

Tucson Fire Department
Tucson Common Council Minutes, 1941, (2)



July 7, 1941:

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MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, July 7, 1941

A regular meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 8:00 o'clock p.m., on the 7th day of July, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Henry O. Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

The approval of the minutes of the meetings held on May 19, June 2, June 4, June 16, June 18, June 24, June 25, and June 30, 1941, was dispensed with.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, Mrs. S. M. Fegtly, 621 North Tyndall Avenue, made a complaint relative to automobiles parking in front of her residence so they can be in the shade of the trees and thereby depriving her and her family of the use of this parking space for their own automobile, and she requested relief in this matter.

This request was referred to the Traffic Commission for consideration and investigation and to submit a definite recommendation to the Mayor and Council.

The Mayor announced that this was the time and place fixed for hearing any taxpayer who wished to appear in favor of or against any proposed expenditure or tax levy included in the tentative budget for the fiscal year 1941-42, and he inquired if there was any one in the audience who wished to appear in favor of or against any proposed expenditure or tax levy in said tentative budget.

Whereupon, James F. Houston, Roy Drachman, and Elmer Present spoke in support of a requested \$15,000 appropriation for the Tucson Sunshine Climate Club. for the Tucson Sunshine Climate Club, or eight others stood in support of this amount for the Tucson Sunshine Climate Club. William L. Walsh appeared in favor of the appropriation requested by the Tucson Chamber of Commerce for the fiscal year 1941-42.

Gorm Loftfield suggested that funds be obtained from the F.W.A. or through a special levy to improve the sewage disposal plant.

Mrs. McCormick stated that the City was spending a lot of money on airports and other defense projects and inquired if any provisions were being made for protection from air raids. The Mayor informed her that this was not a local problem but was under the national defense program and that plans and information on this subject are now being worked out in Washington, D. C. for transmission to cities.

William F. Kimball, Harold Steinfeld, and R. A. Morse spoke in support of an appropriation of \$6,000 included in the tentative budget for the Tucson Regional Plan, Inc., to complete the planning and zoning work started by it - it being a tentative three-way proposition, \$6,000 to be contributed from the County, \$6,000 from the citizens, and \$6,000 from the City.

The City Clerk reported that no written protests had been filed on the tentative budget.

It was moved by Councilman Codd and seconded by Councilman Niemann that the tentative budget for the fiscal year 1941-42 be adopted as presented.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and the motion was declared unanimously carried, and it was so ordered.

The Mayor announced that a meeting of the Mayor and Council would be held at 8:00 o'clock p.m., on the 14th day of July, 1941, for the purpose of fixing tax levies for the fiscal year 1941-42.

James N. Corbett, attorney for S. M. Calkins, inquired if anything had been done in connection with the flood damage claim of his client.

Whereupon, Councilman Nicholas stated that the Building and Land Committee was to make a report on this matter, and he moved that the City Attorney be authorized to enter into financial negotiations in connection with the S. M. Calkins' flood damage claim and to make a report, if possible, to the Mayor and Council at their meeting on July 14, 1941. This motion was seconded by Councilman Codd and on vote being taken was unanimously carried, and it was so ordered.

A petition signed by Mr. and Mrs. Edward R. Adams and fifteen others (filed with the City Clerk at 7:50 p.m. today), expressing displeasure at the decision of members of the Council who voted for the approval of the transfer of the liquor license of Fred J. Brown to 1003 East Broadway, Tucson, and thanking the members of the Council who opposed this transfer, was read.

The Mayor asked the City Attorney to explain the legal status of this matter.

Whereupon, John D. Lyons, Jr., City Attorney, stated that in this case the Council at the request of a neighborhood delegation rescinded its action approving this application for transfer of liquor license but the Superintendent of the State Department of Liquor Licenses and Control, who makes the final decision on such matters, refused to rescind his license; the license had already been issued by the State and was not withdrawn and under the circumstances the City has no choice in suspending this so-called liquor license, which, in reality, is an occupational license, as it is a State matter and there is nothing that the City can do.

The Mayor asked if there was any one in the audience who wished to speak in regard to this petition. No one appeared.

A brief discussion followed, during which Councilman Lee inquired if it is true that any one could open a saloon where they wanted it and they did not have to bother with the Council. To which inquiry, the City Attorney explained that it was not a question of bothering the Council; the facts are that the City has to issue a city occupational license and the Council makes a report to the Superintendent of the State Department of Liquor Licenses and Control, who is bound by the liquor restrictions but not by the recommendation of the City Council.

The City Clerk stated that recently the local dairies left cards with their customers to be mailed to the City Clerk asking for their votes on the proposed daytime milk delivery and that a tabulation of these responses shows the following results:

For daytime milk deliveries	973
Against " " "	111
For " " " (Not signed)	16
Against " " " " "	5
Against city legislation	15
Unchecked cards	2
Various reasons:	
For	22
Against	16
Neutral	3
Total votes cast on cards and in letters	1,163

It was moved by Councilman Miller and seconded by Councilman Codd that this matter be tabled.

The Mayor inquired if there was any one in the audience who wished to speak for or against this matter. No one appeared.

On vote being taken the motion was unanimously carried and it was so ordered.

The City Clerk called attention to the fact that the term of the City Auditor would expire on July 15, 1941.

It was moved by Councilman Niemann, seconded by Councilman Codd, and unanimously carried that James T. Manders be reappointed as City Auditor of the City of Tucson, Arizona, for a term of two years beginning July 15, 1941.

A communication from the City Auditor, asking consideration of the appointment of Mr. Otey as Deputy City Auditor with certain authority in the absence of the City Auditor in order to relieve the Mayor of signing Joint Control checks and warrants, was read.

After a discussion, the Mayor advised that he would consider the appointment of a committee to make recommendations in connection with changes, minor alterations, and improvements in the organization of the City and would suggest

the membership of such a committee at the next meeting, it being suggested, in the discussion, that this committee should consider and investigate only those changes, alterations and improvements that would not involve any additional expense, and, if possible, to include all changes in one ordinance to save advertising costs.

On motion by Councilman Nicholas, seconded by Councilman Niemann, and unanimously carried, the sale of

Lot 11, Block 20, Drake's Addition to the City of Tucson,

to W. H. and Dora C. Boykin, for the sum of \$50 was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property, said deed to contain a clause to the effect that the City of Tucson is to be held free and clear of any liability or damage in case of flood damages.

On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, the sale of

Lot 17, Block 7, American Villa Addition,

to John and Consuelo Carrasco for the sum of \$150, was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

On motion by Councilman Nicholas, seconded by Councilman Niemann, and unanimously carried, the sale of

Lot 9, Block 167, City of Tucson,

to Ysidore C. and Isabel F. Romero, husband and wife, for the sum of \$150, was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, the sale of

Lots 11, 12, 13 and 14, Block 12, Riecker's Addition,

to John W. Murphey for the sum of \$200 per lot, or a total of \$800, was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property, said deed to contain a clause to the effect that the City of Tucson is to be held free and clear of any liability or damage in case of flood damages.

A communication from R. R. Guthrie, secretary of the City Real Estate Sales Department, advising that Mrs. Carmen Diaz had requested cancellation of the sale of Lots 6 and 7, Block 13, City of Tucson, to her on April 8, 1941, due to the fact that her brother, who was assisting her in this purchase, was killed recently in an automobile accident and she is financially unable to complete this purchase, was read.

Whereupon, it was moved by Councilman Niemann, seconded by Councilman Lee, and unanimously carried that the sale of

Lots 6 and 7, Block 13, City of Tucson,

to Carmen Diaz, a married woman, on April 8, 1941, for the sum of \$500, be cancelled, and that the City Auditor be authorized to refund to Mrs. Diaz the money paid by her on this purchase.

A communication from the Tucson Realty and Trust Company, enclosing a check in the sum of \$50 and requesting that their option dated October 7, 1940, covering all of Lots 9 to 16, both inclusive, Block 11, Riecker's Addition to the City of Tucson, be extended for ninety days from July 9, 1941, under the same terms and conditions, was read, and on motion by Councilman Lee, seconded by Councilman Shantz and carried (Councilman Niemann and Codd voting "No"), this request for extension of said option was granted and said check for \$50 was accepted.

The City Clerk advised that further consideration on the application for liquor license of Lee Kwong Wing (Lee Ho Market), 600 South Meyer Street, Tucson, was postponed until this meeting.

Councilman Niemann, a member of the License Committee but not speaking for the committee, moved that the 1941 State Original Application for Spirituous Liquor License (State Application No. 1485, City Application No. 13) of Lee Kwong Wing (Lee Ho Market), 600 South Meyer Street, Tucson, Arizona, covering State Series No. 9 (Off-sale retailer's license to sell all spirituous liquors), be approved. This motion was seconded by Councilman Shantz.

Councilman Nicholas stated that there had been a great many objections to this application, not to Lee Ho but to the extension of any more liquor dispensing establishment in that area, and that he had been informed tonight that representatives of the Carrillo School association would be present to object and he believed Frank Robles was in the audience.

The Mayor inquired if there was any one in the audience who wished to speak for or against this matter.

Whereupon, Joseph Judge, attorney for the applicant, filed a petition, dated June 20, 1941, signed by Louis Delgado and approximately 167 others requesting that this application be granted for their convenience in making such purchases and that they prefer obtaining package liquors from the grocery store. He explained that this petition was placed on the counter of the Lee Ho Market and was signed by customers coming in the store, and he urged that this application be granted for the convenience and necessity of the customers and reminded the Mayor and Council of the good moral standing and reputation of the applicant as a merchant for many years in that community.

C. T. Redington, representing some of the objectors, protested the approval of this application on the grounds that, in his opinion, there had been no showing of necessity or convenience, that in accordance with the state law the quota on liquor licenses had been reached, and also it was his opinion that liquor license applications should be acted on by the Superintendent of State Liquor Licenses and Control before coming to the Mayor and Council.

The City Clerk advised that the city ordinance provides for the issuance of fifty licenses for the sale of liquor in packages and that at the present time there are forty-nine such establishments in the city, which leaves one vacancy.

The Mayor inquired if there were any representatives present from the Carrillo School (as the Council was previously advised at this meeting that such representation would be here) who wished to speak in connection with this application. No one appeared.

After a discussion (during which Messrs. Judge and Redington participated, several members of the Council expressed themselves and Councilman Niemann stated that at the last meeting the License Committee was ready to recommend but withheld its recommendation and since that time additional information both for and against this application had been received and he did not believe the committee as a whole had reached a decision), Councilman Niemann withdrew his motion, Councilman Shantz withdrew his second, and action on this application was deferred until the next meeting, July 14, 1941, and the Mayor requested that the License Committee make a definite report at that time.

A communication from the City Attorney, advising that he had examined the proposed form of leases for lands in the bombing area and would recommend that the words "and the results of practice bombing and other operations by the United States Airforce also excepted" be added at the end of the fourth paragraph on page two of said form of leases which states that the City will return the land in as good condition as it now is, usual wear, inevitable accidents and loss by fire excepted, and also advising that four of these leases relate to fractions of the SE $\frac{1}{4}$ of Section 21, T. 16 S., R. 14 E., upon which a condemnation suit has been filed and suggesting that the execution of these four leases be postponed pending the outcome of that suit, was read.

It was moved by Councilman Miller, seconded by Councilman Niemann and unanimously carried that the recommendation of the City Attorney be accepted and that the clause "and the results of practice bombing and other operations by the United States Airforce also excepted" be inserted in said leases.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried the City Clerk presented and read the first time in full

ORDINANCE NO. 903

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON RESTRICTING BLASTING OF ROCK OR STONE."

On motion by Councilman Niemann, seconded by Councilman Nicholas, and unanimously carried, Ordinance No. 903, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann that Ordinance No. 903, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance.

Whereupon, Gerald Jones, attorney for H. J. Karns who is operating a rock quarry in the vicinity of "A" Mountain, explained Mr. Karns' position in the matter, and why, in his opinion, the proposed ordinance was class and special legislation against one man and would be unconstitutional, and appealed to the Mayor and Council not to pass it.

William F. Kimball, representing some of the protesters on the rock quarry of Mr. Karns, spoke in support of the proposed ordinance and explained why, in his opinion, the interests of the City and the property owners should be protected by the passage and adoption of this proposed ordinance.

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The City Attorney made explanations as to why, in his opinion, the proposed ordinance as drawn is valid from a legal standpoint.

After a discussion and due to a policy of the Mayor and Council to read a proposed ordinance at one meeting and defer further readings to a future meeting, Councilman Nicholas withdrew his motion "that Ordinance No. 900, as presented, be passed and adopted," and Councilman Niemann withdrew his second and further action was postponed until July 14, 1941. The Mayor requested that each member of the Council be furnished with a copy of this proposed ordinance and Gerald Jones asked that it be studied carefully as, in his opinion, its language is very sweeping.

The Mayor submitted for approval the reappointment of W. H. Baker and O. K. Wheeler as members of the Board of Plumber Examiners for the City of Tucson for a period of two years beginning June 5, 1941, and on motion by Councilman Niemann, seconded by Councilman Codd, and unanimously carried, the reappointment of W. H. Baker and O. K. Wheeler was approved as submitted by the Mayor.

A communication from the Traffic Commission, recommending that the request of Crane Company for a two-hour parking limit zone in front of their building on Toole Avenue be granted and that parking stalls for angle parking in front of this building be painted on the pavement, was read, and on motion by Councilman Niemann, seconded by Councilman Shantz and carried (Councilman Codd voting "no"), this recommendation of the Traffic Commission was approved and accepted.

A communication from the Traffic Commission, advising that on June 20 the Southern Pacific Company was given permission to paint the curb "red" in front of the temporary depot on Toole Avenue just west of the Fourth Avenue Subway and at the same time the curb in front of the old depot was painted gray and further advising that this is a temporary proposition which will be restored to its original condition at the termination of their construction program, was read and ordered filed.

On motion by Councilman Miller, seconded by Councilman Niemann and unanimously carried, a bond of the United States Fidelity and Guaranty Company, dated July 3, 1941, in the sum of \$500, which was submitted to the City of Tucson by the Tucson Junior Chamber of Commerce in connection with the Fourth of July fireworks celebration at the University of Arizona stadium, was approved and accepted (said bond having been previously approved as to form by the Assistant City Attorney).

On motion by Councilman Nicholas, seconded by Councilman Niemann, and unanimously carried, the public official bond of the United States Fidelity and Guaranty Company, dated June 15, 1941, in the sum of \$1,000, covering Leo Francis Walsh as Golf Professional in and for the City of Tucson, Arizona, for a term beginning the 15th day of June, 1941, and ending the 15th day of June, 1942, or until his successor is appointed and has qualified, was approved and accepted (said bond having been previously approved as to form by the City Attorney).

A communication from the Superintendent of Streets, requesting authority to void Assessment No. 304 of the "Second Street and Cherry Avenue District Paving Improvement" and substitute therefor Assessment No. 304-A for \$86 against the south 100 feet of Lot 1, Block 1, Rincon Heights Addition, and Assessment No. 304-B for \$39.66 against the north 58.2 feet of said Lot 1, Block 1, Rincon Heights Addition, this reapportionment of assessment having been requested by the property owners, John C. Park and Marjorie Park, husband and wife, in order to conform to proposed improvement and being concurred in by White and Miller, the contractor at interest, and advising that all parcels created by the reapportionment have access to an existing sewer, was read, and on motion by Councilman Niemann, seconded by Councilman Nicholas, and unanimously carried, this reapportionment of assessment was approved and adopted as submitted by the Superintendent of Streets.

The City Clerk advised that this was the time and place designated for further consideration on the proposal to change the zoning on Lots 1 to 6, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence and also further consideration on proposed Ordinance No. 899 providing special setback requirements, etc. for churches.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, further consideration on said proposed rezoning and Ordinance No. 899 was postponed until August 4, 1941, at 8:00 o'clock p.m., and in the meantime these matters were referred to the Planning and Zoning Commission for recommendation at the meeting on August 4, 1941.

After a discussion on proposed Ordinance No. 900 which amends Article II of Ordinance No. 764 to provide for the appointment, powers and duties of a City Traffic Engineer and a Traffic Commission, the Street Committee was instructed to consult with the City Attorney relative to preparing a shorter ordinance in connection with a Traffic Engineer.

On motion by Councilman Niemann, seconded by Councilman Nicholas, and unanimously carried, Demands Nos. 6823 to 7003, inclusive, in the amount of \$119,611.51 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$81,481.76 from General Fund, \$1,314.60 from Library Reconstruction Fund, \$36,360 from Bond Redemption Fund, and \$455.15 from Tucson Housing Authority Fund).

On motion by Councilman Niemann, seconded by Councilman Codd, and unanimously carried, Demands Nos. 7004 to 7021, inclusive, in the amount of \$12,198.63 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council, and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$2,698.63 from General Fund and \$9,500 from Library Reconstruction Fund).

Councilman Niemann stated that there would be a License Committee meeting tomorrow and he would like to have the City Attorney attend.

The Mayor announced that this was the time and place fixed by the Mayor and Council of the City of Tucson, Arizona, to hear and pass upon the assessment and proceedings theretofore had and taken for the improvement known as the "Sixth Street Paving Improvement, Park Avenue to Santa Rita Avenue" in the City of Tucson, Arizona.

The City Clerk reported that no written protests had been received in this connection.

The Mayor inquired if there was any one in the audience who wished to speak for or against said assessment and proceedings. No one appeared.

Whereupon, on motion by Councilman Niemann, seconded by Councilman Codd, and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1739

entitled "APPROVING ASSESSMENT AND PREVIOUS PROCEEDINGS FOR THE 'SIXTH STREET PAVING IMPROVEMENT, PARK AVENUE TO SANTA RITA AVENUE'"

On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, Resolution No. 1739, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Lee that Resolution No. 1739, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz; Mayor

Jeastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1739 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

A communication from the Superintendent of Streets, filing with the City Clerk a certified list of all assessments unpaid, which amount to \$25 or over, on the "Sixth Street Paving Improvement, Park Avenue to Santa Rita Avenue," as described in Resolution of Intention No. 1708, in the total amount of \$2,850.22, was read, and on motion by Councilman Nicholas, seconded by Councilman Niemann, and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1740

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, PROVIDING FOR THE ISSUANCE OF IMPROVEMENTS BONDS FOR THE 'SIXTH STREET PAVING IMPROVEMENT, PARK AVENUE TO SANTA RITA AVENUE' IN THE CITY OF TUCSON."

On motion by Councilman Lee, seconded by Councilman Shantz, and unanimously carried, Resolution No. 1740, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Nicholas that Resolution No. 1740, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz; Mayor Jeastad;

Nay: None;

Absent and not voting: None;

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July 7, 1941:

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and Resolution No. 1740 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Nicholas, seconded by Councilman Lee, and carried (Councilman Niemann voting "No"), the City Clerk presented and read the first time in full

ORDINANCE NO. 904

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AMENDING ORDINANCE NO. 691 AS HERETOFORE AMENDED BY ORDINANCE NO. 792, TO ADOPT THE 'POLICE PENSION ACT OF 1937.'"

Councilman Niemann inquired as to the object of the emergency clause in this proposed ordinance and the City Attorney stated that, in his opinion, it had something to do with the premium due July 10 on the existing Aetna policy.

Councilman Niemann stated that he wanted it particularly understood that he was not objecting to the Police Department discontinuing their Aetna policy but he was opposed to the State Pension Plan with the present "bugs" in it (referring in particular to the omission of a minimum age for retirement after 20 years of service) and that, in his opinion, this plan was not fair to the men who will come up for retirement in ten or fifteen years from now.

After a discussion (during which several members of the Council expressed themselves and William F. Kimball, attorney for the Fraternal Order of Police, spoke in support of the proposed ordinance and stated that, in his opinion, the state law should be amended to provide a minimum retirement age and a minimum period of service), the second and third readings of Ordinance No. 904 by number and title only was postponed until the meeting on July 14, 1941.

Councilman Codd left the meeting at this time (11:15 o'clock p.m.).

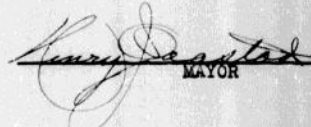
The Street Committee was requested to meet with the Acting City Manager in connection with the smoke nuisance from the city dump and to make a report to the Mayor and Council.

J. T. Manders thanked the Mayor and Council for his reappointment as City Auditor.

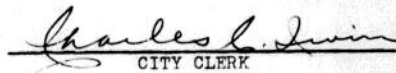
The Mayor advised that in the near future he would submit for approval a committee to study and make negotiations on the proposal to purchase the Tucson Gas, Electric Light and Power Company.

Monthly reports from various departments were received and placed on file.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 11:30 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

July 14, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:00 o'clock p.m., on the 14th day of July, 1941, for the purpose of considering the application for liquor license of Lee Kwong Wing (Lee Ho Market), considering certain matters pertaining to the Tucson Housing Authority, considering an offer of the American Airlines relative to the City of Tucson purchasing forty acres of land at the entrance (west side) to Municipal Airport No. 2, considering the fixing of the tax levies for the fiscal year 1941-42, considering the passage and adoption of a proposed resolution authorizing the Mayor and City Auditor to issue warrants to procure funds for the acquisition of the SE $\frac{1}{4}$ of Section 21, T. 16 S., R. 14 E., G. and S. R. B. and M., Pima County, Arizona, a proposed resolution authorizing the assignment of state and federal land leases and the leasing of city-owned property in the so-called Sahuarita Bombing Area, a proposed resolution authorizing the acceptance and assumption of assignments of state and federal leases in the so-called Sahuarita Bombing Area and their assignment to the United States of America, and a proposed resolution authorizing a contract for the furnishing of water to the government housing development in Tucson by the City of Tucson, and all other business that may properly come before the meeting.

Dated the 13th day of July, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) W. S. Nicholas
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, July 14, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:00 o'clock p.m., on the 14th day of July, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

The approval of the minutes of the meetings held on May 19, June 2, June 4, June 16, June 18, June 24, June 25, June 30, and July 7, 1941, was dispensed with.

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A communication from the State Land Department, Phoenix, Arizona, dated July 10, 1941, granting permission, in accordance with a request from the City of Tucson, to permit the use of the following land, held under lease by the City of Tucson, by the United States for a bombing range:

Lease No.	Description	Sec.	Twp.	Rge.
27467-D	N $\frac{1}{2}$: SW $\frac{1}{4}$	21	16S	14E
27468-D	All	22	16S	14E
27469-D	All	23	16S	14E
27471-E	All	26	16S	14E
27472-E	All	28	16S	14E
27638-E	All	27	16S	14E

and advising of their desire to cooperate with the City of Tucson in any matters affecting the defense program or the problems of the City of Tucson, was read and ordered filed in the office of the City Clerk.

Councilman Nicholas advised that an offer had been received to purchase Lot 6 and the west 94.8 feet of Lot 7, Block 57, City of Tucson, for a sum of \$1,700, which is the property on which the farmers' market has been operated, and that it should be first determined if it is the desire of the Mayor and Council to discontinue this market.

After a discussion, it was moved by Councilman Niemann, seconded by Councilman Codd and unanimously carried, that the so-called farmers' market be discontinued and that said property be sold.

On motion by Councilman Nicholas, seconded by Councilman Codd and unanimously carried, the sale of

Lot 6, Block 57, City of Tucson,

to the Citizen Auto Stage Company, a corporation, and

the West 94.8 feet of Lot 7, Block 57,
City of Tucson,

to John W. Archer and Ettie Mae Archer, his wife, and Edward R. Belton and Marion L. Belton, his wife, for the total sum of \$1,700, was approved, and the Mayor and City Clerk were authorized to execute the deeds covering the sale of this property.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, the sale of

Lot 17, Block 24, Highland Park Addition,

To Forest A. Terry and Lela Edna Terry, husband and wife, for the sum of \$55, was approved, and the Mayor and City Clerk were authorized to execute the deeds covering the sale of this property.

Richard Chambers, attorney, on behalf of his client, raised their offer to \$2,000 on the purchase of city-owned lots located on the southeast corner of Second Street and First Avenue and requested that action be taken within a reasonable time on this offer.

After a discussion (during which Councilman Nicholas, as chairman of the Building and Land Committee, explained the committee's investigation on the value of this property and recommended that it be sold at public auction), the City Clerk was instructed to take the necessary steps to sell this property at public auction and to notify Mr. Chambers of the date of the auction.

A communication from the Board of Directors of the Tucson Chamber of Commerce, approving and endorsing the proposal of the City to provide a by-pass truck route under a WPA project and offering assistance in any way possible, was read.

After a discussion (during which the City Engineer explained it was his understanding that a bill had passed the Senate whereby the government not only participates in the cost of such projects (by-passes being mentioned in the bill) but also in the engineering costs and that he was waiting to hear from the Conference of Mayors), this matter was left with the City Engineer to advise the Mayor and Council when anything develops.

A communication from Louise F. Marshall, requesting that the City purchase and install auxiliary oil or gasoline pumps and small electric power units at strategic points for wells, dairies, telephone, telegraph, railroad and industries, as well as for homes and fire protection, as a local defense measure, in the event war reaches this nation and our city is attacked by air or otherwise, was read. The Mayor advised that he had answered this communication, explained the contents of his answer, and the communication from Mrs. Marshall was ordered filed.

Councilman Niemann, chairman of the License Committee, advised that this committee met last Wednesday on the application for liquor license of Lee Kwong Wing (Lee Ho Market) and the committee recommends that this application be

approved, and he moved that the 1941 State Original Application for Spirituous Liquor License (State Application No. 1485, City Application No. 15) of Lee Kwong Wing (Lee Ho Market), 600 South Meyer Street, Tucson, Arizona, covering State Series No. 9 (Off-sale retailer's license to sell all spirituous liquors), be approved. This motion was seconded by Councilman Shantz.

C. T. Redington, representing some of the objectors, protested the approval of this application on the grounds that, in his opinion, action should first be taken by the Superintendent of State Liquor Licenses and Control and action by the Mayor and Council later.

Councilman Lee inquired if the License Committee had investigated the petitions both for and against this application. To which Councilman Codd replied that the committee's investigation revealed that there was a misunderstanding on the first petition, that as far as he was concerned the first two petitions (one for and one against) could not be considered, that there was no one in the vicinity of the Lee Ho Market that would protest, and that the license Committee as a whole recommends the approval of this application. Councilman Lee stated that he was satisfied.

On the question being put and on vote being taken, the motion was unanimously carried, and it was so ordered.

The Mayor advised that a new proposed ordinance restricting blasting of rock or stone had been prepared, and asked if the Council wished it read at this time.

It was moved by Councilman Codd and seconded by Councilman Lee that this proposed ordinance on blasting be read the first time in full. After a discussion and on vote being taken the motion was declared lost (Councilmen Miller and Shantz and Mayor Jaestad voting "No"). The Mayor explained that the reason for not reading this proposed ordinance at this time was due to the fact that the opposition had requested a hearing and that a hearing would be held at 4:30 p.m., July 16, 1941.

The Street Committee submitted a recommendation that an ordinance be prepared to provide (1) that it shall be the duty of the City Manager to regulate traffic under this ordinance, establishing, changing, removing or prohibiting, as the case may be, boulevard stops, pedestrian lanes, parking spaces, parking time limits, safety and loading zones, "U" turns and right and left hand turns, traffic lanes, public carrier stands and other necessities of city traffic and (2) that the office of City Traffic Engineer be created and the City Manager be authorized to appoint and delegate to such City Traffic Engineer, under such regulations as he may prescribe, all the powers authorized by this ordinance.

There being no objections, the City Attorney was instructed to prepare an ordinance covering the foregoing recommendation of the Street Committee and present it at the meeting of the Mayor and Council to be held on July 21, 1941.

On motion by Councilman Lee, seconded by Councilman Nicholas and unanimously carried, the Street Committee and Acting City Manager were requested to make a study for a complete re-organization of garbage collections and garbage incinerators; the washing of the tin cans, cutting what the City needs for the chlorinator plant, and baling the balance of them for the market; also make a study of eliminating the burning and disposal of the trash and garbage northwest of the city; and report back to the Mayor and Council for action to be taken.

The Mayor requested that copies be made of the proposed gas ordinance and that each Councilman be furnished with a copy of it.

After a brief discussion on a proposed resolution relating to low-rent housing projects to be developed in the City of Tucson, it was suggested that a representative of the Tucson Housing Authority be present at the next meeting to explain the resolution they have proposed.

Councilman Nicholas advised that Mr. Warren Grossetta, chairman of the Tucson Housing Authority, would like to have a fund designated for traveling expenses to be used by this Authority subject to being returned to the City from the money, if and when, received from the United States Government, and he moved that a sum less than \$500 be set aside for traveling expenses out of the \$2,500 authorized by special levy for the Tucson Housing Authority. This motion was seconded by Councilman Niemann and on vote being taken the motion was unanimously carried, and it was so ordered.

Councilman Nicholas advised that C. Edgar Goyette, secretary of the Tucson Chamber of Commerce, telephoned from Los Angeles that the American Airlines had offered to advance the purchase price on forty acres of land at the entrance (west side) to Municipal Airport No. 2, the City to acquire title to the land either by condemnation or direct purchase, and the purchase price to be charged off of future rents paid by the American Airlines. He further explained that this land is very definitely needed, that its purchase was not covered by the special levy, that it would involve an expenditure of approximately \$1,400 or \$1,600, and that the present option on this land expires August 7. He recommended and moved that the report of Mr. Goyette be accepted and that the Acting City Manager be authorized to wire Mr. Goyette in Los Angeles of the confirmation of this offer. This motion was seconded by Councilman Niemann and on vote being taken the motion was unanimously carried, and it was so ordered.

It was moved by Councilman Nicholas, seconded by Councilman Codd and carried (Councilman Miller voting "No"), that the so-called arroyo lots owned by the City be taken off the market, that the Building and Land Committee fix prices on city-owned lots, list them with the Real Estate Board, make arrangements to pay the Real Estate Board or individual real estate concerns the regular real estate commission when making sales on behalf of the City on unimproved property owned by it.

Councilman Nicholas suggested that inasmuch as the latest figures, compiled by the City, are now available on the El Encanto Estates water system, the proposal to purchase this water system be taken under definite advisement. There being no objections, the Mayor advised that in the near future he would call a joint meeting of the City Water Committee and the Citizens' Water Committee to consider this matter.

It was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the Mayor appoint a committee consisting of three members of the Council to prepare a form of procedure that would expedite the City's business at Council meetings, stream-line it so to speak.

Councilman Lee reported that at a recent meeting of the Playground Board the matter of providing a track for miniature automobile races was discussed and that it would cost approximately \$152 for the labor and material to construct a six-foot track.

F. C. Townsend spoke in support of such a project and presented one of the miniature automobiles such as would be used on the proposed track.

L. N. Gardner, the Acting Recreation Director, presented a sketch of the proposed track which was studied by the members of the Council.

It was moved by Councilman Lee, seconded by Councilman Niemann and unanimously carried, that the Acting City Manager and the Acting Recreation Director be authorized to make the necessary expenditure to construct a four-foot track for miniature automobile races.

The Acting Recreation Director suggested that this track be constructed on the tract of land located between the municipal baseball park and the road, and Councilman Miller, as a member of the Park Committee, moved that the site suggested by the Acting Recreation Director be approved. Councilman Nicholas, also as a member of the Park Committee, seconded this motion. On vote being taken, the motion was unanimously carried, and it was so ordered.

William F. Kimball, attorney for the Fraternal Order of Police, inquired as to the status of the Police Pension Plan.

The Acting City Manager reported that he had wired the Aetna Life Insurance Company for certain information and they in turn wired that a letter containing the requested information would be sent tomorrow from Hartford, Conn. Further consideration on this matter was deferred pending receipt of the letter from the Aetna Life Insurance Company.

William F. Kimball advised that his client, L. A. Romine, would like to leave his deposit with the City on property located on the south-east corner of Flumer and Broadway, the sale of which property to Mr. Romine was recently cancelled due to the fact that the City could not at this time deliver a clear title, and he requested that the minutes on the cancellation of this sale be corrected to let Mr. Romine's check remain as a deposit on the purchase of this property.

After a discussion, the Building and Land Committee was requested to meet with Mr. Kimball for the purpose of discussing and determining what could be worked out in connection with this matter, it being the understanding that the City is not obligated to Mr. Romine at this time.

The Mayor advised that this was the time and place designated for the fixing of the tax levies for the fiscal year 1941-42.

The Acting City Manager reported that the official assessed valuation for the City of Tucson for the year 1941 had not been received from the Pima County Board of Supervisors and until this information was received it would be impossible to fix the tax levies and he recommended that the fixing of said tax levies be postponed until August 4, 1941.

Whereupon, it was moved by Councilman Niemann, seconded by Councilman Miller and unanimously carried, that the fixing of the tax levies for the fiscal year 1941-42 be postponed until August 4, 1941, at the hour of eight o'clock p.m., in the Council Chamber at the City Hall in the City of Tucson, Arizona.

After explanations by the Assistant City Attorney and on motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1741

entitled " A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE MAYOR AND CITY AUDITOR TO ISSUE WARRANTS TO PROCURE FUNDS FOR THE ACQUISITION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 14 EAST, G. & S. R. E. & N., PIMA COUNTY, ARIZONA."

On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, Resolution No. 1741, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Lee, that Resolution No. 1741, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1741 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1742

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE ASSIGNMENT OF STATE AND FEDERAL LAND LEASES AND THE LEASING OF CITY-OWNED PROPERTY IN THE SO-CALLED SAHUARITA BOMBING AREA."

On motion by Councilman Lee, seconded by Councilman Niemann and unanimously carried, Resolution No. 1742, as presented was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that Resolution No. 1742, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1742 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1743

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE ACCEPTANCE AND ASSUMPTION OF ASSIGNMENTS OF STATE AND FEDERAL LEASES IN THE SO-CALLED SAHUARITA BOMBING AREA AND THEIR ASSIGNMENT TO THE UNITED STATES OF AMERICA."

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Resolution No. 1743, as presented was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann, that Resolution No. 1743, as presented, be passed and adopted.

In this connection the Acting City Manager read a communication from the City Attorney, dated July 8, 1941, advising that he had examined the proposed form of leases for lands in the bombing area and would recommend that the words "and the results of practice bombing and other operations by the United States Airforce also excepted" be added at the end of the fourth paragraph on page two of said form of leases which states that the City will return the land in as good condition as it now is, usual wear, inevitable accidents and loss by fire excepted, and also advising that four of these leases relate to fractions of the SE $\frac{1}{4}$ of Section 21, T. 16 S., R. 14 E., upon which a condemnation suit has been filed and suggesting that the execution of these four leases be postponed pending the outcome of that suit, was read.

It was moved by Councilman Miller, that the motion be amended to the effect that the leases mentioned in Resolution 1743 be approved with the insertion as suggested by City Attorney included in said leases. Councilman Shantz seconded this amendment, and on vote being taken, the amendment was unanimously carried.

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The Mayor inquired if there was any one in the audience who wished to speak for or against the proposed resolution. No one appeared.

The roll call on the original motion, to-wit: "that Resolution No. 1743, as presented, be passed and adopted," resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1743 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Miller, seconded by Councilman Niemann, and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1744

entitled " A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING A CONTRACT FOR THE FURNISHING OF WATER TO THE GOVERNMENT HOUSING DEVELOPMENT IN TUCSON BY THE CITY OF TUCSON."

On motion by Councilman Miller, seconded by Councilman Codd and unanimously carried, Resolution No. 1744, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Codd, that Resolution No. 1744, as presented, be passed and adopted.

The Acting City Manager made some explanations in connection with the contract to which reference is made in this proposed resolution.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilman Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1744 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The Acting City Manager advised that a request had been received from Mr. Bachelor, Recreation Coordinator, Federal Security Agency of Ariz. that the City provide three soft ball diamonds in Randolph Park outside of the present baseball park for use by the soldiers at the airport. After a discussion, the Acting City Manager was requested to make a report on the approximate cost of such a project.

The City Engineer stated that at a recent meeting the Street Committee and Acting City Manager were requested to investigate the possibility of moving the burning dump, and that at the request of the Acting City Manager, George Houston and himself had located two sites which they would be glad to show to the Street Committee at any time they desire to look at them.

The City Engineer reported that he believed he would have something definite to present to the Mayor and Council about August first in connection with the much discussed matter of paving streets and avenues under the combination of special assessment law and W.P.A. assistance.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

The Mayor presented for approval the following named persons as members of the Citizens' Public Utilities Committee to make investigations and negotiations in connection with the matter as to whether or not the City should purchase the Tucson Gas, Electric Light and Power Company:

A. P. Martin
Sam Seaney
J. C. Clark
John J. Durkin
Wm. Killen
Wm. R. Mathews
Wm. F. Kimball
M. L. Thornburg
Mayor and Council as ex-officio members

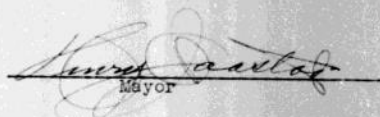
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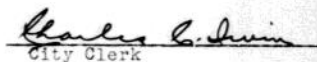
On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, the personnel of the Citizens' Public Utilities Committee was approved as presented by the Mayor.

The Mayor advised that he would call an organization meeting of this committee at an early date.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 10:15 o'clock p.m., subject to the call of the Mayor.


Mayor

ATTEST:


City Clerk

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said City will be held in the City of Tucson, Arizona, at the City Hall at 8:00 o'clock p.m., on the 21st day of July, 1941, for the purpose of opening bids for drilling water well at Municipal Airport No. 2; further consideration of the Police Pension Act of 1937; and considering the passage and adoption of a proposed ordinance amending Ordinance No. 691 as heretofore amended by Ordinance No. 722, to adopt the "Police Pension Act of 1937"; considering recommendations from the Planning and Zoning Commission; considering the passage and adoption of a proposed ordinance restricting blasting of rock or stone; further consideration of the rock quarry in the vicinity of "A" Mountain; considering the passage and adoption of a proposed resolution relating to low-rent housing projects to be developed in the City of Tucson; considering a communication from the American Airlines, Inc., relative to the City acquiring through condemnation forty acres of land on the west side of Municipal Airport No. 2; considering the passage and adoption of a proposed ordinance creating the office of City Traffic Engineer; considering the approval of payment of Demands Nos. 7022 to 7062, inclusive, in the amount of \$37,722.39; and all other business that may properly come before the meeting.

Dated the 19th day of July, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, July 21, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at eight o'clock p.m., on the 21st day of July, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor, Vinita Potter, Deputy City Clerk.

The following were absent: Charles C. Irvin, City Clerk.

The approval of the minutes of the meetings held on May 19, June 2, June 4, June 16, June 18, June 24, June 25, June 30, July 7, and July 14, 1941, was dispensed with.

The Mayor stated that inasmuch as there were quite a number of people present in the audience he would reverse the order of business and give them permission to be heard at this time. He then inquired if there was any one present who wished to speak on any subject.

Whereupon, Mrs. Ruby Hidalgo stated she would like to know what had been found out about the South Sixth Avenue sewer odor complaint.

The Acting City Manager advised that he had written to Washington, D.C., as to the possibility of securing financial assistance from the Government but had not as yet received a reply; and the Mayor advised that the City would wait until

a reply is received.

James F. Houston, representing the Tucson Sunshine Climate Club, stated that he had heard that said organization would receive only \$12,000 from the City for the fiscal year 1941-42 instead of the requested \$15,000, and he asked serious consideration of a contribution of \$14,000 which is the same amount received last year. He explained that it would be necessary for them to know at this time as to the amount they would receive as it is time for them to sign the contract for advertising.

After a discussion, during which Councilman Niemann, chairman of the Finance Committee, and the City Auditor made explanations in connection with anticipated reductions in assessed valuations and tax collections, it was moved by Councilman Niemann and seconded by Councilman Codd, that \$14,000 be earmarked in the 1941-42 city budget for the Tucson Sunshine Climate Club, provided the City gets one hundred per cent collections.

It was explained that not only the Tucson Sunshine Climate Club, but all departments, organizations, etc., would have to take reductions if said collections are not made.

On vote being taken, the motion was unanimously carried and it was so ordered.

A map of Landsdale Subdivision was presented by C. E. Landis for approval.

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, a map of Landsdale Subdivision, being a subdivision of the SW 1/4 of the NW 1/4 of Section 11, T. 14 S., R. 14 E., Pima County, Arizona, was approved (this map having been previously approved by the chairman of the City Planning Commission, County Engineer and the City Engineer).

Harold Steinfeld, representing the Tucson Regional Plan, Inc., stated that since he appeared before this body several weeks ago the County had adopted its budget in which it incorporated \$6,000 for the Tucson Regional Plan, and he requested that the City do likewise, it being the understanding that this would be a three-way proposition - the County to contribute \$6,000, the City \$6,000 and the citizens \$6,000.

It was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that \$6,000 be earmarked in the 1941-42 city budget for the Tucson Regional Plan, Inc., provided the City gets one hundred per cent collections.

Richard H. Chambers, attorney, inquired on behalf of his client as to the present status of the sale of the city-owned property located on the southeast corner of East Second Street and North First Avenue.

He was advised that the City Clerk had been directed to advertise this property for sale at public auction on the front steps of the City Hall.

Councilman Nicholas, chairman of and on behalf of the Building and Land Committee, recommended and moved that \$3,500 be adopted as the upset price on said city-owned property located on the southeast corner of East Second Street and North First Avenue. This motion was seconded by Councilman Lee and on vote being taken, the motion was unanimously carried, and it was so ordered.

Mr. Chambers stated that his client would not be interested in this property at that price. He requested as a tax payer in this community that the Council take steps to collect the rents being paid on the improvements on that property, explaining that it is his understanding that some one is occupying at least a portion and paying rent and that the City is not getting the money. He added that he may have been misinformed. This matter was referred to the Acting City Manager for investigation.

E. R. Peters (colored), property owner on North Perry between Second and Third Streets, explained that the property on the west of his had been filled in by the owner to such an extent that when it rains the water runs onto his and city property, the water becomes stagnant, and is annoying to his tenant, and he requested that this condition be remedied.

The City Engineer advised that Mr. Peters' statement is correct, and that his department has been endeavoring to secure a right-of-way easement from the property owner on the west side in order to lay a pipe for drainage purposes which, in his opinion, absolutely would not damage the property but that so far the owner has refused to give the right-of-way. He explained a similar case on Park Avenue between Speedway and Helen Street where the owner paid for the pipe and the W.P.A. furnished the labor and paved the alley, and that the City had offered to pay for the pipe on Perry Avenue but the property owner still refused permission.

After a discussion, (during which the Assistant City Attorney advised of his conversation with the property owner on the west of Mr. Peters' property and his disinterest in giving a right-of-way and his (Assistant City Attorney) opinion that the property owner has a right to fill in his lot), and the City Attorney and City Engineer were instructed to take the necessary steps to collect this drainage condition.

On motion by Councilman Lee, seconded by Councilman Miller and unanimously

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carried, the following bid on drilling one water well at Municipal Airport No. 2 was opened, publicly declared and spread upon the minutes:

CARL W. PISTOR	
10-inch well lump sum bid	\$1,050.00
12-inch " " " "	\$1,170.00
And submitting unit prices on	
Alternate 1 (10-inch well) and	
Alternate 2 (12-inch well)	
(Certified check for \$250.00 accompanied the bid)	

There being no objections, this bid was referred to the Water Committee and the Acting City Manager for consideration and to submit their recommendation to the Mayor and Council at the meeting on August 4, 1941.

A communication from the Aetna Life Insurance Company, dated July 16, 1941, submitting information relative to employee's cash surrender value, City's credit refund, monthly amount of paid-up annuity at age of 65 in lieu of cash surrender value, etc., in the event the Group Annuity Contract GA-40 covering the Police Department is discontinued, was read.

Councilman Miller moved that this communication be referred to the Finance Committee for consideration and recommendation to the Mayor and Council. After a brief discussion, he withdrew his motion as he believed it was out of order at this time, and Councilman Lee stated he felt action should be taken at this time on the Police State Pension Plan.

It was moved by Councilman Shantz, and seconded by Councilman Miller, that

ORDINANCE NO. 904

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AMENDING ORDINANCE NO. 691 AS HERETOFORE AMENDED BY ORDINANCE NO. 792, TO ADOPT THE 'POLICE PENSION ACT OF 1937.'"

be read the second and third time by number and title only (this ordinance having been read the first time in full at the meeting on July 7, 1941).

On being asked, Councilman Miller explained that the individuals would receive a refund of 94 per cent from the Aetna Life Insurance Company and the City would receive 90 per cent.

William F. Kimball advised that Messrs. Walker, Putney and McKenna were on the committee from the Police Department and that he represents the Fraternal Order of Police as attorney.

The Mayor stated that Professor R. M. Howard, chairman of the Civil Service Commission, is against the State Pension Plan for Police and that in a letter received from him he advised that the Mayor and Council should go into this matter very thoroughly as far as the Police Department is concerned.

Councilman Codd replied that it is definitely understood that Mr. Howard has nothing to do with it.

On vote being taken the motion was carried (Councilman Niemann voting "No").

Whereupon, Ordinance No. 904 was read the second and third time by number and title only.

It was moved by Councilman Lee and seconded by Councilman Shantz, that Ordinance No. 904, as presented, be passed and adopted.

Councilman Niemann stated that he must say again that he is not voting against the Police Department but he is voting against something that is absolutely against their security, that he was not only thinking of the Police Department but of the people of Tucson and that it would be an injustice to the Police Department and that fifteen years from now this would be found out; that in his opinion the \$24,000 should be put in a fund and secured for the department, but that the State Pension Plan is not right, it is dynamite and that they would find it out.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Nicholas, Miller and Shantz;

Nay: Councilman Niemann; Mayor Jaastad;

Absent and not voting: None;

and Ordinance No. 904 was declared duly passed and adopted.

On motion by Councilman Miller, seconded by Councilman Shantz and unanimously carried, the Finance Committee and City Auditor were requested to work out the details in connection with the Police State Pension Plan, the placing and handling of funds, etc.

A communication from the American Airlines, Inc., dated July 15, 1941, advising that they were in receipt of information that the City will purchase the forty acres of land on the west side of Municipal Airport No. 2 and that they are prepared

to enter into a lease on this airport to become effective on the date of occupancy and that they are further willing to pay advanced rentals on this airport to the amount of the total sum involved in the purchase of the forty acres under discussion on the understanding between them and the City that the land will not cost more than \$50 per acre and that the City will proceed with condemnation as it is doing on the balance of the property which is to be added to the airport and that the price in condemnation will be the amount of the advanced rental from the American Airlines, was read.

It was moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, that the offer of the American Airlines, Inc., in connection with the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18, T. 15 S., R. 14 E., G. and S. R. B. and M., Pima County, Arizona, be accepted, and that the City Attorney start condemnation proceedings on this land.

The City Attorney was requested to give the Mayor and Council an opinion on the 5/6 vote of the Council as mentioned in the City Charter in connection with the passage and adoption of emergency ordinances.

A communication from the City Planning and Zoning Commission, recommending that the request of the Most Rev. Daniel J. Gercke for the closing of North Norris Avenue between Drachman and Adams Streets be granted, subject to the provisions that the City be granted easements along North Norris Avenue and also along the alley running through Block 20, Olsen Addition, which easements are for drainage and utilities, proponent to, at its own expense, construct such drains as the City Engineer from time to time shall deem advisable, that the City shall be paid a reasonable sum for the two lots included in the closed street, said sum to be in keeping with similar lots in the immediate vicinity; and that no building or structure, except a boundary fence or wall, is to be erected on the closed street in order that there will be no obstruction, other than trees or other landscaping, to street vistas, and also submitting a technical report from C. W. Mathews, resident planning engineer for the Tucson Regional Plan, Inc., was read.

A communication from the City Planning and Zoning Commission, recommending that the request of C. E. Rose, Superintendent of Tucson Public Schools, for the closing of East Twelfth Street between Highland and Vine Avenues be granted, subject to the provisions that the City be granted easements along East Twelfth Street and also along the alley running through Block 50, University Heights Addition, which easements are for drainage and utilities, proponent to, at its own expense, construct such drains as the City Engineer from time to time shall deem advisable; that the City shall be paid a reasonable sum for the two lots included in the closed street, said sum to be in keeping with similar lots in the immediate vicinity; and that no building or structure, except a boundary fence or wall, is to be erected on the closed street in order that there will be no obstruction, other than trees or other landscaping, to street vistas, and also submitting a technical report from C. W. Mathews, resident planning engineer for the Tucson Regional Plan, Inc., was read.

It was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the recommendations of the City Planning and Zoning Commission in connection with the requests of the Most Rev. Daniel J. Gercke and C. E. Rose, Superintendent of Tucson Public Schools, be approved and accepted, and that these recommendations be referred to the City Attorney in order that he may prepare the necessary documents for presentation at the meeting on August 4, 1941.

A communication from the Boy Scouts of America, requesting permission to operate a float on the business and residential streets of Tucson on July 24 and 25, 1941, in connection with the collection of aluminum for national defense, and that any customary fee be waived by the City, was read.

After explanations by the Mayor that he had made arrangements with the American Legion to handle the local program on the collection of aluminum, it was moved by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, that the request of the Boy Scouts of America to operate said float be granted provided this meets with the approval of the American Legion and that the city license fee in connection with the float be waived.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried,

ORDINANCE NO. 905

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON RESTRICTING BLASTING OF ROCK OR STONE,"

was presented and read the first time in full.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, Ordinance No. 905, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that Ordinance No. 905, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance.

AA3352

Whereupon, Arthur Henderson, attorney from the law firm of Kanpp, Boyle and Thompson, appeared for the Herefords, owners of the property on which the rock quarry of H. J. Karns is operated, protested the passage and adoption of this proposed ordinance on the basis that, in his opinion, it was not a valid ordinance for the reason that it does not set up some guide, classification, or qualifications, similar to regulatory measures in the zoning ordinance, by which the granting or refusing of a permit to blast may be determined and suggested that this ordinance be so amended and in order to avoid confusion that an amendment be also added to the effect that old businesses would come under the classification of "non-conforming use."

After a discussion, the roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Ordinance No. 905 was declared duly passed and adopted and was, thereupon, signed by the Mayor and Deputy City Clerk.

Mayor Jaastad stated that he wanted the minutes to show that each of the Councilmen had been supplied with a copy of the above mentioned ordinance (#905) one week prior to its passage and adoption.

The Mayor reported that H. J. Karns, owner and operator of the rock quarry in the vicinity of "A" Mountain had made an offer to him to sell to the City of Tucson all of his interest, including the lease, etc., in said rock quarry for the sum of \$2,500, and that Mr. Karns would like to have \$2,000 in cash and would take a note or legal paper for the balance to be paid in six months or a year.

Arthur Henderson stated that on their investigation, if all the blasting were treated in the same manner that it would be all right and he was wondering why the discrimination between the two quarries. He added that he did not know all the details about this as the Hereford attorney in California asked them on short notice to come down to the meeting and see what was happening.

It was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the offer of H. J. Karns be accepted and that the Mayor and his committee (consisting of Councilmen Nicholas, Miller, and Shantz) be given power to act in closing this deal for a sum of not to exceed \$2,500, and that the agreement reached in this connection be included in a resolution to be presented at the meeting on August 4, 1941.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried,

RESOLUTION NO. 1745

entitled " A RESOLUTION RELATING TO LOW-RENT HOUSING PROJECTS TO BE DEVELOPED IN THE CITY OF TUCSON AND DECLARING AN EMERGENCY"

was presented and read the first time in full.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, Resolution No. 1745, as presented, was read the second and third time by number and title only.

It was moved by Councilman Codd and seconded by Councilman Nicholas that Resolution No. 1745, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1745 was declared duly passed and adopted.

A communication from Harold C. Wheeler, Acting Chief of Police, (bearing the approval of Phil J. Martin, Jr., Acting City Manager), recommending that Jack Guernsey be permanently appointed as patrolman, second-class, effective July 8, 1941, was read, and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the permanent appointment of Jack Guernsey as patrolman, second-class, effective July 8, 1941, was approved.

On motion by Councilman Miller, seconded by Councilman Niemann and unanimously carried, the bond of the Globe Indemnity Company, dated July 15, 1941, in the sum of \$1,000, covering William T. Briggs as a master plumber in the City of Tucson, Arizona, was approved and accepted (this bond having been previously

approved as to form by the Assistant City Attorney).

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the sale of

Lot 7, Block 61, University Heights Addition,

to Isabel A. Benton, a married woman, for the sum of \$150, was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property;

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the sale of

Lot 8, Block 61, University Heights Addition,

to Cristobal S. Campos, a married man, for the sum of \$175, was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

After a discussion and on motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, a sale price of \$1,300 per lot for the next six months was placed on

Lots 5 and 6, Block 11, Riecker's Addition to the City of Tucson.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, a sale price of \$1,250 per lot for the next six months was placed on

Lots 11, 12, and 13, Block 8, Riecker's Addition to the City of Tucson.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, a sale price of \$1,300 was placed for the next six months on

Lot 5, Block 12, Riecker's Addition to the City of Tucson.

Councilman Nicholas stated that inasmuch as the El Encanto Apartments had made application for annexation to the City of Tucson an attempt is being made to annex the whole district in that vicinity and that a question has arisen relative to the property across the street to the north of these apartments which has been sold to Dr. Storts for the purpose of constructing a baby clinic and before giving consent to the annexation of this property they want assurance that this occupancy would be considered as a non-conforming use.

After a discussion, it was moved by Councilman Nicholas, seconded by Councilman Codd and unanimously carried, that the Mayor be authorized to notify the Tucson Realty and Trust Company that the City Attorney has held that the property in question would be a non-conforming use, designating it as a baby clinic, and that the Council has confirmed this.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Demands Nos. 7022 to 7062, inclusive, in the amount of \$37,722.39 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$29,995.60 from General Fund, \$130.91 from Tucson Housing Authority Fund, \$3,343.60 from Street Widening Fund, \$2,877.28 from Bond Redemption Fund, and \$1,375.00 from Library Fund).

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried,

ORDINANCE NO. 906

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON CREATING THE OFFICE OF CITY TRAFFIC ENGINEER,"

was presented and read the first time in full.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Ordinance No. 906, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Lee, that Ordinance No. 906, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

AAJ352

July 21, 1941:

454

Absent and not voting: None;

and Ordinance No. 906 was declared duly passed and adopted and was, thereupon, signed by the Mayor and Deputy City Clerk.

It was announced that a meeting of the Water Committee would be held Friday, July 25, at 4:00 p.m. to consider the bid received on drilling a well at Municipal Airport No. 2.

Councilman Lee stated that there would be a meeting of the Street Committee and the Acting City Manager on Wednesday, July 23, at 4:00 p.m., in connection with the burning dump.

Councilman Nicholas stated that if it were in order he would like to request that the committee be appointed to prepare a form of procedure that would expedite the business at Council meetings be also asked to look over the general procedure of the entire City government, and that the Acting City Manager be added to the committee.


There being no objections the Mayor stated that this matter would be turned over to the Finance Committee and the Acting City Manager.

The Mayor advised that there is to be a convention of Fire Chiefs in Salt Lake City in September and asked if there were any objections to sending the Tucson Fire Chief to the convention, his expenses to be paid by the City. No objections were offered.


Councilman Nicholas reported that at a recent meeting with government officials on the subject of PWA and WPA financial assistance on several proposed projects, it was the consensus of opinion that the priority list on PWA assistance would be - Item No. 1 "Additions to the City of Tucson Sewage Disposal Plant," Item No. 2 "Negro Swimming Pool," and Item No. 3 "Health Center," and that he had been informed that Mr. Gilpin of the PWA would return to Tucson shortly to carry on further conversations on these proposed projects.

The Mayor stated that there would be a meeting of the Good Roads Association August first, and that the Arizona Tax Commission meets in Winslow, Arizona, July 31.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 10:55 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 9:30 o'clock a.m., on the 2nd day of August, 1941, for the purpose of considering the passage and adoption of a proposed resolution requesting the appropriation of sixteen thousand five hundred dollars (\$16,500) for the construction of a health and welfare center from the United States Government and designating the City Manager or Acting City Manager to prepare an application and act as its correspondent and a proposed resolution requesting the appropriation of forty-four thousand dollars (\$44,000) for the construction of a swimming pool and recreational area for colored people from the United States Government and designating the City Manager or Acting City Manager to prepare an application and act as its correspondent, and all other business that may properly come before the meeting.

Dated the 1st day of August, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) W. S. Nicholas
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. C. Niemann
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, August 2, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 9:30 o'clock a.m., on the 2nd day of August, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: W. Stuart Nicholas and J. C. Niemann, Councilmen.

The approval of the minutes of the meetings held on May 19, June 2, June 4, June 16, June 18, June 24, June 25, June 30, July 7, July 14, and July 21, 1941, was dispensed with.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1746

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON REQUESTING THE APPROPRIATION OF SIXTEEN THOUSAND FIVE HUNDRED DOLLARS (\$16,500) FOR THE CONSTRUCTION OF A HEALTH AND WELFARE CENTER FROM THE UNITED STATES GOVERNMENT AND DESIGNATING THE CITY MANAGER OR ACTING CITY MANAGER TO PREPARE AN APPLICATION AND ACT AS ITS CORRESPONDENT."

On motion by Councilman Codd, seconded by Councilman Shantz and unanimously carried, Resolution No. 1746, as presented, was read the second and third time by number and title only.

AAJ352

August 2, 1941:

456

It was moved by Councilman Codd and seconded by Councilman Shantz, that Resolution No. 1746 as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: Councilmen Nicholas and Niemann;

and Resolution No. 1746 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1747

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON REQUESTING THE APPROPRIATION OF FORTY-FOUR THOUSAND DOLLARS (\$44,000) FOR THE CONSTRUCTION OF A SWIMMING POOL AND RECREATIONAL AREA FOR COLORED PEOPLE FROM THE UNITED STATES GOVERNMENT AND DESIGNATING THE CITY MANAGER OR ACTING CITY MANAGER TO PREPARE AN APPLICATION AND ACT AS ITS CORRESPONDENT."

On motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, Resolution No. 1747, as presented, was read the second and third time by number and title only.

It was moved by Councilman Lee and seconded by Councilman Miller, that Resolution No. 1747, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:


Aye: Councilmen Codd, Lee, Miller, and Shantz; Mayor Jaastad;

Nay: None;


Absent and not voting: Councilmen Nicholas and Niemann;

and Resolution No. 1747 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 9:40 o'clock a.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

August 4, 1941:

457

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, August 4, 1941

A regular meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 8:00 o'clock p.m., on the 4th day of August, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Vinita Potter, Deputy City Clerk.

The following were absent: Halbert W. Miller, Councilman; Charles C. Irvin, City Clerk.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the minutes of the meeting held on May 19, 1941, were approved as presented.

The approval of the minutes of the meetings held on June 2, June 4, June 16, June 18, June 24, June 25, June 30, July 7, July 14, July 21, and August 2, 1941, was dispensed with.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, the following bid on three police motorcycles, with trade-in values on two 1937 Harley-Davidson motorcycles in the Police Department, was opened, publicly declared and spread upon the minutes:

INCHAM & INCHAM

3 - 1942 Fl O.H.V. Harley-Davidson Police Motorcycles @ \$757.50 each		\$2,212.50
Less credit due	\$100.00	
Less allowance for 2 1937 61 O.H.V. motorcycles	300.00	
	<u>\$400.00</u>	
		400.00
		<u>\$1,812.50</u>
plus 2% sales tax		36.25
		<u>\$1,848.75</u>

There being no objections, this bid was referred to the Purchasing Committee Acting City Manager and Acting Chief of Police for consideration and to report their recommendation to the Mayor and Council.

A communication from the Tucson Realty and Trust Company, requesting the cancellation of the bond covering Grace E. Powers and C.W. Powers doing business as the Powers Electric Shop, was read and referred to the City Attorney for investigation.

A communication from the Traffic Commission, recommending that Driscoll Street between Alameda and Pennington Streets be made a "no-parking" street and be enforced as such, this being in accordance with a request from the Fire Chief due to the narrowness of the street and it being impossible for fire equipment to pass through there if cars are parked on both sides, was read, and on motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, this recommendation was approved and accepted.

A communication from Charles C. Irvin, resigning as City Treasurer effective as of this date, August 4, 1941, if possible, and advising that he would be glad to cooperate with the new treasurer at all times in the future, was read.

It was moved by Councilman Niemann, seconded by Councilman Codd and unanimously carried, that the resignation of Charles C. Irvin as City Treasurer be accepted contingent upon the qualification and appointment of a new City Treasurer.

It was moved by Councilman Codd, seconded by Councilman Lee and unanimously carried, that Joseph D. McAllister be appointed City Treasurer of the City of Tucson, Arizona, to fill the unexpired term of Charles C. Irvin, whose term will expire on January 1, 1943, in accordance with the provision of the foregoing motion.

The Mayor was asked to write a letter to Mr. Irvin thanking him for his past and efficient services as City Treasurer.

A communication from the Tucson Realty and Trust Company, requesting the cancellation of the master plumber bond covering Carl J. Edlund, was read and this matter was referred to the City Attorney for investigation.

A communication from the Southern Pacific Company (with sketch attached), making application for easement for a small portion in Stevens Avenue between Third and Fourth avenues, Tucson, as shown on Tucson Division Drawing No. A-6833, this area to be for use of a track in connection with the rearrangement of tracks in the Tucson yard, was read; and there being no objections the Mayor requested that this matter go through the regular form of advertising and that the Building and Land Committee make a report at the next meeting as to the minimum price to be set on the strip of land in question.

A communication from the Tucson Public Schools, requesting the closing of the alley running east and west between Warren Avenue on the west, Martin Avenue on the east, Hampton Street on the north, and Seneca Street on the south, being block 22, Jefferson Park Addition, as the Board of Trustees is going to erect a building on this block in the near future and it is their desire to have the additional ground for recreation, and stating that the Mountain States Telephone and Telegraph Company has four posts in this right-of-way which should be removed, was read, and on motion by Councilman Nicholas, seconded by Councilman Lee, and unanimously carried, this request was referred to the City Planning and Zoning Commission for consideration and recommendation to the Mayor and Council.

The Acting City Manager stated that the United States Army wishes permission to show motion pictures in Armory Park in connection with a recruiting campaign and to operate a truck with a loud speaker over the city streets three or four days for the purpose of announcing matters relative to recruiting.

It was moved by Councilman Codd, seconded by Councilman Lee, and unanimously carried that said request of the United States Army be granted subject to supervision by the Chief of Police.

A communication from the Tucson City Employees, Local No. 84, American Federation of State, County, and Municipal Employees, requesting that a pension and retirement plan be established for all city employees in addition to the police and fire departments, was read, and this request was referred to the City Attorney for the purpose of advising the Mayor and Council of the feasibility and legality of the request.

A communication from Fred Winn, Forest Supervisor, United States Department of Agriculture, Tucson, inquiring as to the possibility of the zoning ordinance being amended to permit the United States Government to build a warehouse on the northwest corner of West Alameda Street and North Westmoreland Avenue (which property is owned by the Forest Service) for the storage of Forest Service supplies and equipment if a project for such a building could be obtained, was read, and referred to the City Planning and Zoning Commission for consideration and recommendation to the Mayor and Council.

The Mayor advised that this was the time and place designated for further consideration on the proposal to change the zoning on Lots 1 to 6, inclusive, Block 3 of the City of Tucson, and Lots 9 to 16, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence and also further consideration on proposed Ordinance No. 899 providing special setback requirements, etc. for churches.

A communication from the City Planning and Zoning Commission, recommending that neither amendment be enacted and giving their reasons therefor, was read.

Rev. George R. Wilson, pastor of the First Southern Baptist Church, located on the northwest corner of Speedway and Third Avenue, advised that after conferring with C.W. Mathews, consulting engineer for the Tucson Regional Plan, Inc., they both felt that it would not be necessary to have proposed Ordinance No. 899 passed as under the proposed zoning change to be recommended by the City Planning and Zoning Commission for that particular district the contemplated additions to the First Southern Baptist Church could be made. He presented a blue print showing the present church building and the proposed addition. He also stated that Mr. Mathews suggested in order to avoid complications later, that it would be much better if the Board of Adjustment could work this matter out with the church without amending the zoning ordinance at this time.

The Mayor advised that no action would be taken on this until a definite recommendation was received from the City Planning and Zoning Commission.

On motion by Councilman Niemann, seconded by Councilman Shantz, and unanimously carried, further consideration on said proposed rezoning of Lots 1 to 6, inclusive, Block 3, City of Tucson, and Lots 9 to 16, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence, was postponed until September 2, 1941, at 8:00 o'clock p.m.

A petition signed by F. W. Kemmerle and approximately 120 other property owners in Class "A" Residential section of Feldman's Addition, requesting that no change be made in the zoning now in effect in that district and giving the reasons why in their opinions the proposed changes in zoning now being considered by the City Planning and Zoning Commission would devalue their properties, be discriminating, undemocratic and unjust, was read and referred to the City Planning and Zoning Commission for consideration and recommendation to the Mayor and Council.

It was moved by Councilman Niemann, seconded by Councilman Lee, and unanimously carried that the Globe Indemnity Company bond, dated April 29, 1941, in the sum of \$1,000 covering W. Oliver White as Police Sergeant in and for the City of

Tucson, Arizona, be cancelled as of this date, August 4, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release; that the Globe Indemnity Company bond, dated April 22, 1941, in the sum of \$1,000 covering Frank E. Keefe as Sergeant of Police in and for the City of Tucson, Arizona, be cancelled effective as of this date, August 4, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release; and that the Globe Indemnity Company bond, dated April 7, 1941, in the sum of \$1,000 covering Harry Edward Foley as Sergeant of Police in and for the City of Tucson, Arizona, be cancelled effective as of this date, August 4, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

A petition signed by Maria Benitez and approximately 33 others requesting that the bushes and mesquite trees along the railroad from Simpson Street (or Mission Road) to the Southern Pacific Hospital be cut in order to permit small children to walk through safely now and during school months, was read.

A petition signed by Maria de Lopez and approximately 33 others, requesting that McCormick and Clark streets be connected, was read.

The City Engineer presented sketches showing the locations referred to in the two petitions mentioned above and explained that these locations are on property owned by the Southern Pacific Company and, therefore, the City has no jurisdiction in the matter.

On motion by Councilman Nicholas, seconded by Councilman Niemann, and carried (Councilman Shantz voting "No"), the requests contained in said petitions signed by Maria Benitez et al and Maria de Lopez et al were referred to the Southern Pacific Company for an opinion or expression from them in the matter.

The Mayor announced that the fixing of the tax levies for the fiscal year 1941-42 was postponed until this meeting.

The Acting City Manager advised that he had not as yet received the official valuation of the City of Tucson for the year 1941 from the Board of Supervisors of Pima County and, therefore, the tax levies could not be fixed at this time, and he recommended that the fixing of said tax levies be postponed until the meeting to be held on August 18, 1941.

Whereupon, it was moved by Councilman Codd, seconded by Councilman Niemann, and unanimously carried that the fixing of the tax levies for the fiscal year 1941-42 be postponed until August 18, 1941, at 8:00 o'clock p.m.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

It was moved by Councilman Niemann, seconded by Councilman Lee, and unanimously carried that Demands Nos. 7063 to 7225, inclusive, in the amount of \$64,291.44 as passed by the City Auditor and approved by the Finance Committee be approved by the Mayor and Council and that the City Auditor be authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$63,644.08 from General Fund, \$24.70 from Special Improvement Fund, \$302.33 from Library Reconstruction Fund, \$316.10 from Tucson Housing Authority Fund, and \$4.23 from Firemen's Relief and Pension Fund).

Councilman Codd described the unsightly appearance of the Salvation Army property located on the corner of Twelfth Street and Fourth Avenue, explained that he had received complaints from property owners on this condition, and he requested that steps be taken to have the property cleaned and streightened up. Councilman Lee advised that he also had received complaints on this.

After a discussion, it was decided that the Building and Land Committee, as many members of the Council as possible, and the Acting City Manager would make an inspection of said premises of the Salvation Army tomorrow afternoon at 4:30, and determine what should be done.

Councilman Lee, as chairman and on behalf of the Water Committee, moved the acceptance of the bid of Carl W. Pistor, contractor, for the drilling of a 12-inch water well to be located on Municipal Airport No. 2, in the lump sum amount of \$1,170.00 for the first 200 feet and \$3.98 per foot thereafter, the well not to exceed 300 feet in depth, and that all other bids be rejected. This motion was seconded by Councilman Shantz, and on vote being taken, the motion was unanimously carried, and it was so ordered.

On motion by Councilman Niemann, seconded by Councilman Lee, and unanimously carried,

RESOLUTION NO. 1748
entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE ACCEPTANCE OF A BID FOR DRILLING A WATER WELL FOR THE USE OF MUNICIPAL AIRPORT NO. 2 AND EXECUTION OF A CONTRACT FOR THE DRILLING OF SAID WELL,"

was presented and read the first time in full.

On motion by Councilman Lee, seconded by Councilman Shantz, and unanimously carried, Resolution No. 1748, as presented, was read the second and third time by number and title only.

It was moved by Councilman Lee and seconded by Councilman Nicholas that Resolution No. 1748, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Miller;

and Resolution No. 1748 was declared duly passed and adopted.

On motion by Councilman Niemann, seconded by Councilman Nicholas, and unanimously carried,

RESOLUTION NO. 1749

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE ACCEPTANCE AND ASSUMPTION OF ASSIGNMENT OF A LEASE TO A PART OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 13 EAST, G. & S. R. B. & M., PIMA COUNTY, ARIZONA, AND ANY AND ALL IMPROVEMENTS, FIXTURES AND PROPERTY PLACED THEREON BY H. J. KARNS; AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN A PROMISSORY NOTE PAYABLE TO H. J. KARNS ON BEHALF OF THE CITY; AND AUTHORIZING THE MAYOR AND CITY AUDITOR TO ISSUE WARRANTS TO PROCURE FUNDS FOR THE ACQUISITION OF SAID LEASE TO THE ABOVE NAMED LANDS, AND PURCHASE OF THE AFOREMENTIONED PROPERTY,"

was presented and read the first time in full.

On motion by Councilman Codd, seconded by Councilman Lee, and unanimously carried, Resolution No. 1749, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann that Resolution No. 1749, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Miller;

and Resolution No. 1749 was declared duly passed and adopted.

After explanations by Councilman Nicholas, chairman of the Building and Land Committee, relative to defective title on Lots 11, 12, and 13, Block 19, Fairmount Addition, and on motion by Councilman Nicholas, seconded by Councilman Niemann, and unanimously carried, the sale of Lots 11, 12, and 13, Block 19, Fairmount Addition, to F. Fred Roberts on June 18, 1941, for the sum of six hundred dollars (\$600) was cancelled and the City Auditor was instructed to apply the one hundred ten dollars (\$110) deposit made by Mr. Roberts on the purchase of Lots 12 and 13, Block 36, Fairmount Addition, which lots were also sold to him on June 16, 1941; and the title search that was started by Mr. Roberts on Lots 11, 12, and 13, Block 19, Fairmount Addition, was ordered transferred to the City's account with the Tucson Title Insurance Company.

The Acting Chief of Police recommended the purchase of the motorcycles for the Police Department on which a bid was received at this meeting and made explanations as to why he preferred to continue the use of motorcycles in the department instead of replacing them with automobiles.

Whereupon, it was moved by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, that the bid of Ingham and Ingham on

3 - 1942 Fl C.H.V. Harley-Davidson Police motorcycles @ \$737.50 each		\$2,212.50
Less credit due	\$100.00	
Less allowance for two 1937 61 C.H.V. Motorcycles	300.00	
	<u>\$400.00</u>	
		400.00
		<u>\$1,812.50</u>
plus 2% sales tax		36.25
		<u>\$1,848.75</u>

be accepted and that the contract covering the purchase of this equipment be awarded to Ingham and Ingham, and that all other bids be rejected.

The City Attorney stated that he had been instructed to prepare an ordinance vacating a portion of Twelfth Street and a portion of Norris Avenue as recommended by the City Planning and Zoning Commission but that the City Engineer had called his attention to the fact that something should be done about the alleys. After a discussion, this was deferred for further study on the matter of alleys.

In connection with the request of E. R. Peters (colored) that the drainage of his property on North Perry Avenue between Second and Third Streets be remedied, the Assistant City Attorney reported that Milton Cohen, attorney for the property owner on the west of the Peters property, suggested that his client for some financial consideration might consent to an easement for a drainage ditch or pipe on his property, provided the City guarantees that the installation of this ditch or pipe would not flood the house across the street, also owned by him.

The City Engineer stated that he did not believe the City owed this property owner anything but since the City has to do some maintenance work at this location every time it rains, he would recommend if the property owner would accept \$25 that it be given to him and he would like to have it specified in the agreement that the City is to maintain the drain, either open or covered, at its discretion, and that he would not recommend a guarantee of any kind to him as, in his opinion, it was ridiculous to think that the proposed drainage ditch or pipe would affect the property across the street. He explained that the ditch would have to be one foot deep.

It was moved by Councilman Niemann, seconded by Councilman Codd and unanimously carried, that the City Attorney and City Engineer be authorized to negotiate some kind of a proposition in connection with said drainage condition on Perry Avenue and to settle for a maximum of \$25 but that no guarantee be given in the agreement, and that they be given power to act in this matter.

The City Engineer advised that in accordance with Ordinance No. 905 the Tucson Rock and Sand Company had requested permission to blast.

It was moved by Councilman Niemann, seconded by Councilman Codd and unanimously carried, that the City Engineer be authorized to grant permission to the Tucson Rock and Sand Company to blast.

A communication from R. E. Stallings, Superintendent of Streets, requesting authority to void Assessments Nos. 650A, 651, 652, and 653 of the Olsen Addition District Sewer Improvement and substitute therefor Assessment No. 650B for \$152.30 against the east 50 feet of the south 124 feet of Lot 10, and the west 50 feet of the south 124 feet of Lot 11; Assessment No. 651A for \$114.23 against the east 50 feet of the south 124 feet of Lot 11 and the west 25 feet of the south 124 feet of Lot 12; Assessment No. 652A for \$152.30 against the east 75 feet of the south 124 feet of Lot 12 and the west 25 feet of the south 124 feet of Lot 13; and Assessment No. 653A for \$114.32 against the east 75 feet of the south 124 feet of Lot 13; all in Block N, Catalina Vista Subdivision, the Hardy-Stonecypher Realty Company being owners of the east 50 feet of Lot 10, all of Lots 11 and 12, and the west 25 feet of Lot 13, and Ambrose E. Ring and Grace H. Ring, husband and wife, being owners of the east 75 feet of Lot 13, all in Block N, Catalina Vista Subdivision; and advising that this request was in order, was made by the property owners to conform to future development plans, was concurred in by the Valley National Bank representing the contractor at interest, and that all parcels created by the reapportionment have access to an existing sewer, was read.

The Superintendent of Streets explained that the Hardy-Stonecypher Realty Company had sold the east 75 feet of said Lot 13 and have a house on it and want to limit it to a 75-foot frontage.

No motion was made on this proposed reapportionment of assessments it being the consensus of opinion that no action would be taken until the promoters of this subdivision keep their promise with the City. The Mayor then stated that since there was no motion there was nothing before the Council, and it was in order to proceed with the next order of business.

A communication from R. E. Stallings, Superintendent of Streets, requesting authority to void Assessment No. 385 of the Seventh Street and Eighth Street, Campbell Avenue to Treat Avenue District Paving Improvement and substitute therefor Assessment No. 385-A for \$161.98 against the east 65 feet of tract referred to in Book 214, page 224 D.R.E. within the city limits, owned by Rose

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Cohen Klafter; Assessment No. 385-B for \$166.45 against the west 67.48 feet of the east 132.48 feet of said tract, and Assessment No. 385-C for \$166.45 against the west 67.48 feet of said tract, owned by Rachel C. Reinke, the amounts being the balance due in each case; and advising that this request is in order, was made by the owners so as to conform to future development plans, was concurred in by White and Miller, contractor at interest, and that both parcels created by the reapportionment have access to an existing sewer, was read, and on motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, the reapportionment of assessments was approved as submitted by the Superintendent of Streets.

Councilman Codd stated that tonight was the night for a report on the police pension and he inquired if a report was ready.

Councilman Niemann, chairman of the Finance Committee, stated that he had no report to make. He asked the Mayor if he had signed the ordinance on the police state pension plan. The Mayor replied that after receiving an opinion from the City Attorney he signed the ordinance.

Councilman Codd stated that he would like to know how the men in the Police Department were going to handle the money refunded to them from the Aetna Life Insurance Company - were they going to receive this money and start from "scratch" or just how did they intend to handle it.

William F. Kimball, attorney for the Fraternal Order of Police, stated that he was not prepared to answer that question as he did not anticipate talking on the subject.

A recess of the Mayor and Council was called for the purpose of discussing a letter received by the Acting City Manager from R. M. Howard, chairman of the Civil Service Commission, relative to his opinion on the state pension plan for police.

After a recess of approximately ten minutes the Mayor and Council of the City of Tucson reconvened in the Council Chamber at the City Hall, Tucson, Arizona, and on roll call the following answered present:

William H. Codd, Fred D. Lee, W. Stuart Nicholas, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Vinita Potter, Deputy City Clerk;

The following were absent: Halbert W. Miller, Councilman; Charles C. Irvin, City Clerk.

Councilman Lee gave notice to the effect that he would be out of the city from the 15th of August to the 1st of September, 1941.

Councilman Nicholas advised that the meeting of the Building and Land Committee, other members of the Council, and Acting City Manager to inspect the premises of the Salvation Army at Twelfth Street and Fourth Avenue tomorrow afternoon at 4:30 would not be held as Dr. L. H. Howard, City Health Officer had advised him that he would take care of the matter.

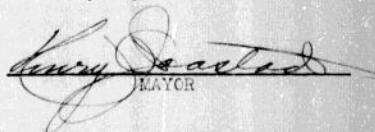
A communication from Gerard T. Beeckman, Information Section, Public Buildings Administration, Washington, D.C., requesting cooperation in the selection of a suitable name for the P.B.A. Defense housing project in Tucson, was read and taken under consideration.

Councilman Lee reported that property on the corner of Cherry Avenue and Miles Street (1500 block) had been badly washed out and he would like to have the matter investigated.

The City Engineer stated that he had inspected this place and that George Houston, Assistant Superintendent of Streets, had made arrangements to put a load of dirt on the sidewalk.

Monthly reports from various departments were received and placed on file.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 9:45 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 4:30 o'clock p.m., on the 8th day of August, 1941, for the purpose of considering the passage and adoption of a proposed resolution requesting a grant of \$115,500 and a loan of \$34,500 from the United States Government for sewage treatment plant improvements and designating the City Manager or Acting City Manager to prepare an application and act as its correspondent; considering the appointment of a Deputy City Treasurer; considering the approval of a bond covering Joseph Daniel McAllister as City Treasurer and Ex-officio Tax Collector; considering the cancellation of the bond covering Charles C. Irvin as City Treasurer; considering plans covering the proposed administration building at Municipal Airport No. 2; and all other business that may properly come before the meeting.

Dated the 5th day of August, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William Henry Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, August 8, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 4:30 o'clock p.m., on the 8th day of August, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Vinita Potter, Deputy City Clerk.

The following were absent: J. O. Niemann, Councilman; Charles C. Irvin, City Clerk.

The approval of the minutes of the meetings held on June 2, June 4, June 16, June 18, June 24, June 25, June 30, July 7, July 14, July 21, August 2, and August 4, 1941, was dispensed with.

The Mayor presented plans and specifications on the proposed sewage treatment plant improvements for the City of Tucson and after these were gone over and studied, it was moved by Councilman Shantz, seconded by Councilman Codd and unanimously carried, that the plans and specifications prepared by the engineers, Headman, Ferguson and Carollo, on the proposed sewage treatment plant improvements for the City of Tucson be accepted.

On motion by Councilman Shantz, seconded by Councilman Codd and unanimously carried,

RESOLUTION NO. 1750

entitled " A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON REQUESTING A GRANT OF \$115,500.00, AND A LOAN OF \$34,500.00 FROM THE UNITED STATES GOVERNMENT FOR SEWAGE TREATMENT PLANT

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IMPROVEMENTS AND DESIGNATING THE CITY MANAGER OR ACTING CITY
MANAGER TO PREPARE AN APPLICATION AND ACT AS ITS CORRESPONDENT,"

was presented and read the first time in full.

On motion by Councilman Lee, seconded by Councilman Miller and unanimously carried, Resolution No. 1750, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Lee, that Resolution No. 1750, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Niemann;

and Resolution No. 1750 was declared duly passed and adopted.

It was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that United States Fidelity and Guaranty Company Bond No. 14668-07-78-39, dated December 31, 1938, in the sum of \$50,000, covering Charles C. Irvin as City Treasurer in and for the City of Tucson, Arizona, be cancelled as of this date, August 6, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried the bond of the United States Fidelity and Guaranty Company of Baltimore, dated August 6, 1941, in the sum of \$50,000, covering Joseph Daniel McAllister as City Treasurer and Ex-officio Tax Collector in and for the City of Tucson, Arizona, for a term beginning the 6th day of August, 1941, and ending the 31st day of December, 1942, or until his successor is appointed and has qualified, was approved and accepted (said bond having been previously approved as to form by the City Attorney).

Joseph D. McAllister, City Treasurer and Ex-officio Tax Collector, submitted for approval the appointment of C. V. Budlong as Deputy City Treasurer.

It was moved by Councilman Shantz, seconded by Councilman Miller and unanimously carried, that C. V. Budlong be appointed Deputy City Treasurer for the City of Tucson, Arizona, for a term to run coterminous with that of the City Treasurer.

After a discussion, the City Attorney was instructed to prepare an ordinance fixing the salaries of the City Treasurer-Ex-officio Tax Collector and City Clerk; and the Finance Committee was requested to report to the City Attorney the amount of salaries to be paid to said officials.

At the request of the City Auditor, it was moved by Councilman Lee, seconded by Councilman Codd and unanimously carried, that the City Attorney be instructed to prepare an ordinance creating the office of Deputy City Auditor, without salary.

The Mayor presented plans of the proposed administration building at Municipal Airport No. 2 and advised that the committee from the Chamber of Commerce had approved these plans subject to changes suggested by C.A.A. and recommended their approval by the Mayor and Council, which building would cost approximately \$22,000.

A communication from the Civil Aeronautics Administration, Santa Monica, California, addressed to C. Edgar Goyette, secretary of the Tucson Chamber of Commerce, dated August 1, 1941, suggesting certain changes in the plans of the proposed administration building at Municipal Airport No. 2, was read.

A communication from Hollis R. Thompson of the American Airlines, Inc., advising of the importance of this building being completed as fast as possible, was read.

After a discussion, it was moved by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, that the plans covering the proposed administration building at Municipal Airport No. 2 be referred to M. H. Starkweather, the architect, for his opinion as to whether or not this building can be constructed with the suggested changes for the amount appropriated, and if, in his opinion, it can be constructed for that amount that he be and is hereby instructed to proceed with the plans so that there will be no delay.

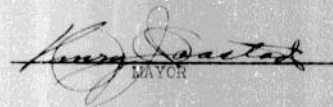
It was moved by Councilman Miller, seconded by Councilman Codd and unanimously carried, that the City Manager be instructed to confer with W.P. A. and P.W. A. officials for the purpose of determining whether or not financial

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assistance could be secured on the construction of the proposed administration building at Municipal Airport No. 2.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 5:40 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:00 o'clock p.m., on the 18th day of August, 1941, for the purpose, considering the approval and release of several bonds; considering the fixing of the tax levies for the fiscal year 1941-42; considering the passage and adoption of a proposed ordinance fixing the salaries of the City Clerk and City Treasurer, proposed ordinance authorizing the Senior Accountant to act for the City Auditor in the latter's absence or inability to act; considering the passage and adoption of a proposed resolution authorizing the execution of a lease between the City of Tucson and the United States Treasury Department, Procurement Division; considering the transfer of the liquor license from Robert H. Elder to B. E. Tade and the transfer of the liquor license of Royal B. Irving from 920 East 12th Street to 411 North Seventh Avenue, Tucson, Arizona; and all other business that may properly come before the meeting.

Dated the 15th day of August, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) William H. Codd
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Henry C. Jaastad
Mayor

(Signed) Fred D. Lee
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, August 18, 1941.

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:00 o'clock p.m., on the 18th day of August, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Halbert W. Miller, W. Stuart Nicholas, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk;

The following were absent: Fred D. Lee, Councilman.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the minutes of the meeting held on June 2, 1941, were approved as presented.

The approval of the minutes of the meetings held on June 4, June 18, June 18, June 24, June 25, June 30, July 7, July 14, July 21, August 2, August 4, and August 6, 1941, was dispensed with.

Councilman Nicholas read a report from Councilman Lee, as chairman of the Street Committee, who started on vacation August 15, advising that the Street Committee feels that the present plan of trash disposal would have to be altered; if the City continues to burn trash, a location must be picked farther from habitation; if a cut and cover method of disposal, which seems preferable, is adopted, the proposed location on the river bank near Ryland farm seems preferable; however, the committee feels that on account of the growth of the waste piles at the present incinerator and because of the possible need to move the present plant to make room for the proposed by-pass truck route, further study should be made relative to the practicability of combining the two operations, making use of the gas to be expected from the proposed addition to the sewage disposal plant, and a further study should be made as to whether this trash or suitable part of it should be used in arroyo heads to prevent further progress up stream, which in some

cases would need cooperation with the County authorities.

A report from Councilman Lee, as a member of the Finance Committee, advising that a number of matters have been referred to this committee, viz., (1) Procedure of the Council and matters of city business, (2) Police Pension Fund, and (3) Salary of Treasurer - and that he was sorry he had not had an opportunity to work on these to date as the committee had not been called together to discuss these matters, was read.

A report from Councilman Lee, as chairman of the Water Committee, advising that the City Manager had completed certain tests requested by the Citizens' Committee on water; however, due to the absence of the chairman and several other members of that committee, the City Water Committee had no report to make as the Citizens' Committee had not yet taken any action, was read.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, Oliver Drachman, as spokesman for the Unit Laundry, Tucson Laundry and Dry Cleaners, Home Ice and Coal Company, Tucson Warehouse, Firestone, O'Reilly Motor Co., Corbett Lumber and Hardware Company, and the Buick Company, referred to the flood that occurred in Tucson on August 13, 1940, and the inconvenience and money it cost various merchants and property owners, and called attention to the heavy rain on August 14, 1941, which, in his opinion, if it had lasted another thirty minutes would have been as bad as the flood a year ago. He stated that up to this time, so far as they know, practically nothing has been done to overcome this and correct the drainage situation. Among other things, he stated that he would like to go back about six months when a meeting was held at the Pioneer Hotel with the Mayor, Mr. Nicholas, City Manager and City Engineer in hopes they might get some action on this matter, and he remembered very well that the Mayor was very much in sympathy with the group and he believed the Mayor made the statement "Well it may be fifty years before we get another flood. This was very very unusual," which it was, Mr. Drachman stated; it is the first time that had happened but, he continued, the Mayor missed that forty-nine years and two days because we came very near having the same thing the other day. He also stated that on the question as to where the money is to be obtained for such flood control work, the group he represents, does not feel that this is their problem but a problem for the City and the Mayor and Council to work out, and he asked if the City was going to do anything and if so what it was going to do in this matter.

The Mayor called attention to the fact that this was not only an engineering problem but an expensive financial one, and speaking for himself and not the Council, he believed the whole Council, including himself, was just as anxious to solve this problem as this representative group and he thought the group would agree with him that the preliminaries should be worked out first.

At the Mayor's request, the City Engineer presented plans of a proposed flood control program and explained them to the Mayor and Council and a number of men in the audience who gathered around the Council table, and he advised that his department had been working on this most of the time since last summer.

William A. Bell of the Corbett Lumber and Hardware Company and William Johnson of the Tucson Daily Citizen spoke on the results of the flood of August 13, 1940, expressed their opinion on the present inadequate flood control system in Tucson, and urged prompt action be taken to provide adequate drainage in order to prevent future disasters from floods. Mr. Bell in referring to the flood on August 13, 1940, stated that when he was told that there were thirty inches of water in their lumber yards he would not believe it because they had never experienced such a thing before.

A communication from the Tucson Chamber of Commerce, advising that their special committee to study the flood control problem in and around Tucson and especially with reference to the proposal of the U.S. Army Engineers to build a ditch east of the present air base, recommends and urges that the Mayor and Council, as early as is practical and feasible, plan to provide a drainage ditch east of the present air base and running in an northeasterly direction and emptying into the Pantano wash, it being the belief of the committee that such a drainage ditch would probably take care of one-fourth of the drainage area which might flood Tucson, and in view of the fact that it may be possible to secure a good sized appropriation through the corps of army engineers for such purpose the Board of Directors of the Chamber of Commerce feels it advisable to make every effort to cooperate with the corps of army engineers and, if possible, to build such a protective drainage ditch, that the Board fully appreciates and understands the financial aspects of the problem and appreciates the fact that this matter must be gone into very carefully from a financial standpoint; that in view of the damages which were caused last summer and in view of the possibility of future damages even more serious, the Board feels that it is important that the building of such a ditch be seriously contemplated and, if possible, that it be constructed; and offering through its flood control committee or otherwise cooperation in every possible way in securing further information or in helping in any way that seems practical to the Mayor and Council, was read.

After a lengthy discussion on flood control and expenditures in connection therewith, and the drainage ditch proposal of the U. S. Army Engineers, during which the Mayor, several Councilmen, Messrs. Drachman, Bell, and Johnson

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participated and suggestions were made, it was decided that the City Engineering Department would proceed with the completion of the proposed flood control plans and estimates of cost and at the completion of this information the delegation present would be called in for further consideration on the matter, which would be in about sixty days. Mr. Drachman thanked the Mayor and Council for their time.

Councilman Nicholas advised that a communication had been received from the Civil Aeronautics Administration stating that a number of representatives from their administration, including their engineers, would meet at the Pioneer Hotel tomorrow morning at ten o'clock for the purpose of determining just what steps to take on the organization of Municipal Airport No. 2 and that they wish representatives from local sponsors to be present. The Mayor asked that all Councilmen possible attend this meeting.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

A communication from the local S. H. Kress and Company, requesting permission to erect a cast iron six-inch bell over their store front marquee to be rung at hourly intervals in connection with the school opening sales promotion from September 1 to September 15, inclusive, was read.

J. W. Cubbison, manager of the local S. H. Kress and Company, spoke in support of this request.

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, this request was referred to the City Building Inspector.

In connection with a previous request of the Tucson Realty and Trust Company that the master plumber's bond covering Carl J. Edlind be cancelled, a communication from the City Attorney stating that the City Plumbing Inspector advises that Mr. Edlind has performed no jobs for sometime and it is agreeable with the City that his bond be released, however, in his opinion (City Attorney), any consent by the City to the release of this bond should specifically state that it is subject to Mr. Edlind's personal approval as Mr. Edlind is still a licensed master plumber and entitled to that status so long as he desires it, was read and the City Clerk was instructed to advise the Tucson Realty and Trust Company of the contents of the City Attorney's letter.

A communication from the Tucson Realty and Trust Company, requesting the release of the electrician bond in the name of Grace E. Powers and C.W. Powers doing business as Powers Electric Shop as this business is covered by another bond, was read. The City Attorney and Mr. McMahon of the Inspection Department had placed their approval on this communication.

It was moved by Councilman Miller, seconded by Councilman Codd and unanimously carried, that the electrician bond of the Hartford Accident and Indemnity Company, dated April 26, 1938, in the sum of \$1000 covering Grace E. Powers and C.W. Powers doing business as Powers Electric Shop, be cancelled effective as of June 25, 1940, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

A communication from Drachman-Grant (bearing the approval of the Plumbing Inspector), requesting the release of the Fidelity and Casualty Company Bond No. 1823268 covering Allen F. Hamilton as master plumber, was read.

It was moved by Councilman Miller, seconded by Councilman Nicholas and unanimously carried, that the bond of the Fidelity and Casualty Company of New York, dated May 15, 1940, in the sum of \$1,000, covering A. F. Hamilton as Master Plumber in the City of Tucson, be cancelled effective as of this date, August 18, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

On motion by Councilman Niemann, seconded by Councilman Miller and unanimously carried, the bond of the Globe Indemnity Company, dated August 7, 1941, in the amount of \$10,000, covering Charles V. Budlong as Deputy Treasurer in and for the City of Tucson, Arizona, for a term beginning on the 7th day of August, 1941, and ending on the 7th day of August, 1942, and until his successor is appointed and has qualified, was approved (this bond having been previously approved as to form by the City Attorney).

It was moved by Councilman Miller, seconded by Councilman Niemann and unanimously carried, that the bond of the Fidelity and Casualty Company of New York, dated December 29, 1939, in the sum of \$10,000 covering Joseph D. McAllister as Deputy Treasurer and Ex-officio Tax Collector in and for the City of Tucson be cancelled effective as of August 7, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

A communication from the Arizona Trust Company, requesting the cancellation of the bond covering G.E. Tabor, Shop Foreman, as the City had decided it was not necessary to bond this employee, was read.

It was moved by Councilman Codd, seconded by Councilman Shantz and unanimously carried, that the bond of the United States Fidelity and Guaranty Company, dated

January 1, 1939, in the sum of \$2,000, covering G. E. Tabor as Shop Foreman, City Shops, in and for the City of Tucson, Arizona, be cancelled as of December 31, 1940, this being the expiration date of said bond, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

After a discussion and explanations by George Houston, Assistant Superintendent of Streets, it was moved by Councilman Miller, and seconded by Councilman Shantz, that communications from Harold B. Collins, postmaster, and the Traffic Commission relative to certain parking regulations around and in the vicinity of the post office be referred to the Acting City Manager to be turned over to the Traffic Engineer when this appointment is made.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

The City Clerk reported that on August 5, 1941, at eleven o'clock a.m., he offered for sale at public auction on the front steps of the City Hall, Tucson, Lots 21, 24, 25 and 28, Block 31, Feldman's Addition to the City of Tucson, and that this property was sold to Mrs. Celeste Otis, the highest bidder, for the sum of \$4,700, and under the terms and conditions of the sale Mrs. Otis paid \$470 in cash and balance to be paid on confirmation of the sale by the Mayor and Council.

Whereupon, it was moved by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, that the sale of

Lots 21, 24, 25 and 28, Block 31, Feldman's Addition to the City of Tucson,

to Mrs. Celeste Otis, a married woman, for the sum of \$4,700, be confirmed, and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property.

The Mayor advised that the fixing of the tax levies for the fiscal year 1941-42 had been postponed until this meeting.

A communication from the Board of Supervisors of Pima County, advising that the net total valuation for the City of Tucson as reflected by the 1941 Pima County Tax Roll is \$23,234,690, was read.

The Mayor stated that since this information had been received from the Board of Supervisors it would be in order to fix said tax levies.

Whereupon, on motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 907

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, FIXING, LEVYING AND ASSESSING TAXES FOR THE CITY OF TUCSON FOR THE YEAR 1941-1942."

On motion by Councilman Miller, seconded by Councilman Niemann and unanimously carried, Ordinance No. 907, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Miller, that Ordinance No. 907, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

May: None;

Absent and not voting: Councilman Lee;

and Ordinance No. 907 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

A communication from Howard H. Morgan, managing director of the El Encanto Apartments, Inc., requesting the continuation of fire protection to their apartments by the City Fire Department inasmuch as they fulfilled their agreement by petitioning for annexation to the City prior to June 30, 1941, action

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Cancelled
(9-2-41)

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on which petition has not yet been taken by the Mayor and Council, was read.

After a discussion, and on motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, the Fire Department was authorized to continue furnishing fire protection to the El Encanto Apartments, Inc., pending completion of the annexation of the apartments to the City of Tucson.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 908

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, FIXING THE SALARIES OF THE CITY CLERK AND CITY TREASURER."

Councilman Niemann explained that this proposed ordinance has the emergency clause attached for the reason that the two officials effected could not receive their salary until this ordinance is passed.

On motion by Councilman Nicholas, seconded by Councilman Codd and unanimously carried, Ordinance No. 908, as presented, was read the second and third time by number and title only.

It was moved by Councilman Codd and seconded by Councilman Niemann that Ordinance No. 908, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Miller, Nicholas, Niemann, Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Lee;

and Ordinance No. 908 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Upon recommendation of the License Committee and Acting Chief of Police, it was moved by Councilman Niemann, and seconded by Councilman Codd, that the person-to-person transfer of the wholesaler's liquor license of Robert H. Elder, Phoenix, Arizona, to B. E. Tade (Arizona Brewing Company) 302 South Park Avenue, Tucson, Arizona (being 1941 State Application for Transfer of Spirituous Liquor Licenses No. 181, City Application No. 15), covering State Series No. 4, be approved.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

Upon recommendation of the License Committee and the Acting Chief of Police, it was moved by Councilman Niemann and seconded by Councilman Codd, that the place-to-place transfer of the liquor license of Royal B. Irving (Buxton Smith Merc. Company) from 920 East 12th Street, Tucson, Arizona, to 411 North 7th Avenue, Tucson, Arizona (being 1941 State Application for Transfer of Location No. 156, City Application No. 14), covering State Series No. 4, be approved.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

Councilman Codd stated that Dr. L. H. Howard, City Health Officer, reported that he had investigated the premises of the Salvation Army at the corner of Twelfth Street and Fourth Avenue and that there was not much he could do.

The Acting City Manager reported that the appearance of these premises had been improved by the removing of the tin and some cleaning and straightening up work being done.

Councilman Codd, not being satisfied with the condition of said premises stated that in his opinion the appearance of this property was a detriment to the adjoining and neighboring residence property whose owners endeavor to keep their property in good condition, and he asked that the Salvation Army be advised that their premises be either cleaned up or action would be taken against them. A discussion followed, during which the City Clerk advised, after making a check, that the zoning classification of said property occupied by the Salvation Army is Class "C" Business; the City Attorney stated that in accordance with the zoning ordinance fuel and wood yards are permitted in Class "A" Industrial zones and from the description given him of the activities of the Salvation Army on said premises

he could see no other classification to give it; and the Acting City Manager was requested to write a letter to the Salvation Army relative to their violation of the zoning ordinance.

Councilman Nicholas reported that the City Attorney was working on the matter of clearing title to city-owned property on the southeast corner of Plumer Avenue and Broadway.

In connection with a request from the Southern Pacific Company, dated August 4, 1941, for an easement on a small strip of land in Stevens Avenue between Third and Fourth Avenues in order that they may move their switch thirty-five feet, Councilman Nicholas suggested that this request be granted without further delay inasmuch as the City Attorney has passed on the legality of the City giving this easement and he believed that in exchange for this easement the railroad company would give the City an easement over the E. P. & S. W. tracks at Eighteenth Street. He explained that said strip of land on Stevens Avenue is near the Coronado Hotel but the owner does not object to the proposed easement. Councilman Nicholas moved that the City of Tucson grant an easement to the Southern Pacific Company covering a certain strip of land on Stevens Avenue between Third and Fourth Avenues as designated on Tucson Division Drawing A-8833 of the Southern Pacific Company. This motion was seconded by Councilman Niemann and on vote being taken, the motion was unanimously carried and it was so ordered.

After explanations by Councilman Nicholas that there are approximately one hundred pieces of saleable city-owned property on which the titles are not clear and that it would cost approximately \$500 to search the title, it was moved by Councilman Miller, seconded by Councilman Shantz and unanimously carried, that the City Auditor be authorized to take \$500 out of the Contingencies and Sundries Account for the purpose of title search on saleable property owned by the City.

The Acting City Manager reported that he had written to the Veterans' Bureau in Washington, D. C., sending a copy of the letter to Senator Carl Hayden, relative to the sewer on South Sixth Avenue and that he is in receipt of a letter from Senator Hayden, dated August 1, 1941, enclosing a letter to him from the Veterans' Bureau in which they state that they would investigate the matter and would advise as to their decision as soon as possible. A discussion followed, during which the Mayor and Acting City Manager made explanations and answered questions relative to the difficulties the City has experienced on this sewer line due to the sewage from the U. S. Veterans' Hospital.

The Acting City Manager advised that if there were no objections he would like to be out of the city on a combined business and vacation trip from August 22nd to 28th, it being necessary for him to make a business trip to San Diego. No objections were offered.

The City Attorney stated that he had prepared a proposed ordinance authorizing the Senior Accountant to act for the City Auditor in the latter's absence or inability to act and he would like to know the amount of the bond to include in said proposed ordinance. After a discussion it was decided to make the bond for \$5,000.

On motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 909

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE SENIOR ACCOUNTANT TO ACT FOR THE CITY AUDITOR IN THE LATTER'S ABSENCE OR INABILITY TO ACT."

On motion by Councilman Miller, seconded by Councilman Niemann and unanimously carried, Ordinance No. 909, as presented, was read the second and third time by number and title only.

It was explained that the emergency clause attached to this proposed ordinance was due to the fact that the City Auditor was leaving on his vacation soon and its passage would relieve the Mayor of signing checks and warrants.

It was moved by Councilman Niemann and seconded by Councilman Miller, that Ordinance No. 909, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Code, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaasted;

Nay: None;

Absent and not voting: Councilman Lee;

and Ordinance No. 909 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

AAJ352

Councilman Nicholas inquired as to the status of the application made to the P.W.A. for additions and improvements to the sewage disposal plant. The Acting City Manager advised that a reply had not been received on this application.

In connection with a communication from the Tucson City Employees, Local No. 64, American Federation of State, County and Municipal Employees, requesting that a pension plan be established for all city employees, with the exception of the Police and Fire Departments who already have a pension plan, the City Attorney explained that in accordance with Chapter XXIII of the City Charter the Mayor and Council are obligated to establish a pension plan for all City employees under Civil Service and that this should be done within a reasonable time. After a discussion on this subject, the Mayor advised that this matter would be given prompt consideration and that action would be taken as soon as possible.

Councilman Codd asked the City Attorney's opinion on the state law as to whom would be the chairman of the Police Pension Board. The City Attorney advised that he had gone into this matter very carefully and that it was his opinion that inasmuch as Tucson has a population of over 20,000 it comes within that section of cities in which the police pension act is mandatory and, therefore, within the cities in which the president of the Civil Service Commission would be in charge of the pension board.

Councilman Codd expressed his opinion that due to the statements made voluntarily by the president of the Civil Service Commission against the State Pension Plan for Police he was not the man for the job and a man that made such statements should withdraw from acting on this board, and that the pension plan would not have a fair start, when its board is headed by a man who has made such statements against it.

Councilman Niemann asked the City Attorney what he meant by the State Pension Plan for Police being mandatory. The City Attorney explained that as soon as the Mayor and Council repealed the other pension plan (with the Aetna Life Insurance Company) the state pension plan automatically became mandatory. Councilman Codd stated this was a question he also wanted brought out.

On motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, the City Clerk presented and read the first time in full.

RESOLUTION NO. 1751

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE EXECUTION OF A LEASE BETWEEN THE CITY OF TUCSON AND THE UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION."

The lease referred to in this proposed resolution was read and explained by the City Attorney, it pertaining to premises at 108 North Meyer Street.

On motion by Councilman Codd, seconded by Councilman Miller and unanimously carried, Resolution No. 1751, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that Resolution No. 1751, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Lee;

and Resolution No. 1751 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Joseph D. McAllister, City Treasurer, stated if there were no objections he would like to take a two-week vacation beginning on September 2, 1941, and that C. V. Budlong, Deputy City Treasurer, would be in charge of the office during his absence. No objections were offered.

The City Engineer inquired if it was the desire of the Mayor and Council to proceed with the proposed Anita Street paving on a one-hundred per cent basis or wait for W.P.A. assistance.

After a discussion, it was moved by Councilman Nieman, seconded by Councilman Nicholas and unanimously carried, that the plans on the proposed Anita Street paving project be held in abeyance until the labor load is so the City can secure W.P.A. assistance.

The City Engineer stated that W.P.A. assistance was not mentioned in the petition requesting the installation of a sewer in the southwest district but he

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was wondering if the Mayor and Council desired him to proceed on a one-hundred per cent basis or endeavor to secure W.P.A. help.

After a discussion, the City Engineer was requested to contact Frank Robles to determine if the property owners want the proposed southwestern sewer project installed under one-hundred per cent basis or with W.P.A. assistance.


After a discussion and explanations by the City Engineer, the proposal to pave a certain portion of Twenty-second Street from Cherry Avenue to Campbell Avenue, and Factory Avenue from Campbell Avenue to Cherry Avenue, and Cherry Avenue from Factory Avenue to 18th Street, was left with the City Engineer to make arrangements with James R. Hubbard to determine what, if any, assistance could be obtained from the W. P. A. on this proposed paving and it was decided that no action would be taken until Mr. Hubbard returns from a conference with W. P. A. officials in Phoenix. The City Engineer advised that Mr. Hubbard was going to Phoenix tomorrow.

The Mayor reported that so far as he knew Charles C. Irvin is the first City Treasurer of Tucson who has been appointed to that office for the fourth two-year term and that after his resignation, approximately two weeks ago, he wrote him a letter on copper stationery thanking him for his services as City Treasurer. Mr. Irvin stated that he appreciated this letter very much and thanked the Mayor for it.

There being no further business to come before the Council, the meeting on motion duly made, seconded and unanimously carried, adjourned at 11:00 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

AA3352

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 5:30 o'clock p.m., on the 22nd day of August, 1941, for the purpose of considering the offer of Louise Blenman to sell certain property in Section 19, T. 15 S., R. 14 E., G. and S. R. B. and M., Pima County, Arizona; considering the passage and adoption of a proposed ordinance granting the United States of America, its successors and assigns the right to construct, repair, replace, operate and maintain an electrical transmission line in the City of Tucson; and all other business that may properly come before the meeting.

Dated the 21st day of August, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William Henry Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, August 22, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 5:30 o'clock p.m., on the 22nd day of August, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Halbert W. Miller, W. Stuart Nicholas, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: Fred D. Lee, Councilman.

On motion by Councilman Nicholas, seconded by Councilman Niemann, and unanimously carried, the minutes of the meeting held on June 4, 1941, were approved as presented.

The approval of the minutes of the meetings held on June 16, June 18, June 24, June 25, June 30, July 7, July 14, July 21, August 2, August 4, August 6, and August 18, 1941, was dispensed with.

A communication from Louise Blenman, proposing to sell to the City of Tucson the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, T. 15 S., R. 14 E., G. and S. R. B. and M., Pima County, Arizona, containing 160 acres, more or less, and according to government survey for the sum of \$35 per acre, it being understood that the land is to be in fee simple, free of all encumbrances whatsoever, provided this offer is accepted at once.

The Mayor stated that Mrs. Blenman had just called him on the telephone and advised him that she would sell the three north forty acres for \$35 an acre and would give the City an option for a year on the south forty acres at \$35 an acre.

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It was moved by Councilman Miller, seconded by Councilman Codd, and unanimously carried, that the offer of Louise Blenman to sell to the City of Tucson the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 19, T. 15 S., R. 14 E., G. and S. R. B. and M., Pima County, Arizona, for the sum of \$25 an acre, and to give an option for one year to the City of Tucson to purchase the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 19 at the same price per acre, be accepted; that the Mayor and City Attorney be instructed to prepare the proper documents to consummate this purchase and that the City Auditor be authorized to draw a warrant in payment thereof.

After explanations by Councilman Nicholas, chairman of the Building and Land Committee, it was moved by Councilman Niemann, seconded by Councilman Shantz, and unanimously carried that the City-owned lots in Blocks 57, 58, 59, 60, 61, 62, 63, and 64, University Heights Addition, be sold at a price of \$115 a lot, and that the City-owned lots in Fisher Addition lying east of Cherry Avenue between Manlove and Fifteenth Streets be sold for \$150 a lot, with the exception of such lots in or along the arroyo, which, in the opinion of the City Engineer, should be withheld for flood control purposes.

A communication from the Parker Dam Power Project, Bureau of Reclamation, Department of the Interior, Phoenix, Arizona, requesting that an ordinance be passed permitting them to construct, operate and maintain an electrical transmission line on, along, over and across certain of the streets of Tucson for the purpose of bringing energy generated at Parker Dam into Tucson and the surrounding territory, and enclosing a suggested ordinance, was read.

A communication from the City Attorney, stating that he had prepared a proposed ordinance along the lines suggested by the Bureau of Reclamation, after being advised by the Tucson Gas, Electric Light and Power Company that the route as set forth therein corresponds with their plans, was read.

On motion by Councilman Miller, seconded by Councilman Codd, and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 910

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON GRANTING THE UNITED STATES OF AMERICA, ITS SUCCESSORS AND ASSIGNS THE RIGHT TO CONSTRUCT, REPAIR, REPLACE, OPERATE AND MAINTAIN AN ELECTRICAL TRANSMISSION LINE IN THE CITY OF TUCSON."

The second and third readings of this proposed ordinance by number and title only were postponed until the meeting to be held on September 2, 1941.

There being no further business to come before the Council, the meeting, on motion duly made, seconded, and unanimously carried, adjourned at 8:00 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

AAJ352

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, September 2, 1941

A regular meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 8:00 o'clock p.m., on the 2nd day of September, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None

On motion by Councilman Codd, seconded by Councilman Shantz and unanimously carried, the minutes of the meetings held on June 16, June 18, June 24 (2 meetings), June 25 and June 30, 1941, were approved as presented.

The approval of the minutes of the meetings held on July 7, July 14, July 21, August 2, August 4, August 6, August 18, and August 22, 1941, was dispensed with.

A communication from the Tucson Chamber of Commerce, requesting and urging on behalf of their Flood Control Committee that a formal application be made to the U. S. War Department through the Army Engineers Corps to make a study and develop a program of flood control for the protection of the City and its surrounding area, it being the opinion of this committee that a grave situation exists and that great dangers from floods menace the city and that the assistance of the U. S. Army Engineers Corps should be solicited under the provisions of the Federal Act of June 28, 1938, relative to Flood Control in the Gila River and its tributaries in Arizona and New Mexico, was read.

C. Edgar Goyette, secretary of the Tucson Chamber of Commerce, spoke in support of this communication and called attention to flood control work in California, especially in Southern California, that has been done by the U. S. Army Engineers Corps and which he had found was done under the specific act which is available to the City of Tucson. He recommended that the City make a formal application to the U. S. Army Engineers Corps for a study and a program of flood control. He explained that this is not connected with the proposal of the U. S. Army Engineers Corps to dig a drainage ditch near the vicinity of the Air Base but is a proposed flood control program on which the City Engineer has been preparing plans for enlarging and expanding arroyos through the city.

The City Engineer presented and made explanations in connection with a proposed flood control program through the city and estimated that the proposed program, not including the little arroyo, would be approximately \$766,000, but that in his opinion, the little arroyo should be considered which would bring the estimated cost to approximately one million dollars.

After a discussion, it was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that the Mayor and City Manager be instructed to take the proper steps to make a formal application to the U. S. Government for a hearing in connection with the local flood control problem.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

The Acting City Manager filed with the City Clerk an executed copy of Lease No. W-509-Eng.-1603, dated July 1, 1941, (together with accompanying papers) entered into by the U. S. Government with the City of Tucson covering the leasing by the United States of land for a Practice Bombing Gunnery Range for aircraft, U. S. Army Air Corps, and for emergency landings and any and all other purposes necessary or convenient as and incident to the operation of the U. S. Army Air Base at Tucson, Arizona, said land being all of Sections 21, 22, 23, 26, 27, and 28, T. 16 S., R. 14 E., G. and S. R. B. and M., Pima County, Arizona.

After explanations by Paul Sawyer who presented the following described subdivision map for approval, it was moved by Councilman Codd, seconded by Councilman Lee and unanimously carried, that the map covering a resubdivision of Blocks A, B, E, F, and I and a part of Blocks C, D, G, and J of Catalina Vista Subdivision, recorded in Book 7, page 21, on file in the County Recorder's office of Pima County, Arizona, be approved subject to approval and signing by the City Planning and Zoning Commission.

The Mayor advised that this was the time and place designated for further consideration on the proposal to change the zoning on Lots 1 to 6, inclusive, Block 3 of the City of Tucson, and Lots 9 to 16, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence.

After a discussion on a forthcoming report from the City Planning and Zoning Commission on proposed zoning revisions throughout the city, which is expected in the near future, it was moved by Councilman Nicholas, seconded by Councilman Codd

and unanimously carried, that further consideration on said proposal to rezone Lots 1 to 6, inclusive, Block 3, City of Tucson, and Lots 9 to 13, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence be postponed until October 6, 1941, at 8:00 o'clock p.m.

A communication from the City Planning and Zoning Commission, recommending that the east-west alley between Warren and Martin Avenues and Hampton and Seneca Streets in Block 32 of Jefferson Park be vacated (as requested by School District No. 1), subject to any existing easements for privately-owned utilities and upon due compensation from the school district, and explaining the reason for this recommendation, was read.

The Mayor requested that the press give this matter due publicity and the City Attorney was instructed to prepare for presentation at the next meeting, an ordinance relative to the closing of the aforementioned alley and providing that easements are to be preserved by the City.

A communication from the City Planning and Zoning Commission, recommending that the U. S. Forest Service be asked to consider the desirability of acquiring other property and in doing so to discuss with the City Manager the possibility of effecting an exchange for city-owned property in lieu of attempting to change the zoning at the northwest corner of West Alameda Street and Westmoreland Avenue in order that the Forest Service could build a warehouse on their property at that location, and explaining the reason for this recommendation, was read. On motion by Councilman Lee, seconded by Councilman Miller and unanimously carried, this matter was referred to the Building and Land Committee and the Acting City Manager with instructions to see if they could locate a piece of City-owned property with the proper zoning classification for a warehouse that could be exchanged for said property owned by the U. S. Forest Service.

A communication from the City Planning and Zoning Commission, advising that the petition signed by F. W. Kemmerle and approximately 119 others relative to the proposed zoning of Feldman's Addition is being considered by the Commission along with other zoning requests, and in view of the impracticability of making a separate report on the matter, this would be reported upon in the near future when the proposed new zoning ordinance is ready for transmittal to the Mayor and Council, was read and ordered filed.

A communication from the City Planning and Zoning Commission, submitting a brief report of its activities and the status of matters under consideration, was read and ordered filed.

A communication from Drachman-Grant (bearing the approval of the City Plumbing Inspector), requesting the cancellation of the master plumber's bond covering Ray Jennings as Mr. Jennings does not want the bond continued, was read.

It was moved by Councilman Niemann, seconded by Councilman Codd and unanimously carried, that the Fidelity and Casualty Company bond dated September 3, 1940, in the sum of \$1,000 covering Ray Jennings as Master Plumber in the City of Tucson, Arizona, be cancelled effective as of September 3, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

Inasmuch as Charles W. Otey is the Senior Accountant in the City Auditor's office, the City Clerk submitted for approval a bond in the sum of \$5,000, issued by the Globe Indemnity Company, covering Mr. Otey as Senior Accountant.

It was moved by Councilman Niemann, seconded by Councilman Lee, and unanimously carried, that the bond of the Globe Indemnity Company, dated August 21, 1941, in the sum of \$5,000, covering Charles W. Otey as Senior Accountant in and for the City of Tucson, Arizona, for a term beginning on the second day of September, 1941, and ending on the first day of September, 1942, and until his successor is appointed and has qualified, be approved and accepted (said bond having been previously approved as to form by the City Attorney).

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried,

ORDINANCE NO. 910

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON GRANTING TO THE UNITED STATES OF AMERICA, ITS SUCCESSORS AND ASSIGNS THE RIGHT TO CONSTRUCT, REPAIR, REPLACE, OPERATE AND MAINTAIN AN ELECTRICAL TRANSMISSION LINE IN THE CITY OF TUCSON,"

as presented, was read the second and third time by number and title only (this proposed ordinance having been read the first time in full at the meeting on August 22, 1941).

It was moved by Councilman Nicholas and seconded by Councilman Miller, that Ordinance No. 910, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

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At this time the proposed ordinance was explained and read for the benefit of Councilman Lee who was not present at the previous meeting when it was read the first time in full.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Ordinance No. 910 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

A communication from Mrs. Celeste Otis, advising that she would forfeit her payment of \$470 rather than pay the balance due on the purchase of Lots 21, 24, 25, and 28, Block 31, Feldman's Addition, was read.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the request of Mrs. Celeste Otis to withdraw her purchase of Lots 21, 24, 25 and 28, Block 31, Feldman's Addition, and the forfeiture of the \$470 paid on this purchase were accepted, and the confirmation of the sale of said lots 21, 24, 25, and 28, Block 31, Feldman's Addition, to Mrs. Celeste Otis, a married woman on August 18, 1941, for the sum of \$4,700 was cancelled.

A communication from the Board of Trustees of the Grace Evangelical Lutheran Church, offering to purchase Lots 21, 24, 25 and 28, Block 31, Feldman's Addition, for the sum of \$4,050, and enclosing a check for \$400, the balance to be paid in ninety days, was read.

It was explained that this church was the second highest bidder on this property at the public auction held on August 5, 1941, and the City Attorney advised that if the Mayor and Council so desired it was in order to accept the next highest bid as this was a piece of property to be sold, the same as any other, and an offer had been received on it.

It was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the sale of

Lots 21, 24, 25 and 28, Block 31, Feldman's Addition to the City of Tucson, to the Board of Trustees of the Grace Evangelical Lutheran Church for the sum of \$4,050 be approved and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the sale of

Lots 9 and 10, Block 23, Fairmount Addition,

To Roy C. and Virginia Seasmans for the sum of \$350 was approved and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

An offer, dated August 27, 1941, from C. J. Wilkerson to purchase certain property in University Heights Addition on certain terms, was read and discussed.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the offer of C. J. Wilkerson to purchase

Lot 20, Block 46;
Lots 1 to 8, inclusive, and Lots 9, 12 and 16, Block 49;
Lots 15, 16, 19, 20, 22, 23 and 24, Block 51;
Lots 4, 7, 8, 9, 11, 15, 16, 17, 18, 19, 20, and 23, Block 58;
Lots 10, 11, 15 and 16, Block 59;
Lots 1, 3, 4, 7, 8, 11, 12, 13 and 16, Block 60;
Lots 1, 2, 3, 4, 11, 12, 16, Block 61;
Lots 4, 7, 11, 12, 15 and 16, Block 62;
Lots 2, 3, 7, 8, 23, and 24, Block 63;
All in University Heights Addition to the City of Tucson,

at a price of \$115 per lot was accepted with the exception that the City of Tucson will not furnish title insurance or a blanket policy covering each group of lots as released and with the restriction that such lots in or along the arroyo would be withheld, which in the opinion of the City Engineer are necessary for flood control purposes, the first payment on this purchase to start on delivery of merchantable titles on the first unit of ten (10) lots, and the Mayor and City Clerk were authorized to execute the deeds covering the sale of this property.

After explanations by Councilman Nicholas, it was moved by Councilman Nicholas, seconded by Councilman Miller and unanimously carried, that the City of Tucson exchange

Lots 11, 12, and 13, Block 8,
Lots 5 and 6, Block 11, and
Lots 5, 8, 9, and 10, Block 12,
all in Riecker's Addition to the City of Tucson,

which are owned by the City of Tucson and valued in the neighborhood of \$3,000,
for

Lots 2 to 12, inclusive, Block 244, City of Tucson,

owned by John W. Murphey and valued at \$5,380, Mr. Murphey to pay the difference
in price, and that the Mayor and City Clerk be authorized to execute the necessary
deed and transfer and that the City Attorney be instructed to prepare the proper
agreement.

A communication from W. J. Bray (with sketch attached), making application
for a six-inch sewer connection for the south half of Block 8, Glenman Addition,
which has a frontage on East Speedway of 362 feet and 148 feet on Tucson Boul-
levard, this connection, if granted, would be on the alley fronting on Tucson
Blvd., was read.

After explanations by the Acting City Manager and City Engineer, it was
moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously
carried, that this request be referred to the Acting City Manager to negotiate
with Mr. Bray.

Councilman Nicholas read the following report prepared by him:

"I have some remarks to make on the conduct of parts of the City's
business. I will refer at this time particularly to the Civil Service.

"I am a believer in Civil Service. I would like to see it function at
its best in our City. I also believe that it is the primary duty of the Mayor
and Council to see that the laws of the city are properly enforced and in
particular that the provisions of the charter are scrupulously followed.

"In the election of April 1, 1941, the people of the City of Tucson voted
for an amendment to the City Charter, the first in ten years. I voted against
that amendment for reasons I thought then and think now to be good.

"On its passage I expected diligent compliance with the provisions of
the amendment. Was such compliance had? Weeks went by before the document
was sent to Phoenix for the signature of the Governor. I remonstrated against
the delay a number of times.

"Today is the 2nd of September. Five months have passed since the amend-
ment was approved by the people. But its provisions have yet to be carried out.

"In less time than that last year the people of the United States fought
a great political campaign and selected their President. Surely the selection
of a Personnel Director should not take as long as the selection of the
President of the United States.

"During some years I have been following the operation of Civil Service
in Tucson. During my time on the Council I have intensified my study. The delay
was not unexpected by me.

"What has the Civil Service Commission, and I except its one new member,
accomplished in the last two years. How has it been operated?

"I note a number of items.

"Item 1. The Civil Service Commission refused to meet with the Mayor and Council
in open session to discuss matters pertaining to the proper operation of the
City Charter and the City Ordinances. Must we as a City Council do the people's
business in secret session or not at all?

"It would appear so because on the secret session being refused by the
Council no meeting was held and the City's business has not been properly done.

"Item 2. Last fall an abortive trial was held in the case of a Police Captain.
It was abortive because through an oversight on the part of the Commission
could not be held on the date set. But witness fees of some hundreds of dollars
had to be paid by the City. A total loss.

"Item 3. Late last summer a city employee was discharged. Two months later
he asked why he had not had a hearing although he had applied for one. The
Council requested the Civil Service to hold such hearing. An eventual report
was made some seven months after the discharge took place, a report by the
Chairman of the Civil Service that the Commission had no jurisdiction in the
case. And yet a Judge of the Pima County Superior Court found the man had
never been legally discharged. Not legally discharged through a failure to com-
ply with a Rule of the Civil Service. Yet we were told in open meeting by the
Chairman of that Commission that the Commission had no jurisdiction. I assume
that the Superior Court Judge, learned in the law, knows the law. Certainly
his reading of the rule was the same as mine.

"This enterprise cost the City the sum of \$1,265.00 and a weeks pay.

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"Let us not be confused by specious arguments that the City Manager failed to appear in court or that the Civil Service Commission had not the right of review. Surely they have the right --in fact the duty -- to see that their own rules are enforced. Else why have we as the City Council allowed the expenditure in 1940-41 of some \$5,700.00 of the taxpayers money on a commission that cannot function.

"Item 4. If there has been a fatal defect in the ordinance passed by the Council in 1937--4 years ago-- in that its attempt to place all City employees under civil service was abortive and without strength, has there been a recommendation by the Commission that the ordinance be altered or strengthened so that the clear intent of the then and present council could be achieved? If so I fail to find such recommendation in the City's records.

"Item 5. From all the Commissions appointed by the Mayor and Council an annual report is received. Rudimentary in some cases but adequate to keep the Council informed of their work.

"Do we find such a report from the Civil Service Commission? In the two budget years that have ended since I have been on the Council there has been no such report. So far as I can learn there has not been such an annual report in years. If ever.

"Item 6. The City has no strict classification list of city positions, a job list if you please. The city has no regulations -- no concise and proper regulations -- covering conditions of labor. The city has no proper plan covering promotions in return for honest labor and efficiency. Even in the police department there is no proper set of regulations by which men may be guided and the city's interest protected. For years the men of the department have been furnished a booklet of rules. And yet the council discovered last year that the booklet was fatally in error in its most vital point -- the succession to command.

"Item 7. The city has today, September 2nd, 1941, a number of employees on temporary or provisional appointments awaiting examination. I have known of cases that waited as long as fourteen months. We have some old timers with us today. These positions range all the way from Building Inspector to common labor. Even the position of Personnel Director has been open for five months. Actually in less time than that the United States fought and won the Spanish War.

"Mr. Mayor and Members of the Council, in view of the evident lack of care in the conduct of the city's business by the Civil Service Commission; in view of its failure to protect the interests of the City and the City's employees; in view of its negligence and delay in carrying out the will of the people of Tucson as expressed in their approval of an amendment to the City Charter under date of April 1, 1941, I feel that the Mayor and Council can no longer delay action with proper and due regard to their oaths as officials of the City of Tucson.

"And as it is to the Chairman of all bodies that we are entitled to look for proper diligence in the performance of the duties of such bodies and with due regard to the facts as herein set forth I make the following motion.

"That the Chairman of the Civil Service Commission be asked for his resignation as a member of that body."

This motion was seconded by Councilman Codd and concurred in by Councilman Lee.

After a brief discussion, the roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Nicholas, and Shantz;

Nay: Councilmen Miller and Nieman; Mayor Jasstad;

Absent and not voting: None;

and the motion was declared duly passed and it was so ordered.

Councilman Nicholas reported that he had explained to Robert D. Morrow, Superintendent of Tucson Public Schools, that the City felt it was the schools' obligation to furnish a patrolman on Seventh Street between First and Second Avenues if they deem one necessary, the City having furnished one there last year.

Frank Robles extended an invitation to the Mayor and Council to attend the local Mexican Independence Celebration on September 15th and 16th, and he requested permission to have Congress Street between Meyer and Plaza Streets roped off for a street dance in connection with said celebration.

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, the request of Mr. Robles was referred to the Acting City Manager and the Acting Chief of Police with power to act, and Mr. Robles was instructed to contact the merchants on both sides of the street for their reaction on this request.

A brief discussion followed on the question as to whether the proposed Southwestern sewer project should proceed on a one-hundred per cent basis or wait to see if W.P.A. aid could be secured (during which Frank Robles participated

and the City Engineer advised that in accordance with the "P.A. priority list that has been set up several paving projects, such as Third Street, Highland and Vine, Seventeenth Street, Cottonwood Addition, etc., would come first). No action was taken.

Councilman Lee called attention to the fact that Sections 14 and 15 of the state law on the Police Pension Plan had not been carried out; and after a discussion, during which several members of the Council participated, the Mayor advised that he would attend to this matter immediately.

On motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, Demands Nos. 7226 to 7408, inclusive, in the amount of \$91,645.83 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$70,034 from General Fund, \$171.03 from Special Improvement Fund, \$381.65 from Tucson Housing Authority Fund, \$19,190.29 from Special Levy Fund, \$1,375 from Library Fund, \$416.66 from Advertising Fund, and \$77 from Library Reconstruction Fund).

It was moved by Councilman Codd, seconded by Councilman Lee and unanimously carried, that the City Attorney be instructed to prepare a resolution establishing rates for sewage disposal and sewer connection services as suggested by the City Manager for services outside the city limits.

Councilman Lee advised that he was ready to meet with the Finance Committee on various matters referred to it whenever a meeting is called.

Councilman Niemann reported that two members (Councilman Nicholas and himself) of the Finance Committee met with the City Auditor while Councilman Lee was on vacation, and the City Attorney was instructed to prepare a resolution pertaining to funds in connection with pensions.

Whereupon, on motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1752

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DIRECTING THAT INSURANCE REFUNDS ACCRUING TO THE CITY FROM THE DISCONTINUANCE OF THE FORMER POLICE AND FIRE DEPARTMENT PENSION FUND BE PLACED IN A SPECIAL FUND TO BE KNOWN AS 'EMPLOYEES' PENSION RESERVE FUND.'"

After a discussion it was decided to postpone further action on the proposed resolution until the next meeting, and the City Clerk was requested to furnish the Mayor and Council with copies of this proposed resolution in order that they may make a thorough study of it.

On motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1753

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE PURCHASE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 15 SOUTH, RANGE 14 EAST, G. & S. R. B. & M., PIMA COUNTY, ARIZONA, FOR AIRPORT PURPOSES."

On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, Resolution No. 1753, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas, and seconded by Councilman Niemann, that Resolution No. 1753, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1753 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Nicholas, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1754

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September 2, 1941:

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entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE PURCHASE OF LOTS 3 AND 4 IN SECTION 18, TOWNSHIP 15 SOUTH, RANGE 14 EAST, G. & S. R. E. & M., PIMA COUNTY, ARIZONA, FOR AIRPORT PURPOSES."

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Resolution No. 1754, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that Resolution No. 1754, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1754 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 911

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING TWELFTH STREET BETWEEN HIGHLAND AVENUE AND VINE AVENUE; NORRIS AVENUE BETWEEN DRACHMAN STREET AND ADAMS STREET; THE ALLEYS IN BLOCK FIFTY UNIVERSITY HEIGHTS ADDITION AND BLOCK TWENTY OLSEN'S ADDITION; AND DIRECTING THAT THE SAME BE SOLD AT PUBLIC AUCTION."

There being no objections, the second and third readings of this proposed ordinance by number and title only were postponed until the next meeting of the Mayor and Council, and in the meantime the Mayor asked that this matter be given due publicity by the press.

On motion by Councilman Lee, seconded by Councilman Nicholas and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 912

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON CREATING A MUNICIPAL DEFENSE COUNCIL."

The Mayor reported that he had received the rules and regulations relative to the Police and Fire Departments on this subject and had turned them over to the respective departments and they would probably report in a few days and that he believed it would be in order to pass this proposed ordinance if the Council so desired.

After a brief discussion, further action on this proposed ordinance was deferred until the next meeting of the Mayor and Council.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, C. C. Cooke, president of Tucson City Employees, Local No. 64 of the American Federation of State, County, and Municipal Employees, requested that all city employees be included in a pension plan, it seeming unfair for the Police and Fire departments to be covered by a pension and the other employees not included.

After a discussion, during which it was stated that under Chapter XXIII of the City Charter a pension plan must be established for all city employees under Civil Service, the Mayor advised that an informal meeting would be held in the near future with the city employees to discuss a pension plan and that the time and date of this meeting would be announced later.

Monthly reports from various departments were received and placed on file.

There being no further business to come before the Council, the meeting on motion duly made, seconded and unanimously carried, adjourned at 10:10 o'clock p.m., subject to the call of the Mayor.

ATTEST:

Charles L. Lewis
CITY CLERK

Mayor Jaastad
MAYOR

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 4:30 o'clock p.m., on the 10th day of September, 1941, for the purpose of considering the passage and adoption of a proposed resolution accepting an offer of aid in the development of the Tucson Municipal Airport, made by the United States of America through the administrator of Civil Aeronautics of the Department of Commerce and providing certain assurances and covenants in consideration thereof; and all other business that may properly come before the meeting.

Dated the 9th day of September, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, September 10, 1941.

A special meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 4:30 o'clock p.m., on the 10th day of September, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Henry C. Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: J. C. Niemann, Councilman.

The approval of the minutes of the meetings held on July 7, July 14, July 21, August 2, August 4, August 6, August 18, August 22, and September 2, 1941, was dispensed with.

The Mayor advised that this meeting was called to consider a resolution relative to the Tucson Municipal Airport, No. 2.

Whereupon, a motion was made by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the City Clerk read the first time in full

RESOLUTION NO. 1755

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON (ARIZONA) ACCEPTING AN OFFER OF AID IN THE DEVELOPMENT OF THE TUCSON MUNICIPAL AIRPORT, MADE BY THE UNITED STATES OF AMERICA THROUGH THE ADMINISTRATOR OF CIVIL AERONAUTICS OF THE DEPARTMENT OF COMMERCE AND PROVIDING CERTAIN ASSURANCES AND COVENANTS IN CONSIDERATION THEREOF."

Councilman Niemann came into the Council meeting at this time, 4:40 o'clock p.m.

On motion by Councilman Codd, seconded by Councilman Shantz and unanimously

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September 10, 1941:

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carried, Resolution No. 1755, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Miller, that Resolution No. 1755, as presented, be passed and adopted.

The Mayor inquired if there was any one who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Niemann, Codd, Lee, Miller, Nicholas and Shantz;


Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1755 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 4:54 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:00 o'clock p.m., on the 19th day of September, 1941, for the purpose of considering the passage and adoption of a proposed resolution relative to placing insurance refunds accruing to the City from the discontinuance of the former Police and Fire Department pension fund in a certain fund, proposed resolution of intention to improve "Twenty-Second Street District Paving Improvement, Cherry Avenue to Campbell Avenue," proposed resolution of intention to improve "Factory Avenue District Paving Improvement," a proposed resolution ordering the improvement known as the "Third Street and Stewart Avenue District Improvement," a proposed resolution authorizing a contract for the furnishing of water to the Government Housing Development in Tucson by the City of Tucson, and a proposed resolution fixing rates for sewer connections and sewer rentals outside the corporate limits of the City of Tucson, a proposed ordinance creating a municipal defense council, a proposed ordinance vacating Twelfth Street between Highland Avenue and Vine Avenue, Norris Avenue between Drachman Street and Adams Street, the alleys in Block 50, University Heights Addition and Block 20, Olsen's Addition, and directing that the same be sold at public auction, and a proposed ordinance vacating the east-west alley in Block 32, Jefferson Park Addition; considering the approval of the payment of Demands Nos. 7409 to 7450, inclusive, in the amount of \$37,193.80; considering the making of an application to the Arizona Corporation Commission for a grade crossing located one-half mile, more or less, north of the Los Reales Road; considering Plan B-240, Entrance Roadway and Parking Area Municipal Airport No. 2; and all other business that may properly come before the meeting.

Dated the 17th day of September, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William Henry Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, September 19, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:00 o'clock p.m., on the 19th day of September, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad; and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

On motion by Councilman Nicholas, seconded by Councilman Lee, and unanimously carried, the minutes of the meetings held on July 7 and September 10, 1941, were approved as presented.

The approval of the minutes of the meetings held on July 14, July 21, August 2, August 4, August 6, August 18, August 22, and September 2, 1941, was dispensed with.

AA3352

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

A communication from the Acting City Manager, advising that in compliance with the request of the Mayor and Council, the City employees met September 17, 1941, in the Council Chamber at the City Hall and elected a committee consisting of Ralph R. Guthrie, C. C. Cooke, Paul E. Laos, Robert L. Houston, and Milford E. Devine to represent them in formulating a pension plan for all city employees under Civil Service who do not now have such a plan, was read.

There being no objections, the Mayor requested that the City Employees' Committee work with the Finance Committee on said pension plan.

A communication from the Acting City Manager, submitting for approval in accordance with Ordinance No. 906, creating the position of Traffic Engineer, the name of George B. Houston to fill this position, Mr. Houston to serve as Traffic Engineer in connection with his other duties as Assistant Superintendent of Streets, with no increase in salary, was read, and on motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the appointment of George B. Houston as Traffic Engineer for the City of Tucson was approved.

A communication from the Civil Service Commission of the City of Tucson, submitting for approval a sixty day extension of the provisional appointment of E. D. Herreras as City Building Inspector from August 8, 1941, was read, and on motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, the provisional appointment of E. D. Herreras was extended for sixty days from August 8, 1941.

A communication from Earl Billiter, chairman of the airport committee of the Tucson Aeronautical Society, requesting a lease on Lot 2 at the Municipal Airport No. 2, was read.

On suggestion by the Mayor that this request be referred to the Aviation Commission which is a holdover commission from last year, it was moved by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, that the request of Mr. Billiter be referred to the Aviation Commission for consideration and recommendation to the Mayor and Council and to also submit an opinion on architectural conformity.

The Mayor reported that the American Airlines sent plans to the Acting City Manager for a garage that they want to build at Municipal Airport No. 2, that he (the Mayor) suggested a little change in design and took it up with M. R. Starkweather.

A communication from Drachman-Grant (bearing the approval of F. A. Baier of the City Elec. Dept.), requesting the cancellation of the electrician's bond covering Roy R. Stewart, Sr. as he does not need the bond any longer, was read.

It was moved by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, that the Electrician's License Bond of the Globe Indemnity Company, dated May 13, 1940, in the sum of \$1,000, covering Roy R. Stewart, Sr., be cancelled effective as of September 8, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of the bond for any acts or omissions of the principal prior to said date of release.

A communication from R. C. Nicholson, attorney for W. H. Dobyns, assistant City Electrician, relative to minimum wages for City electricians, was read.

The Mayor advised that this communication was received several days ago and was turned over to the City Attorney for his advice.

The City Attorney stated that, in his opinion, so far as Mr. Dobyns' right to recover in the past is concerned there apparently is none, that Mr. Dobyns fixed the date of 1937, there is a one year statute of limitations, so at the most he could not recover for more than one year; also the Supreme Court has held that where a City has exhausted its budget for certain salaries there could be no recovery in excess of that by virtue of the minimum wage law, and the City Auditor has informed him that the City did exhaust its budget last year in that matter. He further stated that as to the liability of the City to pay these minimum salaries, he would like to look into the matter a little further before rendering a definite opinion.

There being no objections, the aforementioned matter was left with the City Attorney for further consideration and report to the Mayor and Council.

A communication from E. C. Nash, Superintendent of the Amphitheater Schools, making application for services of the City Fire Department in case of fire on their school property; and a communication from Henry L. Hilles, Chief of the Fire Department, suggesting that all suburban and rural areas in and around the City of Tucson asking for fire protection be requested to contact the Pima County Board of Supervisors to set up fire districts and arrange for county protection, and explaining that the City Fire Department does not have sufficient apparatus or men to respond to fire calls outside the city limits, that in most districts beyond the city limits there is no water supply to extinguish a fire, and by answering outside fire calls the city is left with less protection, was read.

After a discussion, it was moved by Councilman Codd, seconded by Councilman Nicholas and unanimously carried, that the Mayor and Council approve the letter of Mr. Henry L. Hilles, and authorize the City Clerk to send a copy of Mr. Hilles' letter to the Superintendent of Amphitheater Schools, which is self-explanatory.

The City Clerk presented a petition signed by G. S. McRea and seventeen others, protesting present parking regulations on North Sixth Avenue between Seventh and Eighth Streets, and stated that it was his understanding that this was to go directly to the Acting City Manager and he handed it to the Acting City Manager at this time.

A communication from Karl F. Berfield, president of the Tucson Chamber of Commerce, requesting that the City contribute \$50 toward defraying expenses to send Alex Jacome to the second annual Inter-American Tourist Congress to be held the week beginning September 15th at Mexico City and that they are making a like request on the Pima County Board of Supervisors, was read.

After a discussion, it was moved by Councilman Shantz, seconded by Councilman Lee and unanimously carried, that the City of Tucson match dollar for dollar, not to exceed \$50, with what the Board of Supervisors gives relative to sending Alex Jacome to said Congress at Mexico City.

A communication from C. Edgar Goyette, secretary of the Tucson Chamber of Commerce, advising that it is their intention to ask for a renewal of the lease on the rodeo grounds which will expire February 12, 1942, and that in the meantime it may be the desire of the Mayor and Council and the Rodeo Committee of the Tucson Chamber of Commerce to get together in the matter of terms and conditions to be considered with the extension, was read, and this matter was referred to the Building and Land Committee and Acting City Manager to work with the Chamber of Commerce and make a report to the Mayor and Council.

A petition signed by Walter Kines and eighteen other (dated June 18, 1941, and filed September 3, 1941), requesting the paving of Drachman Street between Sixth and Third Avenues, with W.P.A. assistance, was read, and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, this petition was approved and ordered placed on the W.P.A. priority list.

The City Clerk presented

RESOLUTION NO. 1752

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DIRECTING THAT INSURANCE REFUNDS ACCRUING TO THE CITY FROM THE DISCONTINUANCE OF THE FORMER POLICE AND FIRE DEPARTMENT PENSION FUND BE PLACED IN A SPECIAL FUND TO BE KNOWN AS 'EMPLOYEES' PENSION RESERVE FUND,'"

which was read the first time in full at the meeting on September 2, 1941.

After a discussion, it was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the word "employees" be omitted and substitute the word "special," and omit the word "reserve" and call it "special pension fund."

After being advised by the City Attorney as to the proper procedure and on motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1752 as Amended

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DIRECTING THAT INSURANCE REFUNDS ACCRUING TO THE CITY FROM THE DISCONTINUANCE OF THE FORMER POLICE AND FIRE DEPARTMENT PENSION FUND BE PLACED IN A SPECIAL FUND TO BE KNOWN AS 'SPECIAL PENSION FUND.'"

On motion by Councilman Lee, seconded by Councilman Niemann and unanimously carried, Resolution No. 1752, as amended, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Codd, that Resolution No. 1752, as amended, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Janstad;

Nay: None;

Absent and not voting: None;

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and Resolution No. 1752, as amended, was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Councilman Nicholas stated that he had been reliably informed that the policemen are willing and anxious to increase their contributions to the police pension fund, if it so turns out, by fifty per cent, and, in his opinion, the Mayor and Council should be organized to accept that offer when it is made, which contribution would make \$50 per man per year and about \$17,000 per man in thirty five years. He also stated that he had been reliably informed that they would have a minimum age of fifty-seven for retirement, which is the minimum age of the firemen set by the State, and that, in his opinion, the Council should make arrangements for a faithful employee to retire when he had reached the point where he should be retired.

Councilman Lee called attention to the fact that under the police pension plan organized in 1931 the late Sergeant McLaughlin of the Police Department paid in \$10 a month for nine years, or \$120 a year, and was pensioned off and for fourteen months received \$32.69 a month and when he passed away his widow received a final check for \$160 from the insurance company, Sergeant McLaughlin having paid \$1,080, the City matched that, making \$2,160, and he received back \$617.66. He also stated that Mrs. McLaughlin has lost the sight of one eye and does not know how she is going to make a living.

After a discussion, the City Treasurer was requested to check these figures and make a report to the Mayor and Council and it was suggested that possibly he could render some assistance to Mrs. McLaughlin to secure the old age pension.

After a discussion, the Acting City Manager and City Auditor were instructed to make further investigations in the matter of refund in connection with the R. E. Butler case and make a report.

The City Auditor reported that there is also the case where the late Mr. R. E. Butler, when the payments for the Fire Department ran over, paid it out of his own pocket and gave him a demand and said he would take it up with the Council but he never did, and the City Auditor stated that he still has the demand.

Councilman Nicholas stated that he believed the policemen election in connection with the state pension plan should be held as soon as possible, to which the Mayor advised that he had a letter stating that the election would be held on October 2nd and the policemen had approved that date.

Councilman Nicholas requested that the Acting City Manager find out how many policemen are away at this time.

On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, the City Clerk read

ORDINANCE NO. 911

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING TWELFTH STREET BETWEEN HIGHLAND AVENUE AND VINE AVENUE; NORRIS AVENUE BETWEEN DRACHMAN STREET AND ADAMS STREET; THE ALLEYS IN BLOCK FIFTY UNIVERSITY HEIGHTS ADDITION AND BLOCK TWENTY OLSEN'S ADDITION; AND DIRECTING THAT THE SAME BE SOLD AT PUBLIC AUCTION,"

as presented, the second and third time by number and title only (this proposed ordinance having been read the first time in full at the meeting on September 2, 1941).

There being no objections, further action on this proposed ordinance was postponed until the meeting on October 6, 1941.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the City Clerk read

ORDINANCE NO. 912

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON CREATING A MUNICIPAL DEFENSE COUNCIL,"

as presented, the second and third time by number and title only (this proposed ordinance having been read the first time in full at the meeting on September 2, 1941).

It was moved by Councilman Niemann, and seconded by Councilman Shantz, that Ordinance No. 912, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaasted;

Nay: None;

Absent and not voting: None;

and Ordinance No. 912 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, Demands Nos. 7409 to 7450, inclusive, in the amount of \$27,133.80 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$24,003.29 from General Fund, \$25.73 from Tucson Housing Authority Fund, \$7,000 from Library Reconstruction Fund, \$272.85 from Special Assessment Fund, \$1,000 from Special Levy Fund, \$3,516.35 from Bond Interest Fund, and \$1,373 from Library Fund).

Councilman Lee asked if a report had been received from the Acting City Manager on the burning of garbage. The Mayor advised that the Acting City Manager was out of the room at the present time.

A short recess was called at this time.

After a short recess, the Mayor and Council of the City of Tucson reconvened in the Council Chamber at the City Hall, Tucson, Arizona, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J.C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jeastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, C. A. Wollard stated that when the City adopted the police pension plan several years ago he started paying \$7.50 a month into this plan, which took care of \$1,800 insurance, after carrying it for some time his payments were increased to \$10 a month and insurance increased to \$2,400; later his insurance policy was increased to \$3,000 and premium to \$12.50 a month, that from information received some time ago from the Aetna Life Insurance Company he could draw a pension of \$7.65 a month, that, in his opinion, this was not a pension plan, and that in case of his death his beneficiary could not draw another nickel. He advised that he was not paying on the policy now, a resolution being passed some two years ago whereby if he paid the City's part, he would be able to get approximately \$21 a month, so he was informed by the City Auditor, and as far as he is concerned his policy is dropped except he could take the cash surrender value, which would give him some \$37 a month but his beneficiary could not draw any thing.

After explanations by Councilman Nicholas that C. J. Wilkerson was not willing to purchase certain lots in University Heights Addition unless the City furnishes title insurance on them, and that it was the recommendation of the Building and Land Committee that a blanket insured title be furnished by the City on these lots, which would cost approximately \$65 for all the lots, it was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the action of the Mayor and Council on September 2, 1941, in connection with the offer of C. J. Wilkerson to purchase certain lots in University Heights Addition to the City of Tucson be amended to the effect that the City of Tucson will furnish a blanket insured title on said lots to be purchased by him, and in all other respects the proposal contained in the said motion passed on September 2, 1941, remains the same.

After a discussion and on recommendation of the Building and Land Committee, it was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that the City Clerk be instructed to advertise and sell at public auction on the front steps of the City Hall, Tucson, Arizona, the West 134.8 feet of Lot 2, the West 134.8 feet of the North 34 feet of Lot 3, and the South 32 feet of Lot 3, all in Block 133, City of Tucson, at a price of not less than \$300, and that the sale of this property be made subject to an easement being reserved by the City of Tucson for drainage purposes.

Councilman Nicholas advised that the Building and Land Committee had placed prices on a number of city-owned lots and would like to get authority at the next meeting to file these lots with the Real Estate Board with protected prices for six months.

Councilman Nicholas stated he would like for the Mayor and Council to determine whether they desire to continue to withhold the city-owned property in the block between Broadway, Martin Avenue, Tenth Street and Campbell Avenue for possible future use or sell it at this time.

After a discussion and explanations by the Acting City Manager that the Water Department will have no use for the city-owned lots located at East Second Street and Tucson Boulevard for water well extensions, for which purpose this property was purchased some time ago, it was decided to add this property to the

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sales list and that it would have to be sold at public auction.

Councilman Lee stated that he would like to have a report from the Acting City Manager on the burning dump.

The Acting City Manager reported that the operation time at the incinerator had been lengthened a little, some of the schedules of garbage collection had been changed and considerable improvement had been made in the burning dump, and he asked George Houston, Assistant Superintendent of Streets, to make some explanations in this connection.

Whereupon, George Houston reported that another man had been employed at the incinerator and the working time of the man there was increased to eight hours, that the City has burned garbage from the City, County and private tracts and that has increased the load on the incinerator about 30 to 35 per cent, that last Monday and Tuesday about seventy tons of garbage were burned, and, in his opinion, the smoke menace has been decreased about eighty per cent, that there are still tree trimmings and a few loads of trash from grocery stores and other business houses that they have not been able to take care of at the incinerator but eventually they may get to these.

After a discussion on the smoke nuisance at the incinerator and that more assistance should be given by the Board of Supervisors, it was decided to find out how much refuse is sent to the incinerator by the County and the Street Committee was requested to endeavor to secure additional financial assistance from the Board of Supervisors in taking care of garbage and trash collected in the County and taken to the incinerator.

Councilman Codd stated that since he had been on this Council everything that has ever been brought up that concerned the Council has always come across the table, that at the last meeting it happened that Councilman Nicholas brought up his request and asked for the resignation of the chairman of the Civil Service Commission, that the Mayor called for the question, no remarks were made, the votes were cast, everything went along fine, until the next morning when he picked up the morning paper and there was the information in the paper that the chairman of the Civil Service Commission had tendered his resignation to the Mayor and the Mayor had that information and when that motion was made and voted upon not one of the Councilmen at this table knew there was any such resignation in the Mayor's hands.

The Mayor replied that it was a personal letter to him and not to the Council.

Councilman Codd stated that he would like to continue, that he had always, since he had been sitting on this Council, taken the Mayor as their superior and respected him that way, that anything for the Council to handle comes to the Mayor's hands and he has always wanted that respect shown to the Mayor but for this resignation to be published in the paper and not a Councilman know what was going on, that was something he just really could not understand.

A discussion followed, during which the Mayor stated that the information did not come from him and as an explanation he wished to say that he thought it was in the best interests of this City and everybody concerned as when he received this letter, the Civil Service Commission was just in the act of selecting a personnel director and he called Mr. Howard and asked him to withhold his resignation until the personnel director was chosen and then it was up to him to do whatever he pleased; that if he made a mistake he wished to apologize for it and if it happens in the future he would appreciate it if these things are brought up in the informal meetings so they could be fully discussed.

After explanations by the Acting City Manager that the City is about to acquire title to the land west of Municipal Airport No. 2, known as the McCulloch land, and it would be necessary for the City to make application to the Arizona Corporation Commission for a certain grade crossing, it was moved by Councilman Miller, seconded by Councilman Niemann and unanimously carried, that the Acting City Manager and City Attorney be authorized to make application to the Arizona Corporation Commission for a grade crossing located one-half mile, more or less, north of the Los Reales Road.

After explanations and on motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, Plan B-240, Entrance Roadway and Parking Area Municipal Airport No. 2, was adopted.

The Acting City Manager advised that this would be completed under the W.P.A. program of the Administration Building and accessories at Municipal Airport No. 2.

Councilman Nicholas stated that he had been informed that a request would be made to annex to the city that territory on which the new government housing project for non-commissioned officers is located (in the vicinity of South Flumer Avenue and Fifteenth Street), which is not quite adjacent to the city limits. The City Engineer was instructed to investigate and report at the next meeting as to the distance this district is from the city limits.

The City Engineer reported that it would cost approximately \$9,159.00 for a new city camp at Ryland Farm. The Mayor advised that this report would be received but nothing would be done at this time.

September 19, 1941:

A communication from the City Engineer, submitting and filing with the City Clerk plans, specifications, details and estimate of cost in the amount of \$5,490.81 in connection with the proposed improvement to be known as the "Twenty-second Street District Paving Improvement," was read, and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1756

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DECLARING THEIR INTENTION TO IMPROVE A CERTAIN PORTION OF TWENTY-SECOND STREET; AND DETERMINING THAT BONDS BE ISSUED BY THE CITY OF TUCSON TO REPRESENT THE COST AND EXPENSES THEREOF, UNDER THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO; SAID IMPROVEMENT TO BE KNOWN AS THE 'TWENTY-SECOND STREET DISTRICT PAVING IMPROVEMENT, CHERRY AVENUE TO CAMPBELL AVENUE,'"

On motion by Councilman Codd, seconded by Councilman Nicholas and unanimously carried, Resolution No. 1756, as presented, was read the second and third time by number and title only.

After a discussion, it was moved by Councilman Niemann and seconded by Councilman Lee, that Resolution No. 1756, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1756 was declared duly passed and adopted.

A communication from the City Engineer, submitting and filing with the City Clerk plans, specifications, details and estimate of cost in the amount of \$13,630.94 in connection with the proposed improvement to be known as the "Factory Avenue District Paving Improvement," was read, and on motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1757

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, DECLARING THEIR INTENTION TO IMPROVE CERTAIN PORTIONS OF FACTORY AVENUE AND CHERRY AVENUE; AND DETERMINING THAT BONDS BE ISSUED BY THE CITY OF TUCSON TO REPRESENT THE COST AND EXPENSES THEREOF, UNDER THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO; SAID IMPROVEMENT TO BE KNOWN AS THE 'FACTORY AVENUE DISTRICT PAVING IMPROVEMENT.'"

On motion by Councilman Shantz, seconded by Councilman Codd and unanimously carried, Resolution No. 1757, as presented was read the second and third time by number and title only.

It was moved by Councilman Shantz and seconded by Councilman Miller, that Resolution No. 1757, as presented be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz,

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1757 was declared duly passed and adopted.

The Superintendent of Streets reported that the protest period on the proposed "Third Street and Stewart Avenue District Improvement" had expired, this proposed improvement having been initiated approximately a year ago. The City Clerk reported that no written protests had been received.

The Mayor inquired if there was any one in the audience who wished to protest this proposed improvement. No one appeared.

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On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1758

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, ORDERING THE IMPROVEMENT KNOWN AS THE 'THIRD STREET AND STEWART AVENUE DISTRICT IMPROVEMENT' IN THE CITY OF TUCSON, ARIZONA, AND DETERMINING THAT IMPROVEMENT BONDS SHALL BE ISSUED BY THE CITY OF TUCSON, ARIZONA, TO REPRESENT THE COSTS AND EXPENSES THEREOF, ALL IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO."

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, Resolution No. 1758, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that Resolution No. 1758, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1758 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The City Engineer advised that in accordance with instructions he had a list of property owners in connection with paving the connecting links on Twenty-Second Street and Factory Avenue. The Mayor advised that the next thing to do was to get their consent.

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 913

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING THE EAST-WEST ALLEY IN BLOCK 32 IN JEFFERSON PARK ADDITION TO THE CITY OF TUCSON."

The second and third readings of this proposed ordinance by number and title only were postponed until the meeting to be held on October 6, 1941.

The City Attorney explained that in July a resolution was passed authorizing a contract for water to the United States Government housing development in connection with the Air Base, that it was identified as No. Ariz. 2021 and since that time the Army has changed it to Ariz. 2021-B so it would be necessary to pass another resolution.

Whereupon, on motion by Councilman Codd, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1759

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING A CONTRACT FOR THE FURNISHING OF WATER TO THE GOVERNMENT HOUSING DEVELOPMENT IN TUCSON BY THE CITY OF TUCSON."

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, Resolution No. 1759, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Codd, that Resolution No. 1759, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1759 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1760

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON FIXING RATES FOR SEWER CONNECTIONS AND SEWER RENTALS OUTSIDE THE CORPORATE LIMITS OF THE CITY OF TUCSON."

The Mayor stated that there is a question whether the City could use public money to take sewage into the city because the sewers have been paid for by the property owners; however, this being an interceptor sewer, and public money had never been used for that purpose before.

The City Attorney advised that upon investigation he had found that the City can sell any of its surplus services just as a private person or corporation could, subject to the paramount rights of its inhabitants.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, Resolution No. 1760, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann, that Resolution No. 1760, as presented, be passed and adopted.

The Mayor stated that in his opinion it should be made absolutely clear that these people would have to pay for both the district sewer and some intercepting sewer; and Councilman Miller suggested that the City Attorney draw a form of contract and that it be approved by the Mayor and Council.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jastad;

Nay: None;

Absent and not voting: None;

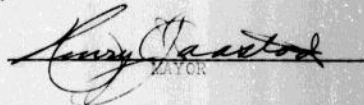
and Resolution No. 1760 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The City Engineer stated that there are instances within the city of lots which have never paid a sewer assessment, they paying taxes and maintenance, and it is more or less a theory that they should pay a fee and, in his opinion, it would be in line to instruct the City Attorney to prepare a resolution on this. He further stated that there is a case at 521 South Fifth Avenue where the sewer has been cut off.

The City Attorney advised that in connection with the specific case mentioned by the City Engineer, the Health Department had served notice on the property owners and on their failure to comply with that order they were served with a warrant and a misdemeanor charge was filed, that they were arraigned yesterday morning and plead not guilty and asked for a bill of particulars, which was furnished them. He further stated that this misdemeanor charge would not necessarily settle the matter and if the party is convicted and fined that still does not correct the situation, and that the City would have to proceed by mandamus or some appropriate remedy to compel the party, and he asked if the Mayor and Council would like to authorize him to take any action that may be necessary.

Whereupon, it was moved by Councilman Codd, seconded by Councilman Niemann and unanimously carried, that the City Attorney be authorized to take the necessary legal steps to correct the situation existing at 521 South Fifth Avenue where a dwelling house has been cut off from the sewer.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 11:51 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

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MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, October 6, 1941

A regular meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 8:00 o'clock p.m., on the 6th day of October, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Jaastad; and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

The approval of the minutes of the meetings held on July 14, July 21, August 2, August 4, August 6, August 18, August 22, September 2, and September 19, 1941, was dispensed with.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, E. M. Darnell, representing a group of residents in Mundo Vista Addition, advised that since the annexation of this addition to the city in April, 1940, they have received no benefits or conveniences from the City except garbage collection and he particularly requested that they be given city water rates.

After a discussion, it was moved by Councilman Niemann, seconded by Councilman Lee and unanimously carried, that the Citizen's Water Committee give immediate consideration to the purchase of the Mundo Vista water plant and if possible make a report at the next meeting.

C. A. Wollard presented for information of the Mayor and Council a letter addressed to him from F. R. Cottrell, Clerk of the Civil Service Commission, dated February 18, 1939, relative to his retirement pay under the Aetna Life Insurance Company, and this letter was read aloud by the City Clerk.

There being no objections this communication was referred to the Pension Committee for consideration and report to the Mayor and Council, and Mr. Wollard was advised to confer with this committee if he had anything to take up with them.

A communication from C. B. Brown, chairman of Camping and Activities Committee of the Boy Scouts of America, making application for a campsite of approximately ten acres lying in the southeast section of Randolph Park, was read.

After a discussion, (during which C. B. Brown spoke in support of his communication and the Acting City Manager explained that a previous request of the Boy Scouts for a campsite in another location on Randolph Park was withdrawn due to its being too close to the water tank and a residence district and at that time a campsite at the rodeo grounds was suggested to them), this matter was referred to the Park Committee for consideration and recommendation to the Mayor and Council.

A communication from the Woodmen of the World, Frazier Camp No. 111, requesting that the city license tax be waived on a carnival they propose to sponsor during the week of November 18 to 23, inclusive, on the so-called circus grounds on West Congress Street, part of which property is located inside the city limits, and explaining that a portion of the proceeds from this carnival would be donated to the Bundles for Britain, was read.

Lyle Thomas, one of the committeemen from the Woodmen of the World, and E.L. Gordon, representing the carnival company, spoke in support of this request.

The City Attorney stated that, in his opinion, there were no provisions in the license ordinance to permit the granting of this request.

After a discussion, this request was referred to the License Committee for consideration and report to the Mayor and Council. Councilman Niemann, chairman of the License Committee, stated that a meeting of this committee would be held in a few days and the interested parties would be notified.

A communication from the Fred J. Codd Decorating Company, requesting permission to hang street decorations (consisting of red, white and blue flags and Bundles for Britain flags) in the downtown business district from November 9 to 23, inclusive, in connection with the Woodmen of the World Festival and Exposition to be held November 18 to 23, inclusive, was read, and on motion by Councilman Lee, seconded by Councilman Nicholas and unanimously carried, this request was granted with the understanding that the Acting City Manager and City Building Inspector confer with Mr. Codd and that he complies with all the rules and regulations that apply to the hanging of such decorations.

After explanations by the Acting City Manager, it was moved by Councilman Miller, seconded by Councilman Niemann and unanimously carried, that the Mayor

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and City Clerk be authorized to execute the "Owner's Consent" clause on the Airport Dealer Agreement between Alfred A. Hudgin and the Standard Oil Company of California for the period from November 1, 1941, to October 31, 1946, relative to Municipal Airport No. 2.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the following bid on the Third Street and Stewart Avenue District Improvement was opened, publicly declared and spread upon the minutes:

WHITE AND MILLER \$19,659.37

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, the bid on the Third Street and Stewart Avenue District Improvement was referred to the Acting City Manager and City Engineer for checking and to make a report at this meeting.

A communication from Harold C. Wheeler, Acting Chief of Police, advising that it was decided by a majority vote of the entire personnel of the Police Department on October 4, 1941, that the checks which would be returned from the Aetna annuity system be held in escrow or held in a bank until some pension plan may be worked out which would embody the better features of both the Aetna annuity plan and the State Police Pension Plan, was read and ordered filed until the Pension Committee acts.

A communication from Harold C. Wheeler, Acting Chief of Police, advising that on October 4, 1941, Patrolmen Joe E. Rice, Milo W. Walker, and David J. Putney were elected to serve on the Police Pension Board, was read and ordered filed with the foregoing communication relative to police pension.

A communication from Harold C. Wheeler, Acting Chief of Police (bearing the approval of the Acting City Manager), recommending the approval of the permanent appointment of Herman King as Second-Class Patrolman of the Tucson Police Department, effective October 1, 1941, was read, and on motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the permanent appointment of Herman King was approved as recommended by the Acting Chief of Police.

A communication from Drachman-Grant (bearing the approval of the City Inspection Department), requesting the release of the master plumber's bond covering W. W. Cassell due to the fact that he is now operating under the Tidmarsh Engineering Company bond, was read.

It was moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, that Bond No. 1427015 of the Fidelity and Casualty Company of New York, dated April 11, 1932, in the sum of \$1,000.00 covering W. W. Cassell as master plumber in the City of Tucson, Arizona, be cancelled as of this date, October 6, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

A communication from John A. Bruning, attorney, requesting that the City of Tucson issue a deed to Roy M. Confer and Katherine M. Confer, husband and wife, to certain property in American Villa Resubdivision in order to clear title to same, was read.

After explanations by the City Engineer and advice from the City Attorney that this was in order, it was moved by Councilman Shantz, seconded by Councilman Miller and unanimously carried, that the Mayor and City Clerk be authorized to execute a quit claim deed to Roy M. Confer and Katherine M. Confer, husband and wife, covering that

certain 18.5 foot strip of ground lying between the North line of Lot 7 in Block 3 of American Villa Resubdivision and the South Line of East Eighth Street as now established, bounded on the west by the northerly extension of the westerly line of said Lot 7 and on the east by the northerly extension of the easterly line of said Lot 7 in Block 3, American Villa Resubdivision, City of Tucson, Pima County, Arizona, according to the map or plat of said addition of record in the office of the County Recorder of Pima County, Arizona, in Book 3 of Maps and Plats at page 10 thereof.

After a brief discussion, it was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that proposed Ordinance No. 911 be referred to the City Attorney and Acting City Manager to make investigations in connection with certain property in University Heights Addition involved in said proposed ordinance and property recently sold to Dr. C. J. Wilkerson, and to make a report at the meeting to be held on October 20, 1941.

On motion by Councilman Codd, seconded by Councilman Shantz, and unanimously carried, the City Clerk read

ORDINANCE NO. 913

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING THE EAST-WEST ALLEY IN BLOCK 32 IN JEFFERSON PARK ADDITION TO THE CITY OF TUCSON,"

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as presented, the second time by number and title only (this proposed ordinance having been read the first time in full on September 19, 1941).

The City Clerk reported that to date no written protests had been received on this proposed ordinance.

Further action on this proposed ordinance was deferred until the next meeting.

On recommendation of the License Committee and the Acting Chief of Police, it was moved by Councilman Niemann and seconded by Councilman Nicholas, that 1941 State Original Application For Spirituous Liquor License No. 1806, City Application No. 16, of Byron Clark Kemp (B. C. Kemp Distributing Company), 302 South Park Avenue, Tucson, Arizona for State Series No. 4, be approved.

The City Clerk reported that no written protests had been received.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

On request of Councilman Niemann, chairman of the License Committee, action was deferred on the application for person-to-person transfer and place-to-place transfer of the liquor license of Tito Flores, Jr., to Fred Thomas and the application for the person-to-person transfer of the liquor license of Otto Verch to A. L. Fine, pending further investigations by the License Committee. Councilman Niemann stated that the License Committee would probably meet at 4:30 p.m., Wednesday, October 8, 1941.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Demands Nos. 7451 to 7611, inclusive, in the amount of \$51,144.54 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$45,827.69 from General Fund, \$1,397.69 from Publicity Fund, \$553.83 from Bond Interest Fund, \$356.86 from Bond Redemption Fund, \$2,585.76 from Special Levy Fund, \$10.15 from Library Reconstruction Fund, and \$412.86 from Advertising Fund).

The Mayor advised that this was the time and place designated for further consideration on the proposal to change the zoning on Lots 1 to 8, inclusive, Block 3 of the City of Tucson, and Lots 9 to 16, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence; and on motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, further consideration on said proposed rezoning was postponed until November 3, 1941, at 8:00 o'clock p.m.

Councilman Lee reported that the Street Committee would meet with the Board of Supervisors on the garbage and refuse disposal matter as soon as compilation of figures on amount of garbage burned and other necessary information are available. The Acting City Manager reported that the Assistant Superintendent of Streets is compiling this information now.

Councilman Miller stated that some ninety days ago upon the passage of an ordinance repealing the Aetna Life Insurance and Pension Plan for the Police Department the Finance Committee was appointed to work out the details and report to the Council on the State Police Pension Plan, that it was his understanding this committee had not made this study, had not had a meeting, and had not made a report, and he asked if this was true. Councilman Niemann, chairman of the Finance Committee, stated that this was true.

Councilman Miller stated that in view of the fact that the Finance Committee of the Council, which was appointed to work out the details on the State Pension Plan, had not made a report to the Council and that at the present time there is a question as to the protection afforded the policemen, he would move that the City Attorney be requested to read for the first time in full a proposed ordinance rescinding Ordinance No. 691 which in effect adopted the Police Pension Act of 1937, said proposed ordinance being

ORDINANCE NO. 914

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AMENDING ORDINANCE NO. 691, AS HERETOFORE AMENDED BY ORDINANCES NO. 792 AND 904, WITH RESPECT TO POLICE PENSIONS,"

This motion was seconded by Councilman Nicholas, and on vote being taken the motion was unanimously carried, and, thereupon, Ordinance No. 914 was read the first time in full by the City Attorney.

On motion by Councilman Codd, seconded by Councilman Nicholas and unanimously carried, Ordinance No. 914, as presented, was read the second and third time by number and title only.

It was moved by Councilman Codd and seconded by Councilman Miller, that Ordinance No. 914, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Janstad;

Nay: None;

Absent and not voting: None;

and Ordinance No. 914 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

Preliminary to his next motion, Councilman Miller stated that in view of the investigations made by the committee appointed on the police pension they do not feel that the Aetna Plan is quite adequate and just protection to the city police and in view of the objections that have come up on the State Pension Plan the committee feels that a better plan can be worked out and adopted for the city police; however, in view of the fact that the City is now faced with the problem of formulating a pension plan for the City police and the City employees, as provided by the charter, he would move that the Mayor appoint a committee consisting of two members of the Council and three taxpaying citizens to formulate a pension plan for the City police and for the City employees and that the committee is to employ a competent actuary to formulate such pension plans and to have a preliminary report for the Mayor and Council at their meeting on November 8, 1941.

This motion was seconded by Councilman Lee.

Councilman Miller stated that it is understood that these pension plans are to be two separate set-ups but the same committee is to work out both. He further stated that it was the consensus of opinion of the previously appointed committee on the police pension to revert back to the Aetna plan as a temporary measure until such time as the committee can work out what the Council thinks is an adequate and just pension plan and if possible that it shall be retroactive and that it shall give the policemen in the advanced ages the same opportunity that it would give the younger men.

On vote being taken, the motion was unanimously carried, and it was so ordered.

The Mayor presented for approval the names of Halbert W. Miller and W. Stuart Nicholas, Councilmen, and William R. Mathews, James C. Grant and Matt H. Mansfield, taxpaying citizens, as members of the Pension Plan Committee of the City of Tucson.

On motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, the personnel of said Pension Plan Committee was approved as presented by the Mayor.

Councilman Nicholas, a member of the former pension committee, stated that the Aetna plan was being readopted as a temporary measure and that as far as he was concerned he was voting for it in order to free the hands of the new committee so that it may feel entirely free and not obligated and also due to questions that have been raised on the state pension plan. He further stated that he was not wed to any plan but he did believe, in view of the fact that a number of months have elapsed between the time the Aetna plan was vacated and the present time, that to charge the men of the Police Department with the necessity of paying back commitments when they may be relieved from them within the next sixty days would be unfair, and if possible, in his opinion, they should be assisted on this by the City spreading these payments over a period of at least a year and any returns on the money that have accumulated should be devoted to that purpose. He added that, in his opinion, this was the only fair arrangement in order not to cost the policemen a great deal to take up these payments and at the same time make sure that they are covered by insurance pending the working out of another plan and he hoped that the committee would expedite the matter as much as it could.

After a discussion on finances, and Councilman Miller read a telegram which he had received from the Aetna Life Insurance Company stating that they must have authority before the 15th of this month to deduct four months for the police and that it be charged against the refund which they are holding on account of the cancellation of the firemen's pension plan, it was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that the City Council authorize the Aetna Life Insurance Company to subtract the premiums for the months of July, August, September and October for the Police Pension Fund from the City's share of the Firemen's Pension Fund that they now hold in favor of the City and that the City Auditor be authorized to cover the difference from the City Police Pension Fund and the General Fund.

A communication from Joseph D. McAllister, City Treasurer, setting forth payments to the Aetna Life Insurance Company by the city and by Julian C.

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McLaughlin, now deceased, and payments by the Aetna Life Insurance Company to Mr. McLaughlin and the City, was read. Councilman Lee remarked that these figures were even worse than those given him by Mrs. McLaughlin and reported by him at the meeting on September 19, 1941, and the communication was ordered filed.

Councilman Nicholas stated that he would like to know if Wm. F. Kimball was clear and in agreement with the action taken on the police pension, as he is attorney for the policemen.

Mr. Kimball stated that from the very start in meetings with the committees and in the public hearings that were held at that time, the Fraternal Order of Police has been extremely reasonable in this matter and, speaking for them, the attention of the committee was called first to the twenty year error in the State Pension Plan and the two other errors and it was the stipulation of the policemen that first, they would waive the twenty year error; second, they would waive the error in the original bill passed in 1937 relative to the \$180 a month; and third, the Fraternal Order of Police agreed to pay on the basis of three per cent rather than the two per cent stipulated in the State Pension. He further stated that the policemen are willing to cooperate in any possible way to work this out fairly. He added, one item that had been discussed was the refunds, that the refunds on the firemen's pension plan were mandatory by the wording of the state law, that there were no objections on the part of the Council, and that he believed the police force understands that at the present time. He also stated that he believes the Police Department would have confidence in the new pension committee and asks that a fair plan for themselves and families be adopted or recommended by this committee and acted on by the Council, that the Police Committee feels in numerous types of instances the Aetna plan is grossly unfair and bad business for the city, so the police force asks that the committee work with all possible speed in order that the payments made in the interim, when a better plan than the Aetna is adopted, would not be a burden on themselves and the City.

After explanations by Councilman Nicholas that the National Youth Administration has a tentative lease with the City covering Lots 8, 9, and 10, Block 12, Riecker's Addition, it was moved by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, that the following motion passed on September 2, 1941, which is as follows, to-wit:

"that the City of Tucson exchange
Lots 11, 12, and 13, Block 8,
Lots 5 and 6, Block 11, and
Lots 8, 9, and 10, Block 12,
all in Riecker's Addition to the City of Tucson,
which are owned by the City of Tucson and valued in the
neighborhood of \$8,000, for

Lots 2 to 12, inclusive, Block 244, City of Tucson,
owned by John W. Murphey and valued at \$5,380, Mr. Murphey
to pay the difference in price, and that the Mayor and City
Clerk be authorized to execute the necessary deed and trans-
fer and that the City Attorney be instructed to prepare the
proper agreement,"

be and is hereby rescinded.

It was moved by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, that the City of Tucson exchange

Lots 11, 12, and 13, Block 8,
Lots 5 and 6, Block 11, and
Lot 5, Block 12,
all in Riecker's Addition,

which are owned by the City of Tucson and valued at \$7,500, for

Lots 2 to 12, inclusive, Block 244, City of Tucson,
owned by John W. Murphey and valued at \$5,380, Mr. Murphey to pay the difference
in price, and that the Mayor and City Clerk be authorized to execute the
necessary deed and transfer and that the City Attorney be instructed to prepare
the proper agreement.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously
carried, the sale of

Lot 9, Block 28, Fairmount Addition to the City of Tucson, to John
F. and Elizabeth B. Ehlers for the sum of \$200 was approved, and the Mayor and
City Clerk were authorized to execute a deed covering the sale of this property.

On motion by Councilman Nicholas, seconded by Councilman Codd and unanimously
carried, the sale of

Lot 3, the East 50 feet of Lot 4, the East 50 feet of
Lot 5, and Lot 6, Block 10, Manlove Addition to the
City of Tucson,

to Fernando Croceo for the sum of \$150 was approved, and the Mayor and City
Clerk were authorized to execute a deed covering the sale of this property.

After explanations by Councilman Nicholas, chairman of the Building and Land Committee, it was moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, that the City Clerk be instructed to advertise and sell at public auction on the front steps of the City Hall, Tucson, Arizona,

the West 134.8 Feet of Lot 2,
the West 134.8 feet of the North 34 feet of Lot 3, and
the South 32 feet of Lot 3, all in Block 133, City of Tucson,

at a price of not less than \$250, and that the sale of this property be made subject to an easement being reserved by the City of Tucson for drainage purposes; and that the motion passed on September 19, 1941, in connection with the sale of this same property be and is hereby rescinded.

Councilman Nicholas reported that the Building and Land Committee is working with the Rodeo Committee on the renewal of lease on the rodeo grounds.

After a discussion on suggested terms submitted by the American Airlines, Inc., for a lease between them and the City of Tucson in connection with Municipal Airport No. 2, it being the consensus of opinion that the suggested terms were not satisfactory to the Mayor and Council, it was moved by Councilman Miller, seconded by Councilman Nicholas and unanimously carried, that the Finance Committee, Mayor and Acting City Manager continue negotiations with the American Airlines, Inc.

On motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the proposed site for the Negro Recreation Center was referred to the Building and Land Committee for consideration and report and a special meeting of the Mayor and Council would be called if necessary.

The Acting City Manager reported that the roof on the Ayland Farm ranch house, owned by the City, needed replacing and on motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the Acting City Manager was requested to make a report on the approximate cost of replacing this roof.

The City Attorney explained a proposed amendment the Acting Chief of Police would like to have made to Ordinance No. 764 relative to hit-and-run drivers, and on motion by Councilman Codd, seconded by Councilman Shantz and unanimously carried, the City Attorney was instructed to prepare such an amendment for presentation to the Mayor and Council.

After explanations by the City Attorney that the City has secured an order for possession of the remaining lands at Municipal Airport No. 2, and on motion by Councilman Shantz, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1761

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, CONSTITUTING AGREEMENT WITH THE UNITED STATES RELATIVE TO OPERATION AND MAINTENANCE OF THE TUCSON MUNICIPAL AIRPORT."

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, Resolution No. 1761, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Nicholas, that Resolution No. 1761, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Janstad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1761 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1762

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE EXECUTION OF A LEASE TO SHELL OIL COMPANY, INC. FOR LOTS 'A' AND 'A-1' OF THE MUNICIPAL AIRPORT."

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On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, Resolution No. 1762, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann, that Resolution No. 1762, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1762 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Upon recommendation of the Acting City Manager and City Engineer, it was moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, that the bid received on the proposed Third Street and Stewart Avenue District Improvement be rejected and that the City Attorney be instructed to prepare and present to the Mayor and Council the proper resolution rejecting all bids and designating the City of Tucson as the contractor.

A communication from R. E. Stallings, City Engineer, submitting and filing with the City Clerk plans, specifications, details and estimate of cost in the amount of \$21,303.23 in connection with the proposed "Vine Avenue and Highland Avenue District Paving Improvement," was read, and on motion by Councilman Lee, seconded by Councilman Nicholas and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1763

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, DECLARING THEIR INTENTION TO IMPROVE CERTAIN PORTIONS OF VINE AVENUE AND HIGHLAND AVENUE; AND DETERMINING THAT BONDS BE ISSUED BY THE CITY OF TUCSON TO REPRESENT THE COST AND EXPENSES THEREOF, UNDER THE PROVISIONS OF ARTICLE 23, CHAPTER 18, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO; SAID IMPROVEMENT TO BE KNOWN AS THE 'VINE AVENUE AND HIGHLAND AVENUE DISTRICT PAVING IMPROVEMENT,'"

On motion by Councilman Lee, seconded by Councilman Niemann and unanimously carried, Resolution No. 1763, as presented, was read the second and third time by number and title only.

It was moved by Councilman Lee and seconded by Councilman Niemann, that Resolution No. 1763, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

Councilman Niemann stated that, in his opinion, on future paving projects sidewalks should be included.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1763 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

A communication from R. E. Stallings, City Engineer, submitting and filing with the City Clerk plans, specifications, details, and estimate of cost in the amount of \$17,313.14 in connection with the proposed "Seventeenth Street District Paving Improvement," was read and on motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1764

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, DECLARING THEIR INTENTION TO IMPROVE CERTAIN PORTIONS OF SEVENTEENTH STREET AND THE ALLEY THROUGH BLOCKS 116, 125, AND 128 CITY OF TUCSON; AND DETERMINING THAT BONDS BE ISSUED

October 6, 1941:

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BY THE CITY OF TUCSON TO REPRESENT THE COST AND EXPENSES THEREOF, UNDER THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO; SAID IMPROVEMENT TO BE KNOWN AS THE 'SEVENTEENTH STREET DISTRICT PAVING IMPROVEMENT,'"

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, Resolution No. 1764, as presented, was read the second and third time by number and title only.

It was moved by Councilman Codd and seconded by Councilman Niemann, that Resolution No. 1764, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;

Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1764 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The City Engineer reported that, in his opinion, after contacting the property owners the proposed Factory Avenue District Paving Improvement was impossible because some two or three persons own a majority of the property affected and they are absolutely against this improvement, and on the proposed Twenty-Second Street District Paving Improvement, Cherry Avenue to Campbell Avenue, approximately sixty-seven per cent of the property owners are either in favor of this proposed improvement or would not protest.

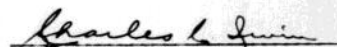
The City Clerk reported that he had one copy of the City Audit for the fiscal year 1940-41 and he suggested that each Councilman keep it for about a week for reading and study and return it, and Councilman Codd suggested that it be given to the members of the Finance Committee first and then to the other Councilmen.

Monthly reports from various departments were received and placed on file.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 11:00 o'clock p.m., subject to the call of the Mayor.



ATTEST:


CITY CLERK

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October 8, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona,

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 4:30 o'clock p.m., on the 8th day of October, 1941, for the purpose of considering the passage and adoption of a proposed resolution constituting agreement with the United States relative to operation and maintenance of the Tucson Municipal Airport and a proposed resolution designating the City of Tucson the contractor for the Third Street and Stewart Avenue District Improvement; considering the offer of the United States Government on Docket Ariz. 2-106, Tucson Recreational Facilities, in the amount of \$50,000; and all other business that may properly come before the meeting.

Dated the 7th day of October, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William Henry Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF THE CITY COUNCIL MEETING

Tucson, Arizona, October 8, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 4:30 o'clock p.m., on the 8th day of October, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

Fred D. Lee, W. Stuart Nicholas, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: William H. Codd and Halbert W. Miller, Councilmen.

The approval of the minutes of the meetings held on July 14, July 21, August 2, August 4, August 6, August 18, August 22, September 2, September 19, and October 6, 1941, was dispensed with.

After explanations by the City Attorney relative to certain language required by the U. S. Government that was not included in Resolution No. 1761, which was passed and adopted on October 6, 1941, but has been inserted in another resolution prepared by him, and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1765

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, CONSTITUTING AGREEMENT WITH THE UNITED STATES RELATIVE TO OPERATION AND MAINTENANCE OF THE TUCSON MUNICIPAL AIRPORT."

On motion by Councilman Lee, seconded by Councilman Nicholas and unanimously carried, Resolution No. 1765, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Lee, that Resolution No. 1765, as presented, be passed and adopted.

October 8, 1941:

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The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Lee, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: Councilmen Codd and Miller;

and Resolution No. 1765 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

Councilman Miller arrived at the meeting at this time.

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1766

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DESIGNATING SAID CITY AS THE CONTRACTOR FOR THE THIRD STREET AND STEWART AVENUE DISTRICT IMPROVEMENT."

On motion by Councilman Lee, seconded by Councilman Miller and unanimously carried, Resolution No. 1766, as presented, was read the second and third time by number and title only.

After a discussion, it was moved by Councilman Niemann and seconded by Councilman Nicholas, that Resolution No. 1766, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Lee, Miller, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Codd;

and Resolution No. 1766 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

A telegram received today from J. W. Bournier, Acting Regional Director of D.F.W., stating that Docket Ariz. 2-106, Tucson Recreational Facilities, in the amount of \$50,000, the project to be constructed by Federal agency, had been approved and to advise within two days whether or not the government's offer would be accepted and that a formal agreement would be negotiated within a reasonable time, was read.

It was moved by Councilman Shantz, and seconded by Councilman Nicholas, that the Mayor be authorized on behalf of the City of Tucson to accept said offer of the United States Government.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

The City Clerk advised that a letter had been received from Dr. W. Claude Davis submitting his resignation as chairman of the City Aviation Commission due to increased professional activities and that he is not now actively engaged in flying.

The Mayor advised that he would endeavor to submit for approval at the next meeting the appointment of another City Aviation Commission, adding that he would appreciate suggestions. Councilman Nicholas suggested that one member from the Chamber of Commerce Aviation Committee be selected.

Maps showing the proposed site of the Negro recreational center were presented to the Mayor and Councilmen for study.

A communication from Phil J. Martin, Jr., Acting City Manager, requesting that the provisional appointment of E. D. Herreras as City Building Inspector, which was extended for a period of 60 days from August 8, 1941, expiring on October 7, 1941, be extended for an additional period of ninety days or until an eligible register for such position is established, whichever period may be the shorter, was read, and on motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, this request was granted.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 8:10 o'clock p.m., subject to the call of the Mayor.

ATTEST:

Charles E. Iwen
CITY CLERK

Harry Jaastad
MAYOR

AAJ352

October 20, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:00 o'clock p.m., on the 20th day of October, 1941, for the purpose of considering the liquor license applications of Fred Thomas and A. L. Fine; receiving the preliminary report from the City Planning and Zoning Commission; considering the passage and adoption of a proposed ordinance vacating the east-west alley in Block 32 in Jefferson Park Addition; considering the approval of payment of Demands Nos. 7612 to 7644, inclusive, in the amount of \$37,537.59; considering the approval of sale of several pieces of city-owned property; considering the passage and adoption of a proposed ordinance amending Article IX of Ordinance No. 764, by adding thereto a new section to be known as Section 55-A; considering the passage and adoption of a proposed resolution ordering the improvement known as the "Twenty-Second Street District Paving Improvement, Cherry Avenue to Campbell Avenue;" and all other business that may properly come before the meeting.

Dated the 18th day of October, 1941.

(Signed) Henry O. Jaestad
Henry O. Jaestad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) William Henry Codd
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) Henry O. Jaestad
Mayor

(Signed) Halbert W. Miller
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) W. Stuart Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, October 20, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:00 o'clock p.m., on the 20th day of October, 1941, in the Council Chamber of the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaestad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jaestad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, the minutes of the meetings held on July 14, July 21, August 2, August 4, August 6, August 22, and October 8, 1941, were approved as presented.

The approval of the minutes of the meetings held on August 18, September 2, September 19, and October 6, 1941, was dispensed with.

Councilman Niemann, chairman of the License Committee, reported that since the last meeting a communication has been received from Tito Flores, Jr., requesting that his application for transfer of his liquor license to Fred Thomas be cancelled, and Councilman Niemann moved that the person-to-person transfer of the liquor license of Tito Flores, Jr. (Economy Drug) to Fred Thomas (Fred's Liquor Store) (1941 State Application for Transfer of Spirituous Liquor Licenses No. 231, City Application No. 17) and the place-to-place transfer of this liquor license from 132 West Congress Street to 120 West Congress, Tucson, Arizona, (1941 State Application for Transfer of Location No. 232, City Application No. 17), covering State Series No. 1431, be denied due to it being withdrawn. This motion was seconded by Councilman Codd.

The file in this matter contained a communication from Sam Ward, filed

October 20, 1941:

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October 1, 1941, submitting a protest signed by L. S. Raymond and twenty other business establishments, protesting the transfer of this liquor license on the ground that, in their opinion, there is a sufficient number of liquor dispensing places in that neighborhood to serve their needs.

A petition signed by Macedonio Vargas and thirty-one others, stating that they have no objections to the transfer of this liquor license to Fred Thomas was filed on October 6, 1941.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

Councilman Niemann, chairman of the License Committee, reported that after consideration and investigation the committee recommends the denial of the transfer of the liquor license from Otto Verch to A. L. Fine, and it was moved by Councilman Miller that the person-to-person transfer of the liquor license of Otto Verch, 258 South Stone Avenue, Tucson, Arizona, to A. L. Fine, 258 South Stone Avenue, Tucson, Arizona (1941 State Application for Transfer of Spirituous Liquor Licenses No. 245, City Application No. 18, covering State Series No. 9, be denied due to the fact that Mr. Fine made some misrepresentations when being interviewed by the investigator for the City and also it is felt that Mr. Fine is not financially able to carry on in the liquor business. This motion was seconded by Councilman Lee.

The City Clerk reported that no written protests had been received.

The Mayor inquired if there was any one in the audience who wished to speak for or against this motion. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

A communication from the City Planning and Zoning Commission, submitting the proposed Building Zone Ordinance and Map, this being the commission's preliminary report on the various zoning districts and appropriate regulations to be enforced therein, and advising that a final report would be submitted after a statutory hearing, was read and the City Clerk was instructed to furnish the Mayor and each Councilman with a copy of these documents for their study.

A communication from Edward C. Jacobs, requesting the rezoning of certain property owned by him on the northeast corner of West Congress and Bonita Streets from "B" residence to industrial, was read and referred to the City Planning and Zoning Commission for consideration and recommendation to the Mayor and Council.

A communication from the Tucson Chamber of Commerce, (with sketch attached), submitting suggested zoning for the proposed annexation to the City of Tucson of that area extending from Country Club Road west to the city limits and from Broadway north to the city limits and suggesting that this matter be referred to the City Planning and Zoning Commission, was read and on motion by Councilman Nicholas, seconded by Councilman Codd and unanimously carried this matter was referred to the City Planning and Zoning Commission for consideration and recommendation to the Mayor and Council.

A communication from Frank Knox, Secretary of the Navy, Washington, D.C., a communication from Captain J. W. Gates, Twelfth Naval District, San Francisco, California, and a telegram from Representative John R. Murdock, Washington, D.C., advising that construction on a cruiser to be named "TUCSON" would be started soon and the launching date, which would probably not be before February, 1943, would be announced later, were read and ordered filed.

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, the City Clerk read

ORDINANCE NO. 913

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING THE EAST-WEST ALLEY IN BLOCK 32 IN JEFFERSON PARK ADDITION TO THE CITY OF TUCSON,"

as presented, the third time by number and title only (this proposed ordinance having been read the first time in full on September 19, 1941, and the second time by number and title only on October 6, 1941).

The City Clerk reported that no written protests had been received in connection with this proposed ordinance.

It was moved by Councilman Niemann and seconded by Councilman Nicholas, that Ordinance No. 913, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

AAJ352

October 20, 1941:

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Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;

Nay: None

Absent and not voting: None;

and Ordinance No. 913 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

On motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, Demands Nos. 7612 to 7644, inclusive, in the amount of \$37,557.89 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$22,432.90 from General Fund, \$9,829 from Special Levy Fund, \$3,674.89 from Advertising Fund, \$216.30 from Tucson Housing Authority Fund, \$19.80 from Library Reconstruction Fund, and \$1,376.00 from Library Fund).

Councilman Lee as Chairman of the Water Committee made inquiry relative to the status of the water situation in Mundo Vista and Monterey Additions. The Mayor advised that the Water Department is making tests on the wells and as soon as these are completed a meeting of the Citizens' Water Committee would be called.

It was moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, that the City Auditor be authorized to draw a warrant on the General Fund payable to Eugene Riecker and wife for a quit claim deed to Lots 9 to 14, inclusive, in Block 11 of Riecker's Addition, said deed being for the purpose of clearing title to lots which the City has sold to the Tucson Realty and Trust Company, the amount to be paid not to exceed \$100 dollars exclusive of the expenses of obtaining it.

After explanations by Councilman Nicholas, chairman of the Building and Land Committee, it was moved by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, that the sale of the

West 134.8 feet of Lot 2,
West 134.8 feet of the North 34 feet of Lot 3, and
South 32 feet of Lot 3,
all in Block 133, City of Tucson,

to Harry A. and Eleanor C. Sellers, husband and wife, for the total sum of \$250, be approved, with the provision that the deed contain a clause to the effect that an easement is to be reserved by the City of Tucson for drainage purposes, and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property, and that previous instructions to the City Clerk to sell this property at public auction be cancelled.

On motion by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, the sale of

Lots 9, 10, and 11, Block 2, South Park Addition to the City of Tucson, to Louis Hughes for a price of \$125 per lot was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, the sale of

Lot 4, Block 4, Buena Vista Addition to the City of Tucson, to the Tucson Realty and Trust Company, a corporation, for the sum of \$200, was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

After explanations by Councilman Nicholas and the City Attorney, it was moved by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, that the offer of C. R. Wallace to give the City of Tucson a quit claim deed to the following lots in University Heights Addition:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 12, Block 49;
Lots 15, 16, 19, 20, 23, Block 51;
Lots 4, 7, 11, 12, 15, 16, 19, 20, 23 and 24, Block 58
Lots 11, 15, and 16, Block 59;
Lots 3, 4, 7, 8, 11, 12, 15 and 16, Block 60;
Lots 3, 4, 7, 8, 11 and 12, Block 61;
Lots 4, 7, 11, 12, 15 and 16, Block 62;
Lots 3, 7, 8, 23 and 24, Block 63
All in University Heights Addition to the City of Tucson

in order to clear title to same, on condition that the City of Tucson purchases outright from Mr. Wallace Lots 11 and 12, Block 56, and Lot 22, Block 46,

University Heights Addition for the sum of \$350.00, be accepted.

Upon recommendation of the Building and Land Committee and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the following prices on the following described City owned properties were approved for a period of six months:

Lot	Block	Add.	Price
7	3	Altadina Heights	\$250
12	1	" "	500
9	8	Alta Vista	200
13	8	" "	300
pt. Bl. 1 Barnes &			
pt. Bl. 6 Old World			625
1	50	Bronx Park	300
7	1	Buena Vista	250
2	16	Buell's	450
7	126	City of Tucson	125
10	123	" " "	125
8	147	" " "	250
9	147	" " "	250
12	147	" " "	265
10	151	" " "	125
11	151	" " "	150
21 & 22	25	Drake's	350
11	16	Fairmount	300
15 & E $\frac{1}{2}$ of 16-27		"	500
13	31	"	350
10	4	Feldman's	300
7	5	"	325
11	5	Feldman's	300
12	5	"	300
5 & 6	16	"	300 each
9, 12, 13, 14,			
15 & 16	16	"	2000 total
3	7	Nob Hill	300
20 & 21	15	Rincon Heights	400
22, 23, 24	16	" "	450
3	10	South Park	125
11	10	" "	125
8	3	" "	125
6	3	" "	125
11	1	" "	125
12	1	" "	125
3	21	" "	150
1	20	" "	125

The City Attorney advised that the Police Department had requested a hit-and-run ordinance and he had prepared one.

After a discussion and on motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 915

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, AMENDING ARTICLE IX OF ORDINANCE NO. 764, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 55-A."

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Ordinance No. 915, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Codd, that Ordinance No. 915, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd; Lee in voting "aye" stated he was for the emergency clause in this case because he feels it is vitally important for the peace, health and safety; Miller; Nicholas in voting "aye" stated "I don't think it has any thing to do with the health but I will go for the safety"; Niemann; and Shantz; Mayor Jaasted;

Nay: None;

Absent and not voting: None;

and Ordinance No. 915 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

The Superintendent of Streets reported that the protest period on the proposed "Twenty-Second Street District Paving Improvement, Cherry Avenue to Campbell Avenue" had expired. The City Clerk reported that no written protests had been received.

The Mayor inquired if there was any one in the audience who wished to protest this proposed improvement. No one appeared.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1767

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, ORDERING THE IMPROVEMENT KNOWN AS THE 'TWENTY-SECOND STREET DISTRICT PAVING IMPROVEMENT, CHERRY AVENUE TO CAMPBELL AVENUE' IN THE CITY OF TUCSON, ARIZONA, AND DETERMINING THAT IMPROVEMENT BONDS SHALL BE ISSUED BY THE CITY OF TUCSON, ARIZONA, TO REPRESENT THE COSTS AND EXPENSES THEREOF, ALL IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO."

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, Resolution No. 1767, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann, that Resolution No. 1767, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jenstad;

Nay: None;

Absent and not voting: None;

and Resolution No. 1767 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Edward C. Jacobs asked if the liquor dispensing places in the City would be required to close Saturday during the school election and stated that the State Attorney General advised that they would not have to close. The City Attorney advised that this was a matter for the County Attorney to decide.

The Mayor advised that he had received a telegram from Senator Ernest W. McFarland stating that the Federal Works Agency announces presidential approval of the Health Center and Welfare Project at Tucson, federal grant being \$16,500 and total project cost being \$38,500.

The Mayor presented for approval the names of Earl Billiter, W. Stuart Nicholas, E. T. Ankerson, Pete Waggoner, Martin L. Thornburg, and A. A. Hudgin (ex-officio member) as members of the Aviation Commission of the City of Tucson for a term ending on the first Monday in May, 1942, and on motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, the personnel of the Aviation Commission of the City of Tucson was approved as presented by the Mayor.

Councilman Miller inquired as to what disposition was made of the request of the Woodmen of the World for a free permit to conduct a carnival on the so-called circus grounds on West Congress Street. Councilman Niemann, chairman of the License Committee, advised that a meeting had been held with representatives of this organization and the carnival company and it was explained to them that their request could not be granted, and he understands they made arrangements to put three concessions on that part of the property inside the city limits and pay the regular license fee and place the remaining concessions on the property located outside the city limits.

It was stated that some complaints had been received relative to this carnival.

Councilman Niemann, chairman of the Finance Committee, reported that this committee was working on a proposed new procedure for Council meetings and would probably have a report in the near future.

Councilman Nicholas reported that the Pension Committee was working on the pension matter referred to it.

Councilman Nicholas stated that he may be out of order but he would like to mention that there is a new policeman on the force by the name of Jack Guernsey who picked up a man the other night who was very much wanted and he just wished to say that he would like to see this kind of work go on in the Police Department.

October 20, 1941:

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There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 9:00 o'clock p.m., subject to the call of the Mayor.

Henry DeArdo
Mayor

ATTEST:

Charles L. Quinn
CITY CLERK

AAJ352

October 22, 1941:

510

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said City will be held in the City of Tucson, Arizona, at the City Hall at 4:30 o'clock p.m., on the 22nd day of October, 1941, for the purpose of considering the passage and adoption of a proposed resolution accepting an offer of aid in the building of a Health and Welfare Center in the City of Tucson made by the United States of America through the Regional Director of DPW, considering the approval of the sale of Lots 9 to 16, inclusive, Block 11, Riecker's Addition to the City of Tucson, to the Tucson Broadcasting Company, a corporation, and all other business that may properly come before the meeting.

Dated this 21st day of October, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) W. Stuart Nicholas
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, October 22, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 4:30 o'clock p.m., on the 22nd day of October, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: W. Stuart Nicholas, Councilman.

The approval of the minutes of the meetings held on August 18, September 2, September 19, October 6, and October 20, 1941, was dispensed with.

A telegram from Wright L. Felt, Regional Director of D.P.W., announcing approval of Application Arizona 2-107, Health Center and Welfare Activities, grant \$16,500, applicant \$20,000, cost \$36,500, asking that the City advise within two days whether or not it accepts the government's offer, and advising that formal agreement would follow in due time, was read.

After explanations by Mayor Jaastad and on motion by Councilman Lee, seconded by Councilman Niemann and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1768

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON ACCEPTING AN OFFER OF AID IN THE BUILDING OF A HEALTH AND WELFARE CENTER IN THE CITY OF TUCSON MADE BY THE UNITED STATES OF AMERICA THROUGH THE REGIONAL DIRECTOR OF DPW."

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, Resolution No. 1768, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Niemann, that Resolution No. 1768, as presented, be passed and adopted.

October 22, 1941:

511

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, Shantz; Mayor Jansstad;

May: None;

Absent and not voting: Councilman Nicholas;

and Resolution No. 1768 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

A communication from the Tucson Realty and Trust Company, advising that they wish to exercise their option to purchase Lots 9 to 16, inclusive, Block 11, Riecker's Addition, and requesting that the deed be made in the name of the Tucson Broadcasting Company, a corporation, was read.

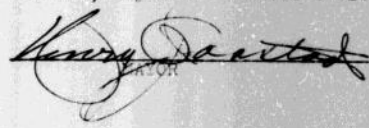
On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the sale of

Lots 9 to 16, inclusive, Block 11, Riecker's Addition to the City of Tucson, to the Tucson Broadcasting Company, a corporation, for the sum of \$1,500, was approved, and the Mayor and City Clerk were authorized to execute the deed covering the sale of this property.

The Mayor advised that Mr. Sundt, local contractor, had received an order from the U. S. government to proceed with the construction of a frame and plastered building in connection with the Negro recreation center, which construction does not comply with the building code of the City of Tucson, and he requested that the City Attorney investigate this matter to determine what the City could do about it.

Councilman Lee requested a meeting in the next few days with the Street and Sewer Departments, Acting City Manager and City Attorney to discuss certain matters.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 4:50 o'clock p.m., subject to the call of the Mayor.



ATTEST:


CITY CLERK

AM352

November 3, 1941:

512

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, November 3, 1941.

A regular meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 8:00 o'clock p.m., on the 3rd day of November, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Jansstad, and on roll call the following answered present:

William R. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jansstad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the minutes of the meetings held on August 18, September 2, September 19, and October 22, 1941, were approved as presented.

The approval of the minutes of the meetings held on October 6 and October 20, 1941, was dispensed with.

A communication from Harry W. Hazeltine (with sketch attached), offering to deed a sufficient strip of land to the City in order to extend Elberta Street through to Vine Avenue and thereby eliminate the present dead-ending of Elberta Street, provided the City of Tucson would grade and improve said street and make it suitable and adequate for a public thoroughfare and submitting a Bargain and Sale Deed in this connection, was read.

Mr. Hazeltine spoke in support of his offer and advised that he proposed to deed this strip of land to the City without cost.

After a brief discussion, it was moved by Councilman Miller, seconded by Councilman Shantz and unanimously carried, that this matter be referred to the Street Committee and City Engineer for study and recommendation to the Mayor and Council at their meeting on November 17, 1941.

A communication from Warren A. Grossetta, resigning as a commissioner of the Tucson Housing Authority and as chairman of said Authority, effective at once, was read, and on motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the resignation of Warren A. Grossetta was accepted and the City Clerk was instructed to write a letter of thanks and appreciation to him for his work and cooperation while a member of this Authority.

The Mayor presented for approval the appointment of Henry B. Langers as a member and chairman of the Tucson Housing Authority to fill the unexpired term of Warren A. Grossetta and explained that this appointment had been suggested by members of the Tucson Housing Authority.

Whereupon, it was moved by Councilman Niemann, and seconded by Councilman Shantz, that the appointment of Henry B. Langers as a member and chairman of the Tucson Housing Authority to fill the unexpired term of Warren A. Grossetta, resigned, whose term was for a period of five years from February 24, 1941, be approved and confirmed.

The Mayor inquired if there was any one in the audience who wished to make any remarks in connection with this motion. No one appeared.

On vote being taken, the motion was unanimously carried and it was so ordered.

A communication from William R. Mathews, chairman of the Pension Committee, advising that before a new pension plan could be worked out certain legal difficulties must be settled and requesting that the City Attorney be authorized to bring a suit for a declaratory judgment on (1) the right of the city to contract with private insurance companies for pension annuities; (2) the right of the city to contract for and pay death benefits; (3) the right of the city to grant joint survivorship pension; and (4) what officers and employees are covered by the Workman's Compensation law, was read, and on motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, the City Attorney was instructed to proceed along the lines requested in Mr. Mathews' communication.

A communication from H. E. Stallings, Superintendent of Streets, requesting authority to void Assessment No. 473 of the Ninth and Tenth Streets District paving improvement and substitute therefor Assessment No. 473-A for \$93.28 (balance due) against the east 38 feet of Lot 13, Block 2, Altadina Heights Addition, owned by Robert H. Frick and Gertrude Frick, his wife, and Assessment No. 473-B for \$59.26 (balance due) against the west 12 feet of said Lot 13, owned by Clayton Turnage and Glean Turnage, his wife, in order that this lot may conform to present ownership and improvements occupying same, and advising that this request is in order, was concurred in by White and Miller, contractors at interest, and that both parcels created by the reapportionment of assessment are occupied in part by improvements which are connected to the sewer, was read, and on motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, this reapportionment of assessment was approved as submitted by the Superintendent of Streets.

A communication from the Tucson Realty and Trust Company, requesting the cancellation of the master plumber's bond covering Carl J. Edlind, and a communication from Carl J. Edlind, also requesting the cancellation of his bond, were read.

It was moved by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, that Bond No. 605178 of the American Bonding Company in the sum of \$1,000.00 covering Carl J. Edlind as master plumber in the City of Tucson, Arizona, be cancelled as of March 15, 1941, provided the City of Tucson does not release any claim for liability now existing or that may hereafter exist under the terms of this bond for any acts or omissions of the principal prior to said date of release.

A communication from the Tucson Chamber of Commerce, requesting that the City of Tucson contribute \$1,000 to the community Christmas decoration program of the downtown business district, was read.

The Mayor inquired if there was any one in the audience who wished to speak on this subject. No one appeared.

No action was taken on this communication.

The Mayor asked that the Finance Committee read and study the audit of the city books for the fiscal year 1940-41 and to make a report to the Mayor and Council and, that in his opinion, every Councilman should read it.

On motion by Councilman Nicholas, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1769

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA FOR MAINTENANCE AND OPERATION OF PUBLIC WORKS CONSISTING OF HEALTH CENTER AND WELFARE ACTIVITIES."

On motion by Councilman Niemann, seconded by Councilman Coad and unanimously carried, Resolution No. 1769, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Shantz, that Resolution No. 1769, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Coad, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;
Nay: None;
Absent and not voting: None;

and Resolution No. 1769 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1770

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL AGREEMENT TO CONTRACT NO. W-52-qm-559 BEING A LEASE FOR LANDS INCLUDED IN THE TUCSON AIR BASE."

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, Resolution No. 1770, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann, that Resolution No. 1770, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Coad, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;
Nay: None;
Absent and not voting: None;

and Resolution No. 1770 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The Mayor advised that this was the time and place designated for further consideration on the proposal to change the zoning on Lots 1 to 3, inclusive, Block 3 of the City of Tucson, and Lots 9 to 18, inclusive, Block 22, Feldman's

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Addition, from Class "A" Residence to Class "B" Residence; and on motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, this matter was postponed until 8:00 o'clock p.m., on December 1, 1941.

A petition signed by John J. Thornber and fifteen other property owners, protesting the paving of Stewart Avenue in connection with the proposed Third Street and Stewart Avenue District Improvement due to the expenditure involved, was read.

The City Engineer by reference to a sketch explained that this protest represents approximately twenty-four per cent of the whole district, approximately forty-nine per cent of the frontage on Stewart Avenue, and approximately forty-four per cent on a district basis considering Stewart Avenue only.

The Mayor inquired if there was any one in the audience who wished to speak on this matter.

John J. Thornber spoke in support of the protest and advised that their only reason for protesting was due to the expense to them.

After a discussion, it was moved by Councilman Miller, seconded by Councilman Codd and unanimously carried, that this matter be referred to the Street Committee and City Engineer and that they give recognition to this protest and make a report at some future meeting.

A petition signed by Rosa Buzan and twelve other property owners and a petition signed by Rosa Buzan and four other property owners, requesting that the proposed paving on Vine Avenue between Sixth and Ninth Streets be 30 feet wide instead of 40 feet, and giving the reasons therefor, were read.

The City Engineer advised that this petition represents 55 per cent of the frontage on Vine Avenue and 43 per cent on a district basis considering Vine Avenue only, and considering the whole paving district of Vine and Highland Avenues as one unit the petition represents about 23 per cent. He explained that the resolution of intention on the proposed Vine Avenue and Highland Avenue District paving improvement specified forty-foot streets because this width would provide two parking lanes and two driving lanes whereas a thirty-foot street provides two parking lanes and one driving lane.

The Mayor inquired if there was any one in the audience who wished to speak on this matter.

Whereupon, Ian Briggs, a property owner on Vine Avenue and one of the signers of the above mentioned petition, stated that he was anxious to have Vine Avenue paved and that one of the principal reasons for requesting a 30-foot pavement was to reduce the cost. He further stated that he came to the meeting as he thought there might be some arguments on the other side, that his name was on the petition and he was not going to remove it, and that he was not here to raise objections.

It was moved by Councilman Miller, seconded by Councilman Shantz and unanimously carried, that this matter be referred to the Street Committee and the City Engineer for study, that they give recognition to this petition and make a report to the Mayor and Council at the next meeting.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

The Mayor announced to the audience that the petition for a crusher plant had been withdrawn.

Councilman Niemann, chairman of the Finance Committee, advised that he would like for the Councilmen to study the suggested rules of procedure for Council meetings which he had presented to them so a report could be made at the next meeting.

On motion by Councilman Niemann, seconded by Councilman Nicholas and unanimously carried, Demands Nos. 7645 to 7619, inclusive, in the amount of \$46,030.94 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$41,495.38 from General Fund, \$129.00 from Tucson Housing Authority Fund, \$328.31 from Special Improvement Fund, \$697.87 from Advertising Fund, and \$3,380.48 from Special Levy Fund).

Councilman Lee explained that at a meeting of the Citizens' Water Committee this afternoon it was their recommendation that the Mayor and Acting City Manager negotiate for the purchase of the Mundo Vista water plant, and it was moved by Councilman Lee, seconded by Councilman Miller and unanimously carried, that the Mayor and Acting City Manager be instructed to start negotiations immediately in connection with the purchase of the Mundo Vista water plant.

Councilman Lee reported that the Street Committee, Acting City Manager, and City Engineer would meet with the Mayor and Council of South Tucson relative to garbage collection, etc., at their next Council meeting and he suggested that the Acting City Manager find out from the Mayor of South Tucson as to the date of their next meeting.

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Councilman Nicholas reported that due to his recent illness he had been unable to call a meeting of the new Aviation Commission and that he would try to take care of the matter this week.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1771

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON REGARDING THE OPERATION OF THE RESTAURANT AT THE TUCSON MUNICIPAL AIRPORT NO. 1."

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, Resolution No. 1771, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Lee, that Resolution No. 1771, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Janstad;
Nay: None;
Absent and not voting: None;

and Resolution No. 1771 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1772

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE CITY MANAGER TO CONSENT TO THE CANCELLATION OF SURETY BONDS ON BEHALF OF THE CITY."

On motion by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, Resolution No. 1772, as presented, was read the second and third time by number and title only.

It was moved by Councilman Nicholas and seconded by Councilman Niemann, that Resolution No. 1772, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Janstad;
Nay: None;
Absent and not voting: None;

and Resolution No. 1772 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1773

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY, AN AGREEMENT WITH JAMES MACMILLAN FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PUBLIC HEALTH AND WELFARE BUILDING TO BE CONSTRUCTED ON ALAMEDA STREET."

On motion by Councilman Codd, seconded by Councilman Shantz and unanimously carried, Resolution No. 1773, as presented, was read the second and third time by number and title only.

It was moved by Councilman Niemann and seconded by Councilman Lee, that Resolution No. 1773, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Janstad;
Nay: None;
Absent and not voting: None;

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and Resolution No. 1773 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Lee, seconded by Councilman Niemann and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 916

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON CLARIFYING ORDINANCE NO. 729 AND AMENDMENTS THERETO BY ADDING SECTION 9-A STATING SPECIFICALLY THAT THE PROVISIONS OF SAID ORDINANCE AND AMENDMENTS THERETO DO NOT APPLY TO ANY PART OF THE PRACTICE, TRANSACTION, AND CARRYING ON OF ANY PROFESSION, TRADE, CALLING, OCCUPATION OR BUSINESS DONE IN INTERSTATE COMMERCE OR TO BUSINESS CONDUCTED AS AN AGENCY OR DEPARTMENT OF THE UNITED STATES GOVERNMENT."

On motion by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, Ordinance No. 916, as presented, was read the second and third time by number and title only.

It was moved by Councilman Codd and seconded by Councilman Niemann, that Ordinance No. 916, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Janstad;
Nay: None;
Absent and not voting: None;

and Ordinance No. 916 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 917

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AMENDING ORDINANCE NO. 764 BY REQUIRING MOTOR VEHICLE ACCIDENT REPORTS AND REGULATING THE CONDUCT OF PARTICIPANTS AT THE SCENE OF THE ACCIDENT."

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, Ordinance No. 917, as presented, was read the second and third time by number and title only.

It was moved by Councilman Shantz and seconded by Councilman Miller, that Ordinance No. 917, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Janstad;
Nay: None;
Absent and not voting: None;

and Ordinance No. 917 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The Superintendent of Streets reported that the protest period on the proposed "Seventeenth Street District Paving Improvement" expired on October 23, 1941, and he presented and read a communication, dated October 24, 1941, and received October 27, 1941, from Ida Flood Dodge protesting the paving of the alley running north and south between Second and Third Avenues in connection with this proposed paving improvement. There being no objections, the Mayor asked that this protest be filed, it being the only protest.

The Mayor inquired if there was any one in the audience who wished to protest this proposed improvement. No one appeared.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1774

November 3, 1941:

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entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, ORDERING THE IMPROVEMENT KNOWN AS THE 'SEVENTEENTH STREET DISTRICT PAVING IMPROVEMENT' IN THE CITY OF TUCSON, ARIZONA, AND DETERMINING THAT IMPROVEMENT BONDS SHALL BE ISSUED BY THE CITY OF TUCSON, ARIZONA, TO REPRESENT THE COSTS AND EXPENSES THEREOF, ALL IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE, 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO."

On motion by Councilman Codd, seconded by Councilman Shantz and unanimously carried, Resolution No. 1774, as presented, was read the second and third time by number and title only.

It was moved by Councilman Lee and seconded by Councilman Niemann, that Resolution No. 1774, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;
Nay: None;
Absent and not voting: None;

and Resolution No. 1774 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The City Engineer advised that this was the time and place set for receiving bids on the proposed Twenty-Second Street District Paving Improvement, Cherry Avenue to Campbell Avenue. The City Clerk reported that no bids had been received.

Whereupon, on motion by Councilman Shantz, seconded by Councilman Miller and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1775

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DESIGNATING SAID CITY AS THE CONTRACTOR FOR THE 'TWENTY-SECOND STREET DISTRICT PAVING IMPROVEMENT.'"

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, Resolution No. 1775, as presented, was read the second and third time by number and title only.

Councilman Nicholas left the meeting at this time.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that Resolution No. 1775, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz;
Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Resolution No. 1775 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

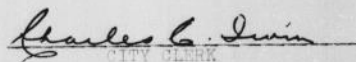
After a discussion on the subject as to whether to proceed on a 100 per cent basis or wait for W.P.A. assistance on the proposed southwestern district sewer improvement, it was decided to let the matter stand as it is for the time being and to bring it up at a future meeting.

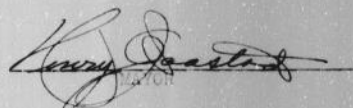
The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

Monthly reports from various departments were received and placed on file.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 9:45 o'clock p.m., subject to the call of the Mayor.

ATTEST:


CITY CLERK


MAYOR

November 10, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 4:45 o'clock p.m., on the 10th day of November, 1941, for the purpose of considering the passage and adoption of a proposed resolution authorizing the City Manager to execute on behalf of the City of Tucson, WPA Form 301 for the Administration and Terminal Facility Project at Municipal Airport No. 2; considering the cancellation of sale of Lots 25 and 26, Block 17, Drake's Addition, to Mrs. Emma Shepard; and all other business that may properly come before the meeting.

Dated the 10th day of November, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and placetherein named, and for the purpose therein stated.

((Signed) <u>Henry C. Jaastad</u> Mayor
(Signed) <u>William H. Codd</u> Councilman	(Signed) <u>W. Stuart Nicholas</u> Councilman
(Signed) <u>Fred D. Lee</u> Councilman	(Signed) <u>Halbert W. Miller</u> Councilman
(Signed) <u>Homer L. Shantz, Jr.</u> Councilman	(Signed) <u>J. C. Niemann</u> Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, November 10, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 4:45 o'clock p.m., on the 10th day of November, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: W. Stuart Nicholas, and J. C. Niemann, Councilmen.

The approval of the minutes of the meetings held on October 3, October 20, and November 3, 1941, was dispensed with.

On motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

RESOLUTION NO. 1776

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF TUCSON, WPA FORM 301 FOR THE ADMINISTRATION AND TERMINAL FACILITY PROJECT AT MUNICIPAL AIRPORT #2."

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, Resolution No. 1776, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Lee, that Resolution No. 1776, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilmen Nicholas and Niemann;

and Resolution No. 1776 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

November 10, 1941:

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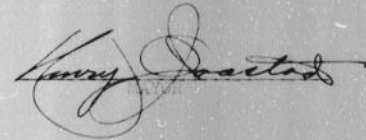
A communication from R. R. Guthrie, Secretary of the Real Estate Sales Department, advising that Mrs. Emma Shepard would like to have the sale of Lots 25 and 26, Block 17, Drake's Addition, cancelled and a refund of the money paid by her, due to the fact that the City of Tucson cannot deliver a clear title to this property, was read.

It was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that the sale of

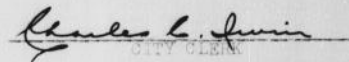
Lots 25 and 26, Block 17, Drake's Addition,

to Mrs. Emma Shepard, a widow, for the sum of \$300, on March 17, 1941, be cancelled, and that the City Auditor be authorized to refund to Mrs. Shepard the full amount paid by her on this purchase.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 4:30 o'clock p.m., subject to the call of the Mayor.



ATTEST:


CITY CLERK

November 17, 1941:

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MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, November 17, 1941

The Mayor and the Council of the City of Tucson met in special session in the Council Chamber in the City Hall in the City of Tucson at 8:00 o'clock p.m., on November 17, 1941.

The meeting was called to order by the Mayor and, upon roll call, those present and absent were as follows:

Present:

William H. Codd, Councilman
Fred D. Lee, Councilman
Halbert W. Miller, Councilman
W. S. Nicholas, Councilman
J. O. Niemann, Councilman
Homer L. Shantz, Jr., Councilman
Henry C. Jaastad, Mayor
Charles C. Irvin, City Clerk

Absent:

None

The Mayor declared that a quorum was present.

The Mayor stated that this meeting had been called by him and was being held pursuant to notice, waiver, and consent signed by all of the Councilmen, said notice, waiver, and consent being in words and figures as follows, to-wit:

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona:

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said City will be held in the City of Tucson, at the City Hall, at eight (8) P. M., on the 17th day of November, 1941, for the purpose of

Considering the passage and adoption of a proposed resolution restricting tenancy in USHA-aided projects to citizens of the United States, and declaring an emergency;

Considering the passage and adoption of a proposed resolution approving a contract for loan and annual contributions between the City of Tucson and the United States Housing Authority for project Nos. 4-1 and 4-2, authorizing its execution, and declaring an emergency;

Considering the passage and adoption of a proposed resolution authorizing the issuance to the United States Housing Authority of advance loan notes in the aggregate principal amount of not to exceed \$735,000.00, and declaring an emergency;

Considering the passage and adoption of a proposed resolution authorizing the execution and delivery to the United States Housing Authority of advance loan note No. 1, and declaring an emergency;

And all other business that may properly come before the meeting.

Dated the 17th day of November, 1941

Henry C. Jaastad
Henry C. Jaastad
Mayor of the City of Tucson,
Arizona

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named and for the purposes therein stated.

William H. Codd
William H. Codd, Councilman

Fred D. Lee
Fred D. Lee, Councilman

Homer L. Shantz, Jr.
Homer L. Shantz, Jr., Councilman

Henry C. Jaastad
Henry C. Jaastad
Mayor

Halbert W. Miller
Halbert W. Miller, Councilman

J. O. Niemann
J. O. Niemann, Councilman

W. S. Nicholas
W. S. Nicholas, Councilman

The following resolution was introduced, in writing, by Councilman Shantz, and upon motion of Councilman Shantz, seconded by Councilman Miller, was read in full and considered:

RESOLUTION NO. 1777

entitled "RESOLUTION RESTRICTING TENANCY IN USHA-AIDED PROJECTS TO CITIZENS OF THE UNITED STATES."

Councilman Miller moved that the foregoing resolution be passed and adopted as introduced and read, which motion was seconded by Councilman Nicholas, and upon roll call the "Ayes" and "Nays" were as follows:

Ayes:	Councilman Codd	Nays:	None
	" Lee		
	" Miller		
	" Nicholas		
	" Niemann		
	" Shantz		
	Mayor Jaastad		

The Mayor thereupon declared said motion carries and said resolution adopted.

The following resolution was introduced by Councilman Niemann and upon his motion seconded by Councilman Lee was read in full and considered:

RESOLUTION NO. 1778

entitled "A RESOLUTION APPROVING A CONTRACT FOR LOAN AND ANNUAL CONTRIBUTIONS BETWEEN THE CITY OF TUCSON AND THE UNITED STATES HOUSING AUTHORITY FOR PROJECT NOS. ARIZ-4-1 AND 4-2 AUTHORIZING ITS EXECUTION AND DECLARING AN EMERGENCY."

Councilman Miller moved that the foregoing Resolution be passed and adopted as introduced, read, and presented, which motion was seconded by Councilman Nicholas, and upon the roll call, the "Ayes" and "Nays" were as follows:

Ayes:	Councilman Codd	Nays:	None
	" Lee		
	" Miller		
	" Nicholas		
	" Niemann		
	" Shantz		
	Mayor Jaastad		

Thereupon the Mayor declared such Resolution adopted.

The following resolution was introduced, in writing, by Councilman Shantz, and upon motion of Councilman Shantz, seconded by Councilman Miller, was read in full and considered:

RESOLUTION NO. 1779

entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF ADVANCE LOAN NOTES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$755,000, AND DECLARING AN EMERGENCY."

Councilman Miller moved that the foregoing resolution be passed and adopted as introduced and read, which motion was seconded by Councilman Lee, and upon roll call the "Ayes" and "Nays" were as follows:

Ayes:	Councilman Codd	Nays:	None
	" Lee		
	" Miller		
	" Nicholas		
	" Niemann		
	" Shantz		
	Mayor Jaastad		

The Mayor thereupon declared said motion carried and said resolution adopted.

The following resolution was introduced by Councilman Shantz and upon his motion seconded by Councilman Lee was read in full and considered:

RESOLUTION NO. 1780

entitled "RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF ADVANCE LOAN NOTE NO. 1 AND DECLARING AN EMERGENCY."

Councilman Nicholas moved that the foregoing resolution be passed and adopted as introduced and read, which motion was seconded by Councilman Miller, and upon roll call the "Ayes" and "Nays" were as follows:

Ayes:	Councilman Codd	Nays:	None
	" Lee		
	" Miller		
	" Nicholas		
	" Niemann		
	" Shantz		
	Mayor Jaastad		

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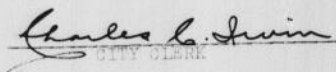
The Mayor thereupon declared said motion carried and said resolution adopted.

Each of the aforementioned resolutions contained the emergency clause and several members of the Council who are opposed to the passage of emergency measures waived their objections in these cases due to the fact that the United States Housing Authority required the inclusion of the emergency clauses in these resolutions.

There being no further business to come before the Mayor and Council, the meeting was, upon motion adjourned at 8:50 p.m.


MAYOR

ATTEST:


CITY CLERK

November 17, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:50 o'clock p.m., on the 17th day of November, 1941, for the purpose of further consideration on the proposed Third Street and Stewart Avenue District Improvement and the proposed Vine Avenue and Highland Avenue District Paving Improvement; considering the approval of payment of Demands Nos. 7820 to 7857, inclusive, in the amount of \$35,373.50; considering the passage and adoption of a proposed ordinance vacating Norris Avenue between Drachman Street and Adams Street and the alley in Block 20, Olsen's Addition, and directing that the same be sold at public auction; and all other business that may properly come before the meeting.

Dated this 15th day of November, 1941.

(Signed) Henry O. Jaastad
Henry O. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry O. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) W. S. Nicholas
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) J. O. Niemann
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, November 17, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:50 o'clock p.m., on the 17th day of November, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. O. Niemann, Homer L. Shantz, Jr., Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: None.

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, the minutes of the meetings held on October 6, October 20, and November 10, 1941, were approved as presented.

Councilman Miller reported that Councilman Lee and himself of the Street Committee, the Acting City Manager and City Engineer viewed the streets and alleys in the Ponderosa Addition and that it was the recommendation of the Street Committee that a meeting be called of all interested property owners for the purpose of asking their cooperation in opening certain streets and alleys, the property of which is now privately owned, Lester, Waverly, Linden and Elberta Streets between Cherry and Vine Avenues being mentioned.

Harry W. Hazeltine requested that Chauncy Street be included with the other streets mentioned.

There being no objections the Mayor advised that such a meeting would be called in the near future and that notice of the date would be given in the papers.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the electrician bond of the Globe Indemnity Company, dated November 12, 1941, in the amount of \$1,000, covering F. Fred Roberts was approved (this bond having been previously approved as to form by the City Attorney).

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Councilman Miller reported that Councilman Lee and himself of the Street Committee, together with the Mayor, Acting City Manager and City Engineer, met on November 13, 1941, to hear protests on the proposed Third Street and Stewart Avenue District Improvement and the proposed paving of Vine Avenue and Highland Avenue District Paving Improvement, that J. J. Thornber protested the paving of one-half block on Stewart Avenue south of East Third Street, which would cost him about \$310 spread over a ten-year period, Herbert Hinds protested the paving of Stewart Avenue north of East Third Street, which would cost him about \$120 spread over a ten-year period, Hortense Ronstadt, whose cost of paving Stewart Avenue south of East Third Street would be about \$25, protested as she did not want to hurt her neighbors, and Jesse L. Holmes, 2930 East Third Street, protested as she did not want to work a hardship on her neighbors and had no personal objection. He further stated that because the changing of the project as proposed and passed upon would entail additional expense, delay and probable loss of the entire project and due to the fact that such a small percentage of the entire area of the project was represented in the protest, the Street Committee recommends that the project be completed as planned and provided for.

Councilman Miller reported that at the same meeting on November 13, 1941, Walter Murphey, Jr. was the only one present who protested the proposed paving of North Vine Avenue, that some of the neighbors were present to defend their ideas that this paving should proceed as originally planned, and that after some discussion Mr. Murphey withdrew his objections. He stated that it was the recommendation of the Street Committee that the Vine Avenue and Highland Avenue District Paving Improvement be completed as planned and approved.

Communications from Mr. and Mrs. V. F. Lovett, Ian A. Briggs, and Mrs. Mary Irene Culp, withdrawing their names from the protest petition on the proposed paving of Vine Avenue, were read.

It was moved by Councilman Niemann and seconded by Councilman Shantz, that the recommendations of the Street Committee in connection with the proposed Third Street and Stewart Avenue District Improvement and the proposed Vine Avenue and Highland Avenue District Paving Improvement be approved as presented.

The Mayor inquired if there was any one in the audience who wished to speak on this subject. No one appeared.

On vote being taken, the motion was unanimously carried, and it was so ordered.

The Mayor thanked the Street Committee for a very complete report on the above matters.

A communication from the Jones Decorating Company of Los Angeles, California, requesting permission to place Christmas decorations in Tucson from November 17 to January 5, 1942, they having been engaged by the local Christmas Merchants Committee, was read, and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, this request was referred to the Acting City Manager with power to act and with the instructions that in the event this company is permitted to hang these decorations that they must comply with the rules and regulations governing the hanging of decorations; and the City Attorney was requested to pass on the bond carried by this company covering said work.

A petition signed by A. S. Floyd and twenty other property owners, requesting the improvement of Norton Avenue from Speedway to Mabel Street, said improvement to consist of pavement, curbs, gutters, sidewalks, driveways, house connection sewers, and water services, to be done under the special assessment law with W.P.A. assistance, was read.

A petition signed by Gertrude E. Mason and six other property owners protesting the proposed paving of Norton Avenue from Speedway to Mabel Street and giving the reasons therefor, and a communication from Gertrude E. Mason making further explanations on the views of some of the protestants, were read.

The City Engineer reported that before the withdrawal of several names on the petition requesting this paving, the petition represented approximately 87 per cent of the frontage and approximately 49 per cent of the district, and after the withdrawal of names it represented approximately 65 per cent of the frontage. He further advised that Mrs. Cora E. Handley, more or less sponsor of this petition, informed him that she was considering the presentation of a petition for the paving of the one block on Norton Avenue from Speedway to Helen Street, the majority of the protestants being in the block between Helen and Mabel Streets on Norton Avenue.

There being no objections the petition and protest were referred to the Street Committee for consideration and report to the Mayor and Council.

A petition signed by Glenn Harrison and 73 others, protesting the establishment of the proposed Negro center on North Main Street and giving the reasons therefor, was read.

The Mayor explained that at the present time this matter was being held in abeyance as the U. S. Government had condemned the property and that the protest would be filed until this matter comes up again.

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A communication from the City Planning and Zoning Commission, advising that the request of Edward C. Jacobs to have the zoning changed on property at the northeast corner of West Congress and Bonita Streets is being considered by them along with other zoning revisions and would be reported upon when the final draft of the proposed Building Zone Ordinance is presented to the Mayor and Council, was read, and ordered filed.

A communication from the City Planning and Zoning Commission, submitting a tentative report on the appropriate zoning of the area beyond the city limits east to Country Club Road and south to a line 150 feet south of Broadway which is proposed to be annexed to the city, was read and it was moved by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, that this report be sent to the Annexation Committee of the Tucson Chamber of Commerce.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, M. H. Starkweather inquired if any action had been taken relative to the \$1,000 from the City on the construction of stock barns at the rodeo grounds and explained the plan to replace temporary structures with permanent ones. After a discussion, Mayor Jaastad stated that apparently there had been a misunderstanding as provision for this expenditure was made in the city budget.

After a discussion, initiated by Councilman Nicholas, on the subject of inadequate exits at the grandstands at the rodeo grounds, during which several members of the Council and Mr. Starkweather participated, the Fire Chief and Acting Chief of Police were instructed to work with Mr. Starkweather relative to the matter of providing a sufficient amount of exits for the grandstands at the rodeo grounds.

After a discussion on the proposed Southwestern District Sewer Improvement (during which the City Engineer stated that so far prices had not advanced on sewer pipe and advised on approximate cost to property owners and Frank Robles suggested that this improvement proceed on the basis of 100 per cent cost to the property owners since assistance from the W.P.A. seems remote and the property owners are anxious to have this sewer), the City Engineer was instructed to prepare the plans, specifications, estimate of cost, etc., in connection with this proposed sewer improvement and that the press give this matter publicity so the property owners may protest if they so desire.

On motion by Councilman Nienann, seconded by Councilman Codd and unanimously carried, Demands Nos. 7820 to 7857, inclusive, in the amount of \$35,373.50 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$26,090.42 from General Fund, \$1,375.00 from Library Fund, \$5,434.97 from Special Improvement Fund, \$1,732.83 from Advertising Fund, \$127.63 from Tucson Housing Authority Fund, \$612.65 from Library Reconstruction Fund).

Councilman Codd advised that the Building and Land Committee was not ready to make a recommendation on the offer of C. C. Myrick to purchase Lot 14, Block 8, and Lot 2, Block 11, Riecker's Addition, as the committee would like to make further investigation.

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, the sale of

Lot 12, Block 11, South Park Addition,

to Drachman-Grant for the sum of \$100 was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

On motion by Councilman Miller, seconded by Councilman Shantz and unanimously carried, the sale of

Lots 11, 12, and 13, Block 19, Fairmount Addition,

to Mark H. Klafter for the total sum of \$600 was approved, the purchaser to assume the balance of the Seventh Street Paying Assessment on these lots from the time of delivery of title to him (said balance not to exceed \$218.64), and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

A discussion ensued on an offer which had been received on Lot 13, Block 31, Fairmount Addition, during which B. B. Williamson, Assistant City Attorney, advised that the former owner is an incompetent person and before the City can clear title to this property a guardian would have to be appointed by the court.

The Assistant City Attorney reported on the progress being made on clearing titles on saleable lots owned by the city.

Councilman Nicholas reported that the newly appointed Aviation Commission had met and elected Earl Billiter as chairman and himself as temporary secretary, and that this commission would like to have a general outline of the airport project and general regulations on the operation of the airport that may be in effect and he asked the Acting City Manager to furnish him with this

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information. He stated that this was a good commission and in order to expedite action he recommended that all matters requiring its recommendations be automatically referred to it before coming to the Council.

At the request of Councilman Nicholas, the Finance Committee was asked to read the 1940-41 city audit and make a report on it at the next meeting and also to submit recommendations on the duties and handling of funds in connection with the recently appointed City Treasurer.

Councilman Shantz inquired about the flags at the airport and he was advised that the Acting City Manager would take care of this matter.

The Acting City Manager called attention to the fact that \$15,500 was included in the 1941-42 budget for eight additional firemen contingent upon the City raising the funds to cover this cost. He explained that these additional firemen are needed at this time, as approximately fifteen of the regular firemen are off duty due to eye injuries resulting from the recent Woolworth Building fire, and that it would cost approximately \$7,500 for these additional firemen and some necessary equipment for the next six months.

The Fire Chief explained the need for eight additional firemen in order that the Fire Department would not continue to be undermanned and he also called attention to the fact that if additional territory in the northeast part of the city is annexed that another fire station would have to be established.

It was moved by Councilman Shantz and seconded by Councilman Lee, that eight new firemen be appointed.

Councilman Shantz stated that he made this motion because he felt the Fire Department was the most important function of the city government, that, in his opinion, the city could get along without the Mayor and Council and some of the officials better than it could the Fire Department, and there must be some source from where \$7,500 could be raised for this purpose.

After a general discussion on the question of financing this proposed expenditure and from what source the money could be obtained, Councilman Shantz withdrew his motion and Councilman Lee withdrew his second and this matter was referred to the Finance Committee for consideration and to make a report at the next meeting.

On motion by Councilman Miller, ~~seconded by Councilman Miller~~, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 918

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING NORRIS AVENUE BETWEEN DRACHMAN STREET AND ADAMS STREET; AND THE ALLEY IN BLOCK TWENTY OLSEN'S ADDITION; AND DIRECTING THAT THE SAME BE SOLD AT PUBLIC AUCTION."

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Ordinance No. 918, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Lee, that Ordinance No. 918, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows;

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: None;

and Ordinance No. 918 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Councilman Nicholas asked the Acting City Manager to ascertain from Dr. C. J. Wilkerson if he has received a report relative to F.H.A. arrangements on Twelfth Street.

The Superintendent of Streets reported that the protest period on the proposed Vine Avenue and Highland Avenue District Paving Improvement had expired and inasmuch as the Mayor and Council had previously at this meeting decided to proceed with this proposed improvement it was in order to pass a resolution ordering the work.

The Mayor inquired if there was any one in the audience who wished to protest this proposed improvement. No one appeared.

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On motion by Councilman Lee, seconded by Councilman Miller and unanimously carried, the City Clerk presented and read in full

RESOLUTION NO. 1781

entitled "RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, ORDERING THE IMPROVEMENT KNOWN AS THE 'VINE AVENUE AND HIGHLAND AVENUE DISTRICT PAVING IMPROVEMENT' IN THE CITY OF TUCSON, ARIZONA, AND DETERMINING THAT IMPROVEMENT BONDS SHALL BE ISSUED BY THE CITY OF TUCSON, ARIZONA TO REPRESENT THE COSTS AND EXPENSES THEREOF, ALL IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 23, CHAPTER 16, ARIZONA CODE 1939, AND AMENDMENTS AND SUPPLEMENTS THERETO."

It was moved by Councilman Miller and seconded by Councilman Lee, that Resolution No. 1781, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: None;

and resolution No. 1781 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

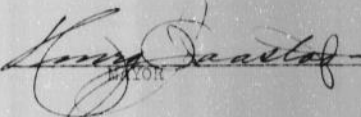
The Mayor reported that the U. S. Army engineers from Los Angeles spent one day here last week investigating and gathering all available information in connection with the proposed flood control project.

The Mayor also reported that a conference had been held with Mr. Burcham, owner of the Mundo Vista Water Company, that another conference would be held about November 26, and that a complete report would probably be made at the first meeting of the Mayor and Council in December.

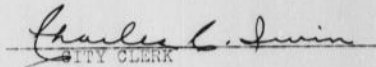
The Mayor further reported that a meeting was held with officials of South Tucson on garbage collection, that another meeting would be held about November 24, and that a complete report would probably be made at the next meeting of the Mayor and Council.

Councilman Niemann stated that if the proposed method of procedure for Council meetings (copies of which were distributed two weeks ago) met with the approval of the Mayor and Council it could be adopted at the next meeting and put in to effect the first of the year.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 10:10 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

December 1, 1941:

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MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, December 1, 1941

A regular meeting of the Mayor and Council of the City of Tucson, Arizona, was held at 8:00 o'clock p.m., on the 1st day of December, 1941, in the Council Chamber at the City Hall, Tucson, Arizona, all members having been notified of the time and place thereof.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: W. Stuart Nicholas, Councilman.

On motion by Councilman Niemann, seconded by Councilman Shantz and unanimously carried, the minutes of the meetings held on November 3 and two meetings on November 17, 1941, were approved as presented.

After explanations by J. Mercer Johnson and on approval by the City Attorney and City Engineer, it was moved by Councilman Miller and seconded by Councilman Niemann, that the City of Tucson accept a Bargain and Sale Deed from the Southern Arizona Bank and Trust Company, a corporation, covering the following described property:

All that part of Block Fifty (50), Monterey Addition to the City of Tucson, Pima County, Arizona, according to the map and plat thereof in Book 4, at page 85 of Maps and Plats in the office of the County Recorder, Pima County, Arizona,

and that in exchange for the above described property, the City of Tucson will give a quit-claim deed to the New Process Lime Company, a corporation, covering the following described property:

All that certain piece or parcel of land being within a part of that certain lot, piece or parcel of land, situate, lying and being in Pima County, Arizona, and acquired by the City of Tucson by sales deed from Enluterio Acedo and Wenseclada Cruz de Acedo, his wife, dated December 24, 1904, and recorded January 2, 1905, in Book 36 Deeds of Real Estate, Page 370 in the office of the County Recorder of Pima County, Arizona, as accurately shown on Map Plan No. S-41 on file in the office of the City Engineer and described as follows:

All that part of Lot 14 in Section 11, Township 14 South, Range 13 East, G. & S. R. B. & M., beginning at a point in the South line of the land conveyed by Enluterio Acedo and Wenseclada Cruz de Acedo, his wife, to the City of Tucson by deed dated December 24, 1904, and recorded in the office of the County Recorder of Pima County, Arizona, in Book 36, Deeds of Real Estate at page 370, said point of beginning being determined from the Southwest corner of said Lot 14 (which corner is in the north line of Saint Mary's Road and is marked by Post 157) by running a line from the said Southwest corner of Lot 14 N. 65° 06' E. along the north line of Saint Mary's Road four hundred ninety-three and fifty-six hundredths (493.56) feet; thence N. 4° 15' W., from the north line of Saint Mary's Road, one hundred thirty-two and sixty-eight hundredths (132.68) feet to said point of beginning on the South line of said City land; thence continuing N. 4° 15' W. on said City land sixty-five and eighty-two hundredths (65.82) feet to a point; thence N. 83° 54' E. seventy-four and nineteen hundredths (74.19) feet to a point on the west right-of-way line of the E. P. & S. W. R. R.; thence S. 14° 41' E. along the said west right-of-way line of the E. P. & S. W. R. R. sixty-eight and eight hundredths (68.08) feet to a point, the intersection of the south line of said City land; thence S. 84° 55' W. along the south line of said City land eighty-six and forty-eight hundredths (86.48) feet to the point of beginning;

that the Mayor and City Clerk be authorized to execute the necessary deed in this connection; and that the exchange of deeds be filed with the City Clerk.

The Mayor inquired if there was any one in the audience who wished to speak for or against this matter. No one appeared.

On the question being put, the motion was unanimously carried, and it was so ordered.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, Morgan Maxwell (colored) urged that immediate construction be started on a swimming pool for the local colored population.

For the benefit of a large delegation of colored people present in the audience, the Mayor reviewed the history up to the present time on offers received from the United States Government on the proposed construction in Tucson of a recreation center for colored people, none of which have gone through so far, and he advised

that the architect had been instructed to proceed with plans on a swimming pool for colored people, which would include showers, dressing rooms and sanitary facilities, and that this swimming pool would probably be located on the west side of North Main Street between Speedway and First Avenue and it is planned to have it ready for use by next summer.

A communication from William Alafris, requesting permission to install a refreshment stand in Armory Park, was read and referred to the Park Committee for consideration and report at the next meeting.

On written request from Drachman-Grant, it was moved by Councilman Codd, seconded by Councilman Lee and unanimously carried, that the sale of

Lot 12, Block 11, South Park Addition,

to Drachman-Grant on November 17, 1941, for the sum of \$100 be cancelled.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried, the sale of

Lot 12, Block 11, South Park Addition,

to Edna Miller, a widow, at a price of \$100 was approved, and the Mayor and City Clerk were authorized to execute a deed covering the sale of this property.

A communication from R. E. Stallings, Superintendent of Streets, requesting authority to void Assessment No. 387 of the "Seventh Street and Eighth Street, Campbell Avenue to Treat Avenue District Paving Improvement" and substitute therefor Assessment No. 387-A for \$164.26 (balance due) against the east 70 feet of that part of tract referred to in Book 205, page 319, D.R.E., within the city limits, owned by Tyler Allhands and Jessie Allhands, his wife, and Assessment No. 387-B for \$163.96 (balance due) against the west 70.53 feet of said tract, owned by the El Encanto Estates, Inc., and advising that this request was in order, was made by the owners in order to conform to present ownership, and was concurred in by White and Miller, contractors at interest, and that both parcels created by the reapportionment have access to an existing sewer, was read, and on motion by Councilman Miller, seconded by Councilman Codd and unanimously carried, this reapportionment of assessment was approved as presented by the Superintendent of Streets.

A communication from R. E. Stallings, Superintendent of Streets, requesting authority to void Assessment No. 274 of the Helen Street and Mabel Street, Park Avenue to Campbell Avenue District Paving Improvement, and to substitute therefor Assessment No. 274-A for \$122.40 (balance due) against the south 100 feet of Lot 5, Block 5, Plumer and Steward Addition No. 1 and Assessment No. 274-B for \$26.37 (balance due) against the north 95 feet of said Lot 5, owned by Russell Hastings and Trinkle Hastings, his wife, and advising that this reapportionment of assessment was made by the owner in order to conform to proposed ownership, that the request was in order, concurred in by Tanner Construction Company, contractors at interest, and that both parcels created by the reapportionment have access to an existing sewer; however, one must go down the alley, was read.

The City Engineer explained that this proposed reapportionment cuts the lot in two and that in such cases he always explains to the owners that they might run into difficulties for lack of building area and if they do it is their fault and not the City's. He stated that in this particular case he understands the party desiring to purchase the rear half of this lot does not want to build on it but wants additional ground for his adjoining property, and future difficulties that might arise have been explained to him.

George Van Wyke, prospective purchaser of the rear half of said lot, stated that the matter had been explained to him and that he desires this additional property for garden, etc., and did not intend to build on it.

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, said reapportionment of assessment on Lot 5, Block 5, Plumer and Steward Addition No. 1, was approved as presented by the Superintendent of Streets.

On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, the Mayor and City Clerk were authorized to execute an application for emergency water connection to the city water main at Toole Avenue by Southern Pacific Company.

A petition signed by M. L. Handley and six other property owners, requesting the improvement of Norton Avenue from Speedway to Helen Street by the installation of curbs, gutters and asphalt pavement under W.P.A. assistance and ten year payment plan, was read.

The City Engineer advised that this petition represents 100 per cent of the frontage and approximately 59 per cent of the district.

It was moved by Councilman Lee, seconded by Councilman Miller and unanimously carried, that the City Engineer be instructed to work up this project.

December 1, 1941:

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A petition from Community Service, Inc., by William I. Walsh, president, and S. C. Davis, secretary, requesting that Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, and 21, Block 13, University Home Addition (Comstock Hospital property), be annexed to the City of Tucson, was read, and there being no objections this matter was referred to the Annexation Committee of the Tucson Chamber of Commerce for its consideration and to determine if there are other property owners in that district who would like to have their property included in this proposed annexation and to submit a report and recommendation at the next meeting of the Mayor and Council.

A communication from Harry H. Lesley, a member of the Police Department, advising that on December 10, 1941, he will become 65 years of age and according to the compulsory retirement ordinance of the City of Tucson it is mandatory that he retire from active duty on the evening of December 9, and requesting permission to continue on active duty in the Police Department until the present pension question is settled was read.

The Acting City Manager explained that if Mr. Lesley retires on December 10, 1941, he will lack about ten months of having twenty years' service and if possible Mr. Lesley would like an extension in order to complete his twenty years' service.

After explanations by the City Attorney as to the proper procedure to accomplish such extension and it was agreed among the members of the Council that the proposed ordinance contain an emergency clause, it was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that the City Attorney be instructed to prepare an amendment to the present ordinance to provide for the extension from year to year of active service of members of the Police Department who have reached the retirement age, and that a special meeting of the Mayor and Council be called before December 9, 1941, to consider this proposed amendment.

A communication from Warren A. Grossetta, executive secretary-treasurer, Housing Authority of the City of Tucson, requesting approval of a request from the U. S. Housing Authority that the Tucson Housing Authority consent to raise the income limit to \$2,100 during the period of the Emergency in order to obtain priorities for the necessary materials for the local project, and making further explanations, was read.

After a discussion, it was moved by Councilman Miller that the Tucson Housing Authority be authorized to comply with the request of the U. S. Government to change the maximum income requirement to \$2,100 temporarily. This motion died for the want of a second.

A petition signed by Esther Henderson and seven other property owners, requesting that the name of Ash Street (a street running between Council and Franklin Streets) be renamed Ash Lane, was read.

There being no objections, the Mayor stated that this matter would be held over until the next meeting and in the meantime he would like for the press to give the matter due publicity in order that the public may protest if they so desire.

After the City Attorney read and explained a proposed lease between the City of Tucson and the Tucson Chamber of Commerce on the rodeo grounds, he was instructed to prepare a resolution for presentation at the next meeting providing for the execution of said lease.

The Mayor advised that this was the time and place designated for further consideration on the proposal to change the zoning on Lots 1 to 6, inclusive; Block 3, City of Tucson, and Lots 9 to 16, inclusive, Block 22, Feldman's Addition, from Class "A" Residence to Class "B" Residence, and on motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, this matter was postponed until eight o'clock p.m., on January 5, 1942.

Councilman Lee, chairman of the Street Committee, reported that two meetings had been held with property owners in Ponderosa Addition relative to the opening of Lester, Linden, Waverly, and Seneca streets from Vine Avenue to Jefferson Park Addition. The City Engineer by referring to a map explained the proposed exchanges of properties between property owners and between property owners and the City in order to open these streets. Harry W. Hazeltine, one of the property owners affected and in favor of the proposal to open said streets, also spoke on the matter and advised that in view of the proposed opening of these streets he would abandon the suggestion previously presented by him to open Elberta Street.

After a discussion and on motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the City Attorney and City Engineer were instructed to negotiate with Harry W. Hazeltine and other property owners in the preparation of deeds and adjustments toward the consummation of the proposal to open Lester, Linden, Waverly, and Seneca streets from Vine Avenue to Jefferson Park Addition, and to make a report at the next meeting.

After a discussion on a settlement requested by Mr. Hazeltine due to additional expense which would be necessary for him to incur in order to make certain changes on buildings under construction so as to conform to the proposed street openings, the Mayor and Council unanimously agreed to settle with Harry W. Hazeltine for a sum of \$500 on the construction of two houses and a garage on the proposed extension of Lester Street between Chauncy and Elberta Streets, Mr. Hazeltine agreeing to this sum and Mr. Hazeltine advising that it would be satisfactory for this sum to be paid to him out of the budget for the next fiscal year.

December 1, 1941:

Stanley Williamson, realtor, requested that if possible action be taken tonight on the written offer of Simon Kivel to purchase Lot 2, Block 11, Riecker's Addition, for \$1,500 cash and advised that if the offer is accepted Mr. Kivel plans to start construction on a building immediately.

A discussion ensued, during which R. R. Guthrie of the City of Tucson real estate department made explanations in connection with this property.

It was moved by Councilman Codd, seconded by Councilman Lee and unanimously carried, that the sale of

Lot 2, Block 11, Riecker's Addition to the City of Tucson, to Simon Kivel and Mollie Kivel, husband and wife, for the sum of \$1,500 cash be approved and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property, said deed to contain a clause granting the City of Tucson an easement to certain drainage rights on this property.

A brief discussion was held on the offer of C. C. Myrick to purchase Lot 14, Block 8, Riecker's Addition, for the sum of \$1,250. Action was deferred pending further negotiations.

It was moved by Councilman Codd, seconded by Councilman Lee and unanimously carried, that the City of Tucson accept the offer of Nellie E. West, a single woman, to purchase

the East 80 feet of Lots 1 and 2, Block 1, Barnes Addition, and the East 80 feet of Lot 1, Block 8, Old World Addition,

for the sum of \$825, the purchaser to assume the \$95.13 balance due on the Helen and Mabel Streets District Paving Improvement assessment levied against this property, and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property.

Councilman Niemann read a proposed method of procedure for Council meetings and he asked that this be drawn up in proper form and presented at the next meeting for action.

Councilman Niemann, chairman of the Finance Committee, reported that this committee would like to continue its investigations on the matter of additional personnel in the Fire Department but so far they have been unable to find additional revenue to take care of this expenditure.

Councilman Niemann advised that he would like to have a meeting of the License and Finance Committees within the next few days, all Councilmen being invited to attend, to discuss certain matters before them. He also advised that he would probably have a full report to make at the next meeting on the Joint Control Fund.

Councilman Niemann, as chairman of the Finance Committee, reported that this committee went over the city audit for the fiscal year 1940-41 and accept the auditor's ruling on the City's financial set-up and recommend that the audit be accepted.

Councilman Lee, chairman of the Street Committee, reported that this committee had held two meetings with the Mayor and Council of South Tucson and that negotiations are still under way on the charges for disposal of garbage in South Tucson.

Pending proposed revisions to Ordinance No. 103 governing the City Pound on which the Humane Board is gathering information, Councilman Lee requested that the City Attorney prepare, for presentation at the next meeting, an amendment to said ordinance eliminating that paragraph whereby the Poundmaster is paid thirty-five cents to kill animals and authorize the City Manager to make the rules until such time as a new ordinance is adopted.

Upon recommendation of the Council Water Committee, it was moved by Councilman Lee and seconded by Councilman Shantz, that the Mayor and Acting City Manager offer Gouley Burcham \$12,500 for the Mundo Vista water plant.

A discussion followed, during which the City Attorney explained why, in his opinion, the purchase of this water plant would probably have to be submitted to the voters and it was suggested that negotiations be carried out on all other water plants which the City contemplate purchasing so all proposals could be submitted at the same election.

On the question being put, the motion was unanimously carried, and it was so ordered.

The City Attorney stated that inasmuch as the U. S. Government sent the wrong resolution form on the acceptance of the offer on the Health Center and also that they want an emergency clause attached, another resolution would have to be passed and adopted.

On motion by Councilman Shantz, seconded by Councilman Miller and unanimously carried, the City Clerk presented and read in full

December 1, 1941:

RESOLUTION NO. 1782

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA."

It was moved by Councilman Codd and seconded by Councilman Niemann, that Resolution No. 1782, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Resolution No. 1782 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

The City Engineer advised that this was the time and place designated for receiving bids on the proposed Seventeenth Street District Paving Improvement. The City Clerk advised that no bids had been filed with him.

On motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read in full

RESOLUTION NO. 1783

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DESIGNATING SAID CITY AS THE CONTRACTOR FOR THE 'SEVENTEENTH STREET DISTRICT PAVING IMPROVEMENT.'"

It was moved by Councilman Lee and seconded by Councilman Codd, that Resolution No. 1783, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

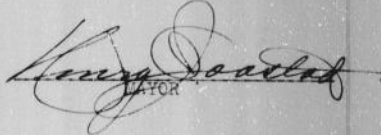
and Resolution No. 1783 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

Councilman Lee stated that Councilman Nicholas asked him to inform the Mayor and Council that he was very sorry that his illness prevented his attending this meeting and that he hoped to be present at the next one.

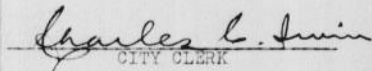
It was moved by Councilman Miller, seconded by Councilman Lee and unanimously carried, that the City Clerk be instructed to request the Civil Service Commission to release the claim of assignment of City employees' wages in amount of \$140, more or less, which the late Mr. R. E. Butler paid out of his own money, and reimburse Mrs. R. E. Butler if it is possible to do so.

Monthly reports from various departments were received and placed on file.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 10:15 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

December 4, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 4:30 o'clock p.m., on the 4th day of December, 1941, for the purpose of consideration of the passage and adoption of a proposed ordinance amending Ordinance No. 757, as amended by Ordinance No. 848, by providing for the extension of active service of members of the Police Department and a proposed resolution extending the active service of Harry H. Lesley as a member of the Police Department for one year; considering the approval of payment of demands Nos. 7858 to 8016, inclusive, in the amount of \$181,321.12; considering a request from the Tucson Housing Authority that the Mayor and Council approve a request from the U. S. Government to change the maximum income requirement from \$1,000 to \$2,100 during the Emergency; and all other business that may properly come before the meeting.

Dated this 3rd day of December, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, December 4, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 4:30 o'clock p.m., on the 4th day of December, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, Halbert W. Miller, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Vinita Potter, Deputy City Clerk.

The following were absent: Charles C. Irvin, City Clerk.

A discussion followed on the request of Harry H. Lesley, presented at the meeting on December 1, 1941, for an extension of active duty in the Police Department beyond his retirement date on December 10, 1941, when he will become 65 years of age, in order that he may complete his twenty years' of service in the department (during which J. Forrest Ingle, Personnel Director of the Civil Service Commission, advised that Harry H. Leslie would require an extension of 9 months and 20 days in order to complete his twenty-years of service in the Police Department after he reaches the retirement age of 65, that C. A. Wein would need an extension of 11 months 24 days, William A. Lewis 2 years and 58 days, and C. W. Hyde 7 years and 23 days, all of the Police Department).

On motion by Councilman Shantz, seconded by Councilman Miller and unanimously carried,

ORDINANCE NO. 919

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AMENDING ORDINANCE NO. 757, AS AMENDED BY ORDINANCE NO. 848, BY PROVIDING FOR THE EXTENSION OF ACTIVE SERVICE OF MEMBERS OF THE POLICE DEPARTMENT."

was presented and read the first time in full.

It was explained that the emergency clause contained in this proposed ordinance was necessary due to the fact that the first member of the Police Department to be affected would have to be retired before an ordinance or resolution in the normal course of events would become effective.

On motion by Councilman Codd, seconded by Councilman Niemann and unanimously carried, Ordinance No. 919, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Nicholas, that Ordinance No. 919, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;
Nay: None;
Absent and not voting: None;

and Ordinance No. 919 was declared duly passed and adopted and was, thereupon, signed by the Mayor.

On motion by Councilman Codd, seconded by Councilman Lee and unanimously carried,

RESOLUTION NO. 1784

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON EXTENDING THE ACTIVE SERVICE OF HARRY H. LESLEY AS A MEMBER OF THE POLICE DEPARTMENT FOR ONE YEAR."

was presented and read in full.

It was moved by Councilman Miller and seconded by Councilman Nicholas, that Resolution No. 1784, as presented, be passed and adopted.

After a discussion on the provisions of this proposed resolution, during which Councilmen Nicholas and Miller advised that this was a temporary set-up until the Pension Committee presents its recommendations to the Mayor and Council, for action which would include ages of retirement both minimum and maximum.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, Niemann, and Shantz;
Mayor Jaastad;
Nay: None;
Absent and not voting: None;

and Resolution No. 1784 was declared duly passed and adopted and was, thereupon, signed by the Mayor.

H. B. Langers, chairman of the Tucson Housing Authority, and Archie Conner, attorney for the Tucson Housing Authority, made explanations in connection with a communication from said Authority and presented to the Mayor and Council on December 1, 1941, requesting approval of a request from the United States Housing Authority that the Tucson Housing Authority consent to raising the income limit from \$1,000 to \$2,100 during the period of the Emergency in order to obtain priorities for the necessary materials for the local project; they advised that the Tucson Housing Authority had approved this and that before long the City would be requested by the U. S. Government to adopt a resolution making the local housing project available, first, to bona fide defense workers whose earnings are not in excess of \$175 per month.

Councilman Miller restated the motion which he made at the meeting of the Mayor and Council December 1, 1941, which was as follows, to-wit: that the Tucson Housing Authority be authorized to comply with the request of the U. S. Government to change the maximum income requirement to \$2,100 temporarily.

This motion was seconded by Councilman Lee.

The Mayor inquired if there was any one in the audience who wished to speak on this motion. No one appeared.

After a general discussion (during which several members of the Council expressed themselves and Mr. Conner offered further explanations) and on vote being taken, the motion was carried (Councilman Niemann voting "No").

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Demands Nos. 7858 to 8016, inclusive, in the amount of \$131,321.12 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$2,775.83 from Adver-

December 4, 1941:

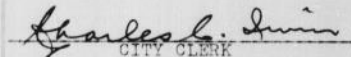
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tising Fund, \$30.43 from Special Improvement Fund, \$14,000 from Bond Redemption Fund, \$44,980.81 from Bond Interest Fund, \$30,000 from Special Levy Fund, \$6.85 from Tucson Housing Authority Fund, \$1,496.59 from Library Reconstruction Fund, and \$38,051.11 from General Fund).

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 5:40 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

December 11, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:35 p.m., on the 11th day of December, 1941, for the purpose of consideration the passage and adoption of a proposed ordinance conferring certain powers on the co-ordinator of the Municipal Defense Council, and all other business that may properly come before the meeting.

Dated this 11th day of December, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

(Signed) William H. Codd
Councilman

(Signed) W. Stuart Nicholas
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) J. O. Niemann
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, December 11, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:35 o'clock p.m., on the 11th day of December, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Fred D. Lee, W. Stuart Nicholas, J. O. Niemann, Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor;

The following were absent: Halbert W. Miller, Councilman; Charles C. Irvin, City Clerk; Vinita Potter, Deputy City Clerk.

Phil J. Martin, Jr., Acting City Manager, acted as clerk.

On motion by Councilman Shantz, seconded by Councilman Lee and unanimously carried,

ORDINANCE NO. 920

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON CONFERRING CERTAIN POWERS ON THE CO-ORDINATOR OF THE MUNICIPAL DEFENSE COUNCIL," was presented and read the first time in full.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, Ordinance No. 920, as presented, was read the second and third time by number and title only.

It was moved by Councilman Shantz and seconded by Councilman Niemann, that Ordinance No. 920, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

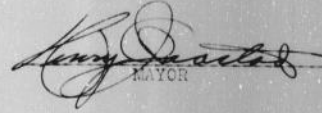
Absent and not voting: Councilman Miller;

and Ordinance No. 920 was declared duly passed and adopted.

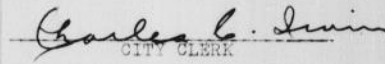
December 11, 1941:

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There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 7:04 o'clock p.m., subject to the call of the Mayor.


MAYOR

ATTEST:


CITY CLERK

December 15, 1941:

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 8:00 o'clock p.m., on the 15th day of December, 1941, for the purpose of considering the transfer of the liquor license of B. E. Tade to Ralph B. Feffer, Trustee in Bankruptcy, Arizona Brewing Company, a bankrupt, the liquor license of Robert J. Boyle to Joseph H. Shifman, assignee for benefit of creditors (Town House, formerly De Luxe Coffee Shop and Tap Room), and the liquor license of Otto Verch to Morris Sohn (Midtown Market); considering the approval of payment of Demands Nos. 8017 to 8048, inclusive in the amount of \$49,916.30; considering the passage and adoption of a proposed ordinance vacating a certain portion of Chauncey Street and its intersection with Cherry Street and certain portions of Elberta Street and certain portions of Cherry Street as public streets, a proposed ordinance amending Ordinance No. 103 as amended by Ordinance No. 619 concerning the regulation of dogs in the City of Tucson, a proposed resolution authorizing the Mayor and Clerk to execute deeds on behalf of the City to certain property vacated as a public street, a proposed resolution authorizing the Mayor and City Clerk to execute a lease to the Tucson Chamber of Commerce on behalf of the City, and a proposed resolution designating the City of Tucson as the contractor for the "Vine Avenue and Highland Avenue District Paving Improvement; and all other business that may properly come before the meeting.

Dated this 12th day of December, 1941.

(Signed) Henry O. Jaastad
Henry O. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry O. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF THE CITY COUNCIL MEETING

Tucson, Arizona, December 15, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 8:00 o'clock p.m., on the 15th day of December, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad and on roll call the following answered present:

William H. Codd, Fred D. Lee, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: Halbert W. Miller and W. Stuart Nicholas, Councilmen;

On motion by Councilman Niemann, seconded by Councilman Lee and unanimously carried, the minutes of the meetings held on December 1, December 4, and December 11, 1941, were approved as presented.

The Mayor inquired if there was any one in the audience who wished to speak on any subject.

Whereupon, Esther Henderson spoke in support of a petition signed by her and seven others requesting that the name Ash Street be changed to Ash Lane. She explained that the petition contains the names of all the property owners on the street in question and that the property owners on this short street feel that Ash Lane would be a more appropriate name and more in keeping with the art center that is being established there.

After a discussion, the City Attorney was instructed to prepare a resolution covering the changing of the name of Ash Street to Ash Lane for presentation and consideration at the meeting on January 5, 1942.

December 15, 1941:

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Councilman Miller arrived at the meeting at this time (8:15 p.m.).

In connection with a request from William Alafris for permission to install a refreshment stand in Armory Park, the Park Committee reported that if any permanent stands or semi-permanent stands are erected that the City should let such concession to the highest bidder; however, the committee did not favor the establishment of such a stand at all in this small park.

It was moved by Councilman Niemann, seconded by Councilman Lee and unanimously carried that the recommendation of the Park Committee be accepted with the understanding that no concessions are to be permitted in the park and that the request of William Alafris be denied.

A communication from H. M. and Lula M. McNeil, advising that they would be willing to give an easement to provide an underground drainage near the property line on the south side of Lot 6, Block 31, City of Tucson (being between Perry and Tenth Avenue) for the sum of \$150 and adding that they prefer not to have this done at all as they do not feel this amount adequately compensates them but are willing to accept this amount in order to be helpful, and that this work would have to be done in such a way so as to protect them against future damage, was read.

The City Engineer stated that almost parallel jobs have been done where the property owners pay for the pipe and give the City the right-of-way, that he had never considered this a job for the City to pay for, that he would not recommend the acceptance of this proposition, and that the worst that happens to the City is that it would have to go out there and pump the water out every time it rains.

There being no motion made, the Mayor ordered this communication filed.

A communication from J. Forrest Ingle, Director of Personnel Civil Service Commission, advising that in the absence of a legal opinion by the City Attorney of a way in which the Civil Service Commission could release the sum of approximately \$140 to be refunded to Mrs. R. E. Butler, which amount the late Mr. R. E. Butler paid from his own funds to certain employees, no further action appears to be possible, and making explanations in connection with this matter, was read.

After a discussion, it was moved by Councilman Niemann, seconded by Councilman Miller and carried (Councilman Codd voting "No"), that this matter be referred to the City Attorney for an opinion and to make a report to the Mayor and Council.

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, Bond No. B-179625 of the Globe Indemnity Company, dated November 24, 1941, in the amount of \$1,000, covering Russell E. Graham as Foundmaster's Helper in and for the City of Tucson for an indefinite term beginning the 1st day of November, 1941; Bond No. B-179626 of the Globe Indemnity Company, dated November 24, 1941, in the sum of \$1,000, covering Rose Ballesteros Rodriguez as Clerk-Secretary in and for the City of Tucson for an indefinite term beginning the 13th day of November, 1941; and Bond No. B-179624 of the Globe Indemnity Company, dated November 24, 1941, in the sum of \$1,000, covering Ellmont Saylor as Deputy License Inspector in and for the City of Tucson for an indefinite term beginning the 13th day of November, 1941, were approved and accepted (said bonds having been previously approved as to form by the City Attorney).

Upon recommendation of the License Committee and the Acting Chief of Police, it was moved by Councilman Niemann and seconded by Councilman Shantz, that the application for person-to-person transfer of the liquor license of B. E. Tade to Ralph B. Feffer, Trustee in Bankruptcy, Arizona Brewing Company, a bankrupt, 302 South Park Avenue, Tucson, Arizona, (1941 Application for Transfer of Spirituous Liquor License No. 297, City Application No. 20) covering the sale of State Series No. 4, be approved.

The City Clerk reported that no written protests had been filed.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed transfer of liquor license. No one appeared.

On the question being put and on vote being taken, the motion was unanimously carried, and it was so ordered.

Upon recommendation of the License Committee and the Acting Chief of Police, it was moved by Councilman Niemann and seconded by Councilman Lee, that the application for person-to-person transfer of the liquor license of Robert J. Boyle to Joseph H. Shifman, Assignee for benefit of creditors (Town House, formerly De Luxe Coffee Shop and Tap Room), 27 South Scott Street, Tucson, Arizona, (1941 Application for Transfer of Spirituous Liquor License No. 308, City Application No. 22), covering the sale of State Series No. 6, be approved.

The City Clerk reported that no written protests had been filed.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed transfer of liquor license. No one appeared.

On the question being put and on vote being taken, the motion was unanimously carried, and it was so ordered.

Upon recommendation of the License Committee and the Acting Chief of Police, it was moved by Councilman Niemann and seconded by Councilman Lee, that the application for the person-to-person transfer of the liquor license of Otto Verch to

Morris Sohn (midtown Market), 258 South Stone Avenue, Tucson, Arizona, (1941 Application for Transfer of Spirituous Liquor License No. 311, City Application No. 21), covering the sale of State Series No. 9, be approved.

The City Clerk reported that no written protests had been filed.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed transfer of liquor license. No one appeared.

On the question being put, the motion was unanimously carried, and it was so ordered.

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, demands Nos. 8017 to 8048, inclusive, in the amount of \$49,916.30 as passed by the City Auditor and approved by the Finance Committee were approved by the Mayor and Council and the City Auditor was authorized to issue warrants on the City Treasurer in payment thereof (these disbursements being \$42,776.15 from General Fund, \$73.90 from Special Improvement Fund, \$5,691.25 from Library Reconstruction Fund, and \$1,375.00 from Library Fund).

A report signed by J. T. Manders, City Auditor, and J. W. McAllister, City Treasurer, relative to the "Joint Control" account, was read by Councilman Niemann, chairman of the Finance Committee, and a discussion followed.

It was moved by Councilman Niemann, seconded by Councilman Miller and carried (Mayor Jaastad voting "No"), that all City monies be deposited to bank accounts designated "City of Tucson - City Treasurer", except those now designated "City of Tucson - Revolving Fund" and "City of Tucson - Bond & Coupon Account" to which shall continue to be deposited those warrants drawn for the purpose for which these bank check accounts were created and that withdrawals shall be made from said "City of Tucson - City Treasurer" bank accounts on the signature of City Treasurer, or in his absence by Deputy City Treasurer, only; that except for transfer of monies between banks, withdrawals from the "City of Tucson - City Treasurer" bank accounts shall be made only for payment of warrants drawn on City Treasurer by City Auditor as provided for in the City Charter; and that where reference is made in Resolution No. 1559 to "Joint Control" account, same be amended to read "City Treasurer" account.

After explanations by the City Attorney and on motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 921

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON VACATING A CERTAIN PORTION OF CHAUNCEY STREET AND ITS INTERSECTION WITH CHERRY STREET AND CERTAIN PORTIONS OF ELBERTA STREET AND CERTAIN PORTIONS OF CHERRY STREET AS PUBLIC STREETS."

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Ordinance No. 921, as presented, was read the second and third time by number and title only.

It was moved by Councilman Miller and seconded by Councilman Lee, that Ordinance No. 921, as presented and read, be passed and adopted.

Harry Hazeltine, one of the interested property owners, was present in the audience, and the Mayor asked him if this was satisfactory to him and he replied that it was.

The Mayor inquired if there was any one else in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Ordinance No. 921 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Lee, seconded by Councilman Shantz and unanimously carried, the City Clerk presented and read in full

RESOLUTION NO. 1785

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE MAYOR AND CLERK TO EXECUTE DEEDS ON BEHALF OF THE CITY TO CERTAIN PROPERTY VACATED AS A PUBLIC STREET."

It was moved by Councilman Miller and seconded by Councilman Codd, that Resolution No. 1785, as presented and read, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Resolution No. 1785 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Lee, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read the first time in full

ORDINANCE NO. 922

entitled "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AMENDING ORDINANCE NO. 103 AS AMENDED BY ORDINANCE NO. 619 CONCERNING THE REGULATION OF DOGS IN THE CITY OF TUCSON."

On motion by Councilman Niemann, seconded by Councilman Codd and unanimously carried, Ordinance No. 922, as presented, was read the second and third time by number and title only.

The Acting City Manager explained that this was a temporary ordinance to clarify charges pending recommendations from the Humane Board for a new ordinance.

It was moved by Councilman Lee and seconded by Councilman Shantz, that Ordinance No. 922, as presented and read, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed ordinance. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Ordinance No. 922 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the City Clerk presented and read in full

RESOLUTION NO. 1786

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LEASE TO THE TUCSON CHAMBER OF COMMERCE ON BEHALF OF THE CITY."

It was moved by Councilman Shantz and seconded by Councilman Niemann, that Resolution No. 1786, as presented and read, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Resolution No. 1786 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

The City Engineer stated that this was the date for receiving bids on the proposed "Vine Avenue and Highland Avenue District Paving Improvement." The City Clerk reported that no bids had been received in this connection.

Whereupon, on motion by Councilman Lee, seconded by Councilman Niemann and unanimously carried, the City Clerk presented and read in full.

RESOLUTION NO. 1787

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON DESIGNATING SAID CITY AS THE CONTRACTOR FOR THE 'VINE AVENUE AND HIGHLAND AVENUE DISTRICT PAVING IMPROVEMENT'."

It was moved by Councilman Lee and seconded by Councilman Shantz, that Resolution No. 1787, as presented and read, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Niemann, and Shantz; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Nicholas;

and Resolution No. 1787 was declared duly passed and adopted and was, thereupon,

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signed by the Mayor and City Clerk.

A communication from Richard H. Chambers, attorney, requesting that a new quit claim deed be executed by the Mayor to Leonardo Moreno, present owner of certain property in Block 215, City of Tucson, in order to remove a cloud on the title to this property and making further explanations in this connection, was read.

On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the Mayor and City Clerk were authorized to execute and deliver to Leonardo Moreno a quit claim deed covering the following described property:

Lots 2 and 3 in Block 215 of the City of Tucson, Pima County, Arizona, according to the official survey, map and field notes of said City made and executed by S. W. Foreman and approved and adopted by the Mayor and Common Council of said City (then Village) on June 26, 1872, a copy of which map is of record in Book 3 at page 70 of Maps and Flats in the office of the County Recorder of said County.

Also a portion of Lot 1 in said Block 215 described as follows:

Commencing at the northwest corner of said Lot 1; run thence southerly on a straight line to a point on the south line of said Lot 1, which point is 5 feet easterly on said south line from the southwest corner of said Lot 1; thence westerly along the south line of said Lot 1 a distance of 5 feet to the southwest corner thereof; thence northerly along the west line of said Lot 1 to the place of beginning.

Also a portion of Lot 4 in said Block 215 described as follows:

Commencing at the northwest corner of said Lot 4; run thence north $83\frac{1}{2}^{\circ}$ east a distance of 47.85 feet to a point; thence south 9° east a distance of 12 feet to a point; thence south $83\frac{1}{2}^{\circ}$ west to a point in the west line of said Lot 4; thence north $5\frac{3}{4}^{\circ}$ west along the west line of said Lot 4 to the place of beginning.

Excluding and excepting, however, from said Lot 2 and from said portion of Lot 1, the following:

Beginning at the southeast corner of said Lot 2 of said Block 215, run thence westerly along the south line of said Lot 2 a distance of 25.02 feet; thence north $6^{\circ} 04' 30''$ west, 50.3 feet to a point; thence north $79^{\circ} 55'$ east, 30 feet to a point in Lot 1, which said point is in the east boundary line of the triangular portion of Lot 1 hereinabove described; thence south $6^{\circ} 10' 10''$ east, 50.24 feet to a point in the south boundary line of said Lot 1; thence westerly along the south boundary line of said Lot 1 a distance of 5 feet to the place of beginning, which place of beginning is the southwest corner of Lot 1 and the southeast corner of Lot 2. (The annex to what is known as the Old Citizen Building is now located upon this portion of Lots 1 and 2 excluded and excepted from the conveyance.)

After explanations by the Acting City Manager, it was moved by Councilman Shantz, seconded by Councilman Lee and unanimously carried, that the Mayor and City Clerk be authorized to execute an agreement for sewer service between the City of Tucson, first party, and Herman Olson and Clara Olson, his wife, second parties, which sewer line of the first party passes through the following described lands owned by the second parties:

Beginning at a point, the intersection of the East Right-of-Way line of the Southern Pacific Company's Railroad with the North line of Section 2, Township 14 S., Range 13 E., G.&S.R.B.&M. (which line is also the north line of Township 14); thence S. $35^{\circ} 16'$ E. Fourteen Hundred Twenty-five and five-tenths (1425.5) feet along said Right-of-Way Line; thence N. $54^{\circ} 44'$ E. fifty (50) feet; thence N. $35^{\circ} 16'$ W. parallel with the said East Right-of-Way Line Thirteen Hundred Fifty-four and eight-tenths (1354.8) feet to a point on the north line of said Section 2; thence west along the north line of said Section 2 (and said Township line) Eighty-six and six-tenths (86.6) feet to the place of beginning, and containing One and six-tenths (1.6) acres.

The Acting City Manager advised that the University of Arizona had offered to give the City of Tucson approximately four hundred date palm trees from its experimental farm near Phoenix for landscape purposes at the Davis-Monthan Field Air Base and Municipal Airport No. 2, that the W.P.A. had signified its willingness to replant these trees and had prepared a project on this, that it was proposed to divide the transportation expense on these trees between the City and the U. S. Army, and that if the Mayor and Council favor this project it would be necessary for a letter to be written to the W.P.A. advising that the City of Tucson wants this project to go through and will cooperate as co-sponsors with the Army. On motion by Councilman Shantz, seconded by Councilman Niemann and unanimously carried, the acting City Manager was instructed to write such a letter.

The Mayor inquired if there was any one in the audience who wished to speak on any subject. No one appeared.

The Mayor advised that he had been having some correspondence with the Government relating to the City saving paper that is ordinarily burned in the incinerator and recently he was informed that a man would be here to confer on this matter.

The Mayor reported that Gouley Burcham turned down the City's offer to purchase the Mundo Vista Water System for \$12,500 and that Mr. Burcham's attorney advised

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that Mr. Burcham would be in Tucson during the Christmas holidays and would confer with the City at that time.

Councilman Lee advised that he had nothing to report on negotiations on the South Tucson garbage collections.

After a discussion and on motion by Councilman Miller, seconded by Councilman Shantz and unanimously carried, the informal bids received on fleet insurance for City of Tucson automotive equipment were referred to the Finance Committee with power to act.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 9:30 o'clock p.m., subject to the call of the Mayor.

ATTEST:

Charles L. Lewis
CITY CLERK

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MAYOR

NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 5:00 o'clock p.m., on the 16th day of December, 1941, for the purpose of considering the passage and adoption of a proposed resolution granting the use of certain lands to the United States for military purposes, and all other business that may properly come before the meeting.

Dated this 16th day of December, 1941.

(Signed) Henry O. Jaastad
Henry O. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry O. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) J. C. Niemann
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF CITY COUNCIL MEETING

Tucson, Arizona, December 16, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, held pursuant to the preceding call of the Mayor, was held at 5:00 o'clock p.m., on the 16th day of December, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

Fred D. Lee, W. Stuart Nicholas, J. C. Niemann, and Homer L. Shantz, Councilmen; Henry O. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: William H. Codd and Halbert W. Miller, Councilmen.

Approval of minutes of the meeting held on December 15, 1941, was dispensed with.

After explanations by the City Attorney and on motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the City Clerk presented and read in full

RESOLUTION NO. 1788

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON GRANTING THE USE OF CERTAIN LANDS TO THE UNITED STATES FOR MILITARY PURPOSES."

After a discussion and study of the location of the lands in question, it was moved by Councilman Shantz and seconded by Councilman Lee, that Resolution No. 1788, as presented and read, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Lee, Nicholas, Niemann, and Shantz; Mayor Jaastad;

Nay: None;

Absent and not voting: Councilmen Codd and Miller;

and Resolution No. 1788 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Nicholas, seconded by Councilman Lee and unanimously carried, the City Clerk was authorized to write to James W. McDonald that the City of Tucson will terminate its lease with him, dated May 5, 1941, giving him the one week's notice, covering:

Sections 3, 4, 5, 9 and 10; the N $\frac{1}{2}$, the SE $\frac{1}{4}$, and the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 15;

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the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, T. 15 S., R. 15 E., G. and S. R. B. and M., Pima County, Arizona,

which is the property described in Section 2 of Resolution No. 1788.

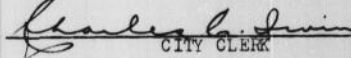
Monte Mansfield on behalf of the Tucson Chamber of Commerce urged that the City, together with the County, make immediate application to the State Highway Department requesting that it include in its emergency defense application to the U. S. Government a request for sufficient funds to construct an underpass under the Southern Pacific railroad tracks at Seventeenth Street or in that vicinity for the purpose of providing ingress and egress to the U. S. Army Air Base, the exact location to be determined later by the City Engineer, County and State Highway Department, and explained that funds for this purpose were recently made available by the U. S. Government in a bill passed by Congress and signed by the President.

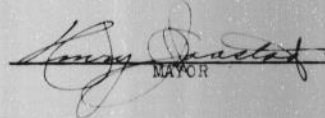
Councilman Lee requested that this application also ask for sufficient funds for the military truck route which has been under consideration for some time and which would form a connecting link with the proposed underpass.

After a general discussion, during which Mr. Mansfield and C. Edgar Goyette, both representing the Chamber of Commerce, participated, it was moved by Councilman Lee, seconded by Councilman Shantz and unanimously carried, that the Mayor and Acting City Manager be authorized to make separate applications to the State Highway Department for funds to construct said underpass and said military truck route.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 5:45 o'clock p.m., subject to the call of the Mayor.

ATTEST:


CITY CLERK


MAYOR

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NOTICE OF SPECIAL MEETING

To the Councilmen of the City of Tucson, Arizona.

NOTICE IS HEREBY GIVEN that a special meeting of the Mayor and Council of the said city will be held in the City of Tucson, Arizona, at the City Hall at 7:30 o'clock p.m., on the 29th day of December, 1941, for the purpose of considering the purchase of the temporary Southern Pacific Company depot to be used as a temporary airport depot at Tucson Municipal Airport No. 2; considering the approval of sale of a certain alley running east and west in Block 32 of Jefferson Park Addition at public auction on December 27, 1941; considering the purchase of the Mundo Vista Water System; considering the passage and adoption of a proposed resolution approving the construction of a grade railroad crossing for entrance to Municipal Airport and authorizing the execution of the easement agreement; and all other business that may properly come before the meeting.

Dated this 27th day of December, 1941.

(Signed) Henry C. Jaastad
Henry C. Jaastad, Mayor of the
City of Tucson, Arizona.

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Tucson, Arizona, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said Mayor and Council shall meet at the time and place therein named, and for the purpose therein stated.

(Signed) Henry C. Jaastad
Mayor

(Signed) William H. Codd
Councilman

(Signed) Halbert W. Miller
Councilman

(Signed) Fred D. Lee
Councilman

(Signed) J. O. Niemann
Councilman

(Signed) Homer L. Shantz, Jr.
Councilman

(Signed) W. S. Nicholas
Councilman

MINUTES OF THE CITY COUNCIL MEETING

Tucson, Arizona, December 29, 1941

A special meeting of the Mayor and Council of the City of Tucson, Arizona, pursuant to the preceding call of the Mayor, was held at 7:30 o'clock p.m., on the 29th day of December, 1941, in the Council Chamber at the City Hall, Tucson, Arizona.

The meeting was called to order by Mayor Jaastad, and on roll call the following answered present:

William H. Codd, Halbert W. Miller, W. Stuart Nicholas, J. O. Niemann, and Homer L. Shantz, Jr., Councilmen; Henry C. Jaastad, Mayor; Charles C. Irvin, City Clerk.

The following were absent: Fred D. Lee, Councilman.

Approval of the minutes of the meetings held on December 15 and 16, 1941, was dispensed with.

A communication from the Tucson Chamber of Commerce, recommending that the City of Tucson purchase the temporary depot of the Southern Pacific Railroad Company and move it to the municipal airport No. 2 to be used by the American Airlines, the U. S. Weather Bureau and the Civil Aeronautics Administration, pending construction of a permanent building, was read.

The Acting City Manager advised that the Southern Pacific Company had offered to sell the 90'x30' portion of their temporary depot for \$750, which includes all of the building excepting the southeast twenty (20) feet; that the W.P.A. would move it for the City to the Municipal Airport No. 2; that it is estimated the dismantling would cost approximately \$140, transportation \$150, plumbing \$860, temporary foundation \$150, alterations and repairs to building \$300, wiring \$150, special conduits, etc. \$50, painting \$150, incidentals \$250, plus \$750 purchase price of the building, would bring the total cost to approximately \$3,000.

After a general discussion, it was moved by Councilman Nicholas, seconded by Councilman Niemann and unanimously carried, that the Acting City Manager be authorized to proceed as speedily as possible to make negotiations in connection with acquiring and moving said temporary railway depot along the estimates and suggestions made by him, and that the proper officials be authorized to execute the necessary documents to consummate this sale.

Councilman Lee arrived at the meeting at this time (7:50 P.M.).

After a discussion on the question of purchasing the Mundo Vista Water System, during which Councilman Nicholas made a report on a conversation with Mr. Gouley Burcham, owner of this water system, it was moved by Councilman Niemann and seconded

by Councilman Codd that the City of Tucson make an offer to Mr. Gouley Burcham to purchase the Mundo Vista Water System for the sum of \$15,000 plus his stock of fixtures which amount to approximately \$200, and the current taxes, which amount to approximately \$150, to be paid by the City of Tucson.

It was requested that the minutes show that this offer is within the limit set by the Citizens' Water Committee.

On the question being put and on vote being taken, the motion was unanimously carried and it was so ordered.

In connection with a proposed ordinance submitted by the Civil Service Commission, copies of which had been mailed to each member of the Council, it was decided to meet informally in the near future with J. Forrest Ingle, Personnel Director, for the purpose of going over and discussing this proposed ordinance.

Councilman Shantz left the meeting at this time (8:10 P.M.).

After a discussion and explanation, it was moved by Councilman Codd, seconded by Councilman Niemann and unanimously carried, that the following motion passed by the Mayor and Council at their meeting on December 1, 1941, be and the same is hereby rescinded:

"that the sale of

Lot 2, Block 11, Riecker's Addition to the City of Tucson, to Simon Kivel and Mollie Kivel, husband and wife, for the sum of \$1,500 cash be approved and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property, said deed to contain a clause granting the City of Tucson an easement to certain drainage rights on this property."

It was moved by Councilman Codd, seconded by Councilman Niemann and unanimously carried, that the sale of

Lot 2 in Block 11 of Riecker's Addition to the City of Tucson, Pima County, Arizona, according to the map or plat of said addition of record in the office of the County Recorder of Pima County, Arizona, in Book 3 of Maps and Plats at page 58 thereof, together with that certain strip adjoining said Lot on the north and lying between the south line of Broadway as now established and the north line of said Lot 2 in Block 11 and bounded on the east and west by the northerly prolongation of the east and west lines of said Lot 2 in Block 11 of Riecker's Addition to their intersection with the south boundary line of Broadway as now established,

to Simon Kivel and Mollie Kivel, husband and wife, for the sum of \$1,500 cash be approved and that the Mayor and City Clerk be authorized to execute a deed covering the sale of this property.

On motion by Councilman Miller, seconded by Councilman Lee and unanimously carried, the sale of that certain alley running east and west in Block 32 of Jefferson Park Addition to the City of Tucson (Block 32 bounded by Hampton and Seneca Streets and Warren and Martin Avenues) to the Board of Trustees, School District Number One, Pima County, Arizona, for the sum of \$85.00, at public auction at 11:00 a.m., on the 27th day of December, 1941, was approved.

John L. Van Buskirk, attorney, appeared before the Mayor and Council advising that he was representing a group of property owners who protest the proposed annexation of Terra de Concini to the City of Tucson.

The Mayor advised that a proposal to annex Terra de Concini had not been presented and, therefore, there was nothing before the Mayor and Council on this subject.

On motion by Councilman Miller, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read in full

RESOLUTION NO. 1789

entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON AUTHORIZING THE PURCHASE OF A TEMPORARY AIRPORT DEPOT."

It was moved by Councilman Niemann and seconded by Councilman Miller, that Resolution No. 1789, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, and Niemann; Mayor Jaastad;
Nay: None;
Absent and not voting: Councilman Shantz;

and Resolution No. 1789 was declared duly passed and adopted, and was, thereupon, signed by the Mayor and City Clerk.

On motion by Councilman Miller, seconded by Councilman Codd and unanimously carried, the City Clerk presented and read in full.

RESOLUTION NO. 1790

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entitled "A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TUCSON APPROVING THE CONSTRUCTION OF A GRADE RAILROAD CROSSING FOR ENTRANCE TO MUNICIPAL AIRPORT AND AUTHORIZING THE EXECUTION OF THE EASEMENT AGREEMENTS."

It was moved by Councilman Codd and seconded by Councilman Nicholas, that Resolution No. 1790, as presented, be passed and adopted.

The Mayor inquired if there was any one in the audience who wished to speak for or against this proposed resolution. No one appeared.

The roll call on the motion resulted as follows:

Aye: Councilmen Codd, Lee, Miller, Nicholas, and Niemann; Mayor Jaastad;

Nay: None;

Absent and not voting: Councilman Shantz;

and Resolution No. 1790 was declared duly passed and adopted and was, thereupon, signed by the Mayor and City Clerk.

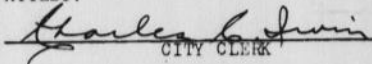
The Acting City Manager advised that he had recently made arrangements to loan an old discarded City fire truck to the fire department of the Southern Pacific Company for the duration of the present war emergency, which the railway company would equip with approximately 1,000 feet of hose and make available for use to the city in case of an emergency.

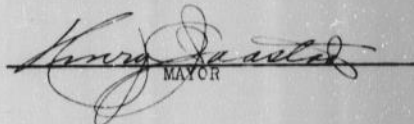
After a discussion (during which Councilman Lee stated objections to this on the grounds that, in his opinion, the Mayor and Council should first be consulted on such matters), it was moved by Councilman Miller, seconded by Councilman Niemann and unanimously carried, that the action of the Acting City Manager in loaning said fire truck to the Southern Pacific Company be approved.

John L. Van Buskirk, attorney for a group of property owners protesting the proposed annexation of Terra de Concial, again appeared before the Mayor and Council and stated that he realized there was nothing before them on this matter and that they were not promoting this proposed annexation but if and when it is presented properly to them those he represents would appear to state their objections.

There being no further business to come before the Council, the meeting, on motion duly made, seconded and unanimously carried, adjourned at 8:30 o'clock p.m., subject to the call of the Mayor.

ATTEST:


CITY CLERK


MAYOR

Greater Tucson Fire Foundation

Thanks you for taking an interest in Tucson Fire Department history —

This is one of many sections that contain information, documents, letters, newspaper articles, pictures, etc. They have been collected and arranged in chronological order or by a subject. These items were collected, organized and entered into a computerized database by Dave Ridings Assistant Chief Tucson Fire Department, Al Ring friend of the department, Greater Tucson Fire Foundation and with the help of many friends and fellow firefighters.

All graphics have been improved to make the resolution as good as possible, but the reader should remember that many came from copies of old newspaper articles. This also applies to other items such as documents, letters, etc.

Credit to the source of the documents, photos, etc. is provided whenever it was available. We realize that many items are not identified and regret that we weren't able to provide this information. As far as the newspaper articles that are not identified, 99% of them would have to be from one of three possible sources. The *Arizona Daily Star*, The *Tucson Citizen* and the *Tucson Daily Citizen*, for which we want to give a special thanks.

Please use this information as a reference tool only. If the reader uses any of the information for any purpose other than a reference tool, they should get permission from the source.

Should the reader have additional information on the above subject we would appreciate you sharing it with us. Please see the names and contact information on the 1st. TFD Archives page right below this paragraph.

