

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 2, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Pearson, Thompson, White, Mayor McAden
Absent: Councilman Long

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by FATHER EDWARD MOTOCHA, Pastor, St. Louis Catholic Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of August 26th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

MR. BOB COOPER presented the following statement:

"A REPORT TO THE CITY COUNCIL OF AUSTIN ON THE
NEED FOR RECREATIONAL EXPANSION
By Bob Cooper, A.G.A. President

"The Austin Golf Association supports the sale of the former back nine holes at Hancock Park. Our group proposes that the entire proceeds go toward development of three projects: (1) a new 18 hole golf course to be built on land already purchased, (2) general improvement of remaining 50 acres of park at Hancock, (3) development of land in North West Austin where park facilities are virtually nil.

"In support of the need for this sale we present statistics on golf requirements according to population; local income, expenses, and profit from Austin golf courses; specific reasons why the land should be sold to expand recreational facilities in general; and answers to objections over the sale of Hancock.

"Our national average is one golf course for every 31,000 population. South Dakota leads the country with an average of one eighteen hole course for every 10,000 persons. Louisiana brings up the rear with one course per 61,000 population (Southe - National Golf Foundation).

"The picture today in Austin, Texas, is far below the worst state average. Our population of 168,000 is crowded on to one public 18 hole course, one public nine hold course, and one 18 hole private club course; the latter of which accommodates only an extremely small percentage of our citizens. Therefore, by simple arithmetic we can see that Austin affords only one golf course to every 67,200 people, while the worst state average is 61,000 and the best state average is 35,000.

"Smaller cities than ours (such as Lubbock, Amarillo, and Waco) have more golf courses available to their population than does Austin. Consequently, our state average is respectable enough, although our city average is below the lowest state average.

"The reasons that recreational facilities should be developed are many, but we cite a few for your consideration.

"(1) Good recreational facilities attract new residents, tourists, new firms and manufacturing.

"(2) Our population has increased so much in the past years that in order to lead our youth in the right direction we must expand our parks in all parts of the City.
"Building boys is better than mending men."

"(3) Financially, golfing and swimming projects on the north side of Austin would be self-sustaining, revenue bearing projects.

"(4) Austin's only 18 hole golf site is on land leased from the University of Texas, which has the option to reclaim the land on short notice. Like one hundred and fourteen other universities in the United States who own and operate private golf courses, Texas University, might at any time reclaim their land, pay the city for its improvements and maintain the Municipal Course for its student body first and the people of Austin second.

"According to figures of the Austin Recreation Department, golf made a profit of seventy-thousand dollars over a fifteen year period ending in 1950. During this time service men played free, as did womens' groups, youths' participating in tournaments, and men tournament entrants.

"Below are figures of the last five years of the fifteen year period:

FINANCIAL PICTURE OF THE GOLF COURSES

MUNICIPAL

	(Expenses)	(Revenue)	(Profit)
1946 -	\$ 22,228.84	\$ 27,411.54	- \$ 5,182.70
1947 -	23,104.54	39,996.90	- 16,892.36
1948 -	25,500.67	38,748.09	- 13,249.42

1949 -	27,313.18	32,423.82 -	5,110.64
1950 -	25,265.44	30,589.17 -	5,323.75
	<u>\$123,412.67</u>	<u>\$169,169.52</u>	<u>\$45,756.87</u>

HANCOCK PARK

1949 -	\$ -9,250.83	\$ 3,908.62	
1950 -	-21,119.61	13,225.40	
	<u>\$ 30,370.44</u>	<u>\$ 17,134.02</u>	- 13,236.42

As one can see, Municipal Golf course has made money steadily, while Hancock has lost money, which is concrete evidence that good golfing facilities promote interest in the game, while second rate ones will not pay off, especially in the case of a nine hole course.

"Also, it should be noted that the decline in 1950 at Municipal was caused by the closing of the back nine holes at Hancock. This action so crowded Austin's golf facilities that many week-end golfers were discouraged to the point of withdrawing from our links indefinitely.

"By studying Austin's low average number of golf courses according to 168,000 population and by reviewing the financial picture of golf in Austin, it is evident that the fifth most popular participating sport in the nation has been sorely neglected in Austin.

"The Athletic Goods Manufacturers Association states that out of one hundred million dollars worth of athletic equipment manufactured, golf was represented by forty per cent or forty million dollars. Baseball and basketball were second with twenty million dollars.

"In 1953 in Austin over sixty-one thousand rounds of golf were played on the municipal courses alone. Over five thousand dollars was collected in memberships, over twenty-seven thousand dollars in green fees and over nine thousand from concessions and sale of equipment.

"These figures are impressive alone but are even more interesting when we consider the large numbers who would like to play but can't find the place to go because only so many golfers can crowd onto so few holes on a given day (Saturdays and Sundays particularly).

"Now let us take a look at the objections made by the opponents of our plan to sell a portion of Hancock Park.

Objection No. 1: "Our park land should not be sold." The answer to this objection is that we would in effect be trading instead of selling. We would trade 40 acres of bald prairie for development of a new 18 hole golf course, a swimming pool and club house on a 50 acre Hancock tract, and another dedication in northwest Austin. We would not use any of the money from the sale of Hancock for anything but park development. This is what those in opposition fear the most and rightly so. Money taken from park lands should remain in other park lands.

Objection No. 2: "Don't sell the property now because it is on the inter-regional highway and will be worth more than three hundred thousand dollars at a later time." The answer to this objection is that the interregional is not what supports community sites, such as Delwood, but rather it is the people in numbers of families. Seventy-five hundred dollars an acre is a record price for property development in this area, the interregional highway notwithstanding.

Objection No. 3: "The property should not be sold because we could build softball diamonds and make a general park ninety acres in size." The answer to this objection is three fold:

- (a) Most of the recreational facilities at Zilker Park (one of the finest parks in the state) are on less than 50 acres. If we develop Hancock's remaining 50 acres properly, it will be sufficient to accommodate the north section.
- (b) A three hundred thousand dollar tract would make awfully expensive soft ball diamonds when you compare it to what this money will do for recreation in all parts of Austin.
- (c) There is no revenue being collected from the idle land as it stands now. Whereas, when the land is sold it will be developed into commercial property which will provide a substantial source of tax revenue for the city. Other revenue will come from the added golf course North of town and a proposed swimming pool at Hancock.

"After careful consideration of this report by the City Council it is hoped that a sound decision may be reached that will serve to benefit all citizens of Austin and particularly our children and young people.

"The City Council and the recreation department may call upon the Austin Golf Association for support of an active program to advance golf among our boys and girls in Austin.

"Let us take advantage of the opportunity that lies before us today and sell Hancock Park for a price that is fair and generous. Let us consider the old adage that bird in the hand is worth two in the bush."

Mayor McAden asked how many people would be using the improved facilities when provided. Mr. Cooper stated more than the 61,000 rounds of golf played last year. Approximately 30 people in the Council Room were in the delegation favoring the sale of the Hancock Tract. The Mayor inquired if he felt the people Mr. Cooper was in contact with would favor a small charge for swimming if a pool were built at Hancock Park. Mr. Cooper felt the public would accept that very readily. Councilman Thompson was interested in what the Golf Association was sponsoring for the young boys. Mr. Cooper, stated when there were the facilities available, more boys would be trained by teachers from the Association, as already there are men donating their time in training, and men furnishing golf clubs, that there are record attendances at the tournaments and there will be more when another course is furnished.

MR. WILLIAM CARTER, representing the Civitan Club, asked permission for an old-fashioned circus parade by King Brothers Circus on November 1st, stating they would meet all requirements. He explained his pending application before the Solicitation Board. Councilman Thompson moved the the City Manager be instructed to make whatever contracts that would be necessary with the Circus to provide for the street parade on November 1st, provided everything is cleared by the Solicitation Board. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. T. C. Olsen has made application in writing for permission to use and maintain a building as a day nursery, complying with all City and State regulations, on the west 1/2 of Lot 30, Outlot 36, Horsts Subdivision, Original City, in the City of Austin, Travis County, Texas, the same being on the North side of West 23rd Street, and locally known as 412 West 23rd Street, which property is located in a "B" Residence District and under Section #5, Item #6 of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the use and maintenance of a day nursery at the location described above be granted to Mrs. T. C. Olsen.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Council had before it for consideration the application of MRS. CORA A. DOTY for permission to use and maintain in her residence a day nursery at 900 East 14th Street. Councilman Thompson moved that the application be denied on the basis the owners of the property did not want their property used as a day nursery. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

Mayor McAden brought up the following ordinance for its second reading:

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 SUBSECTION (d) OF SECTION 23 OF ARTICLE IV RELATING TO LOADING ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor McAden brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 27.10 ACRES OF LAND, MORE OR LESS, SAME BEING PORTIONS OF WALNUT HILLS, SECTION 4, AND WALNUT HILLS, SECTION 5, SUBDIVISIONS OF PORTIONS OF THE THOMAS ELDRIDGE SURVEY, THE J. A. G. BROOKS SURVEY, AND THE PATRICK LASK SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

Mayor McAden 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 CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON TWO TRACTS OF LAND LOCALLY KNOWN AS 1208-1228 SOUTH LAMAR AND 1217-1315 SOUTH LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

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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 CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT ON LOTS 4 AND 5, BLOCK 7, ALTA VISTA SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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400 ALPINE ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Mayor announced the ordinance had been finally passed.

The following zoning application was postponed by the Council for action until September 9th, when a full Council would be present:

H. A. SCHUYLER

6007-21 & 6101-05
Brooks

From "A" Residence District
1st Height and Area
To "C" Commercial District
6th Height and Area
NOT Recommended

The City Council received the following letter:

"September 1, 1954

"Honorable Mayor and
City Council
Austin, Texas

"Dear Council Members:

"This is to request that the application of the Cen-Tex Concrete Pipe Co. for change of zoning of 6.6 acres of land east of Airport Blvd. be withdrawn from further consideration.

"The considerable time and several hearings accorded us by the City Council and the City Plan Commission is appreciated.

"Sincerely yours,
(Sgd) Guiton Morgan
Guiton Morgan
Vice President

"GM:al"

Mayor McAden introduced the following ordinance:

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

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTION OF F.M. HIGHWAY NO. 969 IN THE CITY OF AUSTIN, TEXAS, HEREINAFTER REFERRED TO AS "THE STREET PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, RECONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID STREET PROJECT; FOR THE INDEMNIFICATION OF THE STATE OF TEXAS, BY THE CITY, AGAINST ALL DAMAGES TO ADJOINING, ABUTTING AND OTHER PROPERTY, AND FOR EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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

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Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
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Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Mayor announced the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTION OF U.S. HIGHWAY NO. 183 IN THE CITY OF AUSTIN, TEXAS, HEREINAFTER REFERRED TO AS "THE STREET PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, RECONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID STREET PROJECT; FOR THE INDEMNIFICATION OF THE STATE OF TEXAS, BY THE CITY, AGAINST ALL DAMAGES TO ADJOINING, ABUTTING AND OTHER PROPERTY, AND FOR EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
 Noes: None
 Absent: Councilman Long

The Mayor announced the ordinance had been finally passed:

The City Manager explained the City was setting up the money for the curbs and gutters, which would be paid back to the City; and also the drainage which the City pays for. Both contracts approximate \$79,000.00, \$25,000 of which goes to drainage.

The City Manager presented the following:

"August 31, 1954

"Memorandum to: Walter E. Seaholm, City Manager
 Memorandum from: Albert R. Davis, Superintendent, Water Department
 Subject: Proposals for installation of a twenty-four inch and twenty inch water main in South First Street.

"Proposals for the installation of 2103 feet of 24" and 1371 feet of 20" water main in South First Street from Center Street to St. Elmo Road were received until 10:00 A.M., August 31, 1954, and then publicly opened and read. The following proposals were received:

	Cast Iron	Steel Cylinder Concrete	Working Days
1. Joe Bland Construction Co.	No Bid	\$35,372.39	30 days after receipt of materials
2. Stevens Construction Co.	No Bid	36,768.93	40
3. Karl B. Wagner Engineering Construction, Inc.	No Bid	38,061.74	60
4. Pelphrey-Basham Inc.	No Bid	38,155.26	90
5. Austin Engineering Co.	No Bid	39,160.94	80
6. H. B. Zachry Co.	No Bid	43,009.97	120

"The above proposals have been analyzed, and it is my recommendation that the proposal of Joe Bland Construction Co. be accepted as the lowest and best proposal received.

"Albert R. Davis,
 Superintendent,
 Water Department

"Approved: W.E.S.
 City Manager

"ARD:mm"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 31, 1954,

for the installation of 2103 feet of 24" and 1371 feet of 20" water main in South First Street from Center Street to St. Elmo Road; and,

WHEREAS, the bid of Joe Bland Construction Company in the sum of \$35,372.39 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water Department 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 Joe Bland Construction Company in the sum of \$35,372.39 be and the same is hereby accepted, and W. E. Seaholm, City Manager, of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin, with Joe Bland Construction Company.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden

Noes: None

Absent: Councilman Long

Councilman Thompson inquired as to the exact status of the water condition in South Austin as this work progressed. The City Manager stated all that would be lacking was the moving of the pump station to Center Street and about 300' of line to the station. There is a 30" line to Oltorf; a 24" from Oltorf to Center, and the 20" line to meet the 20" line from the Water District, and this completes the line all the way through. Councilman Thompson inquired about the water pressure, and the whole water situation in South Austin. The City Manager stated this would be taken care of, and there was another reservoir that will take care of the low area, which would be completed by next summer. An extension of the Oltorf line to Parker Lane would be made and would be done by the summer of 1955.

Councilman White 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 northeast corner of the intersection of East 7th Street and Chicon Street, which property fronts 134.36 feet on East 7th Street and 119.95 feet on Chicon Street and being known as Lots 13, 14 and 15, Oil Mill Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Jake Silberstein 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 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 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 Jake Silberstein has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"September 1, 1954

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned have considered the application of Mr. Jake Silberstein for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of the intersection of East 7th Street and Chicon Street, which property fronts 134.36 feet on East 7th Street and 119.95 feet on Chicon Street and being known as Lots 13, 14 and 15, Oil Mill Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Mr. Jake Silberstein and is under lease to Gulf Oil Company and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

"We recommend that Mr. Jake Silberstein be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance,

the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1314.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1314 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complies with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted
C. G. Levander
Director of Public Works

(Sgd) J. C. Eckert
Building Inspector"

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a sanitary sewer easement was reserved and dedicated to the public by an instrument dated February 24, 1941, recorded in Volume 665 at page 237, Deed Records of Travis County, Texas, said instrument having been executed by Alma Powell; and,

WHEREAS, said sanitary sewer easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of such sanitary sewer easement being described as follows:

All of that certain easement out of Lot 8 of Live Oak Grove, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Live Oak Grove of record in Book "Z" at page 615, Deed Records of Travis County, Texas, the centerline of said easement being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of Cumberland Road, the same being a point 20 feet north of the south line of said Lot 8, and from which point of beginning a point in the west line of said Lot 8 and 20 feet north of the southwest corner of same bears N. 60° 00' W. 293.3 feet;

THENCE N. 29° 53' E. 277.5 feet to point of termination.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Rex D. Kitchens is the Contractor for the construction of a building located at 1309-11 Lavaca and desires a portion of the sidewalk and street space abutting on the south 79 feet of Lot 8 and 9, Block 58, of the Original City of Austin, Travis County, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Rex D. Kitchens, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Lavaca Street to a point 12 feet west of the east curb line; thence in a northerly direction and parallel with the centerline of Lavaca Street approximately 79 feet to a point; thence in an easterly direction and at right angles to the centerline of Lavaca Street to the west line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Rex D. Kitchens, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4 foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed no later than January 1, 1955.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part of all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden

Noes: None

Absent: Councilman Long

MR. DAVID BARROW, stating he was not interested in buying the Hancock tract, nor represented anyone interested, and had not talked with any members of the Council or City Manager, expressed his opinion that the tract should be sold, as a 50 acre tract was entirely adequate for any park purposes needed in any foreseeable future; and it would not be fair to other sections of Austin to set aside 90 acres for park purposes. He suggested selling this tract; and if the Council thought wise, purchase park locations in other sections, or use the money for other municipal purposes. He believed the City could not lose on the sale of this tract in any way. Councilman White stated he had been opposed to selling any park land, as he was looking to the younger generation coming up some 25 or 30 years from now; and if the city continued to grow there would be a need for more parks. MR. BARROW did not think the city would have any use for any more park land in this location, as the present 50 acres would be adequate to take care of that section of the city. The Mayor called attention to the fact there were SHIPE, PATTERSON, and EASTSIDE PARKS in this area. Councilman Thompson asked Mr. Barrow's opinion as to offering this for sale and inviting bidders to place bids and a check for earnest money. Mr. Barrow thought that was a sound idea. Councilman Pearson asked if he would recommend breaking the tract up in blocks or selling it in one large block through bidding. Mr. Barrow thought more money would be received if it were sold in one block. The Mayor asked his opinion on the amount offered for this tract. Mr. Barrow had not made a check or appraisal and did not express his opinion. MR. CHESTER FREUND noted the offer was about \$8,000 an acre and that lots of park land could be purchased for less than \$1,000 an acre. He thought it would be a good deal to sell the tract and buy other tracts in other parts of the city. MR. LOUIS STRUHALL suggested following former Mayor Miller's idea in selling part off for commercial development, and giving the University of Texas the first change to purchase it for expansion of the University.

MR. STRUHALL discussed his property, zoning, drainage, etc., in the South part of town.

The City Manager submitted a request from the United Fund to send a leaflet with the Water & Light Bills. Councilman Thompson moved that the United Fund be granted permission to stuff the Water and Light Bills. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: None
Absent: Councilman Long

The Mayor inquired as to the traffic lights at Exposition and Enfield; Oltorf and South Congress. The City Manager stated they would be up this week.

MR. CHESTER FREUND asked that the street marker at St. Elmo Road and South 2nd be completed; that there is only the post, but no name bar. The matter was referred to the City Manager.

There being no further business the Council adjourned at 11:25 P.M., subject to the call of the Mayor.

APPROVED

OA McAden
Mayor

ATTEST:

Elin Hooley
City Clerk