

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 1, 1971

9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

## Roll call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Absent: None

Councilman Atkison had sent in a letter of resignation.

Present also: Lynn H. Andrews, City Manager; Dor R. Butler, City Attorney

The Invocation was delivered by REVEREND MERELE G. FRANKE, First English Lutheran Church.

ANNEXATION ORDINANCE  
FINAL PASSAGE

Mayor LaRue 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 39.30 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE HENRY P. HILL LEAGUE AND THE WILLIAM BARTON LABOR; ALL BEING LOCATED IN THE COUNTY OF TRAVIS, 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. (Proposed Barton Hills, Section Seven and unplatted land - requested by owner's representative)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## ORDINANCE CORRECTION

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 681230-C ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: TRACT 1: A 3.572 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7319-7333 I.H. 35 AND 801-917 BLACKSON AVENUE, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL SIXTH HEIGHT AND AREA DISTRICT; TRACT 2: A 0.345 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7319-7333 I.H. 35 AND 801-917 BLACKSON AVENUE, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## ANNEXATION HEARING

It being 9:30 A.M., Mayor LaRue opened the hearing on annexation scheduled for this time. No one appeared to be heard. Councilman Price moved the hearing be closed and the administration be directed to institute annexation proceedings to annex the following:

6.60 acres of land out of the John Applegait Survey -  
proposed WINDSOR HILLS, SECTION 2, PHASE TWO.  
(requested by owner's representative)

The motion, seconded by Councilman Gage, carried by the following vote:  
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## PORTION OF EASEMENT RELEASED

Councilman Price moved the Council adopt a resolution authorizing the release of a portion of a public utilities easement out of Lot 4, Block B, FAIRMONT PARK, SECTION TWO, releasing only the portion on which the house extends over the easement and not the portion covering the driveway. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## CONTRACTS AWARDED

Councilman Price moved the Council adopt a resolution awarding a contract as follows:

BLAKE CONCRETE, INC. - For construction of concrete sidewalks in the Model Cities Area - Contract No. 71-X-106 - \$104,662.00. (90 working days for completion - City estimate \$118,290.00)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Councilman Johnson moved the Council adopt a resolution awarding a contract as follows:

A. B. CHANCE COMPANY - One (1) each 120 feet and one (1) each 115 feet Galvanized Steel Poles - \$7,644.00. (To be used at MoPac crossing of Town Lake)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Councilman Price moved the Council adopt a resolution awarding a contract as follows:

MECHANICAL WHOLESALE, INC. - One (1) each lot of PVC Pipe and Fittings - \$11,670.70.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Councilman Price moved the Council adopt a resolution awarding a contract as follows:

SOUTHWEST LIFT TRUCKS CO. - One (1) each Forklift - \$15,441.00.  
(Electric Distribution - for moving transformers)

The motion, seconded by Councilman Johnson, carried by the following vote:  
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Councilman Johnson moved the Council adopt a resolution awarding a contract as follows:

BILL TABOR CONSTRUCTION CO. - For installation of approximately 11,040 linear feet of 24-inch C.S.C. water main, 200 linear feet of 8-inch C.I. water main and appurtenances for Interstate Highway 35 from Ben White Boulevard to Bluff Springs Road - \$206,806.70. (250 working days - City estimate - \$290,434.00 - Capital Improvement Program)

The motion, seconded by Councilman MacCorkle, carried by the following vote:  
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Councilman Price moved the Council adopt a resolution awarding a contract as follows:

H & H CONCRETE CONSTRUCTION COMPANY - For the installation of approximately 5,850 linear feet of 42-inch C.S.C. water main and appurtenances - South Second Street - \$276,166.00. (210 working days - City estimate - \$290,034.00; Capital Improvement Program)

The motion, seconded by Councilman MacCorkle, carried by the following vote:  
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

#### APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY

After discussion with the City Manager, Councilman MacCorkle moved the Council adopt a resolution authorizing an application be made to the E.P.A. (Environmental Protection Agency) for the following:

Purchase and installation of a centrifuge at each of the City's Water Treatment Plants. (1971 Capital Improvement Program)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

It was pointed out this application would permit participation of at least 30% on purchase and installation of a centrifuge. Mayor LaRue noted there would be an additional participation of 10% due to Austin's being in the C.A.P.C and the possibility of a 50% grant.

Councilman MacCorkle moved the Council adopt a resolution authorizing an application be made to the E.P.A. (Environmental Protection Agency) for the following:

For grant funds to support construction of the City's wastewater treatment and collection facilities; namely the Cross-Town Tunnel and Walnut Creek Wastewater Treatment Plant. (1971-1972 Capital Improvement Program)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

#### SALE OF HOUSES

Councilman Price moved the Council adopt a resolution authorizing the sale houses and accepting positive bids on houses to be moved as follows:

Wesley Dahl	3401 Funston	\$1119.70
Alta B. Hoyl	3409 Funston	\$2757.75
Wesley Dahl	701 Einsted	\$5001.99

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Councilman Price moved the Council adopt a resolution authorizing the sale of houses and accepting negative bids on houses to be demolished as follows:

Wesley Dahl	1901 W. 10th Street	\$500.00
Southwest Wrecking	611 E. 10th Street	\$ 91.00
Jesse Torres	2411 Santa Maria	\$214.00
R. J. McKenzie	904 Essex	\$147.50

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## SUBSTANDARD STRUCTURES

Councilman MacCorkle moved the Council accept the recommendation from Building Standards Commission that the Law Department take proper legal disposition on the following substandard structures which have not been repaired or demolished within the required time:

1307 Maple Avenue  
Ollie Williams

- That the structure located on this lot be declared a public nuisance; that the owner of such property be given sixty days from December 9, 1970, in which to demolish the structure and clean the premises; that after expiration of the sixty day period, the owner has failed to demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

1305 Maple Avenue  
Ollie Williams

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given sixty days from December 9, 1970, in which to demolish the structure and clean the premises; that after expiration of the sixty day period, the owner has failed to demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## AGREEMENT - MODEL CITIES - PUBLIC WORKS

Mr. Ojeda reviewed the contract. Councilman Johnson moved the Council adopt a resolution authorizing an agreement between the Model Cities Department and the Department of Public Works for the construction of streets and drainage in the Model Neighborhood Area - \$168,602.00 - 100% Model Cities funds. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## AGREEMENT - MODEL CITIES - WWW

Mr. Tony Ojeda, Executive Director of Model Cities, gave a resume of this agreement. Councilman Price moved the Council adopt a resolution authorizing an agreement between the Water and Wastewater Department and the Model Cities Department for water service, fire hydrant, and sewer relocation in the Model Neighborhood Area, necessitated by construction of sidewalks - \$19,975.00 - \$100% Model Cities funds. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## T.E.I. APPROPRIATION

Councilman MacCorkle moved the Council adopt a resolution appropriating from the General Fund to Transportation Enterprises Incorporated, the amount of \$20,214.04 in accordance with agreement. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## FINANCIAL STATEMENT

Councilman Janes moved the Council note receipt of the Financial Statement for February. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

## AD VALOREM TAXES

Councilman Janes noted the ad valorem tax for operating the City is less than the School ad valorem tax.

COMMENDATION OF THOSE BUILDING  
A CHAPEL AT AUSTIN STATE HOSPITAL

Mayor LaRue read a resolution commending those who had provided contributions towards providing a Chapel at the Austin State Hospital.

Councilman Price moved the Council adopt a Resolution of Commendation of those individuals for their untiring efforts. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Not in Council Room when roll was called: Councilman Johnson

The group of workers was recognized for its work toward providing a facility that could not be furnished through State funds.

## CHANGE ORDER

Councilman Price moved the Council adopt a resolution authorizing change order for Holly Street Power Station Unit No. 4 as follows:

For Contract No. 401,  
Change Order No. 3

Deduct \$ 9,351.00

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Total Contract \$4,762,147.00

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Members of the Council called for information.



## REFUND CONTRACT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH WALTER CARRINGTON; DECLARING AN EMERGENCY. (Water and sewer mains in Highland Oaks, Section 2 & 3 - \$13,794.74)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

The Mayor announced that the ordinance had been finally passed.

## SIDEWALK ORDINANCE

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

AN ORDINANCE AMENDING SECTION 31-4, CHAPTER 31, AUSTIN CITY CODE OF 1967, PROHIBITING THE PLACING OR DISPLAYING OF ITEMS UPON PUBLIC STREETS, SIDEWALKS AND OTHER PUBLIC BY-WAYS; PROHIBITING THE SALE OF MERCHANDISE AND WARES PLACED OR DISPLAYED THEREON; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman MacCorkle moved the ordinance be passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, Price, Mayor LaRue

Noes: Councilmen Gage, Janes

Councilman Price made a statement for the record in that he was opposed to this type of ordinance, and he thought that both ordinances should be passed rather than just the one. He expressed hope that a park area could be located, and that these people be given an opportunity to sell their wares on a public square, or "market square" and be given some relief.

## PAVING

Mayor LaRue introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF MONTOPOLIS DRIVE, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY HAUFLE EXCAVATION COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTION OF WEST ANNIE STREET AND SUNDRY OTHER STREETS, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY UDO HAUFLE, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.  
(West Annie Street, West Gibson Street, West Hohanna Street, West Milton Street, South 6th Street, South 5th Street and South 7th Street)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF BUNCHE ROAD AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY AUSTIN PAVING COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Bunche Road, Deloney Street, Eastfield Avenue, Delores Avenue, Lott Avenue, Louis Avenue, Mansell Avenue, Manson Avenue, Nichols Avenue, Reyes Street and Santa Ana Street)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## SALE OF SURPLUS PROPERTY

Councilman Price moved the Council adopt resolutions (separate resolutions) accepting bids for the sale of surplus real property as follows:

4509 Speedway	C. M. Dowd	\$ 8,126.00
1304-1316 Ben White	C. Darrell Hopkins	\$34,000.00
4107-4109 Banister	K.R.T. Inc., L. J. Ledesma	\$11,055.00
3401 Grande Court	William H. Leach	\$ 1,025.00
3403 Grande Court	William H. Leach	\$ 1,225.00
3405 Grande Court	William H. Leach	\$ 1,375.00
3402 Grande Court	William H. Leach	\$ 2,180.00
1018-1022 E. St. Johns	L. C. Dure	\$ 150.00
1607-1609 W. 39th St.	Charles K. Goldman	\$12,511.00
4604 Horseshoe Bend	Walter R. Hopkins	\$29,000.00
2006 Greenwood	James Robert Wilson	\$ 1,375.00
1408-1412 W. 38th St.	Congregation - Beth Israel	\$61,555.00
1012-1016 E. St. Johns	Beulah Taylor Cooper	\$ 125.00

The motions, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: Councilman Gage

Councilman Price moved the Council reject the bids on the following surplus real property:

4004-4006 Wadford	2104 Westover Road
2211-2217 Greenwood	4516 Highland Terrace
107-111 Tillery	1024-1028 E. St.
4605 Horseshoe Bend	930-934 E. St. Johns
4514 Highland Terrace	924-928 E. St. Johns
2008 Winsted Lane	1000-1004 E. St. Johns
1006-1010 E. St. Johns	918-922 E. St. Johns
312 West Annie Street	

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: Councilman Gage

## DISCUSSION OF BID ON SURPLUS PROPERTIES

Mr. Hugh W. McLeland appeared regarding bid proposals on several pieces of property for which the City had recently advertised. He had offered to purchase the property which he is now renting, but found it had to be advertised for bids. He described the house as being in poor condition, that bidding what some appraisors had set as the value, would not be a good investment. He pointed out a need for reappraisal, taking into account the bad plumbing, electrical system's being below the City's standards, and other major repairs needed. The City Manager was not recommending that the particular property under discussion be sold at this time, as the house needs to be vacated, put in better condition, and re-advertised later. Councilman Janes moved the Council reject the bid. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Not in Council Room when roll was called: Councilman Johnson

It was stated Mr. Hugh McLeland would have another chance to bid on the property after renovations.

#### ZONING ORDINANCES

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 12,720 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2926 EAST 12TH STREET, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

The ordinance was read the second time and Councilman Janes moved the ordinance be passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: Councilmen Gage, Price

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 1-4, RESUBDIVISION OF LOTS 1-4, BLOCK "C" TOWNLAKE PLAZA, LOCALLY KNOWN AS 1315-1525 TOWN CREEK DRIVE; 1314-1574 TINNIN FORD ROAD AND 2000-2022 EAST RIVERSIDE DRIVE; FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND  
CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45  
OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
196,250 SQUARE FEET OF LAND, BLOCK F, GREENBRIAR,  
SECTION 2, LOCALLY KNOWN AS 2705-3021 PARKER LANE,  
FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE  
DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN,  
TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE  
REQUIRING THE READING OF ORDINANCES ON THREE  
SEPARATE DAYS.

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

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Not in Council Room when Roll was called: Councilman Johnson

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

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Not in Council Room when Roll was called: Councilman Johnson

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

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Not in Council Room when Roll was called: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 15.68 ACRE TRACT OF LAND, LOCALLY KNOWN AS REAR 2729-3017 SOUTH I.H. 35, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ZONING HEARINGS

Pursuant to published notice thereof the Mayor announced the Council would now hear the zoning cases scheduled for public hearing on this date as follows:

DAVID B. BARROW	3571-3593 Far West Blvd.	From Interim "A"
By Jeryl D. Hart	7053-7077 Village Center	Residence 1st
C14-71-025		Height & Area
		To "GR" General Retail
		1st Height & Area
		RECOMMENDED by the
		Planning Commission

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Councilman Gage moved the change to "GR" General Retail 1st Height & Area be granted. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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WILEY N. WHEELER  
C14-71-034

1418-1420 Fort View Road

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

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Councilman Gage moved the change to "GR" General Retail be granted. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
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 to cover.

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EDWARD B. REEVES  
C14-71-039

2015-2021 South Lamar  
Boulevard

From "A" Residence 1st  
Height & Area and  
"C" Commercial 2nd  
Height & Area  
To "C" Commercial 2nd  
Height & Area  
RECOMMENDED by the  
Planning Commission

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Councilman Johnson moved the change to "C" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

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J. C. ENTERPRISES      405-407 Swanee Drive  
By T. W. Caffey and  
Stanley W. Johnson  
C14-71-027

From "A" Residence  
To "BB" Residence  
RECOMMENDED by the  
Planning Commission  
subject to 5' of right-  
of-way on Swanee Drive

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Councilman MacCorkle moved the change to "BB" Residence be granted subject to 5' of right of way on Swanee Drive. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "BB" Residence subject to 5' of right of way on Swanee Drive and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

OSCAR B. PETERSON,      1010 East 39th Street  
SR.  
C14-71-031

From "A" Residence  
To "O" Office  
RECOMMENDED by the  
Planning Commission  
subject to 5' of  
right-of-way on East  
39th Street

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of street. Councilman Gage moved the change to "O" Office be granted subject to 5' of right of way on East 39th Street. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "O" Office subject to 5' of right of way on East 39th Street and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

LIBERTY INDUSTRIES      7100-7104 No. Interregional  
By Tom Curtis      Highway 35  
C14-71-032

From "C" Commercial 1st  
Height & Area  
To "C" Commercial 2nd  
Height & Area  
RECOMMENDED by the  
Planning Commission  
subject to necessary  
approval of the Airport  
Zoning Board and the  
Federal Aviation Agency

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of street. Councilman Gage moved the change to "C" Commercial 2nd Height & Area be granted as recommended. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and area subject to necessary approval of the Airport Zoning Board and the Federal Aviation Agency (letter from FAA sent to Planning) and the City Attorney was instructed to draw the necessary ordinance to cover.

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EMILE JAMAIL                      1104 Lambie Street  
By Richard C. Baker  
C14-71-035

From "A" Residence  
To "O" Office  
RECOMMENDED by the  
Planning Commission  
subject to 5' of  
right of way on Lambie  
and a short form  
subdivision

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of street. No one appeared representing the application. Councilman Price moved the zoning be granted as recommended by the Planning Commission, subject to 5' of right of way on Lambie and a short form subdivision. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

Later in the meeting Mr. Richard Baker appeared asking for reconsideration particularly on the short form subdivision. Mr. Foxworth, Planning Department, explained that at this time there would be no need for the short form subdivision, and the properties would be under separate ownerships. Councilman Price then moved that the requirement of the short form subdivision be deleted. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "O" Office subject to 5' of right of way on Lambie Street and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

JOE RUSSO 4501-4705 East Riverside  
By Richard C. Baker Drive  
C14-71-042

From "BB" Residence  
To "GR" General Retail  
RECOMMENDED by the  
Planning Commission  
subject to the major  
street requirements as  
they affect this tract

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. The City Manager stated Riverside Drive Improvement would be brought before the Council shortly. Councilman Price moved the change be granted "GR" General Retail as recommended. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail subject to provisions being worked out between the property owners and Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

PETE SOSA 307 Cumberland Road  
C14-71-028 2701-2705 Wilson Street

From "A" Residence  
To "C" Commercial  
NOT Recommended by the  
Planning Commission  
RECOMMENDED "B"  
Residence subject to  
5' of right of way on  
Cumberland

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Councilman Gage moved the Change be granted to "B" Residence as recommended subject to 5' of right of way on Cumberland. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "B" Residence subject to 5' of right of way on Cumberland and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. DARRELL HOPKINS  
C14-71-033

Tract 1  
2713-2809 U.S. Highway 183  
8809-8892 McCann Drive

From Interim "A"  
Residence 1st  
Height & Area  
NOT Recommended by the  
Planning Commission  
RECOMMENDED "C" Commer-  
cial 1st Height & Area  
on north 150' and "GR"  
General Retail 1st  
Height & Area on  
remainder of tract

Tract 2  
2804-2814 Thrushwood Drive

From Interim "A"  
Residence 1st  
Height & Area  
To "O" Office 2nd  
Height & Area  
NOT Recommended by the  
Planning Commission  
RECOMMENDED "GR"  
General Retail 1st  
Height & Area on the  
north 146 feet and "A"  
Residence for remainder  
of tract

Both tracts subject to  
70' setback line from  
U.S. Highway 183, a 50'  
building setback from  
"A" Residence property  
lines and 6' privacy  
fence where property  
abuts the residential  
subdivision

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Mr. Walter Foxworth, Supervising Planner in the Planning Department, reported Mr. Hopkins had amended his request at the Planning Commission meeting to conform with the recommendation of the Planning Commission. Councilman Gage moved the zoning be granted as recommended. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the zoning had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. H. BULLARD  
By Arthur L. Sims  
C14-71-040

2005 Airport Boulevard

From "C" Commercial  
To "C-2" Commercial  
RECOMMENDED by the  
Planning Commission  
subject to withdrawal  
by the applicant of his  
previous application  
for "C-2" Commercial  
in the shopping center

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Councilman Price moved the change to "C-2" Commercial be granted as recommended. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

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JOHN McPHAUL  
C14-71-041

Rear 9700-9808 Dallum  
Drive

From Interim "A"  
Residence 1st  
Height & Area  
To "BB" Residence 1st  
Height & Area  
RECOMMENDED by the  
Planning Commission  
subject to 40' setback  
for a buffer along the  
east property line,  
privacy fencing on the  
east and north sides of  
the tract, and subdivi-  
sion

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. Subdivision plat approved and recorded. Councilman Gage moved the change to "BB" Residence 1st Height and Area be granted as recommended. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been granted to "BB" Residence 1st Height and Area as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

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AUSTEX DEVELOPMENT  
COMPANY, LIMITED  
By W. T. Williams, Jr.  
C14-71-043

Tract 1  
6309-6411 East 19th Street  
4910-4924 Craigwood Drive  
Tract 2  
6419-6503 East 19th Street  
4911-4925 Craigwood Drive

From Interim "A"  
Residence 1st  
Height & Area  
To "C" Commercial 1st  
Height & Area  
NOT Recommended by the  
Planning Commission  
RECOMMENDED "GR"  
General Retail subject  
to subdivision and  
privacy fencing along  
the south property line

The Director of Planning reviewed the case locating it in the area, describing the uses of surrounding properties and adequacy of streets. MR. D. W. PENNICK, 6309 Craigwood Circle, stated only two people received notices, and they were in opposition to the zoning. Councilman Johnson noted the application had been amended to "GR" General Retail rather than "C" Commercial zoning. Mr. W. T. WILLIAMS, JR., representing the Austex Development Company, stated there was no immediate plan for this development, and the property may be offered for sale. He said the amendment of the application from "C" Commercial to "GR" General Retail was made, and it was thought the provisions of business facilities would be helpful to the area, as there are no other such facilities near by. It would be an asset to the subdivision to have a convenience area near to serve the residents. Mr. Foxworth noted the Master Plan designated a business use west between Craigwood and the Boulevard, which is designated as industrial. The area has changed from industrial to residential. Councilman MacCorkle moved the change to "GR" General Retail be granted as recommended by the Planning Commission. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

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

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WILLIAM DALE DODSON  
C14-71-029

4418 Barrow Avenue  
511-515 East 45th Street

From "A" Residence  
To "GR" General Retail  
RECOMMENDED by the  
Planning Commission  
subject to 20' of  
right-of-way on East  
45th and 5' of right-  
of-way on Barrow

Discussion was held on the 20' right of way for 45th Street, Mr. Walt Foxworth, Planning Department Supervising Planner, explained this 20' was recommended to comply with the arterial plan. The applicant was not present. Councilman Janes' motion to accept the recommendation died for lack of a second. Councilman MacCorkle's motion to deny the zoning also died for lack of a second. Councilman Gage moved the Council table this zoning case for a time giving the

applicant an opportunity to express himself. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the application had been POSTPONED.

H. MORRIS STEVENS & 4002-4030 Airport  
MRS. JEAN SCHIEFFER Boulevard  
C14-71-006

From "A" Residence  
To "B" Residence  
RECOMMENDED by the  
Planning Commission  
subject to privacy  
fencing where the  
tract abuts single-  
family residential  
development, and the  
restriction of no more  
than 3 curb breaks on  
Airport Boulevard

Mayor LaRue brought up a question in which Councilman Gage felt he should disqualify himself. Councilman Gage did disqualify himself from participation in this zoning, as he had holdings in the area. The Mayor had brought this up because there was a petition filed in compliance with Section 31-B (as amended June 5, 1969) of the Zoning Text.

The filing of the valid petition would require six votes by the Council, and with Councilman Gage's disqualifying himself, there would be insufficient votes to take affirmative action. Mr. Robert Sneed asked that the Council postpone action until the new Council came in, so there would be seven votes. Members of the group were advised that the petition would be in order as is, even though the case were postponed. The City Manager stated the incoming Council would need to set a hearing on this application, C14-71-006. Mayor LaRue announced it was the consensus of the Council that this zoning request be held in abeyance until the next Council sets a date for hearing, and asked that notices be sent to the property owners.

The Zoning was POSTPONED.

EDWARD B. REEVES 1500-1504 Morgan Lane  
C14-71-038

From "A" Residence  
To "BB" Residence  
NOT Recommended by the  
Planning Commission

Councilman MacCorkle moved the hearing be postponed for 30 days. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced the hearing had been POSTPONED for 30 days.

E. A. PRICE  
By Richard C. Baker  
C14-71-036

4613-4615 Red River

From "A" Residence  
To "B" Residence  
RECOMMEND to withdraw  
by the Planning Commis-  
sion

Property owners were already notified that the case was withdrawn.  
Mayor LaRue announced that the Zoning application had been WITHDRAWN.

- - - - -

RICHARD CRISS,  
TRUSTEE

2104-2404 Stassney Lane

From Interim "A"  
Residence 1st  
Height & Area  
To "A" Residence &  
"BB" Residence 1st  
Height & Area as  
amended  
RECOMMENDED by the  
Planning Commission as  
amended

Mr. Robert Sneed, Attorney, requested this case be withdrawn. Councilman Price moved the case be withdrawn. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced the application had been WITHDRAWN.

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DONALD B. WITZKE  
C14-71-030

604 Pressler Street

From "B" Residence 2nd  
Height & Area  
To "O" Office 2nd  
Height & Area  
NOT Recommended by the  
Planning Commission

Councilman Price moved the change be denied. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced the change had been DENIED.

- - - - -



TRINITY PRESBYTERIAN 5801-5905 Westminster  
CHURCH  
By Nieman, Hanks  
and Puryear  
C14-71-037

From "B" Residence  
To "GR" General Retail  
NOT Recommended by the  
Planning Commission  
RECOMMENDED retain "B"  
Residence on the south  
50' of the tract and "GR"  
General Retail be granted  
on the remainder of tract  
subject to a 6 foot pri-  
vacy fence on the south  
and east property lines

MR. WALT FOXWORTH, Planning Department, stated the application had been amended as recommended by the Planning Commission and this was acceptable to the applicant; however there was still opposition from the neighboring property owners.

MR. RICHARD BAKER represented the applicant, pointing out the Church needed the sanctuary and educational facilities to expand. It was necessary to join the adjacent property to the church property. Mr. Baker explained the plans of the church to sell the subject property lying south of the "GR" General Retail property. It owns the whole tract lying below the "GR" General Retail, and they have an offer of purchase, once the zoning had been requested for a small commercial center. Strong opposition was registered by Lt. Co. Bill Arnott, 2001-A Cheshire, Colonel Frederic Mann, 1906 Northridge Drive and others in the vicinity.

Councilman Janes moved to grant the zoning as amended. The motion, seconded by Councilman Gage, failed to carry by the following tie vote:

Ayes: Councilmen Gage, Janes, Mayor LaRue  
Noes: Councilmen Johnson, MacCorkle, Price

The Mayor announced that the zoning change had been DENIED.

It was pointed out since the Planning Commission had recommended the zoning as amended, the applicant could file again.

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JAMES W. STRAIN  
C14-71-026

4708-4710 Avenue H

From "A" Residence  
To "BB" Residence  
NOT Recommended by the  
Planning Commission

It was noted this was spot zoning. Councilman Johnson moved the change be denied. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Mayor announced that the change had been DENIED.

## RAISES FOR NURSES

Mr. Andrews reported on a news cast regarding a \$60 raise for nurses, stating no raises had been made at the Hospital. Consideration was being given for the Intensive Care Unit. The Council was aware of the 12½% for night shifts.

## REVISED TAX PROGRAM

In response to Councilman Janes' request, the City Manager, Mr. Andrews, reviewed a proposal as to a possible alternative to move off the quarterly system for tax purposes, stating if the Council desired, he would discuss some alternatives. To move into a new system, whether reappraisals be made once each two years or once a year, it would be necessary to get notices of such changes in evaluation out the first part of the year rather than in the last part. The Tax Assessor would need to know within the next 30-60 days, and the Council would need to extend the re-evaluation being made this year, and add to it to the point that the evaluation would be made in January 1972. This would mean the value on the tax roll at this time plus the new properties, etc., would be the value utilized in this year's tax bill, and the changes of these values would be recognized by February or March 1972, at which time notices would be given of changes. This would be the only way to a different situation other than the quadrant policy. He explained the procedure.

The following year, the Council would be in a position to set a policy for appraising once every two year, or once a year. To do this sooner would require employing outside appraisors, and he did not recommend this. Councilman Johnson expressed his intent to get to the point where the Council could make a decision, whether to go one year or two years, but the first step to be made is the forecasting. The City Manager stated that half of the City should be forecast by March 1, 1972. In 1973, all of the City could be forecast, or just the other half. To do this would cost approximately \$185,000 - \$200,000.

Councilman Johnson moved the Council instruct the City Manager to establish a forecasting method or prospective method of tax assessment to be in effect by March 1, 1972, stating this motion was made without prejudice to the present evaluation system. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None

The Council recessed until 9:00 A.M., Monday, April 5, 1971, to canvass the returns of the April 3rd Council election.

APPROVED \_\_\_\_\_

Mayor

ATTEST:

*Edna Massey*  
City Clerk