

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 9, 1949

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

## Roll Call:

Present: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Absent: None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; J. D. Huffman, Director of Finance; W. W. Blackman, Police Captain.

The minutes of the previous meeting were read and approved.

In accordance with published notice thereof, promptly at 10:00 o'clock A.M. Mayor Glass announced that the time for submitting bids on the purchase of City of Austin General Obligation Bonds, Series 1949, in the amount of \$800,000.00 had expired; and the City Council would proceed with the opening of said bids.

The following bids were then opened and read, as follows:

TABULATION OF BIDS  
RECEIVED ON \$800,000 GENERAL OBLIGATION BONDS SERIES - 1949  
SOLD JUNE 9, 1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET INTEREST COSTS	EFFECTIVE INTEREST RATE
1. F. S. SMITHERS & COMPANY, NEW YORK Wood Struthers & Company, New York	3 % 2 1/4% 2 %	\$156,000.00 240,000.00 404,000.00	\$ 4,779.99 66,929.98 163,993.31	\$ 33.00	\$ 235,670.28	 2.07938
2. THE PHILADELPHIA NATIONAL BANK First National Bank of Portland, Ore.	3 % 2 % 2 1/4%	102,000.00 511,000.00 187,000.00	7,964.99 142,371.63 88,865.61	115.00	239,087.23	2.1095
3. C. J. DEVINE & CO., INC. & ASSOC.	3 % 1 3/4% 2 1/4%	129,000.00 300,000.00 371,000.00	12,082.49 56,507.48 173,293.10	1,605.60	240,277.47	2.1200334
4. HARRIMAN RIPLEY & COMPANY, INC. City National Bank & Trust Company Stern Brothers & Company	3 % 2 % 2 1/4%	129,000.00 476,000.00 195,000.00	12,082.49 128,393.33 101,503.12	976.00	241,002.94	2.12643
5. MERCANTILE-COMMERCE BANK & TRUST COMPANY, ST. LOUIS Weeden & Company, Chicago W. E. Hutton & Company, New York Julian Collins & Company, Chicago Brerwer, Heitner & Glynn, St. Louis Russ & Company, San Antonio	3 % 2 % 2 1/4%	76,000.00 387,000.00 337,000.00	4,780.00 80,385.00 160,989.37	4,960.00	241,194.37	2.128
6. DREXEL AND COMPANY & ASSOCIATES		800,000.00	245,420.56	160.00	245,260.56	2.16398
7. THE NATIONAL CITY BANK OF NEW YORK & ASSOCIATES		800,000.00	245,763.89	184.00	245,579.89	2.1668
8. KIDDER, PEABODY & COMPANY & ASSOCIATES		800,000.00	246,934.95	320.00	246,614.95	2.17595

TABULATION OF BIDS  
RECEIVED ON \$800,000 GENERAL OBLIGATION BONDS SERIES - 1949  
SOLD JUNE 9, 1949

	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET INTEREST COSTS	EFFECTIVE INTEREST RATE
9. PHELPS, PENN & COMPANY, NEW YORK AND ASSOCIATES		\$800,000.00	\$248,588.54	\$ 640.00	\$247,948.54	2.1877
10. SMITH, BARNEY & COMPANY NEW YORK AND ASSOCIATES		800,000.00	248,407.23	312.00	248,095.23	2.18901
11. FIRST SOUTHWEST COMPANY, DALLAS, TEXAS AND ASSOCIATES		800,000.00	251,199.93	616.00	250,583.93	2.21
12. BLYTH & COMPANY, INC. AND ASSOCIATES		800,000.00	251,199.94	176.00	251,023.94	2.21485
13. UNION SECURITIES CORP. AND ASSOCIATES		800,000.00	255,007.44	2,232.00	252,775.44	2.2303064
14. HALSEY, STUART & COMPANY, INC. & ASSOC.		800,000.00	256,998.75	48.00	256,950.75	2.26714
15. THE FIRST NATIONAL BANK, CHICAGO AND ASSOCIATES		800,000.00	260,410.41	25.00	260,385.41	2.2974508
16. NORTHERN TRUST CO., CHICAGO & ASSOCIATES		800,000.00	262,481.60	1,208.00	261,273.60	2.30528

Each of the above and foregoing bids was accompanied by a cashier's check in the amount of \$16,000.00.

Whereupon the bids were referred to the Finance Director for tabulation and report.

The ordinance closing an alley in the property of the PRESBYTERIAN SEMINARY between West 27th and West 29th Streets and Speedway and Whitis, was brought up for discussion before its second reading. Action on the second and final reading of this ordinance was deferred pending a meeting between the representatives of the Austin Presbyterian Theological Seminary and the officials of the City of Austin.

DR. EVERETT GIVENS was the spokesman for a group with a representative from the Baptist Ministerial Union, Inter-denominational Alliance, Tillotson College, Sam Huston College, Anderson High School, Blackshear, Rosewood School, and the P.T.A., expressing appreciation for the work done at Downs Field, and asking for the following:

- (1) Playgrounds in West Austin and South Austin in the colored districts.
- (2) If playgrounds could not be set up, have playground equipment placed on the school grounds in those sections, and to have this done before the summer is over, if possible.
- (3) More fire-plugs in East Austin from Chicon east, as there is quite a number of new homes being constructed, and the builders would like to obtain FHA loans.
- (4) Better maintenance of streets.
- (5) A request that the City Council not enlarge the Incinerator, as there is a school and stadium just across the street; their new high school is to be built within two blocks from the Incinerator. It was also requested that shrubbery be placed around the incinerator to help in appearance; but the group preferred that the Incinerator be moved farther out.
- (6) Privilege to take the examination for firemen, and to man the fire station that is to be built in East Austin; and also to integrate negro firemen in the Lydia Street Fire Station.
- (7) More swimming pools for the colored people.

The Council received these requests and the petition and held a general discussion on the various items. The City Manager was instructed to look into the possibility of placing a fence and shrubs around the Incinerator. It was discussed as to whether or not the city could secure playground property in south Austin, or if it should equip the school grounds with playground equipment.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduit in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduit in the following streets:

(1) An underground telephone conduit in WEST 24th STREET across Lamar Boulevard intersection, the centerline of which underground telephone conduit shall be  $21\frac{1}{2}$  feet north of and parallel to the centerline of West 24th Street.

THAT the work and construction of said underground telephone conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduit has been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest intersection of East 1st Street and Chalmers Avenue, which property fronts 120 feet on East 1st Street and 100 feet on Chalmers Avenue and is known as a portion of Block 3, Outlot 21, Division 0, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said Texas Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of

revocation is retained, if, after hearing, it is found by the City Council that the said Texas Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the revised plat of the subdivision known as "Owens Subdivision No. 2", approved by the City Plan Commission of the City of Austin on May 12, 1949, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Resubdivision of Blocks A, D, and F, and a portion of Blocks B and E, of Shoalmont Addition Section 3", approved by the City Plan Commission of the City of Austin on June 1, 1949, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 12(a) OF ARTICLE III, RELATING TO SIGNAL LIGHTS, AND SECTION 23(d) OF ARTICLE IV, RELATING TO LOADING ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

Mayor Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY AMENDING SECTION 13 (a), HEIGHT AND AREA REGULATIONS, SO AS TO INCREASE THE NUMBER OF HEIGHT AND AREA DISTRICTS FROM FOUR (4) TO FIVE (5); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that it be passed to second reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

Mayor Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY AMENDING SECTION 17 SO AS TO ADD A NEW PARAGRAPH NUMBERED 17A, ENTITLED FIFTH HEIGHT AND AREA DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that it be passed to the second reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

Mayor Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE HEIGHT AND AREA DESIGNATION FROM ITS PRESENT HEIGHT AND AREA DISTRICT TO FIFTH HEIGHT AND AREA DISTRICT ON ALL LOTS AND ACREAGE WHICH ABUT, OR ANY PART OF WHICH LIE WITHIN TWENTY-FIVE (25) FEET OF THE RIGHT OF WAY LINE OF THE NEW INTERREGIONAL HIGHWAY AND IS SITUATED BETWEEN THE NORTH STREET LINE OF MANOR ROAD AND THE NORTH CITY LIMITS LINE; ALL OF SAID PROPERTY BEING IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.



The ordinance was read the first time and Councilman Johnson moved that it be passed to the second reading. The motion carried by the following vote;

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, F. S. SMITHERS & CO., New York, and WOOD STRUTHERS & CO., New York, acting by and through their duly authorized agent and representative, The American National Bank, Austin, Texas, by E. J. Smith, Jr. Municipal Bond Department, have this day submitted to the City Council the following proposal:

June 9, 1949

TO THE CITY COUNCIL  
CITY OF AUSTIN, TEXAS

GENTLEMEN:

For your \$800,000 of General Obligation Bonds as per your Notice of Sale and your Prospectus dated May 19, 1949, we will pay you par and accrued interest from June 1, 1949, to date of delivery plus a cash premium of \$33.00.

Bonds maturing from July 1, 1950, to July 1, 1952, inclusive, shall bear interest at the rate of 3% per annum, interest amounting to \$ 4,779.99

Bonds maturing from July 1, 1953, to July 1, 1963, inclusive, shall bear interest at the rate of 2½% per annum, interest amounting to \$ 66,929.98

Bonds maturing from July 1, 1964, to July 1, 1974, inclusive, shall bear interest at the rate of 2% per annum, interest amounting to \$163,993.31

Total interest cost from June 1, 1949, to final maturity under this bid \$235,703.28

Less: Cash premium bid \$ 33.00

Net interest cost \$235,670.28

Effective interest rate 2.07938%

No bond shall be optional for redemption prior to maturity.

This bid is based upon the information as to date of issue, principal maturities, delivery, place of payment, etc., as contained in your official Notice of Sale and in the "Supplementary Information" dated May 19, 1949, issued by you. Specific reference is made to your statement that delivery of the bonds will be made at the office of the City Treasurer of the City of Austin, at Austin, Texas, immediately after approval by the Attorney General of the State of Texas, Registration by the Comptroller of the State of Texas, and approval by Wood, King and Dawson, Attorneys, New York City. It is estimated that delivery will be not later than July 11, 1949.

Attached hereto is a Cashier's Check in the amount of \$16,000 which is to be retained by you if we are awarded the bonds on this bid. You are to apply the check on the purchase price of the bonds when final delivery is made. In the event we fail or refuse to pay for the bonds, you are to cash the check as full and complete liquidated damages. In the event the bonds are not awarded to us, the check is to be returned to us immediately.

Respectfully submitted:

F. S. Smithers & Co. New York

Wood Struthers & Co. New York

By The American National Bank  
Austin, Texas

By: E. J. Smith, Jr. Mun.Bd.Dept.

Authorized Representative of above  
firm or Syndicate.

and,

WHEREAS, the said bid and proposal of F. S. Smithers & Co. and Wood Struthers & Co. was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; NOW, THEREFORE,

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

That said proposal of F. S. Smithers & Co. and Wood Struthers & Co. to purchase \$800,000 City of Austin General Obligation Bonds as per the City's Notice of Sale and Prospectus dated May 19, 1949, at the price and upon the terms of said proposal be and the same is hereby accepted and F. S. Smithers & Co. and Wood Struthers & Co. be awarded the sale of said bonds; and

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

That the City Manager be and he is hereby authorized and directed to sell to E. S. Smithers & Co. and Wood Struthers & Co. the \$800,000 of General Obligation Bonds of the City of Austin as per the City's Notice of Sale and Prospectus dated May 19, 1949, at par and accrued interest from June 1, 1949, to date of delivery plus a cash premium of \$33.00, according to the terms of said bid hereinbefore set out.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

MR. A. B. ROSSON came before the Council in the interest of a Youth Program, and outline of which he left with the Council for study until the next regular meeting. Mr. Rosson stated he would be present at the next meeting to further discuss this program.

A MR. JOHNSON who lives just east of Zaragosa Park came before the Council complaining of the drainage that comes from the two swimming pools. He stated ordinarily the water from the swimming pools was all right as they drained them; but this past week, there was some other water perhaps from a shower drain or broken sewer pipe that was draining into this open ditch, and this water was detrimental to his livestock and bees. The City Manager was instructed to investigate this trouble. MR. JOHNSON stated that a few years back, the Recreation Department had promised to build a fence around the park to keep the children from his property; but as yet, this fence was not there. The City Manager was instructed to investigate the possibility of building a fence around these parks.

The City Manager submitted to the Council the question of establishing certain speed limits on Highway 290, being East 7th Street; Highway 29, being the Burnet Road; Highways 81 and 79, being the Georgetown Road; and Highway 81, being the Post Road. He stated the Highway Department would have to concur in these different rates of speeds; and if the Highway Department did agree, the Council could then pass the necessary regulations. Councilman Drake moved that the City Manager present this matter to the State Highway Department. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

Councilman Long moved that the following applications for Taxi-cab Operators licenses, duly approved by the City Manager be granted:

ALBERT RAY THORNTON	410 West 37th	1947 Chevrolet - 4-Door Sedan Motor No. EAM 159450, State License No. KK5801
SABATINO SCONCI	3608 Munson	1947 Ford 4-Door, License KM 7011 Motor No. 799A-1629440
MILTON HOUSE	1602 Singleton Avenue	Ford Tudor - 1946 License No. KM3561, Title No. 5454957, Motor No. 99A-971984
DARRELL D. CLUCK	1504 Riverside Drive	1947 Ford 4-door, Motor No. 71GA 341767 - 1949 License KM287

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Johnson moved that the following applications for Taxi-cab Driver's licenses, duly approved by the City Manager be granted:

DOROTHY RYANS (Col)	2304 East 12th
JAMES T. SHIPP	1703 Newning
FLOYD S. SHIPP, JR.	1703 Newning
MELVIN McMULLEN	5243 Georgetown Road
B. J. GREER	1906 Speedway
MARSHALL WM. CURTIS	Route 6, Box 202D
EDWIN LEE CABRON	Route 1, Waelder Texas (University student)
JAMES McKINLEY (Col)	1123 Chicon

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman MacCorkle moved that the following application for Beer Permit, duly approved by the City Manager, be granted:

LA ADELITA, Juanita M. Zuniga	712 Red River Street
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The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Drake moved that the following application for Boat Permit, duly approved by the City Manager, be granted:

FRED C. YOUNG

4601 Ramsey

Outboard Motor

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

THOMAS W. BROWN came before the Council to make an appeal for permission to drive a taxicab, which permit had been recommended for denial. After hearing the appeal, it was the sense of the Council that due to his criminal record his application should be denied. Councilman MacCorkle moved that the recommendation of the City Manager be upheld and the application not be granted. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

The hearing on the following application for change of zoning, continued from the last meeting of the Council, was resumed:

JOE B. TORREZ

2211 Santa Rita

From "A" Residential  
To "C" Commercial  
NOT Recommended by the  
Zoning Board.

The Council in considering the application of JOE B. TORREZ for change of zoning, realized the fact that there were many non-conforming uses in this neighborhood. No one appeared in protest of the change, and the Council was in receipt of a petition from a number of property owners in favor of the change of zoning to commercial. Councilman Drake moved that the application be referred again to the Zoning Board of Adjustment for further study to determine if there was a need for commercializing this whole area and if it could be made into a community center. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Drake moved that the following applications for change of Zoning be referred to the Zoning Board of Adjustment for consideration and recommendation:

HORACE SHELTON, for  
Paul O. Simms, E. M.  
Franks and John Roy  
Johnson

1903-1913 Anita Drive

From "A" Residential  
To "C" Commercial

TED WENDLANDT, for  
Mrs. Sophia Wendlandt

2905 West Avenue

From "A" Residential  
To "C" Commercial

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Long moved that the following applications for change of zoning be set for public hearing on July 14, 1949, at 2:30 P. M.

A. F. DELONEY	3501-3509 Mills Ave. Lot 4, Blk. 12; Lots 1-10, Blk. 13, Glen Ridge Addition	From "A" Residential To "C" Commercial NOT Recommended by the Zoning Board
	3500-3512 Lakeside Dr. Lots 1-3, Blk. 12; Lots 11-20, Blk. 13	From "A" Residential To "B" Residential Recommended by the Zoning Board
HERMAN JONES, For A. Darnwell & Jack H. Key	2101 Hancock Drive Lot 24, Blk. 9, Rose- down Addition	From "C" Commercial To "C-1" Commercial RECOMMENDED
J. L. JOSEPH	2308-10 Leon Street Lots 1 & 2, part of 3 Outlot 41, Div. "D"	From "A" Residential To "B-1" Residential
M. H. FLOURNOY	1405 Chestnut Part of Lot 9, Blk. 13 Glenwood Addition	From "A" Residential To "C" Commercial
C. O. BARKER ANDREW TASBY	2915 & 2913 E. 19th Lot 21, Outlot 28 Div. B., Henry Ulit Subdivision	From "A" Residential To "C" Commercial

The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Discussion on the rezoning of certain properties from the 4200 Block of Lamar to 4420 Lamar Boulevard, requested by E. C. McCLURE, LEM SCARBROUGH, M. H. CROCKETT, JAC L. GUEBELS AND JACK H. KEY, was resumed. The Council felt that the strip of land remaining between the boulevard and these property owners should be disposed of, first, before any zoning changes should be made. At the Council meeting of June 2, 1949, the Council had stated to the applicants that they would be notified of the decision at the next meeting, and the City Manager was instructed to write to each of the applicants and inform them of this decision of disposing of this little strip of land before making any changes in zoning.

Mr. S. C. McINTOSH and MR. H. M. WEBB came before the Council regarding the set-back of their property on East 7th Street, east of Allen. From a study of the maps, it was decided they would have no set-back on their property. The matter of the drainage ditch was referred to the Director of Public Works.

Councilman Long moved that a public hearing be held on the 25-foot set-back on East Avenue on June 23rd at 2:30 P.M. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

The question of exchanging certain park land for the site that Polio, Incorporated, has now, was discussed briefly. Further discussion will be held at a later Council meeting.

The Council discussed the matter of selling a certain amount of land in the LAKE AUSTIN METROPOLITAN PARK to some developers. The City Attorney offered an opinion that the Council was without authority to sell any part of this property, as it had never been abandoned as a park, and had been improved for park purposes and was being used as such. Any part that was unimproved was set aside in an agreement for the purpose of attracting wild life. The City Manager stated that in cases where there was excess property for park purposes, that the excess could be sold as it had been done in the past. The Council referred the matter to the City Attorney to advise the attorneys for the proposed developers.

The City Manager submitted the proposition of purchasing certain land from the Missouri Pacific Railroad. The Land Board appraised the land at \$29,560.00; it was set up in the budget for \$30,000; and the Missouri Pacific had set a price of \$33,500. The City Manager recommended that the Council authorize the purchase for \$33,500 for the reason it has to go through the Trustees and Federal Court in St. Louis, and that this property is essential for the expansion of the Power Plant. Councilman Long moved that the Council accept the recommendation of the City Manager and authorize the purchase of this land for \$33,500. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
Noes: None

The City Manager suggested that the NATIONAL CITY BANK, New York, be left as the paying agent for these bonds sold today; and possibly a different paying agent could be considered on the \$7,000,000 issue.

There being no further business, the Council adjourned at 1:40 P.M.

APPROVED

Taylor Bless  
Mayor

ATTEST:

Elaine Woolley  
Acting City Clerk