

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 10, 1930.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; absent, Councilman Reed, 1.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Units or Districts of Improvement, as follows:

WEST FIFTH STREET from the West line of Nueces Street to the West line of West Avenue, known and designated as Unit or District No. 23;

PARKWAY STREET AND ENFIELD ROAD from the North line of West Twelfth Street to the East line of Lots 29 and 50 in Subdivision known as Enfield "A", known and designated as Unit or District No. 46;

ENFIELD ROAD from the East lines of Lots 29 and 50 in Subdivision known as Enfield "A" to the East lines of Blanco Street and Windsor Road, known and designated as Unit or District No. 46a;

ENFIELD ROAD from the East lines of Blanco Street and Windsor Road to the West line of West Lynn Street, known and designated as Unit or District No. 46b;

NUECES STREET from the North property line of West Sixth Street to the South property line of West Nineteenth Street, known and designated as Unit or District No. 54;

SOUTH CONGRESS AVENUE from the North property line of Nellie Street to Bouldin Creek Station 31-51.1, known and designated as Unit or District No. 57;

EAST AVENUE from the South property line of East Sixteenth Street to the South property line of East Nineteenth Street, known and designated as Unit or District No. 50;

EAST AVENUE from the South property line of East Nineteenth Street to the North property line of East Twenty-third Street, or Manor Road, known and designated as Unit or District No. 51;

EAST SIXTEENTH STREET from the West property line of Sabine Street to the East property line of Navasota Street, known and designated as Unit or District No. 52;

WEST SIXTH STREET from the West property line of West Lynn Street to the west property line of International Great Northern Railway Company, known and designated as Unit or District No. 58;

all as awarded to Southwest Bitulithic Company

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned streets and within the limits above stated, or who desired to be heard with reference to the improvements proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing would now be heard from, and thereupon the following property owners were heard:

On Nueces Street from 6th to 19th Streets:

Mrs. M. W. McDonald, by written protest, stated that the paving would not increase the value of a single foot of her property; that it would increase the traffic hazard; and that she had been denied the free use of her property by the City, thereby greatly decreasing the value of same.

On SIXTEENTH STREET from Sabine to Navasota Streets:

Hilliare F. Nitschke, representing Mrs. R. E. Nitschke, Mrs. Agnes Vaughn, Mrs. Katie Grubbs, and William Wellmer, Administrator for Mrs. Lena Wellmer Estate, stated that each of said property owners was financially unable to pay for paving, and that the property owned by each was a homestead.

Louis Nitschke, representing the property owners from East Avenue to Navasota Street, stated that as this street was already tarviated there was no necessity for paving same; that the property along this street was very cheap rental property and would not be increased in value any by paving; and, further, that this street being a route to the Cemetery, would be used by the citizenship generally more than any other street in the City and therefore the cost of paving should be borne by the citizens at large.

On South Congress Avenue, from Nellie Street to Bouldin Creek:

John LaPrelle, Gillespie Stacy, J. M. Crawford, A. C. Baldwin, W. T. Caswell, and J. T. Parker asked that for aesthetic reasons and also to provide for the volume of traffic going over this street and decrease the hazard to traffic, the paving width be made ninety feet instead of the proposed seventy-six feet.

Thereupon Clyde Hailey and J. B. Riley were each called as a witness, and each being duly sworn, testified that he had resided in the City of Austin for several years, that he was well acquainted with the value of the property abutting upon each of the Units or Districts as to which these hearings were being held; that he is acquainted with the type of paving which is proposed to be constructed upon said Units or Districts as to which these hearings were being held; and that in his opinion each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll or Statement on file relating to such Units or Districts of Improvement.

No other witnesses being offered or desiring to be heard and no other interested parties or owners having requested to be heard, the Mayor thereupon laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND
LEVYING ASSESSMENTS FOR PART
OF THE COST OF IMPROVING PORTIONS
OF ENFIELD ROAD AND A PORTION OF
PARKWAY STREET IN THE CITY OF
AUSTIN, TEXAS, FIXING A CHARGE
AND LIEN AGAINST PROPERTY ABUTTING
THEREON AND AGAINST THE OWNERS
THEREOF, PROVIDING FOR THE COLLECTION
OF SUCH ASSESSMENTS AND THE ISSUANCE
OF ASSIGNABLE CERTIFICATES IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND LEVY-
ING ASSESSMENTS FOR PART OF THE COST
OF IMPROVING PORTIONS OF WEST FIFTH
STREET IN THE CITY OF AUSTIN, TEXAS,
FIXING A CHARGE AND LIEN AGAINST
PROPERTY ABUTTING THEREON AND AGAINST
THE OWNERS THEREOF, PROVIDING FOR
COLLECTION OF SUCH ASSESSMENTS AND
THE ISSUANCE OF ASSIGNABLE CERTIFICATES
IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Mayor McFadden moved that the hearing on South Congress Avenue from Nellie Street to Bouldin Creek be continued until the next regular meeting, July 17th. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden moved that the hearing on East Sixteenth Street from Sabine to Navasota Streets be continued until the next regular meeting, July 17th. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Mayor McFadden moved that the hearing on West Sixth Street from West Lynn Street to west property line of the International Great Northern Railway Company be continued until the next regular meeting, July 17th. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Mayor McFadden moved that the hearing on East Avenue from East Sixteenth Street to East Twenty-third Street, or Manor Road, be continued until the next regular meeting, July 17th. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Mayor McFadden moved that the hearing on Kueces Street from West Sixth to West Nineteenth Streets be continued until the next regular meeting, July 17th. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The Mayor laid before the Council the following resolution:

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

THAT the sum of Five Thousand (\$5000.00) Dollars be and is hereby appropriated out of the Water and Light Fund for the purpose of placing same to the Job Account of the United Engineers & Constructors, Inc., to be used for the payment of labor and materials in connection with construction for Water, Light and Power Department, under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

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

THAT the sum of One Hundred Thirty-three and 23/100 (\$133.23) Dollars be and is hereby appropriated out of the reserved portion of General Fund for the purpose of covering premiums on Fire and Tornado Insurance Policies, three year period, as follows:

Shelter Houses:			
Hyde Park -	Amount	\$4,000.00 - - -	\$ 48.95
Eastwood Park	"	\$2,000.00 - - -	25.78
Airport Building	"	\$3,600.00 - - -	<u>58.50</u>
Premiums Total -			\$133.23

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

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

That the sum of Eight Hundred Fifty (\$850.00) Dollars be and is hereby appropriated out of the reserve portion of General Fund; said amount to be added to account number 40338-Police Department, Traffic Signs, Paint and Supplies, the original appropriation having proved insufficient for demands.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4-inch low pressure gas main in Chicon Street beginning at a point 24 feet east of and 26 feet north of the intersection of the west line of Chicon Street and the South line of East Sixth Street;

Thence in a northerly direction 24 feet east of and parallel to the west line of Chicon Street a distance of approximately one block to the north line of East Seventh Street. The cover of said gas main described above shall be not less than 3 feet below the proposed paving grade of Chicon Street.

(2) A 4-inch low pressure gas main in East Sixteenth Street beginning at a point 21 feet east of and 18 feet south of the intersection of the west line of Sabine Street and the north line of East Sixteenth Street.

Thence in an easterly direction 18 feet south of and parallel to the north line of East Sixteenth Street a distance of approximately one block to the east line of

East Avenue. Said gas main described above shall have a cover of not less than 3 feet.

(3) A 4-inch high pressure gas main in Wabash Street beginning at a point on an existing 6-inch high pressure gas main in West Thirty-Fourth Street, which point of beginning is 25 feet south of and 15 feet east of the intersection of the north line of said West Thirty-Fourth Street and the west line produced of said Wabash Street;

Thence in a southerly direction 15 feet east of and parallel to the west line of Wabash Street to a point 20 feet south of the north line of West Thirty-Second Street. Said gas main described above shall have a cover of not less than 2 feet.

(4) A 4-inch high pressure gas main in West Thirty-Second Street, beginning at a point 15 feet east of and 20 feet south of the intersection of the north line of West Thirty-Second Street and the west line of that portion of Wabash Street that is north of said West Thirty-Second Street.

Thence in a westerly direction 20 feet south of and parallel to the north line of West Thirty-second Street to a point 11 feet west of the east line of that portion of Wabash Street that is south of West Thirty-Second Street. Said gas main described above shall have a cover of not less than 2 feet.

(5) A 4-inch high pressure gas main in that portion of Wabash Street that is south of West Thirty-Second Street beginning at a point 11 feet west of and 20 feet south of the intersection of the east line produced of said Wabash Street and the north line of West Thirty-Second Street;

Thence in a southerly direction 11 feet west of and parallel to the east line of said Wabash Street a distance of approximately one block to a point 22 feet south of the north line of West Thirty-First Street. Said gas main described above shall have a cover of not less than 2 feet.

(6) A 2-inch high pressure gas main in West Thirty-First Street beginning at a point on the west line of San Gabriel Street and 22 feet south of the north line of West Thirty-First Street;

Thence in a westerly direction 22 feet south of and parallel to the north line of West Thirty-First Street a distance of approximately two blocks. Said gas main described above shall have a cover of not less than 2 feet.

(7) A 2-inch high pressure gas main in West Thirty-Second Street beginning at a point on the west line of San Gabriel Street and 20 feet south of the north line of said West Thirty-Second Street;

Thence in a westerly direction 20 feet south of and parallel to the north line of West Thirty-Second Street a distance of approximately one block to a point 15 feet east of the west line of that portion of Wabash Street that is north of said West Thirty-Second Street. Said gas main described above shall have a cover of not less than 2 feet.

(8) A 2-inch high pressure gas main in West Thirty-Third Street, beginning at a point 15 feet east of and 15 feet north of the intersection of the south line of West Thirty-Third Street and the west line of Wabash Street;

Thence in an easterly direction 15 feet north of and parallel to the south line of said West Thirty-Third Street a distance of approximately one block to the west line of San Gabriel Street. Said gas main described above shall have a cover of not less than 2 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4-inch low pressure gas main in Nueces Street beginning at a point 15 feet easterly from the center line of Nueces Street and on the north line of West Sixth Street;

Thence northerly 15 feet distant from and parallel to the center line of Nueces Street to the south line of West Fifteenth Street.

(2) A 4-inch low pressure gas main in Nueces Street beginning 15 feet easterly from the center line of Nueces Street and on the north line of West Fifteenth Street;

Thence northerly 15 feet distant from and parallel to the center line of Nueces Street to the south line of West Nineteenth Street.

That the Texas Public Service Company is hereby put upon notice that permission for construction of the underground lines described above is granted subject to the following conditions:

(1) That a line of water pipe is to be laid paralleling the proposed new gas main, which water line is to be of large diameter and that all cross services of the gas company will have to be adjusted to meet the grade of the new water line, which grade will not be definitely known until completion of construction of the water lines. The top of the proposed gas main shall be not less than thirty (30) inches below the bottom of the proposed subgrade of the pavement to be laid on Nueces Street.

(2) That the backfilling of ditches where dirt excavation is encountered is to be tamped and water in sufficient quantities to cover the entire ditch is to be added during the course of backfilling.

(3) That at least three (3) days notice must be given the City Engineer before beginning actual construction upon the underground lines described above in order that working points and elevations upon which to base the assignment may be given.

(4) And that all damages whatever caused to existing utilities during the course of construction or maintenance of the underground lines described above shall be paid for by the Texas Public Service Company.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

That Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4-inch low pressure gas main in East Sixteenth Street beginning at a point 15 feet west of and 24 feet south of the intersection of the north line of East Sixteenth Street and the east line of Navasota Street;

Thence in a westerly direction 24 feet south of and parallel to the north line of East Sixteenth Street a distance of approximately one block to the west line of East Avenue. Said gas main described above shall have a cover of not less than 2 feet.

(2) A 2-inch high pressure gas main in Walter Street Alley beginning at a point 20 feet west of and 5 feet south of the intersection of the north line of said Walter Street Alley and the east line of Deep Eddy Avenue;

Thence in an easterly direction 5 feet south of and parallel to the north line of said Walter Street Alley a distance of approximately 300 feet. Said gas main described above shall have a cover of not less than 2 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the grounds as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON
CERTAIN STREETS AT CERTAIN INTERSEC-
TIONS IN THE CITY OF AUSTIN, PROVIDING
FOR STOP-SIGNS AT SUCH POINTS, AND
PREScribing A PENALTY FOR THE VIOLATION
OF THE ORDINANCE.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF NUECES STREET AND ALLEY IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND DECLARING AN EMERGENCY.

The above ordinance was read the second time and Councilman Pannell moved that the rule be suspended and the ordinance placed on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF TWENTY-SIXTH STREET IN THE CITY OF AUSTIN, TEXAS, FROM THE EAST LINE OF GUADALUPE STREET TO THE WEST LINE OF SPEEDWAY, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF COST THEREOF .

The above ordinance was read the second time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF TWENTY-SIXTH STREET IN THE CITY OF AUSTIN, TEXAS, FROM THE WEST LINE OF SPEEDWAY TO THE WEST LINE OF DUVAL STREET OR WALLER CREEK BOULEVARD, KNOWN AND DESIGNATED AS UNIT OR DISTRICT NO. 61, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF COST THEREOF.

The above ordinance was read the second time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.