to purchase water from said Travis County Water Control & Improvement District No. 10 because the City of Austin does not now have water distribution lines which can serve the property leased by said Austin Amateur Radio Club; Now, Therefore,

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

That the written consent of the City of Austin be delivered to Travis County Water Control & Improvement District No. 10 in the form of a certified copy of this Resolution, authorizing said district to sell water to Austin Amateur Radio Club of Travis County, Texas, until such time as the City of Austin shall have water distribution facilities to serve said customer and shall desire to serve said customer.

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

The Mayor set a ground-breaking date for the TERMINAL at the AIRPORT as May 7, 1959.

The City Manager made a report on the status of the developments for a sewer lift station and line to serve the citizens on South Congress. At this time, the study is not complete. At the present time, he stated to take care of those inside the city it would cost \$41,000. He said if the 100 acres just to the west of Congress were included, it would cost \$78,000; and if the 300 acres west of that were included, the cost would run \$152,000. If those outside the city were willing to pay the difference, something might be worked out. The matter was deferred until more study can be made.

The Assistant City Manager submitted the recommendation of the Traffic Engineer for channelization at 34th and Lamar. After studying the plan, Councilman Palmer moved that the recommendation of the Traffic Engineer be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Assistant City Manager submitted the recommendation of the Recreation Director for the Vending Machine Concession at East District Park. Councilman Long moved that this concession be awarded to PAUL HAMNER. The motion, seconded by Councilman Pearson, carried by the following vote:

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

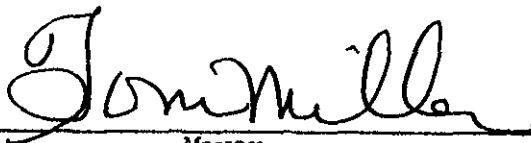
The Assistant City Manager submitted the recommendation of the Traffic Engineer for removing two stop-signs on South First at Monroe and at East Live Oak. The matter was held over.

The City Attorney stated the City had a piece of property on Waterson Street (1631), on which it had a tax deed. The City was acting as trustee for State, County and School District in obtaining the property. The property is in a creek bed, and the city needs part of it for a drainage easement and 10' for street widening. The adjoining property owner wants to buy the property for the amount of taxes. The Mayor requested that the matter be referred to the Legal Department to work out.

Councilman Pearson submitted the request of MR. A. L. McKOWN for permission to put signs on the city limits as to the Austin Amateur Radio Club. After discussion, Councilman Pearson stated he would ask Mr. McKown if he could get permission to put these signs on existing club signs.

There being no further business, the Council adjourned at 1:40 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk