

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 3, 1975  
1:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Friedman, Snell, Lebermann, Mayor Butler, Mayor Pro Tem Dryden

Absent: None

The Invocation was delivered by REVEREND PHILIP STOVALL, University Baptist Church.

TEXAS RELAYS FESTIVAL WEEK

Mayor Butler read and then presented a proclamation to Coach Cleburne Price proclaiming the week of March 31-April 6, 1975, as "Texas Relays Festival Week" and urged all citizens to show the athletes, fans, coaches, and journalists every kindness and support the Texas Relays by attending the track and field competition at Memorial Stadium. Coach Price thanked the Council on behalf of the Athletics Department at the University and invited the Council to attend some of the final events.

TEXAS WOMEN'S ASSOCIATION FOR SYMPHONY ORCHESTRAS DAY

Mayor Butler read and then presented a proclamation to Mrs. Paul Burns proclaiming April 17, 1975, as "Texas Women's Association For Symphony Orchestras Day" and encouraged all residents to join the Council in the recognition of the women of this organization and their conscientious endeavors to maintain the State's cultural flowering for today and the future.

The motion failed to carry by a 3 to 2 vote; therefore, the request for zoning change was DENIED.

\*Councilman Friedman prefaced his vote by stating that the reversionary clause would make it difficult for anyone to be interested in putting further office space in the area; and therefore, this would not be setting a precedent.

\*Councilman Binder prefaced his negative vote by stating that this should not be extended into the neighborhood and should be left residential.

#### HEARING TO PERMIT INSTALLATION OF WASTEWATER MAIN

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider the installation of a wastewater main across 126 feet of Zilker Park to serve an adjacent subdivision. Mayor Pro Tem Dryden moved that the Council close the public hearing and adopt a resolution authorizing the installation of a wastewater main across 126 feet of Zilker Park to serve an adjacent subdivision. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Mayor  
Pro Tem Dryden, Councilman Friedman

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

#### HEARING CONCERNING STREET NAME CHANGE

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider changing the name of East 19th Street between I.H. 35 and Ed Bluestein Boulevard to Martin Luther King Boulevard.

Mayor Butler noted that there was a letter from MRS. ELORA B. ALDERMAN in which she requested that this be named for Dr. John T. King, President of Huston-Tillotson College.

The following appeared in opposition to the change in name:

REV. M. C. ARNOLD, Minister of 19th Street Baptist Church, did not oppose Dr. King or the work that he did; but Rev. Arnold did not believe Dr. King would like to have a segregated street named for him. He noted that the 400 members of the congregation were in opposition to this and suggested that a new street be named for Dr. King because this would be inconveniencing the residents already on East 19th.

In response to Councilman Binder's question, Rev. Arnold stated that if the Council was going to rename East 19th to Ed Bluestein Boulevard, it should be named all the way to Lamar and all the way to the east.

Mayor Pro Tem Dryden noted that when this was brought to the Council's attention on March 27, 1975, he had asked why the renaming should stop at I. H. 35. In response to Mayor Pro Tem Dryden's question, Rev. Arnold indicated that he would go along with naming it to Lamar; but he would not like it.

Councilman Snell felt that the renaming should be extended all the way; however, he noted that this request could not be delayed in that the anniversary of Dr. King's death was April 4; and the renaming of this portion was in commemoration.

Councilman Friedman suggested that the Council approve this request as it stood today and have the administration notify the other residents of the remaining portion of 19th and have a public hearing in two weeks to rename the remaining.

City Manager Davidson pointed out that it would take about two weeks to get all the signs up; however, he noted that for the commemoration a sign could be placed at one intersection for pictures.

MS. SUZANNE MOEHR did not believe that the renaming went along with what she felt was Austin's history in street numbering. She opposed changing the name in any way and suggested that if someone wanted to commemorate a street for anyone, new property should be selected.

A gentleman did not believe in changing this half way and felt that it would look really segregated to draw the line at I.H. 35 and felt that the name should not be changed unless the entire street was done.

Another gentleman felt that the thought was a very good one, but he suggested that there would be a lot of opposition from those on the west side of I.H. 35. He felt that the entire street should be named.

DR. J. J. SEABROOK was opposed to this in piecemeal and felt that it should be done entirely.

Councilman Snell took this opportunity to read a letter from MS. BETTY MEDLOCK, President of the Austin Association of Teachers, in which she stated that on April 2, 1975, the Association's 2,559 members approved a resolution in support of the renaming of the entire length of 19th Street.

MS. W. FRANK BLAIR felt that the Council should not act today and should postpone action so that the Council could hear from those in West Austin.

A gentleman suggested that the renaming would not add anything to Dr. King's reputation and would inconvenience a lot of homeowners by having to change their addresses.

MR. IRA POOL felt that there could not be a finer tribute paid to a finer man; however, he suggested that the Council act on the entire street.

The following appeared in support of the change in name:

MR. JOEL BENNETT, Austin Black Assembly, felt that everyone wanted the same thing and asked that the Council act on this today to get started.

MR. HUGH HORNSBY, member of the Sign Committee, pointed out that the renaming of the remainder of 19th Street might not pass.

Councilman Snell moved that the Council close the public hearing, authorize the change from East 19th Street between I.H. 35 and Ed Bluestein Boulevard to Martin Luther King Boulevard, and set a hearing for April 10, 1975, to consider renaming the entire street. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilman Binder,  
Mayor Pro Tem Dryden, Councilmen Friedman, Snell  
Noes: None

Mayor Butler noted that the City Clerk would notify all property owners who had not been notified of the public hearing next week.

#### WITHDRAWAL OF RELEASE OF EASEMENT

The Council had before it the possible authorization of release of the following easement:

Portions of the Drainage Easement varying in width from twenty-five feet to thirty-five feet that covers rear portions of Lots 47 through 61, Block "A" WAGON CROSSING SECTION TWO. (Requested by Austex Development Company, Ltd., owner.)

However, this was withdrawn from consideration.

#### RELEASE OF EASEMENT

Councilman Binder moved that the Council adopt a resolution authorizing release of the following easement:

A portion of the Electric Easement that was provided in the west five feet of Lots 1-5, LEA SUBDIVISION, and presently traverses the interior of Lots A and B of the RESUBDIVISION OF LOTS 3, 4, and 5, LEA SUBDIVISION. (Requested by Mr. B. F. Priest, Registered Public Surveyor, representing Mr. Robert R. Gunn and Mr. Troy W. Rogers, owners of Lots A and B of Resubdivision of Lots 3, 4, and 5, Lea Subdivision.)

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

Ayes: Mayor Butler, Councilman Binder, Friedman, Snell  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem  
Dryden, Councilman Lebermann

## BARBERSHOP HARMONY MONTH

Mayor Butler read and then presented a proclamation to Col. Robert Wucher, Jr., proclaiming the month of April, 1975, as "Barbershop Harmony Month" and extended best wishes to the Austin Chapter of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America for continued success in promoting barbershop quartet singing in the community.

## APPROVAL OF MINUTES

Mayor Pro Tem Dryden moved that the Council approve the Minutes for March 27, 1975. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Councilman Binder, Mayor Pro Tem Dryden,  
Councilmen Friedman, Snell, Lebermann  
Noes: None

## ZONING HEARINGS

Mayor Butler announced that the Council would hear the zoning cases scheduled for 1:00 p.m. for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

H. R. LEIGH C14-75-016	7545-7575 Burnet Road also bounded by St. Joseph Boulevard	From "GR" General Retail To "C-1" Commercial RECOMMENDED by the Planning Commission
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Mayor Pro Tem Dryden moved that the Council grant "C-1" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Binder, Mayor Pro Tem Dryden, Councilmen Friedman,  
Snell, Lebermann, Mayor Butler  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

GEORGE W. NORTH, GARDINER KING SEYMOUR, EARL CHITWOOD, and WALTER L. BUTLER By Buford Stewart C14-75-023	4405-4411 Pack- saddle Pass	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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Councilman Friedman moved that the Council grant "O" Office District as recommended by the Planning Commission. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Mayor Pro Tem Dryden, Councilmen Friedman, Snell,  
Lebermann, Mayor Butler, Councilman Binder  
Noes: None

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

CITY OF AUSTIN  
By David E. Holt  
C14-75-024

410-416 West 8th  
Street, also bounded  
by San Antonio Street

From "O" Office  
2nd Height and Area  
To "C" Commercial  
3rd Height and Area  
RECOMMENDED by the Planning  
Commission

Mayor Pro Tem Dryden moved that the Council grant "C" Commercial, 3rd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

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

J. T. HEWLETT and  
MACE B. THURMAN, JR.  
By Ed Padgett  
C14-75-025

5725 North I.H.  
35  
1011 Reinli Street

From "C" Commercial  
To "C-2" Commercial  
RECOMMENDED by the Planning  
Commission

Mayor Pro Tem Dryden, moved that the Council grant "C-2" Commercial District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Councilman  
Binder, Mayor Pro Tem Dryden, Councilman Friedman  
Noes: None

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

DENNIS BAUERLE  
Den-Bar Enterprises  
C14-75-014

112-114 Post Road

From "A" Residence  
To "C" Commercial  
RECOMMENDED by the Planning  
Commission subject to one-  
half the right of way (5  
feet) necessary to increase  
Post Road from 50 to 60  
feet.

Councilman Lebermann moved that the Council grant "C" Commercial District as recommended by the Planning Commission, subject to conditions. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilman Binder,  
Mayor Pro Tem Dryden, Councilmen Friedman, Snell  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES H.  
HAUSENFLUKE  
By Paul Stone  
C14-75-018

4412 North Lamar  
Boulevard

From "C" Commercial  
To "C-2" Commercial  
RECOMMENDED by the Planning  
Commission, subject to a  
6-foot privacy fence on the  
western boundary where  
adjacent to "A" Residence

In response to Councilman Binder's comment that there was a petition for a 10-foot privacy fence, Mr. Dick Lillie, Planning Department Director, noted that the ordinance would not permit a 10-foot fence and that 6 feet was the maximum except at the building line. Mr. John Pruitt, representing Mr. Paul Stone, noted that the applicant objected to the fence in that it would hinder accessibility for delivery and garbage pick up and requested that this change be granted without conditions.

There was discussion concerning the reason for the request for "C-2" Commercial District. It was determined that this had been previously operated as only serving beer and wine, and the owner now wanted to serve mixed beverages; and the Alcoholic Beverages Commission required that this be zoned "C-2" Commercial District.

There was discussion concerning the fact that the fence would hamper access to the alley where trash would be picked up. Councilman Binder, moved that the Council grant "C-2" Commercial District as recommended by the Planning Commission, subject to conditions with the addition of a pedestrian gate to facilitate accessibility. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Binder, Mayor Pro Tem Dryden, Councilmen  
Friedman, Snell, Lebermann, Mayor Butler  
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial District subject to conditions, with the addition of a pedestrian gate to facilitate accessibility, and the City Attorney was instructed to draw the necessary ordinance to cover.

FRED J. SCHNITZER  
By Steve Price  
C14-75-019

5300 Avenue F  
112 East North Loop  
(rear)

From "O" Office  
6th Height and Area and  
"BB" Residence  
1st Height and Area  
To "LR" Local Retail  
6th Height and Area  
RECOMMENDED by the Planning  
Commission subject to a 5-  
foot sidewalk and public  
utility easement by subdivision,  
5 feet of right of way on  
Avenue F at the time Avenue  
F is widened, and narrowing  
the driveway by putting in a  
curb along part of Avenue F

Mayor Pro Tem Dryden moved that the Council grant "LR" Local Retail, 6th Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Mayor Pro Tem Dryden, Councilmen Friedman, Snell,  
Lebermann, Mayor Butler, Councilman Binder  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, 6th Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

DUNNING C. BRIGHT and  
ROSEMARY BRIGHT  
By Tom Curtis  
C14-75-021

9312-9318 Cameron  
Road  
1416-1427 Rundberg  
Lane

From Interim "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission, subject to one-  
half the right of way (35  
feet) necessary to increase  
Cameron Road from 50 to 120  
feet.

Councilman Snell moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:



Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

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

HIGHLAND LAKES NATIONAL  
MORTGAGE COMPANY  
By John B. Selman  
C14-75-012

Intersection of  
Pleasant Valley Road  
and Teri Road

From Interim "A" Residence  
1st Height and Area  
To "LR" Local Retail (south  
200 feet) and  
"A" Residence (north  
260 feet) (as amended)  
RECOMMENDED by the Planning  
Commission as amended,  
subject to a privacy fence  
on the eastern and northern  
boundaries and sign notifi-  
cation.

In response to Councilman Binder's question, Mr. Lillie stated that he had recommended against this because it would encourage commercial development; and sufficient retail zoning had already been established to the south and to the west at the intersection of Teri Road and Frederick Lane to service the local shopping needs.

At this point, Mayor Pro Tem Dryden moved that the Council grant the change to "LR" Local Retail District (south 200 feet) and "A" Residence District (north 260 feet) as amended, as recommended by the Planning Commission, subject to conditions. However, the motion died for lack of a second

Councilman Binder moved that the change be denied; however, the motion died for lack of a second.

Mr. John B. Selman, representing the applicant, felt that this proposed convenience store would benefit the people in the neighborhood in that some were having to go one-half mile or more. He submitted that the construction of the store would blend in with the housing construction and would not interfere with the neighborhood. He also submitted that there would be about a 260-foot buffer between the store and the back of the houses.

Mayor Pro Tem Dryden moved that the Council grant the change to "LR" Local Retail District (south 200 feet) and "A" Residence District (north 260 feet) as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Dryden, Councilmen  
Friedman, Lebermann  
Noes: Councilmen Binder, Snell

The Mayor announced that the change had been granted to "LR" Local Retail District (south 200 feet) and "A" Residence District (north 260 feet) as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JACKSON T. and  
MARY E. BAYLESS  
C14-75-013

6101 Adalee Avenue  
6112 Manor Road

From "A" Residence  
To "B" Residence  
RECOMMENDED by the Planning  
Commission as amended, sub-  
ject to one-half the right of  
way (5 feet) necessary to  
increase Adalee Avenue to  
60 feet.

In response to Councilman Binder's question, Mr. Lillie stated that granting this would stimulate similar requests from owners of the small residential lots and would be an intrusion into an established single-family neighborhood. Mrs. Mary Bayless noted that this was classified as "A" Residence District but submitted that there were duplexes in the area along with commercial development. She indicated that her husband was ill and would not be able to work any longer. She noted that she had a brokers license to sell real estate and would like an office in her homes. Mr. Lillie pointed out that this could be zoned "B" Residence District if Mrs. Bayless continued to live there.

Councilman Friedman moved that the Council grant "B" Residence District, as recommended by the Planning Commission as amended, subject to conditions. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Dryden, Councilmen Friedman, Snell,  
Lebermann, Mayor Butler  
Noes: Councilman Binder

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

LAND EQUITIES, INC.  
By Doren R. Eskew  
C14-75-022

4825-5009 Riverside  
Drive, also bounded  
by Kirksey Drive and  
Kenneth Avenue

From Interim "A" Residence  
1st Height and Area  
To "LR" Local Retail 1st  
Height and Area(Tract 1) and  
"B" Residence  
1st Height and Area(Tract 2)  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "BB" 1st Height and  
Area (Tracts 1 and 2), exclud-  
ing the easternmost extension  
(160 feet x 150 feet, approxi-  
mately)of Tract 1, subject to  
vacation of Kirksey Drive and  
Kenneth Avenue and resubdi-  
vision

Mayor Pro Tem Dryden moved that the Council grant the change to "BB" Residence, 1st Height and Area District (Tracts 1 and 2), excluding the easternmost extension (160 feet x 150 feet, approximately) of Tract 1, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Dryden, Councilmen Friedman, Snell, Lebermann,  
Mayor Butler, Councilman Binder  
Noes: None

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District (Tracts 1 and 2), excluding the easternmost extension (160 feet x 150 feet, approximately) of Tract 1, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ST. CHARLES HOUSE  
C14h-74-014

316 East 6th Street

From "C-2" Commercial  
To "C-2-H" Commercial-  
Historic  
RECOMMENDED by the Planning  
Commission

Councilman Friedman moved that the Council grant the change to "C-2-H" Commercial-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

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

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FAMILY HOME OF  
DR. R. K. SMOOT  
C14h-74-020

1316 West 6th Street

From "A" Residence  
To "A-H" Residence-Historic  
RECOMMENDED by the Planning  
Commission

Councilman Friedman moved that the Council grant the change to "A-H" Residence-Historic, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

The Mayor announced that the change had been granted to "A-H" Residence-Historic, and the City Attorney was instructed to draw the necessary ordinance to cover.

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E. H. CARRINGTON STORE  
C14h-74-042

522 East 6th Street

From "C-2" Commercial  
To "C-2-H" Commercial-Historic  
RECOMMENDED by the Planning  
Commission

Councilman Friedman moved that the Council grant the change to "C-2-H" Commercial-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

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

DRISKILL, DAY &  
FORD BUILDING  
C14h-74-043

403 East 6th Street

From "C-2" Commercial  
To "C-2-H" Commercial-Historic  
RECOMMENDED by the Planning  
Commission

Councilman Friedman moved that the Council grant the change to "C-2-H" Commercial-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

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

THE SAN ANTONION  
C14h-74-046

702 San Antonio  
Street

From "O" Office  
To "O-H" Office-Historic  
RECOMMENDED by the Planning  
Commission

Councilman Friedman moved that the Council grant the change to "O-H" Office-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden  
Noes: None

The Mayor announced that the change had been granted to "O-H" Office-Historic District, and the City Attorney was instructed to draw the necessary ordinance to cover.

## ZONINGS DENIED

TREV SEYMOUR and  
LAIRD PALMER  
C14-75-015

901 Baylor Street  
also bounded by  
West 9th Street

From "B" Residence  
2nd Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission subject to a  
restrictive covenant to  
provide for the zoning to  
revert back to "B" Residence  
2nd Height and Area if not  
used for offices and also  
subject to the street  
vacation reversionary  
agreement

Mr. Lillie noted that the Council had granted vacation of the east one-half of the street, and the Planning Commission had recommended "O" Office subject to a number of conditions, to which the applicant was in agreement. In response to Councilman Binder's question, Mr. Lillie stated that the staff recommended denial of this as an intrusion into the neighborhood, which was attempting to preserve its residential vitality.

Mr. Charles Huntley, 1105 West 10th, appeared in opposition to the request for the following reasons:

1. The precedent this would set would be very threatening to the neighborhood and felt that this was one of the last comfortable pockets of residential area near town.
2. Would increase the amount of traffic.
3. The employees and customers would park their cars in the residential area.

Mr. Trev Seymour, the applicant, submitted that there would not be parking in front of anyone's house. In response to Councilman Friedman's question, he stated that they intended to create about 12 parking spots near the office so that there would not be any overlap in parking in the streets. He pointed out that this property was not suitable for residential use because of the terrain. He did not believe this would create a traffic problem in that the traveling to and from this office would be done during odd hours and would not be on weekends.

Motion

Councilman Lebermann moved that this request be granted as recommended by the Planning Commission. Mayor Pro Tem Dryden seconded the motion. Roll call showed the following vote:

Ayes: Councilmen Lebermann, Friedman\*, Mayor Pro Tem Dryden  
Noes: Councilmen Binder\*, Snell  
Abstain: Mayor Butler

## CONTRACTS AWARDED

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

TECHNICON INSTRUMENTS	- Technicon Station #138-A001-01
2829 Blystone Lane	Electrolyte System for
Dallas, Texas	Brackenridge Hospital Laboratory.
	Item 1 - \$15,800.00

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

Ayes: Councilmen Binder, Friedman, Snell, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem  
Dryden, Councilman Lebermann

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

UTILITY STEEL COMPANY	- Galvanized Steel Structures -
4035 West 49th Street	Substation Electric Department
Tulsa, Oklahoma	Items 1-39 - \$75,004.00

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

Ayes: Councilmen Binder, Friedman, Snell, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem  
Dryden, Councilman Lebermann

Councilman Friedman moved that the Council adopt a resolution awarding the following contracts:

Bid Award:	- Tractors, Vehicle and Equipment Services Department
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SLOPE TRACTOR, INC.	- Item 2, 1 ea. @ \$10,602.87
106 West 9th Street	
Harper, Kansas	

A. C. COLLINS FORD TRACTOR	- Item 4, 6 ea. @ \$5,291.00
6600 East Ben White Boulevard	Total - \$31,746.00
Austin, Texas	

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

Ayes: Councilmen Binder, Friedman, Snell, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem  
Dryden, Councilman Lebermann

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

SARGENT AND SOWELL, INC.  
1172 107th Street  
Grand Prairie, Texas

- Combination Siren, Public  
Address and Radio Amplifier.  
Item 1, 15 ea. @ \$410.00  
Total - \$6,150.00

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

Ayes: Councilmen Binder, Friedman, Snell, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem  
Dryden, Councilman Lebermann

#### EMINENT DOMAIN PROCEEDINGS

Councilman Friedman moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire property for Waller Beach:

6,400 square feet of land out of Outlot 73, Division E, of  
the Government Outlots. (Ida E. Umscheid Estate, owner)

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

Ayes: Councilmen Friedman, Snell, Mayor Butler, Councilman Binder  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem  
Dryden, Councilman Lebermann

#### WITHDRAWAL OF CONDEMNATION PROCEEDINGS

The possible authorization of condemnation proceedings to acquire property for William Cannon Drive was withdrawn:

0.853 acres out of a 4.92 acre tract of land out of the  
William Cannon League. (W. C. Trousdale, owner)

#### HEARING SET ON APPEAL

Councilman Friedman moved that the Council set a public hearing for April 17, 1975, at 1:30 p.m. on an appeal by Charles B. Carpenter of the decision of the Planning Commission not to grant a Special Permit for a lounge. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,  
Councilman Binder, Mayor Pro Tem Dryden, Co  
Noes: None

## MODIFICATION OF EMPLOYMENT AND TRAINING GRANT

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to approve the modification for the Comprehensive Employment and Training Act Title I Grant to increase the amount by \$482,075 to a total of \$2,762,765. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Mayor Pro  
Tem Dryden, Councilman Friedman  
Noes: None  
Not in Council Chamber when roll was called: Councilman Binder

## AMENDMENT TO GRANT AGREEMENT CONCERNING AIRPORT

Councilman Friedman moved that the Council adopt a resolution approving an amendment to the grant agreement between the City and the Federal Aviation Administration to provide additional funds in the amount of \$3,030.12. (Project #8-48-0013-03 - Airport Security fencing and lighting - Apparatus Room Addition Fire Station.) The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Mayor Pro  
Tem Dryden, Councilman Friedman  
Noes: None  
Not in Council Chamber when roll was called: Councilman Binder

## PARADE PERMIT FOR MARCH OF DIMES

Councilman Lebermann moved that the Council approve a request by D. Ronald Mullen for a parade permit for Capital Area March of Dimes, May 3, 1975, from 6:00 a.m. to 6:00 p.m., starting at Highland Mall, down Middle Fiskville Road to I. H. 35 on Frontage Road to North Lamar intersection, over overpass and back down Frontage Road south to Mall. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem  
Dryden, Councilmen Friedman, Snell  
Noes: None  
Not in Council Chamber when roll was called: Councilman Binder

## PARADE PERMIT FOR DIABETES ASSOCIATION

Councilman Lebermann moved that the Council approve a request by Glenn Weyandt for a parade permit for the American Diabetes Association Capital Area Chapter on May 4, 1975, from 8:30 a.m. to 5:30 p.m. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem  
Dryden, Councilman Friedman, Snell  
Noes: None  
Not in Council Chamber when roll was called: Councilman Binder



## WITHDRAWAL OF REQUEST CONCERNING AUDITORIUM SHORES

It was noted that Radio Station KNOW had requested to appear before the Council concerning a request for permission to use Auditorium Shores on April 20, 1975, to conduct the first annual KNOW "Funday." However, this request was withdrawn.

## PERMISSION TO HANG BANNER

Councilman Friedman moved that the Council approve a request by Mr. Thomas F. Drakos for permission to hang a banner on 24th Street, west of Guadalupe as part of Spring 1975 University Blood Drive. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Dryden, Councilman Friedman, Snell, Lebermann

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

## REQUEST CONCERNING MODEL CITIES HEALTH CLINIC

Mr. Paul Hernandez, representing the Citizens to Keep Sixth Street Model Cities Health Clinic, had requested to appear before the Council to discuss Model Cities Health Clinic. However, this item was not considered in view of the fact that Mr. Hernandez was not present.

## AMENDMENT TO ORDINANCE PROHIBITING BILLBOARDS AND SIGNS

The Council had before it an amendment to the ordinance prohibiting billboards and signs within 660 feet of MoPac Boulevard and Loop 360 right of way, larger than 48 square feet, over 20 feet above ground, and flashing or moving:

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-5 OF THE AUSTIN CITY CODE OF 1967 BY ADDING SUBSECTION (h) PROHIBITING THE ERECTION OF BILLBOARDS AND CERTAIN SIGNS WITHIN SIX HUNDRED SIXTY FEET OF MO-PAC BOULEVARD RIGHT-OF-WAY AND LOOP 360 RIGHT-OF-WAY; AND DECLARING AN EMERGENCY.

Councilman Friedman moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately.

Mr. Hugh Hornsby, Assistant Chairman of the Sign Committee, noted that their request had been for this to have a termination date of December 31, 1975, or until such time as they were prepared to submit a complete Sign Ordinance. He felt that this date should be in the ordinance.

Councilman Friedman amended his motion to accept the termination date of December 31, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Binder, Mayor Pro Tem Dryden, Councilmen  
Friedman, Snell, Lebermann, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ITEM CONCERNING COMMUNITY GARDENS

There had been a request made on March 27, 1975, by Mr. Tom W. Ellison and Ms. Martha Helen McKenzie, representing Austin Community Gardens, concerning the leasing of suitable City-owned property as a community garden site. This had been referred to the staff to work out a possible agreement. City Manager Davidson noted that the site was located on the northeast side of the Airport, and the lease document would provide for the following terms:

1. An effective date of June 1, allowing sufficient time for fall gardens.
2. The lessee would be required to install and maintain rest-room facilities during planting and growing seasons.
3. The Parks and Recreation Department would be responsible for supervision to insure compliance with the terms of the lease.
4. The lease would be for a period of one year with provisions for renewal for four additional years on the request of the University Y with the approval of the City Manager.
5. The lease would be cancellable by the City upon 90 days' notice in the event the property was needed for municipal purposes.
6. Appropriate disclaimers of City responsibility and liability would be included.

Mr. Ellison noted that he was in agreement with the afore-mentioned terms with the exception of two points and suggested the following:

1. The City bear the expense of tapping the water main and installing the meter at the appropriate point. He suggested that this would only be about \$250.
2. The City install one or two chemical toilets, and the "Y" would be responsible for maintaining them.

In response to Council's question, Mr. Jack Robinson, Director of Parks and Recreation, estimated the cost of the toilets to be between \$17.50 and \$20 per month per unit.

Mr. Ellison pointed out that they would charge around \$8 to \$15 per year for the opportunity to use the gardens, and this would include the cost of water. Therefore, they would have an operating budget of only about \$2,500; and they could not afford to pay the \$250 tap fee. In response to Mayor Butler's question, Mr. Ellison stated that no one would be drawing salary.

It was pointed out that the plumbing code required that a licensed professional hook up the water, and Mr. Ellison noted that they would do as much of the labor as they could, but they could not afford the expertise that would be required.

In response to Mayor Pro Tem Dryden's question, Mr. Robinson indicated that water was available and that possibly irrigation lines could be run. He stated that he would be willing to work with Mr. Ellison on a contract.

In response to Councilman Friedman's question, Mr. Robinson stated that the City did not have any portable toilets available in that they were rented by the month just as they were needed. After discussion, it was determined that one toilet would be sufficient for this project.

After discussion, Councilman Lebermann moved that the Council approve the leasing of approximately 4 acres on Lovell Drive to the University Y for a nominal consideration of \$1.00 per year with the terms as recommended by the City Manager with the addition that the City will pay the tap fee and will furnish one portable toilet. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Dryden, Councilmen Friedman, Snell,  
Lebermann, Mayor Butler, Councilman Binder  
Noes: None

#### NOTICE OF SPECIAL MEETING

Mayor Butler took this opportunity to announce that there would be a Special Meeting on Monday, April 7, 1975, at 10:00 a.m. at the Council Chamber to canvass the results of the April 5, 1975, election.

RECOGNITION

Mayor Butler recognized Councilman Friedman's father, Sid Friedman.

ADJOURNMENT

The Council adjourned at 3:20 p.m.

APPROVED

*Key Butler*  
\_\_\_\_\_  
Mayor

ATTEST:

*Grace Monroe*  
\_\_\_\_\_

City Clerk