

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 29, 1964
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Palmer
Absent: Councilman Shanks

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

Invocation was delivered by FATHER DANIEL WALSH, C.S.C., St. Ignatius Church.

Councilman LaRue moved that the Minutes of the Regular Meetings of October 15, 1964, and October 22, 1964, and Special Meeting of October 19, 1964, be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CHERRYLAWN PROPERTIES, INC. FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White 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 Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the second time and Councilman White 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 Palmer
Noes: None
Absent: Councilman Shanks

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH D. L. WELCH; J. N.
WALLACE AND BOB J. BAILEY FOR THE APPROPRIATION OF
MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT;
AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White 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 Palmer
Noes: None
Absent: Councilman Shanks

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH AUSTIN CORPORATION FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White, 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 Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the second time and Councilman White, 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 Palmer
Noes: None
Absent: Councilman Shanks

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, in, upon and across a part of Lots 8, 9 and 10, Block "A", Royal Oak Estates, Section Seven, a subdivision of a portion of the D. Simpson Survey Number 27 in the City of Austin, Travis County, Texas, according to a map or plat of said Royal Oak Estates, Section Seven of record in Book 18 at Page 75 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement should be released; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easement, to wit:

All that certain strip of land five (5.00) feet in width out of and a part of Lots 8, 9 and 10, Block "A", Royal Oak Estates, Section Seven, a subdivision of a portion of the D. Simpson Survey Number 27 in the City of Austin, Travis County, Texas, according to a map or plat of said Royal Oak Estates, Section Seven of record in Book 18 at Page 75 of the Plat Records of Travis County, Texas.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following location is less than thirty miles (30) miles per hour on school days during the hours of 7:00 A.M. to 4:30 P.M. when pedestrians are present; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such days and during such hours at the following location::

ON STREET

FROM

TO

Rogge Lane

Delwood Drive

Delwood Courts

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions at the location and street below designated are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at this location upon this street makes it advisable to use mechanical

devices in such enforcement, and has found that such location should be placed in the following Parking Meter Zone:

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
120	West 13th Street	400	North and South

Now, Therefore,

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

That the location upon the street of the City of Austin as above described be and the same is hereby placed in Parking Meter Zone 120, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman Long moved that the Council refer a petition for fogging Shoal Creek between 38th and 39½ Streets, and the 3800 block of Tonkawa Trail and 3900 Tonkawa Trail to the Health Department. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Director of Public Works displayed the drawing of a proposed sign to be erected at Christie's on the Town Lake, action on which had been postponed. The sign is only 27' wide instead of 40' and the Town Lake Study Committee had recommended its erection. Councilman Long inquired if this had been passed by the Recreation Department. It was stated the Town Lake Committee was unanimous in its vote, and two members of the Parks Board are on the Town Lake Committee. Councilman White moved that Christie's Seafood Restaurant be given permission to erect the sign made by the Duplex Advertising Company. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Assistant City Manager submitted a request from the Livestock Show representatives for permission to conduct a carnival in connection with the show, from March 12th to the 21st, 1965. They want to contract with BOB HAMMONDS, who has not operated here before, but who comes recommended by the Chief of Police. The request had been checked and approved by the Manager of the Auditorium and also by the Chief of Police. Councilman Long moved that the request be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Assistant City Manager submitted a request from MR. RONNIE MAHONEY, Texas Cowboys Association of the University of Texas, to have the same area they had last year for their Texas-A & M annual bonfire, Wednesday, November 25th at 7:00 P.M. The area is the south bank of the river north of the auditorium and north of Riverside Drive. They want to start hauling in their wood beginning November 22nd. The request has been approved by the Fire Marshal. The City Manager had called attention to this probably being the last time they could use this location. The Mayor stated they should be told it would be the last year it would be permitted at this location. Councilman Long moved that the request for the annual bonfire be granted, and that the Cowboys be informed that this is the last year that this particular location will be available in view of the new program for improving the grounds in that area. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer announced the A & M Mothers Clubs had asked for the Coliseum the night of November 25th for a dance, and this date is coincidental with the Cowboy bonfire in the area. Chief Miles stated the A & M Mothers had employed policemen and had worked out their plans very well. By the time the dance begins, the bonfire will be over.

The City Manager reported an anonymous group had spent quite a sum of money elaborately furnishing the "Green Room" at the Auditorium in the rear of the stage which is used for the Star of the performance for press conferences. The group's only request is that some recognition be given to MR. EZRA RACHLIN in exchange of what they have done. They propose a plaque be put on the room, which plaque would read, "Green Room furnishings presented anonymously to the City of Austin in grateful recognition and acknowledgment of MAESTRO EZRA RACHLIN'S 15th Year of Dedicated Service and Outstanding Achievement as Conductor of the Austin Symphony Orchestra, October 1964". The small plaque will be placed within the room. Councilman Long discussed not using the word "anonymous". It was brought out the group was insistant in maintaining anonymity; and it might leave the inference the plaque was given by some certain society. Councilman LaRue asked the City Attorney to delve into this and come up with his usual good results. The Mayor and Councilman LaRue stated the plaque as read was acceptable to them. The Mayor stated if this group had requested the anonymity he would like to respect their request. After discussion, Councilman Long moved that permission be granted that a small plaque in recognition of MR. EZRA RACHLIN, since he has dedicated so much time to the culture of the City of Austin, and is a National figure, be placed somewhere inside the Green Room. The motion, seconded by Councilman White, carried by the following vote:

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

The Council discussed the request of the First English Luthern Church for changing the direction of the alley which now runs from 31st Street to 30th Street, and turning the alley to the east to Cedar Street. The City Manager reported violent opposition on the part of one property owner. There was concern about making the turn, as "L" shaped alleys are not encouraged, unless the inside corner was cut off, which is not proposed in this case. The other property owners are agreeable to the change. The City Manager stated the property owner on the north had a building within 3' of the new line with window air conditioner units which extend out beyond the wall, and some protection would have to be afforded to those units. The Director of Public Works pointed out the use of the alley for parking, that there was a lot of traffic, and that the Church had a small building in the alley, which they would move. Discussion was held on vacating the alley for public use or moving the alley down a few feet on the Church property. No decision was made, and the Mayor stated more checking would be done on this request.

The Mayor opened the hearing on the ordinance annexing GLENORA ADDITION. No one appeared to be heard. Councilman LaRue moved that the hearing be closed. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Palmer 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 ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
2.24 ACRES OF LAND, SAME BEING OUT OF AND A PART OF
THE JAMES P. WALLACE SURVEY NUMBER 57, 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. (Glenora Addition)

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 Long, carried by the following vote:

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

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

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

The Council discussed the elevation of a building which MR. PERRONE wanted to construct, and which the Council had set the elevation of the floor of the house as 465.5 based on a 25 year frequency rainfall. The Director of Public Works stated the highest known water mark in the center of Prock Lane and Don Ann Street was 463.00 as of July 1961. The Director of Public Works stated Mr. Perrone was willing to go 464. The Director of Public Works stated this elevation was less than what they would recommend based on a 25 year frequency; and the Council set the elevation at 465.5. This elevation is no guarantee that there would not be flooding should there be a cloud burst of great rainfall. The Director explained plans for improving a creek in the area which would carry the water off more quickly; but additional water from upstream would offset this. The Director of Public Works recommended on the basis of information which they have that the elevation be set at 464. Councilman Long moved that the Council amend the requirement for the elevation of this property of Mr. Perrone's at 1141-C Don Ann Street as recommended by the Director of Public Works to 464.00 above sea level. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Attorney explained there was a zoning case on 1500 Exposition Boulevard and 2700-2704 Enfield Road which was postponed in 1961 at the request of the applicant that it be heard at the same time other zoning in the area was heard. MR. E. M. DeGUERIN, Attorney for MR. HERMAN MCKINNEY, asked this case C14-61-66 be heard at the same time as the application at 2706 Enfield Road and 1502-04 Exposition Boulevard is heard on November 5th. Councilman LaRue moved that the Council hear the following application on November 5th and that notices be sent out to the adjoining property owners:

HERMAN E. MCKINNEY	1500 Exposition Blvd. 2700-2704 Enfield Road	From "A" Residence To "LR" Local Retail NOT Recommended by the Planning Commission
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The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The City Manager submitted a request from Franklin Federal Savings and Loan Association to cap two parking meters in front of their building at 615 Brazos. The Traffic Engineer recommended this request as it complied with the policy that is used by other banking institutions generally. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the location hereinafter

described upon the street makes it advisable to use mechanical devices in such enforcement, and has found that such location should be removed from Parking Meter Zone 60, and placed in Parking Meter Zone 63 as hereinbelow indicated:

<u>FROM</u>	<u>TO</u>	<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
Zone 60	Zone 63	Brazos Street East		Parking spaces adjacent to Parking Meters Nos. 619 and 621

Now, Therefore,

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

That the location upon the street of the City of Austin as above described be and the same is hereby removed from Parking Meter Zone 60, and placed in Parking Meter Zone 63, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

Councilman White inquired about the status of the purchase of MR. DUDE McCANDLESS' acreage. The City Manager said the City was going to acquire it, and explained the proposal to be worked out with the Schools in that the City would exchange the north half of the old vocational school tract of land, if the schools would pay for acquisition of an equal amount of acreage to the east of the south part of the tract. He explained the situation about the University Junior High School, and stated now the mechanics had been worked out for the acquisition of the property, and the City would be proceeding. Until last Monday, they had not obtained clearance from the schools. School Board and Council approval will have to be obtained, and it will be ready in the next few weeks.

Mayor Palmer read a letter from the officials of the Seventh-Day Adventist Church School, expressing appreciation for their students having the privilege of attending the "First Student Concert", and stating it was a real blessing in comparison to the programs constantly before the children.

Mayor Palmer read a letter from MR. MORGAN L. PEARCE, Attorney for MR. PAT D. MORELAND, protesting erection and placing of certain billboards by the Rollins Sign Company on City owned property at 1108-1209 Barton Springs Road. Councilman Long stated the Council established a policy last week that the Council was not going to allow anything to this effect on City property. It was stated no application for such a sign had been filed as yet; but note would be made of this.

Mayor Palmer read a letter from MR. ARTHUR P. WATSON regarding disfiguring the underpasses by painting signs on them. The Assistant City Manager reported he had a letter from MR. IRBY CARRUTH, Superintendent of Schools, stating they were concerned and were trying to install the right attitude of the students. One suggestion was that the Schools organize a club to do the cleaning themselves.

The Council recognized the former Planning Director, MR. MIKE MAHONEY, who is now Planning Director of the City of Fort Worth. MR. MAHONEY introduced MR. JERRY BROWNLEE, City Manager of Fort Worth. Mayor Palmer said the Council was delighted to have them visit, and asked that they extend greetings to the Mayor of Fort Worth, from the Austin City Council.

MR. MOTON CROCKETT, JR., discussed his property behind 19th Street between Trinity, and San Jacinto, stating in August they had all papers completed for signing, and asked if the Council would give an approval on the proposition. Discussed was a proposed hike and bike trail, and his covering the creek. Mr. Crockett said it was indefinite when the structure would be put in; but he would object to a hike and bike trail through there. Councilman Long hoped a hike and bike path could be worked out with Mr. Crockett. He said the sidewalk easement on the east of his building where the driveway is would take care of the trail from the creek from west of the bridge, across San Jacinto and back down the creek. Mayor Palmer asked Mr. Crockett to explore the possibility of a hike and bike trail. Mr. Crockett said he would be happy to work with the Council. The Mayor said they would try to resolve this before too long.

The City Manager announced that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council for 11:00 A.M., December 3, 1964:

MARVIN BERGSTROM	401-411 West 13th St. 1218-1222 Guadalupe	From "C" Commercial 3rd Height & Area To "C-1" Commercial 3rd Height & Area
ALFRED LEHTONEN	809-815 West Annie 1801-1807 South 4th St.	From "A" Residence To "B" Residence
A. J. & GLADYS SMITH	Tract 1 903-907 Morrow	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
ANDY KIVLIN	Tract 2 901 Morrow	From "C" Commercial 6th Height & Area To "C-1" Commercial 6th Height & Area
THE SOUTHLAND CORPORATION, By Fred B. Werkenthin	4416 Manchaca Road	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
PAUL O. SIMMS By Sterling Sasser, Sr.	707 East 10th Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
LELAND R. WILSON	Rear of 2704 Manor Road Rear of 3105-3107 Walnut Avenue	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
GEORGE S. NALLE, JR.	2905-2909 Manchaca Road	From "A" Residence To "C" Commercial

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PHILIP BASHARA &
CHARLES BASHARA, By
Philip Bashara

401-405 East 45th Street
4413-4415 Avenue H

From "A" Residence
To "LR" Local Retail

GUSTAV KRAUSE
By Denny McGraw Real
Estate

610 Kenniston Drive

From "A" Residence
To "C" Commercial

E. A. GRIMMER

823-829 Houston Street

From "C" Commercial
To "C-1" Commercial

C. H. CARPENTER
By G. F. Ransom

5612 Grover Avenue
5611-5613 Roosevelt Avenue

From "A" Residence
To "B" Residence

DON McELWREATH
By E. H. Smartt

4706-4710 Depew Avenue

From "A" Residence
To "B" Residence

CARRINGTON'S UNIVER-
SITY HILLS, By Paul
D. Jones

Tract 1
6634-6656 Manor Road
3417-3521 Loyola Lane

From Interim "A"
Residence and 1st
Height & Area
To "LR" Local Retail
1st Height & Area

Tract 2
3503-3507 Loyola Lane

From Interim "A"
Residence and 1st
Height & Area
To "C-1" Commercial
1st Height & Area

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council adjourned at 11:20 A.M., subject to the call of the Mayor.

APPROVED

Lawton E. Palmer
Mayor

ATTEST:

Elin Weasley
City Clerk