

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 15, 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: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Invocation was delivered by REV. WESLEY SIMS, 12th Street Christian Church, 1100 East 12th Street.

Councilman White moved that the Minutes of the Meeting of October 8, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

MAYOR MILLER brought up the question of the telephone rates, stating several public meetings had been held, and the Council had served the people's interest in settling it and avoiding a long period of litigation. He said that DR. BOB MONTGOMERY had served as a consultant to the City. The Mayor pointed out some complaints received in that people, when calling information, had delays in getting through; that the phone books in booths were ragged and some of the pages torn out. He said the Company should be encouraged to give better rural service, taking out the eight-party lines; and to pay more to those who operate the pay phones. After discussion, Mayor Miller introduced the following ordinance:

AN ORDINANCE DETERMINING AND FIXING THE SCHEDULE
OF RATES TO BE CHARGED BY SOUTHWESTERN BELL TELEPHONE
COMPANY FOR EXCHANGE TELEPHONE SERVICE IN THE CITY OF
AUSTIN, TEXAS.

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

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

Final passage to be 10 days after ordinance is read on three separate readings.

Rates in the Telephone Rate Ordinance being as follows:

One party business service, flat rate, per mo.	\$13.50
Business Extension Station, Flat Rate, per mo.	1.75
One Party Business Service, Measured Rate per mo. (100 outgoing local messages, additional 5¢ ea.)	8.00
Business Extension Station, Measured Rate, per mo.	1.25
One Party Residence Service, Flat Rate per mo.	5.50
Two Party Residence Service, Flat Rate, per mo.	4.50
Four Party Residence Service, Flat Rate, per mo.	3.60
Residence Extension Station, Flat Rate, per mo.	1.25
Commercial PBX Trunks, Flat Rate, per month ($1\frac{1}{2}$ times rate for 1-party business flat rate service)	
Commercial PBX Stations, Flat Rate, per month (Same as rate for business flat rate extensions)	
Hotel PBX Trunks, Measured Rate, per mo. (Guarantee that local message revenue to company not less than 1-party business flat rate for each trunk.)	
Hotel PBX Stations, Measured Rate, per mo. (Same as rate for business measured rate extensions)	
Semi-Public Coin Station Service, Daily Guarantee (e) (Rate per message over guarantee 8 $\frac{3}{4}$ ¢ under guarantee 10¢)	.35 (e)
Semi-Public Extension Station Regular Equipment, per mo.	1.25
Coin Box Equipment, per month	1.75
Miscellaneous rates as set up in Schedule.	

MR. CHARLEY HAYDEN, University Student requested two-hour parking on Guadalupe from 21st to 26th Streets, stating many students had two to three hour labs, and receive parking tickets; that upon advice from the Traffic Engineer, he had contacted the merchants in the area, and they were not opposed to the idea. He asked the Council to take this request under consideration. The Mayor explained the problem to Mr. Hayden, stating granting his request would serve only a limited number, and would exclude many from coming in the

various stores, and that it was the desire to be fair to everybody. He said the Council would take the matter under consideration and go over it with the Police Department and Traffic Engineer.

MR. AMOS HEROLD asked that the Council take some kind of action or file a protest with the Railroad Commission concerning the recent explosion of the propane gas line running through the south part of the city. He stated if the line were cracked, or if it were being subjected to extraordinary pressure it could explode again. The Mayor stated this matter was controlled by the Railroad Commission, but he would talk with them, although he did not think any gas or oil company would try to run a line like Mr. Herold had suggested.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF AUSTIN, TEXAS, PURSUANT TO THE PROVISIONS OF THE URBAN RENEWAL LAW OF THE STATE OF TEXAS (ARTICLE 1269 1-3, VERNON'S ANNOTATED CIVIL STATUTES OF TEXAS), INCLUDING, PARTICULARLY, SECTION 5 AND 16(a) THEREOF; PROVIDING FOR THE FORM OF NOTICE THEREOF AND OF BALLOT FOR USE IN SAID ELECTION; PRESCRIBING THE EFFECTIVE DATE HEREOF; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 591001-A ENTITLED:
"AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL SUM OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000.00); (\$1,150,000.00 BEING THE FIFTH PARCEL

OR INSTALLMENT OF A TOTAL VOTED AUTHORIZATION OF \$17,500,000.00, AND \$5,350,000.00 BEING THE THIRD PARCEL OR INSTALLMENT OUT OF A TOTAL VOTED AUTHORIZATION OF \$20,000,000.00) FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S COMBINED ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM, AS AUTHORIZED BY THE GENERAL LAWS OF THE STATE OF TEXAS, PARTICULARLY ARTICLES 1111 ET SEQ., REVISED CIVIL STATUTES OF TEXAS, 1925, AS AMENDED; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND THE FORM OF INTEREST COUPONS; PLEDGING THE REVENUES OF THE CITY'S COMBINED ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS, AFTER DEDUCTION OF REASONABLE EXPENSES OF OPERATING AND MAINTAINING SAID COMBINED SYSTEM; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON OCTOBER 1, 1959, AND IS OF RECORD IN BOOK 59 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 3 OF SAID ORDINANCE PERTAINING TO INTEREST, BY AMENDING SECTION 4 OF SAID ORDINANCE PERTAINING TO PLACE OF PAYMENT, BY AMENDING SECTION 11 OF SAID ORDINANCE PERTAINING TO SPECIAL BOND FUND, BY AMENDING SECTION 12 OF SAID ORDINANCE PERTAINING TO BOND RESERVE FUND, BY AMENDING SECTION 20 OF SAID ORDINANCE PERTAINING TO FURTHER COVENANTS, AND BY AMENDING SECTION 22 OF SAID ORDINANCE PERTAINING TO PARITY BONDS; AND DECLARING AN EMERGENCY.

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 White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 White, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

The City Manager made a report on the sale of bonds, stating the brokerage firm had already placed all but a little over a Million of the bonds out of the \$6,500,000, and their ability to move them fast was a help to the City's rating.

The City Manager submitted the following:

"October 9, 1959

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

"Dear Mr. Williams;

"Bids were received until 2:00 P.M., Tuesday, October 6, 1959 at the office of the Director of Water and Sewer Department for the Sanitary Sewer Relocation in the Interregional Highway from East 19th Street to the Colorado River. The bids were 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>
Karl Wagner, Incorporated	\$211,019.17	120
Austin Engineering Company	222,804.89	180
Bland Construction Company	263,508.07	200
George Consolidated, Houston, Texas	305,484.13	110
Capital Construction Company	480,397.94	225

"It is recommended that the contract be awarded to Karl Wagner, Inc. on their low bid of \$211,019.17, with 120 working days.

"Yours truly,
s/ S. A. Garza, Superintendent
Sanitary Sewer Division
s/ Albert R. Davis, Director
Water and Sewer Department

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 6, 1959, for the sanitary sewer relocation in the Interregional Highway from East 19th Street to the Colorado River; and,

WHEREAS, the bid of Karl Wagner, Incorporated, in the sum of \$211,019.17, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer 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 Karl Wagner, Incorporated, in the sum of \$211,019.17 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 Karl Wagner, Incorporated.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

The City Manager submitted the following:

"October 9, 1959

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

"Dear Mr. Williams:

"Bids were received until 10:00 A.M., Friday, October 9, 1959 at the Office of the Director of Water and Sewer Department for the Relocation of Water Mains along Interregional Highway from East 19th Street to the Colorado River. The bids were 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>
Bland Construction Company	\$ 96,476.15	200
Austin Engineering Company	118,128.00	160
Karl Wagner, Incorporated	128,363.05	150
Fairey-Simons Company	142,947.75	200
J. R. Barnes Engineering Company	144,151.59	180
Glade Construction Company, Ft. Worth, Texas	178,099.70	100

"It is recommended that the contract be awarded to Bland Construction Company on their low bid of \$96,476.15 with 200 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr., Superintendent
Water Distribution

s/ Albert R. Davis, Director
Water and Sewer Department

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 9, 1959, for the Relocation of Water Mains along Interregional Highway from East 19th

Street to the Colorado River; and

WHEREAS, the bid of Bland Construction Company, in the sum of \$96,476.15, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer 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 Bland Construction Company, in the sum of \$96,476.15 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 Bland Construction Company.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a sanitary sewer easement, five (5) feet in width, extending easterly, South 85° 50' East from the west line of Lot 2, Beau Site Addition, a subdivision of a portion of Outlots 6 and 9, Division C 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 map or plat of said Beau Site Addition being of record in Book 2 at page 184 of the Plat Records of Travis County, Texas, was granted the City of Austin by that certain instrument dated June 13, 1935, of record in Volume 529, at page 1, of the Deed Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested that said portion of such sanitary sewer easement located on such premises be released; and,

WHEREAS, such portion of said sanitary sewer 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 of the City of Austin, be and he is hereby authorized to execute on behalf of the City of Austin, a release of the following described sanitary sewer easement, to wit:

Being all of that certain portion of a sanitary easement five (5.00) feet in width described in an instrument dated June 13, 1935, of record in Volume 529 at Page 1 of the Deed Records of Travis County, Texas which extends easterly, S 85° 50' E from the west line of Lot 2, Beau Site Addition, a subdivision of a portion of outlots 6 and 9, Division C 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; a map or plat of said Beau Site Addition being of Record in Book 2 at Page 184 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, 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)

WHEREAS, B. N. Holman is the Contractor for the demolition of a building located at 200 East 10th Street and desires a portion of the sidewalk and street space abutting Lot 4 and the west 6 feet of Lot 5, Block 122, of the Original City of Austin, Travis County, Texas, during the demolition of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said B. N. Holman, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a southerly direction and at right angles to the center line of East 10th Street to a point 12 feet south of the north curb line; thence in a westerly direction and at right angles to the center line of East 10th Street 52 feet to a point; thence in a northerly direction and at right angles to the center line of East 10th Street to the southwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Brazos Street to a point 12 feet west of the east curb line; thence in a northerly direction and parallel with the center line of Brazos Street approximately 90 feet to a point; thence in an easterly direction and at right angles to the center line of Brazos Street to the west line of the above described property.

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at

this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NO Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 6, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Mayor Miller brought up the following ordinance for its third 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 25.53 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY WARNELL SURVEY 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 third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

The Director of Aviation submitted a request of Browning Aerial Service for lease of land at the Airport, 116' x 70' for construction of hangars, at the identical terms as the lease authorized with Ragsdale several months ago. It was recommended. Councilman Bechtol moved to lease this tract of land 116' x 70' as shown on a map displayed, and as was recommended by the Director of Aviation. The motion, seconded by Councilman Perry, carried by the following vote:

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

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

ARTHUR G. FALK	2204-08 So. 1st Street	From "A" Residence
THELMA LOVELESS FALK		To "C" Commercial
By Frank W. McBee		RECOMMENDED by the Planning Commission

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

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

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EMILY J. HEIDT, et al	1505-1605 West Lynn	From "B" Residence
By Jerome Sneed, Jr.	1712-1714 Windsor Road	To "A" Residence
	1506-1508 Murray Lane	RECOMMENDED by the
	1519 Murray Lane	Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "A" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "A" Residence and the City Attorney was instructed to draw the necessary ordinance.

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ROBERT H. BOWMAN	1901 Robbins Place	From "B" Residence
J.T. BOWMAN ESTATE	1006-10 West 19th Street	To "O" Office
		RECOMMENDED by the
		Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance.

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MRS. JACK HUDSPETH	5900 Woodrow Avenue	From "A" Residence
Geo. T. Wall, Agt.	1400-04 Koenig Lane	To "LR" Local Retail
		RECOMMENDED by the
		Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

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PLANNING COMMISSION
AREA STUDY

2202-04, 2203-05
Chestnut Avenue

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

No opposition appeared. The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance.

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PLANNING COMMISSION

Area 13 - Southern
Oaks, Sec. 1
Area 14 - Park Forest,
Secs. 2, 5, 6, & 7
Area 15 - Western Trails,
Secs. 4 & 5
Area 16 - Pt. of Greenwood
Forest, Sec. 1 & adjoining
property to the south;
part of Alamo Heights,
Sec. 3

Original Zoning
RECOMMENDED "A" Residence
1st Height and Area
by the Planning Commission

The Mayor asked those who wished to establish the original zoning as "A" Residence and 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the original zoning had been established as "A" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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PLANNING COMMISSION
AREA STUDY

911 Montopolis Drive
901-07 Montopolis Drive
6301-05 Felix Avenue
805-07 Montopolis Drive
6300-02 Felix Avenue

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 Bechtol, Palmer, Perry, 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 draw the necessary ordinance.

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CITY OF AUSTIN

4101-4209 Red River
900-1018 East 41st St.
4100-4210 Interregional
Highway

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

MR. ROBERT ZABEL, living within 300', expressed opposition due to no streets were designed for thoroughfare traffic, "GR" zoning would create a traffic hazard for the children; the area surrounding this tract is devoted for residential uses, and the home owners should be protected; more than ample property was already zoned for this type of use than will be needed for the next 25 years; the zoning would gradually deteriorate the area and it would become a slum district; the city will need the area for public purposes, hospital, schools, or parks. Later filed a petition asking that the zoning be left unchanged, and that the City withhold the property from public sale. DR. JOEL L. ALDRIDGE, 803 Park Blvd. asked that consideration be given for the use of the land for public and civic uses. MR. F. A. LAWRENCE, 1001 East 41st, said his property would be devalued, and discussed procedures for holding hearings and for zoning land. MRS. MARY OWENS, Realtor, stated some had not received notices; but she was objecting as she stated FHA loans were not available for homes adjacent to commercial property. MR. TOM JOHNSON expressed opposition, due to ingress and egress that is involved; also asked that consideration of the recommendation in the Master Plan be considered before any zoning is done. The Director of Planning read the recommendations set out by the Planning Commission concerning street widening, buffer strips, and controls of signs and lights, etc., and outlined the changes adopted by the Planning Commission of the recommendation set out in the Master Plan. MRS. MARY MURCHISON stated University Junior High School may not be available as a school much longer, and suggested that the Hancock Tract might be needed for school purposes. MR. RONNIE DUGGER, not a property owner within 300', but in the general interest, opposed the zoning and sale of the property, as the city needed quiet places and green belts, and should not be deciding against a park for a commercial use. MR. EDMUNDS TRAVIS expressed opposition to the zoning or sale of the tract. MR. JAKE ISAAC stating the people of Austin were part owners of this tract, and those that had appeared this morning were opposed to the change of zoning. MR. HARRY PRUETT favored the change of zoning. MR. DAVID BARROW, Chairman of the Planning Commission, reviewed the procedures followed in hearing this application, and outlined the recommendations made to protect the people in the vicinity. The Council recessed; but in the afternoon meeting, the Council brought up the zoning for action.

MAYOR MILLER made the following statement regarding his position on the zoning of the tract of land:

"I do not see any real reason why I should eliminate myself from voting. I lived out there close by and worked to the best of my ability to obtain that property as a good purchase. There were no strings attached. The Country Club voted to convey it to the City. As part of the compensation, we allowed them to stay there until they got their property under way. They took care of the golf course. The Recreation Department and

City Council abandoned the nine holes over there, and my successors dedicated the other tract. To avoid the idea I might be trying to influence the Council, I will not vote. If it is your pleasure to vote on it today, call the roll."

Councilman Palmer made the following statement:

"I would like to state that I am looking at this zoning exactly as I would any other piece of zoning. It is a piece of land. We zone land instead of the people. With the Character of the property having changed by the fact of the Expressway, we have changed property along that Expressway, and I will make a motion that we change this zoning to 'GR', with limitations provided as pointed out, pertaining to the widening of the streets, set backs on the north of 100' and 50' on the other sides, and other controls."

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

Ayes: Councilmen Bechtol, Palmer, Perry, White

Noes: None

Present but not voting: Mayor Miller

Councilman Bechtol made the following statement:

"In view of the fact that I do not think this land is feasible to use for recreational purposes, as you have 56 acres across from it, 120 acres north of the Airport, 100 acres south of the airport, and about four acres five blocks east of this, I do not believe it is needed for that. I have worked to this conclusion myself. No one has influenced me, I can grant you that. I think it is proper zoning, looking at it as an individually owned piece of property. There is no other logically zoning other than 'GR', so I vote 'Aye'."

CRESTVIEW HOME
BUILDERS
By Ray Yates

7817-7819 Mullen Drive
1813-1817 Anderson Lane

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

The Council deferred action on the zoning application until street dedication is made.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

MR. MARTIN HARRIS, Attorney, represented the Associated Mechanical Contractors of Austin, in the hearing on the proposed ordinance on Heating, Air Conditioning and refrigeration, the study of which began about three years ago, when a committee of 22 was appointed to work on getting an ordinance to cover this type of work. He listed the Committee as follows: FRITZ STRANDTMANN, JOE BOYER, B. SEGAL, JR., AITWELL LAGOW, IRA WILKE, JOE SCARBROUGH, WILLIAM GAMMON, JAMES G. COCHRAN, WM. LUDECKE, BILL WALTON, NELSON PUEFF, WALTER CARINGTON, EMIL NIGGLI, W. H. BRYDSON, NED COLE, G. A. CALLAHAN, R. M. DURBIN, CHARLES TEW, GERALD FRY, W. L. HEATON, JOHN ECKERT. Mr. Harris stated the ordinance was written by the Committee appointed by the Council, and submitted to the City Attorney, who made recommendations on administration and enforcement. He stated this proposed ordinance was being submitted as a basis on which the Council could start.

The Council went over the proposed ordinance.

On Sec. 38.20 Inspection and Tests Required. (d) Tests, It was decided to leave this as was written in the draft before the Council. (Page 11)

In Section 38.22 Inspector's Notices, Page 12, it was decided that the City Attorney work out the wording of the Section to make clarification.

Section 38.24 Condemnation. To be reworded.

Section 38.25 Alternate Materials and Methods. (c) Tests. It was suggested that "A.R.I. be included along with "recognized agencies as AGA, ASA and UL..." (p.14) and set up in the list of definitions on page 16.

Mr. Harris read the proposed administration and enforcement article of the ordinance.

In Section 38.9, Application for Permits. (a) It was decided that this should be clarified as the systems of fifteen tons or more capacity.

Under Section 38.13 - Inspection Fees. (a) 2 Fees for Air Conditioning Systems. Page 8. It was decided to take the units under 24,000 BTU and put that under the exclusions group.

Under (a) 1. Fees for Heating Systems, it was suggested that "forced air" be inserted.

As to fees (38.13 (a) 2, page 8, It was decided that the minimum fee be \$5.00 instead of \$2.00; and on Page 10 under Sec. 38.19 (c) \$5.00 instead of \$3.00.

As to the Enforcement Provisions, Article III, Page 9, The City Attorney stated there should be included in 38.16 Inspectors - Duties and Powers, p. 9, a provision authorizing the inspectors to issue a ticket so that the contractors could go on with their work, and then make appearance before the Corporation Court later.

Under 38.21 Certificate of Inspection, (b), Page 12, It was decided to add "except for brief periods of testing"

Councilman Palmer inquired if there was anyone in opposition to any of the changes that had been covered thus far.

MR. H. A. MILLER stated about 34 that were in the commercial refrigeration business did not know that this matter was going to be brought before the Council in time to get their recommendations worked up. This group did not want the commercial refrigeration exempt from the ordinance. He also expressed opposition that this proposed ordinance did not provide for a Board of Appeals. Also, Mr. Miller stated the group felt there was a lack of clarification; that it was their understanding the code was a safeguard in the way equipment was installed, and not on the design on the equipment. He said there was no provision for any emergencies. He suggested that under 30-ton air conditioning units, there was no need for professional engineers, as these units were manufactured and were tested before sent out; and his group was interested in the installation of these units.

MR. MARTIN HARRIS suggested that everybody that had any further ideas or suggestions be asked to submit them in writing.

The Council set the matter for further hearing on NOVEMBER 12, 1959, at 2:30 P.M. and asked everyone who had any changes or suggestions to submit them in writing to the City Attorney before November 5th. Several had suggested that if Commercial refrigeration were included in the code that it be made a separate section.

Councilman Bechtol thanked the committee for the excellent job it had done on this. Councilman White also commended the Committee for its fine work.

MR. J. L. BINSON, 5300 Avenue F, appeared before the Council complaining that about three months ago he had been charged commercial rate on electricity; that he had a building in his back yard, and had a sign over it. He said he was trying to sell his place, and did not have any lights nor water in his building. The Mayor stated he had told Mr. Binson if he had discontinued the use of lights in the garage, that he might be put back on a residential rate, but that the Council would have to hear him. He said he had advised Mr. Binson to pay the bills; and if he wanted to he could put down he paid them under protest. The Mayor stated the building was put up without a permit. The Council authorized Councilman White to make a personal inspection of this and report back to the Council, and it would then take whatever action would be fair to Mr. Binson and to the City.

Councilman Palmer read AN OPEN LETTER addressed to the Mayor, from Mr. ART RICE asking that the City commend and reward three firemen, "who without regard to their own safety and in action beyond their call of duty, actually saved my six year old twin daughters from drowning." The firemen were VIRGIL PHELPS, LEO G. MEEK, and CHIEF McLAURIN. The City Attorney was instructed to draw a resolution commending these firemen for their bravery. (Letter on file under COMMENDATIONS.)

Councilman Palmer read a letter from G. M. WILSON, October 12, 1959, thanking the City for fine service in all governmental activities.

There being no further business, the Council adjourned at 5:30 P.M., subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elai Hooley
City Clerk