

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO.

THURSDAY MARCH 28, 1918 at 3 O'clock P.M.

PRESENT: Hon Sam C. Bell, Mayor, presiding, and Commissioners Coy, Heuermann, and Lambert; Absent, Lowther, when the following proceedings were had.

Minutes of the previous meeting were ordered approved.

----- MEMORIALS AND PETITIONS-----

The petition of A.B. Stephens for cancellation of certain taxes was referred to the Commissioner of Taxation.

The petition of Boston Shoe Co. for permit to erect a sign at 301 Alamo Plaza was referred to Commissioner of Fire and Police.

The petition of St. Josephs Society for permit to use the space under the sidewalk fronting its property on E. Commerce Street was referred to the Commissioner of Streets and Public improvements.

Commissioner Heuermann recommended that the petition of the Western Union Tel. Co. for permit to construct a manhole on Houston Street between St. Marys Street and Navarro Street be granted, conditioned that said company pay the fee of \$100.00 required by ordinance, plus the cost of restoring the pavement, and that the work be done continuously day and night until completed.

Commissioner Heuermann read the following ordinance which was passed and approved upon roll call by the following vote, to wit; Ayes, Bell, Coy, Heuermann and Lambert, Nays, none.

--- AN ORDINANCE. ---

Granting permit to Delaware Punch Co. of Texas to construct sanitary sewer in San Marcos St.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO,

SECTION 1. That permission is hereby granted Delaware Punch Co. of Texas to construct an 8 inch (8") Sanitary Sewer. Beginning at Manhole in Delgado and San Marcos Streets and extending to a point approximately 270 ft. south, according to plat, line and grade made by the City Engineer hereto attached; the cost of said sewer being estimated about One Hundred and ninety Dollars (\$190.00), to be paid by the said Delaware Punch Co. of Texas. The final actual cost to be filed with the City Engineer within ten (10) days after the completion of the sewer.

SECTION 2. Said sewer when completed to become the property of the City of San Antonio and part of its public sewer system.

SECTION 3. The City Engineer is hereby directed to collect the sum of Thirty five and no/100 Dollars (\$ 35.00) for each and every connection made with said sewer main or house service going into said main and pay the same over to said Delaware Punch Co. of Texas, not later than the 10th day of each month following the month in which said connection is made until the sum of _____ (\$ _____), being the actual cost of said sewer, shall have been collected and paid over as afore-said, when no further connection fee of Thirty five and no/100 (\$35.00) shall be collected.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

MC-218

Commissioner Heuermann read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lowther; Nays, none.

---- AN ORDINANCE.----

-219

Appropriating \$459.20 out of 1917 General Fund to pay the San Antonio Portland Cement Co. for one car Portland Cement containing 640 bags; 1/2 for Sewer Construction and 1/2 for Street Maintenance Department.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of Four Hundred and fifty-nine and 20/100 Dollars, (\$459.20), or so much thereof as may be necessary, be and is, hereby appropriated out of 1917 General Fund to pay for one car Portland Cement; 1/2 for use of Sewer Construction Department and 1/2 for use of Street Maintenance Department- (See Bills on file in office of City Auditor)

Commissioner Heuermann introduced the following ordinance which was read and passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lambert; Nays, none.

AN ORDINANCE accepting proposal of Young and Ramsey for constructing Sanitary Sewers and authorizing contract and appropriating money therefor.

-220

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

Section 1 - (Acceptance). That the City does hereby accept the attached written proposal of said party named in the caption hereof, dated March 25, 1918 and offering to construct Sanitary Sewers in Texas Avenue and Navidad Street; known as Contract Section No. 53, in and for said City in accordance with the written specifications and description and drawings prepared and submitted by the City Engineer.

Section 2 - (Appropriation). That to defray the costs and expenses to be paid by the City by reason of the premises, the sum of Nine thousand five hundred Dollars (\$9500.00) or so much thereof as may be necessary, shall be and the same is hereby appropriated out of the 1917 General Fund and said funds so appropriated shall be kept in a separate account to be designated as Special Fund, Contract No. 53 Sewer Contract.

Commissioner Coy read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lambert; Nays none

--- AN ORDINANCE.---

Appropriating money to pay interest on Bonds.

-221

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of \$13860.76 be and is hereby appropriated out of the Several Funds hereinafter mentioned to pay interest on bonds, as follows, towit;

General Sinking Fund	\$12590.00	
Improvement District 10	650.00	
" " 11	100.00	
" " 13	20.76	
	<u>\$13860.76</u>	Total.

Commissioner Coy read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lambert; Nays, none.

--- AN ORDINANCE.---

-222

Appropriating \$140.00 out of 1917 General Fund to pay for postage stamps for use of various departments.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that,

the sum of One hundred, forty and no/100 Dollars, (\$140.00). or so much as may be necessary be and is hereby appropriated out of the 1917 General Fund to purchase stamps for the following Departments:

City Clerk /.....	\$15.00	
City Collector.....	50.00	
Purchasing Agent.....	15.00	
City Attorney	10.00	
City Auditor	3.00	
Engineering Dept.....	15.00	
Police Dept.	15.00	
Health Dept.....	15.00	
Plumbing Inspector.....	2.00	
	<u>\$140.00</u>	Total.

Commissioner Coy read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes Bell, Coy, Heuermann and Lambert; Nays, none.

--- AN ORDINANCE---

Directing the payment of salaries and wages for services rendered by officers and employes of the City for the month of March 1918, and appropriating money therefor.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the following sums of money, or so much as may be necessary, be and the same is hereby appropriated for the payment of officers and employees for the several accounts and departments as specified in the attached schedule as salaries or wages for services rendered to the City during the month of March, 1918 as per pay rolls:

1917 General Fund -----	\$78,070.15
Cemetery Fund -----	<u>300.00</u>
	\$78370.15

for which respective amounts City warrants shall at once be issued and delivered to said respective payees; providing that all persons performing services for the City for uncertain periods, may be paid on pay rolls certified to be correct by the Commissioner of the Department of the Chief of the Division in which they are engaged, and each person so paid shall thereupon receipt said pay roll, all as provided by City Charter.

Commissioner Coy read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lambert; Nays, none.

CITY OF SAN ANTONIO
COUNTY OF BEXAR
THE STATE OF TEXAS.

AN ORDINANCE.

-224

Providing for borrowing sixty thousand Dollars from the Alamo National Bank of San Antonio Texas for the use of the City.

(For full text of this ordinance see Volume A. Pages 229 to 232 of the Contract Records of the City)

Commissioner Coy read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lambert; Nays, none.

CITY OF SAN ANTONIO
COUNTY OF BEXAR
THE STATE OF TEXAS.

AN ORDINANCE.

-225

Providing for borrowong Sixty thousand Dollars from the State National Bank of San Antonio Texas for the use of the City.

(For full text of this ordinance see Volume A - Pages 233 to 236 of the Contract Records of the City).

The petitions of Jones and Finch for permit to install a gasolene pump and tank at 526 S. Alamo Street, and of Central Fire Company for permission to install gasolene pumps and tanks at 314 East Side of Alamo Plaza, were granted on recommendation of the City Plumbing Inspector.

The petitions of Stires Outdoor Advertizing Co. for permit to erect three bulletin boards on the vacant lot at the intersection of Avenue E and Houston Street be not granted and of Fannie L. Halff for building permit be granted on recommendation of the Building Inspector.

Commissioner Lambert offered the following resolution which was adopted.

--- RESOLUTION. ---

Authorizing the City Purchasing Agent to advertise for bids for a garbage and refuse Incinerating plant.

BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the City Purchasing Agent is hereby authorized and instructed to call for bids for the purchase of a garbage and refuse incinerating plant capable of evaporating and incinerating at the rate of twelve tons in eight hours of kitchen garbage, combustible refuse and dead animals mixed together in proportions as created by said City from day to day. The plant or unit to be of all steel or any other type, but not to include smoke stack.

Mayor Bell introduced the following ordinance which was read by the Clerk and passed and approved on roll call by the following vote to wit; Ayes, Bell, Coy, Heuermann and Lambert, Nays, none.

AN ORDINANCE.

-226

Forbidding an increase in the rates charged to the public by a public service corporation enjoying any franchise of public right or privilege within the City of San Antonio or engaged in the conduct of any public utility business therein, without the permission of the Mayor and Commissioners of the City of San Antonio, providing for a hearing for the purpose of establishing a fair rate, denouncing a penalty, providing for certain forfeitures, etc.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

Section 1 : It shall hereafter be unlawful for any person, firm, corporation or association, their agents, servants or employees, engaged in the business of furnishing local telephone service of the public within the limits of the City of San Antonio, or for any person, firm, corporation or association, their agents, servants or employees, exercising or enjoying any public franchise or privilege under or in the City of San Antonio, to charge or collect for the local service rendered by them to the public in the City of San Antonio any higher rate than the rates now in existence and charged and collected at this time, without first filing an application for such increase and securing the approval thereof by the Mayor and Commissioners of the City of San Antonio after an open hearing, as hereinafter provided.

Section 2: In the event any such person, firm, association or corporation mentioned in Section 1 hereof shall desire to increase the charges at this time existing for such service, they shall, prior to attempting such increase, file with the Mayor of the City their application setting out in detail the rates by them proposed to be charged and the reasons for such increase and request a hearing.

Section 3: Upon the filing of such application, the Mayor and Commissioners shall at the next succeeding regular meeting of the Commissioners set a date for such hearing to begin, which date shall not be later than ten days thereafter, and notice of said date shall be given to the petitioner, Upon such hearing, which shall be held by the Mayor and Commissioners in open meeting, petitioner shall have the right and it shall be its duty to produce such documents, books, records, accounts and other evidence as may be necessary to enable the Mayor and Commissioners to pass intelligently and fairly upon the reasonableness of the proposed rates, and the Mayor and Commissioners shall have the right and authority to call for or introduce any books, records, documents, accounts or other evidence which might assist in arriving at the proper determination of the issue involved.

Section 4: Said hearing shall be expeditiously conducted, and at the termination thereof the board of Commissioners shall within five days thereafter either grant or refuse said increase, or partially grant same, or lower the existing rates, as the merits of the case may require; and it shall be unlawful for any such person, firm, corporation or association, their agents, servants or employees, to charge or attempt to charge any rates for local service within the City of San Antonio higher than that so fixed by the Board of Commissioners; and any such increased rate so made without permission shall be void and uncollectible; and no such person, firm, corporation or association, their agents, servants and employees, shall discontinue or refuse to furnish service to the public because of the failure or refusal of the public to pay a higher rate than the one so fixed by the Board of Commissioners.

Section 5: Any person, firm, corporation or association, or any agent, servant or employee thereof, who shall violate any of the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than One Dollar (\$1.00) nor more than Twenty-five Dollars (\$25.00), and each separate charge or collection of any increased rate without the permission of the Board of Commissioners shall constitute a separate offense.

Section 6: Any person, firm, association or corporation enjoying any public franchise within the limits of the City of San Antonio or holding any public privilege or right to render public service for profit within the City of San Antonio or rendering any public utility service within said City, who shall violate the provisions of this ordinance, or who shall increase the rates charged the public in violation hereof, shall subject itself to a forfeiture of such franchise rights, if any it may have, and the same may be forfeited by the Board of Commissioners of the City of San Antonio after ten days notice to the holder of such franchise rights; and any such person, firm, corporation or association who, with or without franchise, shall in the City of San Antonio fail or refuse to comply with the provisions of this ordinance shall not be allowed or permitted to continue the operation of the business in which they are engaged within said City, and shall be, upon order of the Board of Commissioners, by the Police Department restrained and prevented from doing so.

Section 7: Should any part or portion of this ordinance for any reason be held invalid, such holding shall in no way affect the remainder of said ordinance, which shall, on the contrary, remain in full force and effect.

Section 8: This ordinance being of urgent importance by reason of facts apparent upon the face thereof, and being necessary for the immediate preservation of the public welfare and safety, shall be and become effective from and immediately after its passage and approval.

Commissioner Lambert read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes Bell, Coy, Heuermann and Lambert; Nays, none.

MC-227

AN ORDINANCE.

Appropriating \$66.75 out of 1917 General Fund to pay for milk samples and ice taken by City Milk Inspector from sundry dairymen during months of December, 1917, January and February 1918.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of Sixty-six and 75/100 Dollars (\$66.75) or so much thereof as may be necessary, be and is, hereby appropriated out of the 1917 General Fund to pay Jos Carle, City Milk Inspector, for milk samples taken from sundry dairymen during months of December, January and February per itemized statement on file in office of City Auditor.

Commissioner Lambert read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes, Bell, Coy, Heuermann and Lambert; Nays, none.

-228

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of thirty-eight Dollars (\$38.00) be and is hereby appropriated out of the 1917 General Fund to pay the amount due L.Gonzales for 19 days of labor in the Park Department during March 1918; warrant to be made payable to Fred Fries, City Clerk, who advanced the above amount to said Gonzales who has been drafted and joined the National Army.

Commissioner Lambert read the following ordinance which was passed and approved on roll call by the following vote, towit; Ayes Bell, Coy, Heuermann and Lambert; Nays, none.

-229

AN ORDINANCE.

Appropriating the sum of \$5019.94 out of the 1917 General Fund to pay City's part of maintenance of R.B.Green Memorial Hospital for January 1918.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of \$5019.94 be and is hereby appropriated out of the 1917 General Fund, warrant for which shall be made payable to Bexar County, to cover the City of San Antonio's proportion of the cost of operating and maintaining the R.B.Green Memorial Hospital for the month of January 1918.

There being no further business, on motion, duly seconded and carried, the meeting adjourned.

APPROVED: Lawrence Bell
MAYOR.

ATTEST: Fred Fries
CITY CLERK.