

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 19, 1965  
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Shanks presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Absent: Mayor Palmer (as he was out of the City)

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Burch Biggerstaff, Major of Police

Invocation was delivered by MR. DOREN R. ESKEW, City Attorney.

Councilman White moved that the minutes of the meetings of August 5th and August 12th, 1965 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

Mayor Pro-tem Shanks 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 6.95 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS 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.  
(Highland Hills Northwest Section 2)

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

Mayor Pro-tem announced that the ordinance had been finally passed.

Mayor Pro-tem Shanks 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 2.93 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE 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.  
(Deer Park, Section 4)

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

Mayor Pro-tem announced that the ordinance had been finally passed.

Mayor Pro-tem Shanks 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) WEST 165 FEET OF LOT 5, BLOCK 2 OF THE CREST HAVEN ADDITION, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND  
(B) LOT 5, BLOCK 2 OF CREST HAVEN ADDITION, EXCEPT THE WEST 165 FEET OF SAID LOT 5, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

Mayor Pro-tem announced that the ordinance had been finally passed.

Mayor Pro-tem Shanks introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOT 6A OF THE RESUBDIVISION OF LOT 6, SUBDIVISION OF OUTLOT 55, LOCALLY KNOWN AS 1008 EAST 11TH STREET (PLAT ADDRESS 1010-1012 EAST 11TH STREET), FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (2) A 1503 SQUARE FOOT TRACT OF LAND, LOCATED AT 300 HANCOCK CENTER, LOCALLY KNOWN AS 1000 EAST 41ST STREET, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) WEST 150 FEET OF LOT 1, NORTH LOOP TERRACE RESUBDIVISION, FROM "C" COMMERCIAL AND "A" RESIDENCE DISTRICT AND FIRST AND SECOND HEIGHT AND AREA DISTRICTS TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (4) WEST 37 FEET OF LOT 4 OF THE AVALON ADDITION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (5) A 2400 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1816 SOUTH LAMAR BOULEVARD (PLAT ADDRESS 1812-1814 SOUTH LAMAR BOULEVARD), FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (6) LOT 1 OF THE HOWARD JOHNSON SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (7) APPROXIMATELY A 7200 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1102-1104 KOENIG LANE, FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND (8) (A) LOT 2 OF THE RESUBDIVISION OF PART OF BLOCK B OF THE NORTH HARMON TERRACE ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT, AND (B) LOT 2A OF THE RESUBDIVISION OF PART OF BLOCK B OF THE NORTH HARMON TERRACE ADDITION, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

Mayor Pro-tem announced that the ordinance had been finally passed.

Decision on the following zoning application was postponed until the following week:

ROBERT L. OGDEN

612 Winflo Drive  
Additional Area  
610 Winflo Drive

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

The Council had before it a resolution changing the name of South 3rd Street to GARDEN VILLA LANE from Banister Lane northerly to Garden Villa Lane. Councilman Long inquired if the petition had all of the names of the property owners. It was stated there were none objecting. Not all were contacted as some were out of the state. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Free Water Addition, a subdivision of record in Book 2 at Page 235 of the Plat Records of Travis County, Texas, a certain street, extending from the north line of Banister Lane in a northerly direction to the south line of Garden Oaks, Section One, a subdivision of record in Book 9 at Page 175 of the Plat Records of Travis County, Texas, is designated as Third Street and now known as portion of South 3rd Street; and,

WHEREAS, the owners of all lots abutting said street have requested that the name of Third Street, now known as South 3rd Street, be changed to Garden Villa Lane; Now, Therefore,

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

That the name of the following described street, designated as Third Street, now known as South 3rd Street, as the same appears on the map or plat of Free Water Addition, a subdivision of record in Book 2 at Page 235 of the Plat Records of Travis County, Texas, be and the same is hereby changed to Garden Villa Lane, said street so changed being described as follows:

All that portion of a certain street in the City of Austin, Travis County, Texas, shown as Third Street on a map or plat of Free Water Addition, a subdivision of record in Book 2 at Page 235 of the Plat Records of Travis County, Texas, and now known as South 3rd Street; which certain portion of South 3rd Street extends from the north line of Banister Lane in a northerly direction to the south line of Garden Oaks, Section One, a subdivision of record in Book 9 at Page 175 of the Plat Records of Travis County, Texas.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council accept the recommendation of the Building Standard's Commission concerning the substandard houses as follows:

- 75 Chicon  
(J.T. Hewlitt and J.E. Walls)
- That the structure be declared a public nuisance; that the owner be given sixty days from June 9, 1965, in which to seek means to bring the structure to requirements of the Minimum Housing Code or to demolish the structure; that after expiration of the sixty day period if the owner has failed to bring the structure to requirements of the Minimum Housing Code or to demolish the structure, the Legal Dept. 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, 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.
- 5005 Heflin  
(Keystone Realty)
- That the structure be declared a public nuisance; that the owner be given sixty days from June 9, 1965 in which to bring the structure to the requirements of the Minimum Housing Code or to demolish the structure; that after expiration of the sixty day period if the owner has failed to bring the structure to requirements of

the Minimum Housing Code or to demolish the structure, the Legal Dept. be instructed to seek judicial termination 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 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 LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks

Noes: None

Absent: Mayor Palmer

The Building Official reported Mr. Virgil Lott had written that this building would be demolished immediately.

Mayor Pro-tem Shanks 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 47.55 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JOHN APPLGATT SURVEY AND THE JOHN C. BROOKS SURVEY NUMBER 53, 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.  
(unplatted land owned by the City)

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 September 2, 1965 at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that COLONEL VANCE MURPHY be heard. The motion was seconded by Councilman LaRue, Roll call showed a unanimous vote.

COLONEL MURPHY expressed to the Council on behalf of the Austin Aqua Festival Association, and personally, appreciation for the wonderful support

received. It would have been completely impossible to have had the Aqua Festival without the hard work and cooperation of the Public Works, Electric, Water and Recreation Departments. Many, many favorable comments were received from people from all over the Country on what a wonderful thing the City had done by making this festival possible. Mayor Pro-tem Shanks stated under the leadership of such fine people as Colonel Murphy and others that worked with him, the Aqua Festival had certainly been a tribute to the City of Austin; and if leaders like Colonel Murphy can be selected each year, the Aqua Festival will continue to be a big event for the City in the future. Councilman LaRue also commended Colonel Murphy on the success of the Festival, noting he detected a little military organization, as it was the best organized and coordinated activity they have had in a long time.

The City Manager submitted two petitions: one from citizens requesting fogging around the University--University Avenue and 20th Street areas; and the other petition listing the names of people who live in a Trailer Park. It will be necessary to identify the location of the Trailer Park. Councilman Long moved to grant the request of the petitioners, and to try to locate the Trailer Court. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

The City Manager had a memorandum from the Director of Recreation stating he had talked with MR. NEELEY who was willing to pay six cents per pack on cigarettes in the vending machine at Givens Park, although he did not sell enough cigarettes to justify servicing the machine. Councilman Long moved that the Council enter into a contract with him. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

Councilman Long stated he had the cigarette contract on all of the machines, and apparently he thought it was fair or he would not have offered the increase. The City Manager read the memorandum stating Mr. Neeley would be willing to pay the extra if the price were raised from \$.35 to \$.40 per pack on cigarettes. He reported the sale of cigarettes was stopped at the other pools, because of the problem of supervising the sale of cigarettes to minors. At Givens, the machine is inside the office, and purchases are handled by the cashier; but if there were a large swimming load at Givens Pool, it would be impossible for the cashier to give this service. Last year in the 17 weeks swimming season the average of 39 packs of cigarettes was sold.

The City Manager called attention to the letter enclosed with the agenda from Charlie Barefield regarding the bait house on Town Lake as follows:

"August 16, 1965

"Mr. Bill Williams  
City Manager  
Austin, Texas

August 19, 1965

"Dear Mr. Williams:

"Pursuant to my conversation with you today, I am writing you to clarify my position in regards to the property now operated by me near the Lamar Street Bridge on Town Lake.

"As you know, I have operated Riverside Bait and Tackle for almost twelve years, at this location. It is my desire if the city chooses, to continue to operate this business for so long as I am able to do so. Of course, I realize that in view of the city's plans to beautify Town Lake, that the building which now houses the business is wholly inadequate. However, as you realize, it would be impossible for me to place any permanent type structure on this property in conformance with the planning commissions desires without having some assurance that I would be able to occupy the premises for a sufficient length of time in order to amortize the investment. I would therefore like to work with you, the members of the City Council, and the planning commission in order to plan a permanent type structure satisfactory to all parties.

"Since it will probably take some time to complete the details of any structure and the details of any lease arrangement, I would like to respectfully request that the council at this time extend my present lease from October 1 of this year to October 1, 1966.

"This location seems to be a convenient one to the sportsmen of the city and I sincerely hope that you will permit me to continue operating for the upcoming year and that a permanent arrangement might be made.

"I will look forward to hearing from you concerning your thoughts and the council's thoughts on these matters. I would be happy to discuss any details personally with you prior to, or at the time this comes before the Council. Would you please notify me of the hearing if such is necessary?

"Sincerely yours,

s/ Charlie Barefield  
Charlie Barefield"

The Council discussed this. Councilman Long stated the Council voted to give him until October to move. The City Manager said the report was that Mr. Barefield had asked to be given a date; but Mr. Barefield stated that was a misunderstanding; that he never intended to ask for such a thing; but he wanted to know whether or not he was going to be put out as he had been told he was. Councilman LaRue said Mr. Barefield had come to him several months ago with the impression someone told him he was going to have to move out more or less with 30 days' notice. Councilman LaRue had told him the Council had not said he arbitrarily would have to move out, and he asked how much time he would need. Mr. Barefield agreed that October would be fine. The City Manager reported Mr. Barefield had understood he was going to be asked to move, and he just wanted to know when. His letter had a request for a permanent lease and for permission to build a permanent structure; but regardless, he asked for a year's extension to October 1966. Councilman LaRue moved to refer this to the Parks and Recreation Board. The motion lost for lack of a second. Councilman Long moved to inform Mr. Barefield that the Council does not intend to renew his lease for another year. The motion lost for lack of a second. Councilman White stated he would be willing to give him three months' additional time to get his other building constructed. Mayor Pro-tem Shanks stated there was a new time table suggested in



this letter. Finally after more discussion, Councilman Long moved to give him three months, and the termination date would be January 1st, 1966. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

The City Manager reported the Public Schools had asked for permission to encroach about three feet on the sidewalk area on 13 $\frac{1}{2}$  Street for a parking lot. The right of way of the street is 60' with 40' of paving, and a 10' sidewalk area on each side. The Director of Public Works showed a plan of the parking lot, stating the area was lower than the sidewalk area, and the Schools want to come about three feet into the area, and build a 2' retaining wall. There will be two driveways off of Rio Grande which are already in place and they plan to build two more on West Avenue. This will double the parking area. Councilman Long moved that the Council allow the Schools to encroach on the sidewalk area on 13 $\frac{1}{2}$  Street as discussed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

At 10:30 A.M., Mayor Pro-tem Shanks opened the hearing on the ordinance annexing proposed HIGHLAND HILLS, SECTION 9 and unplatted land. No one appeared to be heard. Councilman Long stated she would go ahead and vote on this today as the owners were in a hurry to proceed with their plans. Councilman Long moved that the hearing be closed. The motion, seconded by LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro-tem Shanks  
Noes: Councilman White  
Absent: Mayor Palmer

Mayor Pro-tem Shanks brought up the following ordinance for its first 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 42.30 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Proposed Highland Hills, Section 9 and unplatted land)

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

Ayes: Councilmen LaRue, Long, Mayor Pro-tem Shanks  
Noes: Councilman White  
Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, Mayor Pro-tem Shanks  
Noes: Councilman White  
Absent: Mayor Palmer

The City Manager stated a request from the Austin National Bank for hooded parking meters had just come in. The Assistant City Manager stated he received a call from MR. LEON STONE, who had mailed a written request, but it had not been received as yet, asking for five minute hooded parking meters on three meters, two on San Jacinto and one on 5th Street. Councilman Long stated it had not been the policy to grant that many, and she did not believe parking meters were needed for drive-ins. The City Manager stated a number of hooded meters had been permitted for banking facilities; but for Savings and Loan facilities, a smaller number had been permitted. He pointed out there was a higher volume of customers doing business in the banks. Councilman LaRue stated he believed this was in keeping with the policy and he moved the Council grant the request. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro-tem Shanks  
Noes: None  
Absent: Mayor Palmer

The Council adjourned at 10:35 A.M. subject to the call of the Mayor.

APPROVED \_\_\_\_\_

Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk