

SEPTEMBER 2, 1943

REGULAR MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO,  
HELD AT 10:00 O'CLOCK, A. M. ON THURSDAY, SEPTEMBER 2, 1943, IN  
THE COUNCIL CHAMBER, CITY HALL, SAN ANTONIO, TEXAS

ROLL CALL: Present: Mauermann, Callaghan, Hein, Steffler and Anderson.

The Minutes of the regular meeting of August 26th and the recessed meeting of August 31st were read by the Clerk, and upon motion by Commissioner Hein, duly seconded and unanimously carried, were approved as read.

Commissioner Anderson introduced the following Resolution, which was read and adopted by unanimous vote of all present:

RESOLUTION

OF CONDOLENCE ON THE DEATH OF E. G. PANKRATZ.

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WHEREAS, E. G. Pankratz passed away on the 23rd of August, 1943; and

WHEREAS, the said E. G. Pankratz had been a member of the Fire Department of the City of San Antonio for eleven years and during all this time he faithfully and loyally performed his duties; and,

WHEREAS, his conduct as a fireman in the performance of his duties was excellent and his passing will be a distinct loss to the Department; NOW, THEREFORE:-  
BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

That this expression of condolence and regret be spread upon the Minutes of the Board of Commissioners of the city of San Antonio and that a certified copy of this Resolution be sent to the widow, Mrs. Mary Pankratz.

PASSED AND APPROVED this 2nd day of September, A. D. 1943.

Gus B. Mauermann

M A Y O R

ATTEST:

Sam C. Bennett,

City Clerk

A petition was presented by Rev. I. C. Green for exemption of City taxes on the property of Friendship Baptist Church at 827 Iowa Street, and was referred to the City Attorney and the Tax Commissioner for recommendation.

A petition was presented by James E. Walker and other residents of Bishop and Dittmar Streets for installation of sanitary sewers on said streets, and was referred to Commissioner Steffler for action.

A motion was made by Commissioner Hein, seconded by Commissioner Anderson, and carried by unanimous vote of all members of the Council, that, at the request of Mr. A. V. Knight, the application of his client, Jaelyn-Jac Company, be postponed indefinitely.

Commissioner Callaghan introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 155

AN ORDINANCE (237)

TRANSFERRING \$10,000.00 FROM BACK TAX GENERAL FUND - TO 1943  
GENERAL FUND

(For full text of this Ordinance see Ordinance Book "L", page 119)

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APPRO. NO. 156

AN ORDINANCE (238)

APPROPRIATING \$25,033.57 OUT OF 1943 GENERAL FUND TO PAY  
NOTE NO. 17 OF THE 1943 GENERAL FUND SERIES, AND ACCRUED  
INTEREST.

(For full text of this Ordinance, see Ordinance Book "L", p. 120)

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APPRO. NO. 157

AN ORDINANCE (239)

APPROPRIATING \$199.09 OUT OF 1943 GENERAL FUND TO PAY  
INTEREST FOR MONTH OF AUGUST ON 1943 GENERAL FUND NOTES,  
NOS. 18 TO 27 INCLUSIVE.

(For full text of this Ordinance, see Ordinance Book "L", p. 120)

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Commissioner Hein introduced the following Ordinance, which was read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Heih, Steffler and Anderson. Nay, none.

APPRO. NO. 158

AN ORDINANCE (240)

ACCEPTING PROPOSAL OF MOTOR EQUIPMENT CORPORATION TO FURNISH  
THE CITY OF SAN ANTONIO WITH ONE DIAMOND T STAKE BODY TRUCK;  
AND APPROPRIATING THE SUM OF \$1669.04 IN PAYMENT THEREFOR.

(For full text of this Ordinance, see Ordinance Book "L", p. 120)

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Commissioner Steffler introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 159

AN ORDINANCE (241)

APPROPRIATING \$1,223.75 OUT OF THE 1943 GENERAL FUND TO PAY  
FOR TRUCKS HIRED IN THE VARIOUS DEPARTMENTS.

(For full text of this Ordinance, see Ordinance Book "L", p. 121)

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APPRO. NO. 160

AN ORDINANCE (242)

APPROPRIATING \$104.40 OUT OF 1943 GENERAL FUND TO PAY FOR GRAVEL.

(For full text of this Ordinance, see Ordinance Book "L", p. 121)

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Commissioner Anderson introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

APPRO. NO. 161

AN ORDINANCE (243)

FIXING THE STATUS AND COMPENSATION OF CAPTAIN E. P. BOGASCH.

(For full text of this Ordinance, see Ordinance Book "L", p. 121)

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APPRO. NO. 162

AN ORDINANCE (244)

APPROPRIATING \$11,701.20 OUT OF THE POLICEMEN, FIREMENS'  
AND FIRE ALARM OPERATORS' PENSION FUND, FOR PAYROLLS.

(For full text of this Ordinance, see Ordinance Book "L", p. 122)

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APPRO. NO. 163

AN ORDINANCE (245)

APPROPRIATING \$308.97 OUT OF 1943 GENERAL FUND TO PAY CITY'S  
SHARE OF GROUP LIFE INSURANCE FOR AUGUST 1943 COVERING VARIOUS  
EMPLOYEES IN THE POLICE & FIRE DEPARTMENTS.

(For full text of this Ordinance, see Ordinance Book "L", p. 122)

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APPRO. NO. 164

AN ORDINANCE (246)

APPROPRIATING \$3.98; OUT OF POLICE & FIREMEN'S PENSION FUND  
TO PAY INTEREST ON NOTES NOS. 1 AND 2.

(For full text of this Ordinance, see Ordinance Book "L", p. 123)

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APPRO. NO. 165

AN ORDINANCE (247)

APPROPRIATING \$378.54 OUT OF THE 1943 GENERAL FUND FOR EMERGENCY  
REPAIR PARTS FOR FIRE TRUCK.

(For full text of this Ordinance, see Ordinance Book "L", p. 123)

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Mayor Mauermann introduced the following Ordinances, which were read, passed and approved by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hoin, Steffler and Anderson. Nay, none.

APPRO. NO. 166

AN ORDINANCE (248)

APPROPRIATING \$638.48 OUT OF THE 1943 GENERAL FUND, FOR MATERIALS,  
SUPPLIES, LABOR AND SPECIAL SERVICES.

(For full text of this Ordinance, see Ordinance Book "L", p. 123)

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APPRO. NO. 167

AN ORDINANCE (249)

APPROPRIATING \$206.20 OUT OF THE COMMERCE BUILDING FUND, FOR PAYROLL.

(For full text of this Ordinance, see Ordinance Book "L", p. 124)

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APPRO. NO. 168

AN ORDINANCE (250)

APPROPRIATING \$50.00 OUT OF THE ADVERTISING FUND, FOR PAYROLL.

(For full text of this Ordinance, see Ordinance Book "L", p. 124)

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APPRO. NO. 169.

AN ORDINANCE (251)

APPROPRIATING \$104,312.99 OUT OF THE 1943 GENERAL FUND, FOR  
SEMI-MONTHLY AND PER DIEM PAYROLLS.

(For full text of this Ordinance, see Ordinance Book "L", p. 124)

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APPRO. NO. 170

AN ORDINANCE (252)

APPROPRIATING \$2,397.14 OUT OF THE 1943 GENERAL FUND, FOR PER  
DIEM PAYROLLS.

(For full text of this Ordinance, see Ordinance Book "L", p. 125)

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Commissioner Anderson introduced the following Ordinance:

AN ORDINANCE (253)

CHARGING SAN ANTONIO TRANSIT COMPANY FOR THE USE OF THE  
STREETS OF THE CITY OF SAN ANTONIO FOR THE YEAR 1943.

(For full text of this Ordinance, see Ordinance Book "L", p. 125)

After introducing the Ordinance for a vote, Commissioner Anderson remarked that this Ordinance had nothing whatever to do with the issuance of a franchise. However, he stated that the four Commissioners are agreed upon the necessity of a franchise being granted to the San Antonio Transit Company, the conditions of which must be agreed to between the Transit Company's attorneys and the City Attorney, and upon the facts to be brought out by the experts to be hired. Commissioner Anderson, addressing the Mayor, stated that it had been his intention to place this Ordinance before the Commission for a first reading, but stated he now could see no necessity of any further discussion and moved the enactment of the Ordinance at this time. He asked the Mayor if he wanted a full reading of the Ordinance and the Mayor ordered the Clerk to read the Ordinance, which was done. Mayor Mauermann then asked Mr. Hubert Green, Attorney for

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the Tax Payers Defense League, as well as for the Citizens Committee, if this met with the approval of the committees. Mr. Green replied "Yes", and further stated that they felt the rate was not quite as important as the terms and conditions of the franchise yet to be considered. Mr. Green further stated that until the Utility Company furnishes the City with a complete and intelligent statement of its operations, and until the City has had an opportunity to consider the various terms and conditions of such franchise, that they should be kept separate and distinct from the calendar charge for the year 1943.

Mayor Mauermann then ordered the Clerk to call the roll, whereupon the Ordinance was passed by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson. Nay, none.

Commissioner Anderson then requested the Mayor to have the City Attorney look into and investigate the advisability of taxing the carriers of freight and passengers other than the San Antonio Transit Company, who use the streets of the City of San Antonio. Commissioner Anderson put his request in the form of a motion, seconded by Commissioner Hein, which was unanimously passed and the Mayor then instructed City Attorney Thomas D. Cobbs to investigate and report on the matter.

Mr. Hubert Green addressed the Council and requested, for his group, that until the Utility Company makes payment of the past due payments now in arrears on the 1943 street rental charge, that the City do not entertain any negotiations regarding the franchise. Mr. Green further requested that a statement of operations be furnished the City, separating the Utility Company and the Transit Tower. When this statement is received, Mr. Green stated he and his associates will be willing to further assist in negotiations with the City and the Utility Company in determining a proper franchise.

Commissioner Hein stated to Mr. Green that he believed that the Transit Company was acting in good faith and they they were willing to pay the amount stated in the Ordinance just passed. Mr. Green replied that he was not disagreeing as to what the Company will or will not do, but to avoid any misunderstanding, the Council should not entertain any negotiations regarding the terms of a franchise, until the payments on the Ordinance just passed are brought up to date. Mr. Green stated his reasons for saying that are, that Mr. Rupe, President of the Company, positively refused to agree to any street rental charge that would extend back to January 1st unless he could get an agreement out of this Council for a franchise. Commissioner Steffler stated:

"I want to make my position clear. I voted for this Ordinance this morning with the understanding that a reasonable franchise - not twenty-five years - I had in my mind about twelve years - after an audit and survey made by the experts, would be granted to the San Antonio Transit Company."

Mayor Mauermann: "I want to make my vote on that clear. I did not vote for the Ordinance with any promise of a franchise. The franchise has nothing to do with it. I would not mind sitting around the table with Mr. Rupe and the others and discussing the matter of a franchise. I am sure Mr. Rupe intends to pay it. Isn't that right, Mr. Rupe?"

Mr. Rupe: "I have no statement to make whatsoever."

The Mayor: "Mr. Rupe does not agree to pay the tax, gentlemen; you can see that."

Commissioner Hein: "No, he did not say that."

Commissioner Callaghan: "He didn't say that."

Commissioner Anderson: "No, I do not believe in trying to read into the record something the man has not said."

The Mayor: "Well, when he tells you that he is ready to pay the tax, I will sit down with you, but I am not going to until then. Proceed with other business."

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Upon motion by Commissioner Callaghan, duly seconded and unanimously carried, the meeting was adjourned September 2, 1943.

APPROVED:  *Gus B. Maurmann*   
M A Y O R

ATTEST:  *Dan Bennett*   
City Clerk

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