

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 25, 1965
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Dudley Fowler, Assistant City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by RABBI JUDAH L. FISH, Congregation Agudas Achim Church.

Councilman White moved that the Council recess the zoning hearings in order for DR. JOE NEAL to present the report on the "Sister City" program with Belo Horizonte, Brazil. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

DR. NEAL stated on July 18, 1963, the Mayor appointed the committee to investigate the establishment of a "Sister City" program between Austin and Belo Horizonte, Brazil, the committee being DR. CHARLES DENT, Professor of Education at the University of Texas; MR. CONGER POAGE, and PROFESSOR JACK DULLES, who is now in Brazil. He described Belo Horizonte as being the Capital of the State, which is a cattle raising state, well known for its minerals, and as the location of the State University. The "Sister City" was proposed by the American Municipal Association, and the Mayor's Committee investigated this and the committee recommends that the Council enter into this affiliation. The committee has the support of a number of Civic Organizations to carry the program forward in the name of the City of Austin. Dr. Neal displayed a scrap book on the City of Austin, which is to be sent to Belo Horizonte. Comparable material had been received from the "Sister City". MR. POAGE has contacted a number of leading citizens of Austin to interest them in a formal visit to the City of Belo Horizonte, and those who participate in this program agree to reciprocate any hospitality extended while they were visiting that City. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the "Sister City" program has been established to bring about a greater friendship between the people of the United States and other nations through the medium of direct personal contact; and

WHEREAS, the American Municipal Association was selected to implement this relationship between cities in the United States with cities abroad of similar characteristics and mutual interest; and

WHEREAS, the Council of the City of Austin recognizes and endorses this program in the anticipation that it will lead to a lasting friendship between the peoples of Belo Horizonte, Brazil, and Austin, Texas.

NOW, THEREFORE BE IT RESOLVED that the citizens of Austin, through the City Council as its official representative invite the citizens of Belo Horizonte to participate in this program as individuals, as members of their community, as citizens of their country, and as part of the family of nations.

BE IT FURTHER RESOLVED that the Mayor, or his designated representative or representatives, is hereby authorized to act as official representative of Austin to carry out this program.

BE IT FURTHER RESOLVED that copies of this resolution are to be sent to the Mayor and Council of the City of Belo Horizonte, the American Municipal Association, the Embassy of Brazil in Washington, D. C., the Department of State of the United States, the Embassy of the United States in Rio de Janeiro and the Consulate of the United States in Belo Horizonte.

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

DR. NEAL reported Belo Horizonte was given the choice of Austin and Fort Worth and Austin was selected. Councilman Long stated this was a wonderful program, and she was happy the Council entered into this program, and thanked Dr. Neal and the committee for all of their work. Councilman LaRue had visited in Brazil some four years ago, and said the people there were the most gracious group of people that could be found. Councilman White agreed that this was a fine program and expressed pleasure in joining in this "Sister City" program. Councilman Shanks expressed hopes of visiting the "Sister City". Mayor Palmer sincerely thanked Dr. Neal and the Committee. The Mayor stated the hospitality of these people is almost unequalled; and with the Committee and those who are cooperating in this program taking time off to return the hospitality a fine relationship on an international situation will be realized. Dr. Dent stated as curricula of the schools become more international minded, this is an avenue to keep the citizens abreast with this movement that is affecting the lives of the children. MR. POAGE noted other cities had entered into this program, and he was glad Austin was leading on the others. Mayor Palmer stated it was his understanding no funds were being provided by the State or City or anybody and all this will be done by the individual at his own expense. Dr. Neal stated that was correct.

Councilman Long moved that MR. JOE FARMER be heard for three minutes. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. JOE FARMER, Austin Real Estate Board, announced last week Mayor Lester Palmer was selected as Austin's Most Worthy Citizen. He will be honored Friday night at 7:00 P.M. at the Villa Capri; and at this time, Mr. Farmer presented tickets to each Council Member and the City Manager on behalf of the Real Estate Board. Councilman LaRue expressed appreciation for the Council to Mr. Farmer and the Real Estate Board, stating the Council would certainly be in attendance. Councilman Long said they were very happy that the Mayor had been made the Most Worthy Citizen of Austin and congratulated the people for nominating him, and the Real Estate Board for selecting him, and congratulated the Mayor stating he was doing a good job of representing the people. Other members expressed appreciation and pride in the selection of MAYOR PALMER as Austin's Most Worthy Citizen.

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

A. B. GEORGE	1010 East 50th Street	From "A" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
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Councilman Shanks moved that the change to "LR" Local Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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 to cover.

M. K. HAGE, JR. & AUSTIN DOCTORS BUILDING CORP., By Robert C. Sneed	3404-06, 3500-08, 3700-04, 3710-12 McDonald Avenue 3403-05, 3501-09, 3703-09, 3406, 3506-08 Bailey Lane 3501-3509 Alamo Boulevard 3504-06, 3701-05, 3702-04 Mills Avenue 3501-3701 Crawford Avenue 1305-07, 1200-06, 1306-08, 1504-06 West 35th Street 1201-07, 1301-03, 1305, 1400-06, 1200-02, 1501-07, 1504-06 West 37th Street 1201-03 West 38th Street Additional Area 3408, 3706-08 McDonald Ave. 3407-09, 3701, 3711-13, 3402-04, 3408, 3500-04 Bailey Lane	From "A" Residence 1st Height & Area, "O" Office 1st Height & Area and "GR" General Retail 1st Height & Area To "O" Office 3rd Height & Area RECOMMENDED by the Planning Commission
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M. K. HAGE, JR.
(Continued)

3407-11 Alamo Boulevard
3700, 3706 Mills Avenue
1201-07, 1301-03, 1309-11,
1300-04 West 35th Street
1204-06, 1500-1502 West 37th
Street
1205-07 West 38th Street

Councilman Long inquired if any portion of the creek that belongs to the City or any of the green belt area included in this zoning. The Director of Planning stated none of that property was included in the green belt area. Property between Wabash and McDonald and 34th and 38th Streets will be heard on the next zoning date. Councilman Shanks moved that the change to "O" Office 3rd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARION FINDLAY
By Robert C. Sneed

906 West 19th Street

From "B" Residence
2nd Height & Area
To "O" Office
2nd Height & Area
RECOMMENDED by the
Planning Commission

Councilman Long moved that the change to "O" Office 2nd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

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RIGOBERTO GAONA
By Mrs. Z.T.A. Norton

5204-5206 Clarkson Ave.

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

Councilman White moved that the change to "O" Office be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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 to cover.

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MRS. ROBERTA P.
DICKSON, By Seth
Searcy, III

2614-2700 South Lamar
Rear of 2702-2706 South
Lamar

From "A" Residence
1st Height & Area
& "C" Commercial
6th Height & Area
To "GR" General Retail
1st Height & Area
RECOMMENDED by the
Planning Commission

The Assistant City Attorney stated there were some conditions recommended, and they have been taken care of, and he had the instruments. Councilman Shanks moved that the change to "GR" General Retail 1st Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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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VELMA O. MARTIN

Tract 1
308 East 34th Street

GEORGE R. ROBERDEAU

Tract 2
310 East 34th Street
3400-3404 Tom Green Street
Additional Area
302-306 East 34th Street

From "A" Residence
To "BB" Residence
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "BB" Residence be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

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MARVIN HENRY

Tract 1
713 West 14th Street
1305-1307 West Avenue

From "A" Residence
& "B" Residence
To "O" Office

ELIZABETH M. AUTER
By Mike Arnn

Tract 2
709 West 14th Street

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

Councilman White moved that the change to "O" Office for Tract 1 and Tract 2 be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office for Tract 1 and Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHARLES VILLASENOR

Tract 1
6215 Fairway
1600-1604 Montopolis
Tract 2
Rear of 6215 Fairway

From "A" Residence
To "LR" Local Retail

From "A" Residence
To "C-1" Commercial
(Amended to "LR"
Local Retail)
RECOMMENDED by the
Planning Commission
as amended

No one appeared in behalf of this application. The Director of Planning stated this was a dry precinct, and this was noted, and Mr. Villaseenor amended his application (Tract 2) to request "LR" Local Retail. Councilman White moved that the change to "LR" Local Retail for Tract 1 and Tract 2 be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change to "LR" Local Retail for Tract 1 and Tract 2 had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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NASH PHILLIPS &
CLYDE COPUS, JR.
By Bryant-Curington
Inc.

Tract 1
2300-2312 Wheless Lane
Tract 2
5909-5915 North Hampton
2201-2219 Wheless Lane

From "A" Residence
1st Height & Area
To "GR" General Retail
6th Height & Area
RECOMMENDED by the
Planning Commission

Councilman Long recommended that the City purchase the corner of Wheless Lane and North Hampton Drive as this land would be jutting out quite a bit and creating a bad situation. Mr. Phillips stated they had worked this out with adequate street and right of way where there would be no congestion. The Planning Engineer reported the Department had worked with Mr. Phillips' Engineers

for two years on this particular intersection. He listed the many utility lines and easements that crossed this tract. It was his opinion no commercial development should be allowed on the south side of Wheless and Gaston. From the standpoint of traffic there would be no future traffic problem at this corner, and he explained the actual paving and the intersection is not as bad a situation that the right of way might indicate. MR. J. G. WHEELLESS objected calling attention to a traffic hazard, and asking for some safeguards for the junior high school children who use the street. If a shopping center goes in the additional traffic would be hazardous. He had no objections for a change of zoning that would permit a church or something of that nature; but he wanted to bring the matter of the safety to the attention of the Council. Councilman Long stated she still thought the City should buy that corner. After discussion, Councilman Shanks moved to sustain the Planning Commission and grant the change. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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HERBERT DEASON
 By Robert C. Sneed

1116-1120 East 51st Street
 1115-1125 East 52nd Street

From "A" Residence
 1st Height & Area
 To "B" Residence
 2nd Height & Area
 NOT Recommended by
 the Planning Commission
 RECOMMENDED "BB"
 Residence 1st Height
 and Area

MR. SNEED represented the applicant, asking permission to amend the application from "B" Residence 2nd Height and Area to "B" Residence 1st Height and Area. He said the commission had recommended that the Council determined the necessity of widening East 51st Street before intensifying the use of the property. Mr. Sneed had the authority to tender 10' of the property along 51st Street for widening purposes. It was pointed out 51st Street was to be a 90' thoroughfare, and that 15' on part of the properties had been acquired. Mr. Sneed at this time was not authorized to dedicate 15'. He stated this property as "B" Residence 1st Height and Area would be a buffer zone area and would be proper graduation between the zoning and the intensive commercial uses. The Assistant City Attorney pointed out the proposed runway at the Airport, and said a clearance easement on this property would be needed. Mr. Sneed called attention to this property's fronting on both 51st and 52nd Streets, and the development would not throw all of its traffic out on one street. Mayor Palmer stated the type of zoning which is being requested would necessitate 15' additional right of way. After discussion, Councilman Long moved to grant "B" Residence 1st Height and Area, making certain that consideration is given to the widening of the street and acquisition of an avigation easement. The motion, seconded

by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

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H. C. SUDDUTH, JR.
By M. K. Parsons

6508-6510 Berkman
1612-1616 Wheless Lane

From "A" Residence
1st Height & Area
To "B" Residence
2nd Height & Area
NOT Recommended by
the Planning Commission
RECOMMENDED "B"
Residence 1st Height
and Area

Mr. Parsons stated he owned four lots north of this tract, which will be zoned commercial in the future, and this tract would be a buffer zone. He had moved duplexes on those lots, anticipating it would be some three to five years before they would be zoned. The property across the street was zoned "B" Residence. He said "B" Residence 1st Height and Area would be acceptable to him. MR. AUBREY DOUGLAS read a letter stating he was building a new home on 1512 Wheless Lane, 120' from this property. There are no deed restrictions to restrict any type of building being moved in, and their only protection was through the building codes and zoning ordinances. Mr. Douglas said this area was a cemetery of two-story relics moved from the University area, and this section was a good area and should not be used for these discarded buildings. He was not aware until recently the area had not been subdivided. The zoning change would hurt this property instead of improving it. If this change is granted, other requests will be made. Opposition was expressed by MRS. WINONA LASATER, who displayed photographs of the buildings being moved into the area, and stated the single family residences were new. MR. BOB REISSIG, 1617 Wheless Lane regreted seeing this nice area going into this type of building, and was opposed to these houses' being moved in and repaired in the present zoning. He doubted the rezoning would improve the construction. He had a letter from MR. DALE HACHENBERG opposing this zoning. The Mayor pointed out Mr. Sudduth's home was between this property and that of Mr. Douglas'. Councilman Shanks asked if the property were zoned, if Mr. Parsons intended to build a new structure. Mr. Parsons said he had a set of plans and was ready to start negotiations for a loan. Councilman Long inquired if he had any apartments elsewhere. Mr. Parsons stated at 306 East 30th, he had a \$200,000 apartment house between Duval and Speedway. He said he was going to move these old houses off from his four lots, but not within the next year. Finally, after discussion, Councilman Long moved to uphold the Planning Commission and grant "B" Residence 1st Height and Area. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

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GENE NAUMANN

3111 West 35th Street

From "C" Commercial
To "C-1" Commercial
NOT Recommended by
the Planning Commission

MR. NAUMANN represented himself, stating out of 101 drive-in grocery stores, such as his; this was the only one that did not have the sale of beer. The Manager of the Town House Food Store submitted petitions with 114 signatures expressing no opposition to the sale of beer, and there are 17 out of the 114 who do not live in the area, but trade at this location. The Planning Director reported 10 notices were sent to owners beyond the 300' but in close proximity to the site. Only five property owners are actually in the 300' including Camp Mabry. He reported Mr. McDonald is subdividing a tract across Scenic Drive, and the tract was considered under single ownership of Mr. McDonald, and he objects to this change of zoning.

Opposition was expressed by MRS. LESTER REED, stating the litter and beer cans would be increased if beer were permitted. The store had inadequate property, and had to get an easement to build; the owners knew the property was "C" Commercial and that there was a great deal of opposition by the neighborhood. Other drive-ins mentioned by Mr. Naumann are in shopping areas, but this one is not. She asked the Council to follow the Planning Commission recommendation. MR. NORRIS PARKER stated they had opposed for many years the change of zoning to permit commercial development in this particular locality. He had written to each Council Member outlining their opposition, and he urged the Council to deny this application. Councilman Shanks asked how long this property had been zoned "C" Commercial. Mayor Palmer stated it was zoned "C" Commercial in 1937, prior to any development. The owners were within their rights to build the store, and it is the only commercial zone within a large area. MRS. WALLACE SCOTT, protested the zoning, stating they had just built a nice, expensive home; and she could foresee the crowds coming to this little store five minutes before 11:00 P.M. to purchase beer. MRS. RUUD pointed out this area had been developed into a residential neighborhood, and there was an application to change this commercial back to "A" Residence. The owner knew the strong feelings of the neighborhood against commercial development here; and although they accepted the store, they did not want "C-1" Commercial. Laguna Gloria is in the area; there are hopes that Mount Bonnell will be recreational area; and with this recreational development, they do not want to have beer in the area and have beer cans around the most beautiful part of Austin. MR. FRED SAVAGE stated this place would not add any more beer cans than what the residents have had to clear from their lawns for years and years.

MR. TED WENDLANDT, owner of seven adjoining acres, stated the residents knew this property was commercial before Colorado Foot Hills was subdivided. He felt their attitude was unfair. Mr. Wendlandt pointed out the property he owned.

MR. TOM GRAHAM and MR. E. T. HOLLY favored granting the "C-1" Commercial. Mayor Palmer announced the Council would make an on site inspection of the area and of the new building. Later in the afternoon meeting, after discussing the zoning of this site, provisions under the new zoning ordinance, and the status of the property under the new ordinance. Councilman Long suggested that the Council request that Mr. Naumann be asked if he wanted to withdraw this application.

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MRS. C. F. HILSBURG

1700-1702 Pearl Street
900-904 West 17th Street

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

MRS. HILSBURG stated she had been unable to sell this property for six years; and at this time of their lives, the place was too large for them to maintain. Single families are not interested in homes this large. If the zoning could be changed, the property would sell at a sensible price. JUDGE McCLENDON, representing Eddie Joseph and others, expressed interest in this, as one of the most beautiful pieces of architecture of its kind in the City, and of its historical value, and protested the change of zoning. He said Austin did not need incentives to bring industry and people here; the incentives are here, and more concentration should be made of Austin's heritage instead of destroying the wonderful old landmarks. He hoped the Hilsbergs would find it convenient to remain in the neighborhood or find someone to buy this fine residence and use it as a home. Opposition was expressed by MR. WALTER BOHN, MR. J. E. (PETE) SMITH, MRS. SARAH MARIE ROBBINS, and MR. A. L. MOYER, asking that the area be kept residential. The Planning Engineer explained the overall study that was made to zone the property "B" Residence 1st Height and Area on the east side of Pearl leaving the property west of Pearl residential. Councilman Long asked about the area from West 17th to 16th. The Planning Director replied it should be "B" Residence east of Pearl and the west retained as "A" Residence. Councilman Shanks stated since an extensive zoning study had just been made; and since this particular area had been deleted, he would be compelled to follow the recommendation of the Planning Commission. The Council wanted to make an on site inspection of this area and the home in question. Later in the afternoon meeting, Councilman Shanks moved to uphold the recommendation of the Planning Commission and DENY the change of zoning. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

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GEORGE H. WERN
By Paul G. Lundgren

4603 North Interregional
Highway

From "A" Residence
5th Height & Area
To "O" Office
5th Height & Area
NOT Recommended by
the Planning Commission

MR. D. R. BOYER, 4510 Elwood Road stated seven or eight property owners on Elwood Road were opposed to this zoning change. He said deed restrictions were in each of their deeds restricting any kind of business activity. Another property owner on Elwood Road stated they had been before the Council on several occasions concerning zoning, and they felt they should not have to be placed in the situation of fighting something that is clearly in their deeds. MR. REX SMITH opposed the zoning as it would be a wedge into the area, and they have their investment in their home. The deed restriction runs for 10 years, and is automatically renewed every 10 years, only to be changed by two-thirds vote of all the property owners in the 20 square blocks. Councilman Long noted this was definitely an encroachment and spot zoning within an "A" Residence. Councilman Long moved to uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

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WILLIAM W. BARRON

1804 Koenig Lane

From "LR" Local Re-
tail
To "GR" General
Retail
NOT Recommended by
the Planning Commis-
sion

MR. DENNIS COWAN, who lives across the street, stated he purchased his home in 1950 and wanted it to continue to be his home. He claimed this requested zoning to be spot zoning; and pointed out the narrow street width; and stated the applicant has no room on his property for off-street parking. After discussion, Councilman Long moved to sustain the action taken by the Planning Commission and DENY the zoning change. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

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LOUIS RUBIOLO
By Robert C. Sneed

1901-1903 Whittier
1300 East 19th Street

From "A" Residence
To "LR" Local Retail
NOT Recommended by
the Planning Com-
mission

Mr. Sneed stated this property would be developed as a filling station under the requested zoning; and the basic question was whether or not this would propose a spot zoning. His view was this would not be a spot zoning as

there is a different trend of development, 19th Street is definitely a thoroughfare. There is a changed condition in the area. No one opposed this change at the hearing at the Planning Commission. The Planning Director pointed out questions would be raised on this as a spot zone, and on zoning practices and problems of piece meal zoning. MR. E. QUISENBERRY, said 19th Street was, with its excessive speeds, a traffic hazard now; and any small business that goes in would increase the traffic hazard, and eventually lead to the sale of liquor. A grocery store would not fit in there. If liquor were permitted in a filling station, this would not be the place to risk that, due to the school children and the traffic hazard. Serious thought should be given to the safety of those children and the environment. The Council wanted to look at this location specifically. Later in the meeting the Mayor stated it was the feeling of the Council that the area by Winn School over to Comal might be studied, since it had been indicated that some of it may be up for consideration under Urban Renewal. Councilman Long moved to send this application to the Planning Department for study and that an overall study and recommendation be made of the Winn School area for the best and highest use. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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MR. ANGUS WINN announced the Campus Chest, University of Texas, was sponsoring a show in the Gregory Gym with JOHNNY MATHIS as the star. He asked that official action be taken proclaiming JOHNNY MATHIS DAY; and that an Official City Delegate be present at the Airport to welcome MR. MATHIS, who would arrive at 4:15 Friday. Councilman Long moved to declare FEBRUARY 26TH, JOHNNY MATHIS DAY, and that a Proclamation be issued. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Pro-tem LaRue stated he would represent the Council at this occasion.

Councilman LaRue moved that the Council recess. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

RECESSED MEETING

4:30 P.M.

At 4:30 P.M. the Council resumed its business.

Councilman White moved that the minutes of February 18, 1965 be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.55 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ELDRIDGE 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.
(On Springdale Road south of Manor Road)

Councilman Long moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on March 11, 1965 at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted the following:

"Date February 23, 1965

"TO: W. T. Williams, Jr., City Manager SUBJECT: Tabulation of Bids
Addition to Sound Reinforcing
System Exhibition Area,
Municipal Auditorium

"We are transmitting herewith the tabulation of bids for ADDITION TO SOUND REINFORCING SYSTEM, EXHIBITION AREA, MUNICIPAL AUDITORIUM.

"This sound system was planned by Dr. C. P. Boner, Acoustical Consultant, and is to be installed in the main part of the Auditorium.

"Mr. Bob Brown of the Building Maintenance Division is installing speaker baffles, and Auditorium personnel will provide and install conductors for the system.

"Basically, the work to be done by the contractor in this improvement is to furnish speakers, amplifiers and mixers, and provide for equalization of the entire system.

"Dr. Boner has reviewed the tabulation of bids and the proposals and is satisfied with the proposal of the lowest bidder and recommends acceptance of Alternate #5.

"Dr. Boner and Mr. Vickers join with us in recommending that the contract be

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 16, 1965, for addition to sound reinforcing system, Exhibition Area, Municipal Auditorium; and,

WHEREAS, the bid of Southwest Sound Equipment Company, in the sum of \$25,005.00, was the lowest and best therefor, and the acceptance of such bid has been recommended by the Supervising Engineer, Construction Engineering Division 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 Southwest Sound Equipment Company, in the sum of \$25,005.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Southwest Sound Equipment Company.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

THE SOUTH 79.5 FEET OF THE WEST 174 FEET OF LOT 3, AND THE NORTH 8.87 FEET OF THE WEST 174 FEET OF LOT 4, WENDLANDT SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

SAID PROPERTY BEING SITUATED 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 LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: Councilman White

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: Councilman White

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: Councilman White

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (A) THE NORTH 100 FEET OF LOT 2 OF THE STASSWENDER ADDITION, LOCALLY KNOWN AS 5007-5013 BULL CREEK ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (B) THE SOUTH 125 FEET OF LOT 2 OF THE STASSWENDER ADDITION, LOCALLY KNOWN AS 5001-5005 BULL CREEK ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING SITUATED 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 LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The City Manager presented the recommendation of the Director of Recreation to move a house located at 4505 Edgehill Way to Lake Austin Park for living quarters for the caretaker. He discussed an exchange of the garage apartment at the same site for the moving of the house and setting it in place on a concrete block foundation. Values of the house, the garage apartment and the cost of moving were listed. Councilman Long moved to move a shelter house out to the Municipal Park and to authorize the trade. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager reported he was authorized last May to enter into a lease agreement with C. B. SMITH. Mr. Smith has executed the lease now; but

rather than executing an instrument dated last May the City Manager recommended executing the lease for the remaining part of the 10 year period. Councilman Long moved that the lease be executed as outlined by the City Manager. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires a drainageway across a 0.51 of one acre of land out of Outlots 51 and 52, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, belonging to Dan W. Womack Sr. and wife, Lilah Alice Womack, in order to provide for the safe and proper drainage of the public streets in the area located within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a drainageway easement consisting of a 40 and 50 foot easement across the hereinafter described tract of land to provide for the drainage of public streets and roadways; and,

WHEREAS, the City of Austin has negotiated with the owners of said tract of land and has been unable to agree with such owners as to the fair cash market value of a 40 and 50 foot wide drainage easement across such land; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners, a suit in eminent domain to acquire the hereinafter described easement for drainage purposes across the hereinafter described tract of land, to-wit:

0.51 of one acre of land, same being out of and a part of that certain tract of land out of Outlots 51 and 52, Division "A" 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, which certain tract of land was conveyed to Dan W. Womack, Sr., et ux, by the following two (2) warranty deeds:

(1) Dated August 24, 1947 of record in
Volume 856 at page 381 of the Deed
Records of Travis County, Texas;

(2) Dated August 25, 1950 of record in
Volume 1058 at page 314 of the Deed
Records of Travis County, Texas;

Said 0.51 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the northerly prolongation of the east line of the Sandoval Subdivision, a subdivision of record in Book 9 at Page 124 of the Plat Records of Travis County, Texas, with the north line of said Dan W. Womack, Sr., tract of land, same being the south line of Goodwin Avenue, and which point is the most easterly northwest corner of the herein described tract of land;

THENCE, with said north line of the Dan W. Womack, Sr., tract of land, same being said south line of Goodwin Avenue, S 66° 45' E 40.00 feet to the northeast corner of the herein described tract of land;

THENCE, with the east line of the herein described tract of land with the following two (2) courses:

(1) S 23° 52' W 151.49 feet to a point;

(2) S 29° 45' W 318.15 feet to a point in the south line of said Dan W. Womack, Sr., tract of land, same being the north line of that certain 5 acre tract of land, more or less, conveyed to Edward Joseph Development, Inc., by warranty deed of record in Volume 2170 at Page 243 of the Deed Records of Travis County, Texas, for the southeast corner of the herein described tract of land;

THENCE, with said south line of said Dan W. Womack, Sr., tract of land, same being said north line of said Edward Joseph Development, Inc. tract of land, N 66° 44' W 50.32 feet to the southwest corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land with the following two (2) courses:

(1) N 29° 45' E 321.27 feet to a point;

(2) N 32° 52' E 8.56 feet to a point in the south line of the aforesaid Sandoval Subdivision, same being the most westerly northwest corner of the herein described tract of land;

THENCE, with said south line of said Sandoval Subdivision, same being the most westerly north line of the herein described tract of land, S 66° 08' E 10.00 feet to a steel pin found at the southeast corner of said Sandoval Subdivision;

THENCE, continuing with the west line of the herein described tract of land, same being the east line and its northerly prolongation of said Sandoval Subdivision, N 23° 52' E 139.95 feet to the point of beginning.

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

The City Manager reported several weeks ago discussion was held on the possibility of members of the Council and administration meeting with the State Health Board at its March meeting to discuss some advance ideas with reference to Hill-Burton Funds for Brackenridge Hospital. He listed the procedures followed on processing these applications. It was suggested that the Council meet with the State Health Board at its May or June meeting instead.

The Assistant City Manager submitted a routine request for a banner at 7th and Congress, for the Society of the Preservation of Barber Shop Quartet Singing. Councilman White moved that the Council grant permission for this banner. (April 12th and April 24th) The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long said the City Attorney had been negotiating with DR. T.J. McELHENNEY about the drainage easement in the Montopolis area and had come up with the idea of purchasing some of that easement. The City Attorney reported Dr. McElhenney would be willing to discuss selling about 12 acres, but it was not a definite offer. He had the whole tract on the market. In order for the City to reap the value of enhancement that the drainage facility would provide, it should have at least 12 acres. The cost of acquiring the easement and cutting the ditch would be a net loss without any recoupment if the property is not purchased. Councilman Long inquired if condemnation proceedings and severance damages would cost about \$12,000. The City Attorney stated it probably would not cost that much. Councilman Shanks inquired if this included the adjacent property. It was stated Dr. McElhenney had acquired that property and it was included in this proposal. The City Attorney explained the hydraulic engineers were not certain as to the effect of this drainage downstream at this time. Councilman LaRue moved that in light of the suggestion from the City Attorney that the City Manager be authorized to purchase up to 12 acres or whatever is needed if he feels it is the best solution to the drainage problem. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted a written request from MR. R. G. MUELLER, JR., asking that this land transaction be brought up today. The City Manager explained it concerned a tract of land acquired from the Austin Independent School District, formerly belonging to R. G. MUELLER, SR., and sold by him to the schools. The City acquired it from the schools for a possible location of a Service Center for the south and southwest part of the City. Mr. Mueller states in the letter that they own the adjoining property and would like to buy this tract and have the application made by the Director of Public Works for a Special Permit for a Storage Yard withdrawn. The City Manager reviewed the obstacles in finding a site in South Austin; also in the development of the site at Center and South 1st Street. The special permit was withheld due to several property owners' protesting. Mr. Mueller is opposed to a service center on this site near the Missouri Pacific Railroad and South 5th Street. The Mayor suggested that Mr. Mueller be told that the Council would like to look at this property. The Planning Director said the hearing would be held before the Zoning Committee the following Monday.

The Mayor read a letter from the Office of Economic Opportunity concerning "Project 'Headstart'" a nationwide preschool program for an estimated 100,000 children in 300 communities to be enrolled in an eight week summer session. He stated this would fall under the school program. Councilman Long moved that the Council refer that letter to the Schools for their study and edification. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor read a letter from MR. HOMER GARRISON, JR., Texas Department of Public Safety, stating the City, as always, was most cooperative with his Office of Defense and Disaster Relief in hosting the Fifth Annual State Conference for Civil Defense Directors, and that Mayor Pro-tem Travis LaRue did an excellent job in his welcome address on behalf of the City. COLONEL GARRISON expressed appreciation for Mr. LaRue's contribution to the program, stating his presentation was a compliment to the Agenda. Councilman LaRue at this point, expressed his appreciation to Colonel Kengla for presenting him with the facts.

Mayor Palmer read a letter from MR. E. G. GERMANY regarding a suitable Memorial being created to honor the Republic of Texas to explain to the future generations the influence the Republic exercised in the formation of Texas as is known today.

There being no further business Councilman LaRue moved that the Council adjourn. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 6:00 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elvie Karsley
City Clerk