

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 6, 1970
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Absent: None

The Invocation was delivered by REVEREND JOE H. COCHRAN, Westminster Presbyterian Church.

APPROVAL OF MINUTES

Councilman Price moved that the Council approve the Minutes of the Meetings of July 16, 1970, and July 23, 1970. The motion, seconded by Councilman Gage, carried by the following vote:

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

Noes: None

ANNEXATION ORDINANCE
FINAL PASSAGE

Mayor 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 9.076 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE NO. 19; 2.17 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGATT SURVEY NO. 58; AND 85.82 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18 AND THE JAMES ROGERS SURVEY; ALL BEING LOCATED IN TRAVIS

COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Discussion of approach mains to the 85.82 acre area and the area to the north was held. It was brought out one approach main would be approximately \$53,000.00, of which the owners will be required to pay 25%; the rest of the lines would be wholly within the owner's property. MR. W. T. WILLIAMS, JR., representing the owners, explained the application for annexation was vague, and it was the intent to apply for annexation of both sides of the road. He explained Section 1, consisting of 100 lots. When they are developed, the next 200 acres would be likewise developed for the use of this line, which could be extended to serve an area where the school expects to build soon. He stated this approach main would ultimately serve a thousand acres which are rapidly developing.

BUS FRANCHISE ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE GRANTING TO TRANSPORTATION ENTERPRISES, INC., A FRANCHISE FOR ONE (1) YEAR WITH FOUR (4) RENEWABLE OPTION PERIODS OF ONE (1) YEAR EACH TO OPERATE AND MAINTAIN A MOTOR BUS SYSTEM FOR THE TRANSPORTATION OF PERSONS AND PROPERTY UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF AUSTIN, TEXAS, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, THE CHARTER OF THE CITY OF AUSTIN, AND THE CODES AND ORDINANCES OF THE CITY OF AUSTIN.

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

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

RECOGNITION

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after some twenty-five years of diligent and unselfish service to the citizens of Austin and of Travis County as the Director of Austin-Travis County Health Department, Dr. Benjamin M. Primer retired on the 30th of April, 1970; and,

WHEREAS, the experience that Dr. Primer obtained from his medical studies, his internship in Charity Hospital in New Orleans, his service with the State Health Department, his service as the Director of the Health Department in Iberia, Louisiana in 1928, and as Director of the Cameron County Health Department in 1929, his public health work in Amarillo from 1930 to 1938 and the experience he obtained from his service as Company and Battalion Commander in the Medical Division of the 36th Infantry Division from 1938 to 1944, has inured to the great benefit of the citizens of the Austin-Travis County area; and,

WHEREAS, Dr. Benjamin M. Primer has diligently lead the Austin-Travis County Health Department in its campaigns against typhoid fever, polio, and diphtheria outbreaks; and,

WHEREAS, his perseverance in the expansion of the health service in Austin has resulted in a high level of health care, the organization of the Child Guidance Center, the Evaluation Center, the Austin Children's Dental Clinic, Family Planning Clinics, the expansion of nursing services, the regulation of nursing homes, day care centers and massage parlors, and the construction of a modern health department building; Now, Therefore,

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

That upon the occasion of his well-earned retirement, Dr. Benjamin M. Primer be given public recognition for his faithful performance of the duties of Director of the Austin-Travis County Health Department and for his diligence and leadership in the expansion of the health services in Austin and Travis County, and that a page be especially set apart for that purpose in the Official Minutes of the City Council and that a copy of this Resolution be presented to the said Dr. Benjamin M. Primer.

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

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

Noes: None

RECOGNITION

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mr. John D. Miller has served on the Civil Service Commission from March 22, 1949 to the present; and,

WHEREAS, his insight into Civil Service problems and the soundness of his advice to the City Manager and the City Council were enriched over the years by the experience that he obtained by serving in an engineering detachment during World War I, by working in the City of Austin's Engineering Department and in the Texas Highway Department, by successfully operating Miller Blueprint Company for some fifty years, as well as by his other varied business experience; and,

WHEREAS, his diligency in other civic areas such as the Texas Society of Professional Engineers, the Austin Rotary Club, and the First Southern Presbyterian Church, further enhanced his understanding and the wisdom with which he dealt with the Commission's problems; and,

WHEREAS, during the past twenty-two years he has worked long and hard in an effort to help guide the firemen and policemen and the City of Austin in their efforts to find workable solutions to the many and varied problems with which they have been faced; Now, Therefore,

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

That the sincere gratitude of this Council and of the citizens of Austin be conveyed to Mr. John D. Miller for the consistent, diligent and untiring attention that he has given to his duties as Civil Service Commissioner, that he be given public recognition, and that a page be especially set apart for that purpose in the Official Minutes of the City Council and that a copy of this Resolution be presented to the said John D. Miller.

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

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

ANNEXATION ORDINANCE - 1ST & 2ND READINGS

Mayor LaRue 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 6.07 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.

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

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of the Room at Roll Call: Councilman Gage

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

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of the Room at Roll Call: Councilman Gage

ELECTRIC SERVICE CONTRACT
UNIVERSITY OF TEXAS

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, pursuant to City Council resolution of October 9, 1969, the City of Austin entered into an agreement with the University of Texas at Austin for the furnishing of electrical service in a manner and under the terms and conditions specifically set forth in said contract; and,

WHEREAS, it is deemed mutually desirable and appropriate that the date of beginning of service under said contract be changed from "September 1, 1970" to "November 1, 1970"; 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 execute an amendment to the above referenced contract whereby service under such contract will begin on November 1, 1970.

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

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

Noes: None

ANNEXATION HEARING SET

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That a public hearing be held at 9:30 o'clock A.M., in the City Council Chambers of the City of Austin on the 20th day of August, 1970, for the purpose of providing an opportunity for all interested persons to be heard on consideration of the institution of annexation proceedings with respect to the below described property, to-wit:

17.99 acres of land, same being out of and a part of the John Applegait Survey in Travis County, Texas, which 17.99 acres of land are more particularly described by metes and bounds as follows:

BEGINNING ata concrete monument on the present corporate limit line of the City of Austin as adopted by ordinance dated October 2, 1969, same being the south line of Northcape Drive, which point of BEGINNING is the south-east corner of Northcape, Section Three, a subdivision of record in Book 50 at page 13 of the Plat Records of Travis County, Texas, same being the northeast corner of the herein described tract of land, and which point of BEGINNING is in the proposed corporate limit line of the City of Austin;

THENCE, with the proposed corporate limit line of the City of Austin, S 30° 00' W 1,393.08 feet to an iron pin at the southeast corner of the herein described tract of land, same being a point in the north line of Rundberg Lane, same also being the present corporate limit line of the City of Austin as adopted by ordinance dated July 16, 1970;

THENCE, with said present corporate limit line of the City of Austin, as adopted by said ordinance dated June 16, 1970, an ordinance dated July 18, 1964, and the aforesaid ordinance dated October 2, 1969, in a westerly, northerly, and easterly direction to the point of BEGINNING.

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

That the City Clerk be authorized and directed to cause a notice of such hearing to be published in a newspaper having general circulation in this City and in the area proposed to be annexed, such publication to be made not more than twenty (20) days, nor less than ten (10) days prior to the hearing.

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

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

Noes: None

Out of the Room at Roll Call: Councilman Gage

STREET NAME CHANGED

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on maps and plats of the City of Austin, Travis County, Texas, a certain street extending from the west line of Exposition Boulevard in a westerly direction 951 feet, more or less, to Hillview Road, is designated as Westover Road; and,

WHEREAS, the owners of lots abutting the hereinafter described street have requested that the name of Westover Road be changed to Hillview Road; Now, Therefore,

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

That the name of the following described street designated as Westover Road, as the name appears on maps or plats of the City of Austin, be and the same is hereby changed to Hillview Road, said street so changed being described as follows:

Being all that certain street in the City of Austin, Travis County, Texas, known as Westover Road as shown on maps and plats of the City of Austin, Travis County, Texas; which Westover Road extends from the west line of Exposition Boulevard in a westerly direction 951 feet, more or less, to Hillview Road.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,

Mayor LaRue

Noes: None

CONTRACTS AWARDED

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 28, 1970, for the construction of a reinforced concrete box culvert across South First Street at Bramble Lane, Contract No. 70-C-118; and,

WHEREAS, the bid of Miller Concrete, Inc. in the sum of \$9,568.75 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Public Works 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 Miller Concrete, Inc., in the sum of \$9,568.75 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Miller Concrete, Inc.

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

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

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 17, 1970, for 225 each Horizontal Line Post Insulators to be used by the Electric Distribution Division; and,

WHEREAS, the bid of Graybar Electric Company in the sum of \$8,091.68 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent 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 Graybar Electric Company in the sum of \$8,091.68 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Graybar Electric Company.

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

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

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 19, 1970, for One (1) each International Harvester 250C Tractor Loader to be used by the Sanitation Division; and,

WHEREAS, the bid of Jess McNeel Machinery Company in the sum of \$45,000.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent 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 Jess McNeel Machinery Company in the sum of \$45,000.00 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Jess McNeel Machinery Company.

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

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

Noes: None

Discussion was held on the types of equipment specified and experience as to maintenance. The City Manager stated they would accumulate service and maintenance records on the equipment and have factual information.

EMINENT DOMAIN PROCEEDINGS

Councilman Atkison offered the following resolution and moved its adoption:

(RESOLUTION)

Fred Adams, Jr.
Lot 21, Block "C",
Deer Park Section 1

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of an electric substation for the proper and adequate transmission and distribution of electricity within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land in Travis County, Texas to provide for the construction of said electric substation; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager or his designate be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire title to the hereinafter described tract of land in fee simple, to-wit:

Lot Twenty-one (21), Block "C", Deer Park Section 1, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof, recorded in Book 14, Page 74, of the Plat Records of Travis County, Texas.

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

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

Noes: None

STREET RIGHT OF WAY
ACQUISITION

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

Larry Sommers Miller
1009 Winsted Lane

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

That the offer of the owners and claimants of the following described property to convey fee simple title thereof to the City of Austin for street, expressway, and other municipal and public purposes for the sum of \$21,500.00 cash be, and it is hereby accepted, and the City Manager or his designate is hereby authorized to consummate such purchase; such property being described as follows:

Being all of Lot 1, save and except the south 8.2 feet of Lot 1, of the resubdivision of Block B, Royal Oak Subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said resubdivision of Block B, Royal Oak Section 3, of record in Book 6 at Page 5 of the Plat Records of Travis County, Texas, which Lot 1, save and except the south 8.2 feet of Lot 1, was conveyed to Larry Sommers Miller by warranty deed dated March 23, 1967, of record in Volume 3263 at Page 139 of the Deed Records of Travis County, Texas.

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

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

Noes: None

INCORPORATION OF SAN LEANNA

The City Manager had submitted data to the Council regarding the San Leanna incorporation. It would be 15 to 20 years before the City could extend to this area for annexing. Servicing the area would be difficult and expensive. Should the area incorporate, it should be limited to the actual application and not have any extra-territorial jurisdiction. Mr. E. H. Smartt represented the San Leanna area. After discussion, Councilman Gage moved that the Council instruct the City Manager to have the City Attorney draw up the necessary resolution to allow San Leanna to incorporate with those limitations discussed this morning: (1) That the area be limited to its application - 238 acres; and (2) That they not have any extra-territorial jurisdiction, the City Attorney to draw a contract to that effect. The motion, seconded by Councilman Janes, carried by the following vote:

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

RIGHT OF WAY - MO PAC

Councilman Price moved that the Council approve the average of appraisals and authorize the acquisition of 2105 Lake Austin Boulevard for the Mo-Pac right of way. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

UTILITY AID TO DISASTER AREA

The City Manager reported a call for emergency help in the Corpus Christi disaster area, stating the private utility company would pay all expenses, equipment, manpower, etc. Councilman Gage moved that the Council authorize the City Manager to extend to Corpus Christi whatever help he felt he could spare. The motion, seconded by Councilman Janes, carried by the following vote:

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

APPOINTMENTS TO THE URBAN RENEWAL COMMISSION

Mayor LaRue announced the appointment of MR. HORACE GLASS, DR. PAUL C. ELBRECHT, and IRWIN SALMANSON, and the reappointment of MR. RAE DEL GALLOWAY to the Urban Renewal Board for terms extending to July 23, 1972.

Councilman Johnson moved that the Council ratify the Mayor's appointments. The motion, seconded by Councilman Price, carried by the following vote:

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

DISCUSSION OF POLICE DEPARTMENT SALARIES AND ACROSS THE BOARD RAISE

MR. COY WEBER, member of the Police Department presented figures covering many facets of the Police Department -- ratio of police to population; percentage of crime increase comparison with other cities; salaries of the cadets, patrolmen, and those with three years' experience and related data. As to increasing salaries of this group, he suggested rather than a percentage raise than an across the board raise be given. Councilman Johnson pointed out Austin had a low percent increase in crime partly because of the training program and leadership in the Police Department. Comparisons with Police Departments in other cities showed Austin above the average. He stated this is the first time since the late 1940's that the Police Department had its complete authorized strength. Councilman Johnson agreed the police need a raise, and pointed out the other city employees also need an increase. He noted the Council had gone on record on numerous occasions to support the Police Department, and asked Mr. Weber to have confidence in the management and Council, who will do everything possible to ease the situation. Mayor LaRue pointed out that the Police Department had provided the City and community a tremendous service, and the Council recognizes and appreciates it, and this would be considered. There were some 4,000 other employees to be considered also. Councilman Janes commended Mr. Weber on his fine presentation, and stated this Department in the very near future would be considered.

REQUEST FOR STREET SIGNS

REVEREND S. L. DAVIS, Mt. Calvary Baptist Church, asked for direction signs to his Church at 2111 Washington Street. He also reported that the street was hazardous. The City Manager, Mr. Andrews, asked Reverend Davis to get in touch with him, and he could come up with some recommendations for the Council next week.

GENERAL CITIZEN OBSERVATION

Councilman MacCorkle suggested having alert citizens drive around the City from time to time to observe, and get some reaction as to what needs to be done. There might be some good ideas expressed.

REPORT ON TRIP TO SALTILLO

Mayor LaRue made a report on the trip to Saltillo, the Sister City, stating the hospitality afforded the group was beyond anything they had heard. Saltillo is no longer an agricultural, cattle town, but an industrial city. Mayor LaRue stated Austin anticipates inviting an official group from Saltillo to visit here.

PAVING BEING RELOCATED

Councilman Gage reported a telephone call from MRS. BENTON, residing near Becker School, stating construction men had laid forms, excavated, and started pouring concrete sidewalks. They returned the next day, pulled up the forms and told her they were going to build the sidewalks some other place. The Deputy City Manager stated this information had not reached their office, but they would check into what had happened.

APPRAISALS ON BARTON CREEK

Councilman Price asked about the appraisals on Barton Creek. The City Manager reported one of the independent appraisors would file his findings August 7th, and the other would complete his appraisal next week.

CLASS WELCOMED

The Mayor and Council greeted and welcomed a class from St. Luke's.

ZONING HEARINGS

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

G. P. BRIONES	1007 E. 8th St.	From "A" Residence To "BB" Residence RECOMMENDED by the Planning Commission
---------------	-----------------	--

Mrs. Sarah Cartwright opposed.

Councilman Janes moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Johnson, carried by the following vote:

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

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

August 6, 1970

MRS. WILLIE WOODS
SMITH
By John Campbell

2932 E. 12th St.

From "A" Residence
To "LR" Local Retail
RECOMMENDED by the
Planning Commission

Councilman Gage moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson (at this time)

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

ROBERT C. MASSENGALE
By Richard A. Yahr

900-902 West Ave.

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

Councilman Price moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson (at this time)

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

BARROW CORPORATION
By Nelson Puett

2605-2621 Ektom Dr.
5301 West Gate Blvd.
5300 & 5301 Indo Dr.

From Interim "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
RECOMMENDED by the
Planning Commission
subject to 10' of r-o-w
on Indo Drive.

Councilman Gage moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson (at this time)

The Mayor announced that the change to "BB" Residence, 1st Height and Area District, had been granted as recommended by the Planning Commission, subject to 10' of right of way on Indo Drive, and the City Attorney was instructed to draw the necessary ordinance to cover.

ROBERT E. WESTON

4406-4408 So. 1st St.

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission
subject to a short
form subdivision.

Councilman Price moved that the recommendation of the Planning Commission be upheld, and the change to "C" Commercial be granted. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Absent: Councilman MacCorkle (at the time of the roll call)

The Mayor announced that the change had been granted to "C" Commercial, as recommended by the Planning Commission, subject to a short form subdivision, and the City Attorney was instructed to draw the necessary ordinance to cover.

ROY BUTLER
By G. B. Burks

703-707 Henderson St.

From "B" Residence
2nd Height and Area
To "C" Commercial
2nd Height and Area
RECOMMENDED by the
Planning Commission
subject to 5' of r-o-w
on Henderson Street.

Councilman Price moved that the recommendation of the Planning Commission be upheld and the change granted to "C" Commercial, 2nd Height and Area. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Absent: Councilman MacCorkle (at this time)

The Mayor announced that the change to "C" Commercial, 2nd Height and Area District be granted as recommended by the Planning Commission, subject to 5' of right of way on Henderson Street, and the City Attorney was instructed to draw the necessary ordinance to cover.

GEORGE W. HANCOCK &
D. H. WALDEN

9002-9028 No. I.H. 35

From "A" Residence
To "C" Commercial
Recommended by the
Planning Commission
subject to a short
form subdivision.

Councilman Price moved that the recommendation of the Planning Commission be upheld and the change to "C" Commercial be granted. The motion, seconded by Councilman Gage, carried by the following vote:

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

Noes: None

Absent: Councilman MacCorkle (at this time)

The Mayor announced that the change to "C" Commercial District as recommended by the Planning Commission subject to a short form subdivision, had been granted, and the City Attorney was instructed to draw the necessary ordinance to cover.

C. L. REEVES
By Hale and
Associates, Inc.

2505-2603 Burleson Rd.

From "B" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission
subject to 5' of r-o-w
on Burleson Road.

Councilman Price moved that the recommendation of the Planning Commission be upheld and the change be granted to "GR" General Retail District. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

Absent: Councilman MacCorkle (at this time)

The Mayor announced that the change had been granted to "GR" General Retail District, as recommended by the Planning Commission, subject to 5' of right of way on Burleson Road, and the City Attorney was instructed to draw the necessary ordinance to cover.

TOM CURTIS

3900 Medical Pkwy.
1100-1104 W. 39th St.

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission
subject to 5' of r-o-w
requirements and a 5'
sidewalk and utility
easement.

Councilman Price moved that the recommendation of the Planning Commission be upheld and the change to "GR" General Retail District be granted. The motion, seconded by Councilman Gage, carried by the following vote:

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

Noes: None

The Mayor announced that the change to "GR" General Retail District had been granted as recommended by the Planning Commission, subject to 5' of right of way requirements and a 5' sidewalk and utility easement, and the City Attorney was instructed to draw the necessary ordinance to cover.

GOVERNMENT EMPLOYEES
CREDIT UNION
By Jerome Smith

5509-5511 Montview St.

From "A" Residence
To "B" Residence
NOT Recommended by
the Planning Commission
RECOMMENDED by the
Planning Commission
"B" on the south 15'
subject to 5' of r-o-w
on Montview Street.

Councilman Gage moved that the Council grant "B" Residence District on the entire lot, subject to a privacy fence being erected and the 5' of right of way. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "B" Residence District on the entire lot, subject to a privacy fence being erected and the 5' of right of way, and the City Attorney was instructed to draw the necessary ordinance to cover.

MATZ-TEAGUE, LTD.
By Richard Baker

Tract 1
8400-8408 U.S. Hwy. 183
8304-8320 Lazy Lane

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

Tract 2
8408-8416 U.S. Hwy. 183

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

Tract 3
Rear of 8312-8318 Lazy
Lane

From Interim "A" Residence
1st Height and Area
To "DL" Light Industrial
1st Height and Area

August 6, 1970

RECOMMENDED by the Planning Commission subject to 50' building setback & 6' fence along property adjoining which is zoned "A". This fence is to be constructed at the time any property improvements are made on the site.

Councilman Gage moved that the change be granted as recommended by the Planning Commission to "C" Commercial District on Tract 1; "C" Commercial District on Tract 2; "DL" Light Industrial District on Tract 3. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change to "C" Commercial District on Tract 1; to "C" Commercial District on Tract 2; and "DL" Light Industrial District on Tract 3, had been granted as recommended by the Planning Commission subject to a 50' building setback and a 6' fence along property adjoining, which is zoned "A" Residential - this fence to be constructed at the time any property improvements are made on the site, and the City Attorney was instructed to draw the necessary ordinance to cover.

MARY ALICE HUSTON

1505-1509 Waller St.
901-903 E. 16th St.From "A" Residence
To "BB" Residence
RECOMMENDED by the
Planning Commission
subject to 12.5' of
r-o-w on Waller St.

Councilman Gage moved that the recommendation of the Planning Commission be upheld and the change to "BB" Residence be granted. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The Mayor announced that the change to "BB" Residence District had been granted as recommended by the Planning Commission, subject to 12.5' of right of way on Waller Street, and the City Attorney was instructed to draw the necessary ordinance to cover.

Later in the meeting, Mr. Jim Nitschke, representing his sister, Mrs. Mary Alice Huston, stated it was discovered they would need "B" zoning instead of "BB", as there was a discrepancy in the application. The Highway Department needs this property. The Council referred to the zoning Case No. 123, Waller and East 16th Streets, from "A" Residence to "BB" Residence to the City Manager to work out, as under the

requested zoning the applicants could not get a building permit to move a residence to the lot so that this property could be released to the State Highway Department.

RICHARD W. POHL, ET AL
By Arthur Pihlgren

2701-2803, 2414-2810
West 35th Street
3406-3408 Exposition
Boulevard

From "A" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission
RECOMMENDED by the
Planning Commission
"BB" Residence for the
portion subject to
conditions.

Mr. Arthur Pihlgren had written a request to withdraw the zoning at 35th and Exposition.

Councilman Atkison moved that the Council not take action on the zoning until 2:00 P.M., the hour scheduled for the hearing. The motion, seconded by Councilman Johnson, carried by the following vote:

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

At 2:00 P.M. the Council heard Mr. Pihlgren, representing Mr. Pohl, and those in opposition -- Mssrs. Lloyd Lockridge, James Atlee, Livingston, Dan Driscoll, Hilton Hagen, and Mrs. Ted Norton.

After hearing all interested parties present, Councilman Price moved that the change to "LR" Local Retail District be denied. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Mayor LaRue announced that the change to "LR" Local Retail had been denied.

ARCHIE E. TIEMANN
By Richard M. Coose

4701-4703 Duval
500-502 East 47th St.

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

Councilman Price moved that the change to "BB" Residence District be denied. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change to "BB" Residence District had been denied.

HORACE THOMPSON

5000-5002 Rowena Ave.
100-104 E. 50th St.

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

Councilman Gage moved that the change to "B" Residence District be denied. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the change to "B" Residence District had been denied.

GORDON W. GRIFFIN,
ET UX

4622 Manchaca Rd.

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission

Councilman Janes moved that the Council deny the change to "GR" General Retail. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Mayor LaRue announced that the change to "GR" General Retail had been denied.

RECONSIDERATION OF ZONING APPLICATION
C14-69-61 - MR. WESLEY PEARSON

The Council had before it a request to reconsider the zoning application of MR. WESLEY PEARSON, only as it concerned right of way. Mr. Pearson discussed his problem of dedicating 5' sidewalk and utility easement, on Post Road, stating the easement would come through his building. The Director of Planning stated he had personally checked this situation and the location of the utility poles are approximately 7 to 8' off the building line of the building. Every indication shows that the 50' right of way extends to within 7 to 8' of the building.

After discussion, and on the City Manager's recommendation, Councilman Gage moved that the Council grant the request, subject to dedication up to the south building line not to exceed five feet. The motion, seconded by

Councilman Janes, carried by the following vote:

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

ADJOURNMENT

Councilman Johnson moved that the Council adjourn. The motion, seconded by Councilman Gage, carried by the following vote:

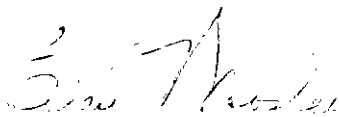
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

The Council adjourned.

APPROVED:

Mayor

ATTESTED:



City Clerk