

April 22, 1954

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN THE
COUNCIL CHAMBER OF THE CITY HALL ON
THURSDAY, APRIL 22, 1954, AT 10:00 A.M.

PRESENT: SCHERLEN, STEVENS, RUSSELL, R. N. WHITE, EASLEY, LESTER, GONZALEZ
A.C.
ABSENT: SHEARER, ^WHITE

Mayor Pro-tem Raymond Russell, Jr. presiding.

Invocation by Rev. Tallie Williams - Northside Baptist Church

On motion of Mrs. Stevens, seconded by Mr. Lester, the reading of the minutes of the previous meeting was dispensed with.

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As the meeting opened, Mr. R. N. White read the following resolution which was unanimously passed by a rising vote:-

A RESOLUTION

WHEREAS, Almighty God, in His supreme power, has seen fit to take to her reward, Mrs. Jean Bichsel, the beloved mother of our Police Chief, George W. Bichsel, and

WHEREAS in the death of Mrs. Bichsel, the City of San Antonio has sustained the loss of a much respected citizen whom all who knew her honored and loved; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

That this council hereby expresses to the bereaved family its profound sympathy and condolences in this their hour of sorrow.

PASSED AND APPROVED this 22nd day of April A. D. 1954.

/s/ Raymond R. Russell, Jr.
Mayor Pro-tem

ATTEST :
/s/ J. Frank Gallagher
City Clerk

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Mr. Gonzalez asked at this time to present the Fire Chief of the City of Monterrey, Mexico who is a graduate of the San Antonio Fire Academy. All members shook hands with the chief.

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The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White

AN ORDINANCE 20,131

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF J. K. STARK AT 624 RITTIMAN ROAD

(Full text in Ordinance Book Z. page 612)

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The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,132

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF CUPPLES CORPORATION AT 538 WEST ACADEMY

(Full text in Ordinance Book Z. page 613)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,133

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF CUPPLES CORPORATION AT 535 WEST ACADEMY

(Full text in Ordinance Book Z. page 613)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,134

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF CUPPLES CORPORATION AT 531 WEST ACADEMY

(Full text in Ordinance Book Z. page 613)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,135

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF CUPPLES CORPORATION AT 527 WEST ACADEMY

(Full text in Ordinance Book Z. page 613)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,136

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF CUPPLES CORPORATION AT 523 WEST ACADEMY

(Full text in Ordinance Book Z. page, 613)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,137

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF AUBREY V. DE GAN

(Full text in Ordinance Book Z. page 614)

April 22, 1954

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,138

ACCEPTING THE ATTACHED BID OF COKESBURY BOOK STORE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN BOOKS AS LISTED FOR A TOTAL OF \$3,757.00

(Full text in Ordinance Book Z. page 614)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,139

APPROPRIATING \$4.50 OUT OF ACCOUNT NO. 56-02-02 CLAIMS AND REFUNDS IN PAYMENT TO CHARLES RANSCHUBER OF REFUND ON UNUSED BUILDING PERMIT

(Full text in Ordinance Book Z. page 614)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,140

CHANGING THE NAME OF VERA CRUZ STREET, BETWEEN SAN JOAQUIN STREET AND S.W. 36TH STREET, TO LANCE STREET; AND CHANGING THE NAME OF S.W. 23RD STREET, FROM CASTROVILLE ROAD TO SAN LUIS STREET, TO BARCLAY STREET

(Full text in Ordinance Book Z. page 614)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,141

APPROPRIATING \$5.00 OUT OF ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN PAYMENT OF REFUND TO SGT. BRIMHALL, OF THE STATE DEPARTMENT OF PUBLIC SAFETY OF IMPOUNDING FEE

(Full text in Ordinance Book Z. page 615)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,142

APPROPRIATING \$5.00 OUT OF ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN PAYMENT OF REFUND TO HENRY A. DOUBLET OF IMPOUNDING FEE

(Full text in Ordinance Book Z. page 615)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, Shearer

AN ORDINANCE 20,143

APPROPRIATING \$5.00 OUT OF ACCOUNT NO. 56-02-02 CLAIMS AND REFUNDS, IN PAYMENT OF REFUND TO M. W. ELDER OF IMPOUNDING FEE

(Full text in Ordinance Book Z. page 615)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, Shearer.

AN ORDINANCE 20,144

AUTHORIZING A REFUND OF \$5.00 OUT OF 1953 GENERAL FUND, UNPLEDGED, CLAIMS AND REFUNDS, TO CHARLES K. VOITH, JR. AS REFUND OF FINE, AS PER LETTER ATTACHED

(Full text in Ordinance Book Z. page 616)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, Shearer.

AN ORDINANCE 20,145

GRANTING PERMISSION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY, DRIVER'S LICENSE DIVISION, TO USE 23 FEET ALONG THE SOUTH SIDE OF THE 1200 BLOCK OF WEST LAUREL STREET FOR THE PURPOSE OF CONDUCTING PARALLEL PARKING EXAMINATIONS

(Full text in Ordinance Book Z. page 616)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, Shearer.

AN ORDINANCE 20,146

ACCEPTING THE ATTACHED BID OF GILLESPIE MOTOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC HEALTH WITH TWO MOTOR VEHICLES LESS TWO TRADE-INS FOR A NET TOTAL OF \$1,928.04

(Full text in Ordinance Book Z. page 616)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, A. C. White, Shearer.

AN ORDINANCE 20,147

DEFINING "MILK" AND CERTAIN "MILK PRODUCTS", "MILK PRODUCER" "PASTEURIZATION", ETC.; PROHIBITING THE SALE OF ADULTERATED AND MISBRANDED MILK AND MILK PRODUCTS; REQUIRING PERMITS FOR THE SALE OF MILK AND MILK PRODUCTS; REGULATING THE INSPECTION OF DAIRY FARMS AND MILK PLANTS, AND THE EXAMINATION, GRADING, LABELING, PASTEURIZATION, REGRADING, DISTRIBUTION, AND SALE OF MILK AND MILK PRODUCTS; PROVIDING FOR THE PUBLISHING OF MILK GRADES, THE CONSTRUCTION OF FUTURE DAIRIES AND MILK PLANTS, THE ENFORCEMENT OF THIS ORDINANCE, AND THE FIXING OF PENALTIES FOR VIOLATION OF ANY SECTION OF THIS ORDINANCE, BY A FINE OF NOT LESS THAN \$25.00 NOR MORE THAN \$200.00 FOR EACH VIOLATION THEREOF, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND CONTAINING A SAVINGS CLAUSE

(Full text in Ordinance Book Z. page 616)

April 22, 1954

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,148

ACCEPTING BID OF AAA HOUSE MOVERS, TO MOVE BUILDING FROM STINSON HOMES TO HARLANDALE PARK AND SET SAME ON CONCRETE PIER FOUNDATION CONSTRUCTED BY BIDDER, AS PER SPECIFICATIONS, FOR A TOTAL PRICE OF \$2266.00; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT, ON BEHALF OF THE CITY OF SAN ANTONIO, THEREFOR

(Full text in Ordinance Book Z. page 630)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,149

APPROPRIATING \$140.19 OUT OF CENTRAL STORES FUND, 3-01 LA VILLITA ACCOUNT #5, IN PAYMENT TO JOHN H. ROTH & COMPANY OF BALANCE DUE ON ORDER FOR LA VILLITA PLATES

(Full text in Ordinance Book Z. page 630)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White

AN ORDINANCE 20,150

ACCEPTING PROPOSAL OF MAGEE-HALE PARK-O-METER COMPANY TO FURNISH REPAIR PARTS FOR PARK-O-METERS TO THE CITY OF SAN ANTONIO FOR A TOTAL NET PRICE OF \$1935.97

(Full text in Ordinance Book Z. page 630)

The following resolution was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

A RESOLUTION

APPOINTING AND DESIGNATING WALTER C. GUNSTREAM, DIRECTOR OF AVIATION, AS ACTING CITY MANAGER, IN THE ABSENCE OF RALPH H. WINTON, CITY MANAGER, FOR THE PERIOD OF APRIL 26 TO APRIL 27, 1954, BOTH INCLUSIVE

(Full text in Ordinance Book Z. page

The following resolution was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

A RESOLUTION

SETTING APRIL 29, 1954 AS STUDENTS GOVERNMENT DAY

The following resolution was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

A RESOLUTION

DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE REMOVAL OF ONE (1) FIFTEEN (15) TON AIR CONDITIONING UNIT FROM THE MUNICIPAL AUDITORIUM AND THE INSTALLATION THEREOF IN THE COUNCIL CHAMBER OF THE CITY HALL

The following resolution was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

A RESOLUTION

DESIGNATING FIRE CHIEF M. L. BUTLER TO BE THE REPRESENTATIVE OF THE CITY OF SAN ANTONIO TO RECEIVE THE "TOP HONOR CITY AWARD" IN WASHINGTON D. C. ON APRIL 27, 1954; AND AUTHORIZING HIS ABSENCE FROM DUTY FOR THE PERIOD NECESSARY TO MAKE THE TRIP THEREFOR

The following resolution was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

A RESOLUTION

APPROVING THE APPOINTMENT OF INSPECTOR JOHN W. FITCH TO SERVE AS ACTING CHIEF OF POLICE DURING THE ABSENCE OF CHIEF GEORGE W. BICHSEL

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,151

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY LYING ADJACENT TO AND SURROUNDING THE BOUNDARIES OF THE CITY OF SAN ANTONIO, SAID ADDITIONAL TERRITORY BEING 114.25 ACRES OF LAND OUT OF THE 823.62 ACRE PALFREY TRACT IN THE MARIA G. DE ALANIS SURVEY NO. 20; ALSO KNOWN AS HIGHLAND HILLS UNIT 15, VOL. 3025, PAGE 383; AND HIGHLAND HILLS UNIT 17, VOL. 5377, PAGE 126, AS RECORDED IN THE DEED RECORDS OF BEXAR COUNTY, TEXAS; PROVIDING THAT THERE IS NO INTENT TO INCLUDE WITHIN THE AREA ANNEXED BY THIS ORDINANCE ANY MUNICIPALITY LAWFULLY INCORPORATED UNDER TITLE 28 OF THE R.C.S. OF TEXAS OF 1925; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE

(Full text in Ordinance Book Z. page 631)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

AN ORDINANCE 20,152

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY LYING ADJACENT TO AND SURROUNDING THE BOUNDARIES OF THE CITY OF SAN ANTONIO, SAID ADDITIONAL TERRITORY BEING 58.023 ACRE TRACT OF LAND OUT OF WILSON SIMPSON SURVEY NO. 148, COUNTY BLOCK 5009, KNOWN AS RIDGEVIEW SUBDIVISION, IN BEXAR COUNTY, TEXAS; PROVIDING THAT THERE IS NO INTENT TO INCLUDE WITHIN THE AREA ANNEXED BY THIS ORDINANCE ANY MUNICIPALITY LAWFULLY INCORPORATED UNDER TITLE 28 OF THE R.C.S. OF TEXAS OF 1925; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE

(Full text in Ordinance Book Z. page 632)

April 22, 1954

The following letter from the City Clerk was read:

Honorable Mayor and Members of Council
City of San Antonio, Texas

Gentlemen:

The following petitions were received by this office and then referred to Mr. Ralph H. Winton, City Manager, for his recommendation or action.

4-13-54 Petition of Most Rev. Robert E. Lucey, Archbishop of San Antonio requesting tax exemption of Lots 31 and 32, NCB 6365

4-13-54 Petition of Robert Rangel, Jr., et al, requesting the city to pave Elvira Street between NW 19th and Hamilton Street.

4-13-54 Petition of Mrs. Louis Funari, et al, requesting the closing of an alley running east to west from 24th Street to 25th Street located in the rear of 3700 block of San Fernando Street.

4-14-54 Petition of Irving Preissman requesting refund of \$56.00 paid for building permits.

4-14-54 Petition of Riverside Baptist Church of San Antonio requesting tax exemption of Lots 9 and 10, New City Block 3065.

4-14-54 Petition of Calvary Baptist Church requesting tax exemption of Lots 1 to 12 and Lots 20 to 24, New City Block 1080.

4-14-54 Petition of T&NO RR Co. requesting permission to construct and maintain an industrial railroad track in, upon and along Walnut Street.

4-15-54 Petition of Most Rev. Robert E. Lucey, Archbishop of San Antonio, requesting tax exemption of Lot 1, New City Block 3855.

4-15-54 Petition of Fred Fauland, et al, requesting the city to have Clark Avenue oiled because of the extremely dusty condition of the street.

4-19-54 Petition of House of Prayer requesting tax exemption of triangle "D", Block 90, New City Block 3682.

4-20-54 Petition of Charles A. Rubiolo requesting refund of \$13.00 paid for building permit.

Yours very truly,

J. Frank Gallagher
City Clerk

A hearing was called at this time on Zoning Case #362. No one appeared before the council to be heard so Mr. R. N. White, seconded by Mr. Lester, moved to approve the recommendation of the Planning Board to change the zoning from "B" Temporary to "B" Permanent on all of the following:

<u>Lot</u>	<u>NCB</u>
All	10242
All	10243
All	10244
All	10245
All	10246
All	10247
All	10248
All	10249
All	10250
1-20	10251
1-12 & 27-39	10252
1-13 & 28-40	10253
1-13 & 28-40	10254
1-13 & 28-40	10255
1-15 & 26-40	10256

The motion carried by the following vote: Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

Next case to be heard was Zoning Case #363 to rezone Tract A, being the north 260.87 feet of NCB 11674, property located between Honey Boulevard on the west and Salado Creek on the east and bounded by U. S. Hwy 90 E on the north and bounded by an alley 260.87 feet plus or minus south of Commerce Street and running parallel to Commerce Street, from "B" Residence to "H" Local Retail. The proponents were present and explained their reason

for asking for the change. No one objected and it was moved by R. N. White, seconded by Mr. Lester to approve the recommendation of the Planning Commission to rezone. Ayes, Scherlen, Stevens, Russell, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Shearer, A. C. White.

The next case called for consideration was a recommendation by Planning Commission to rezone property in New City Block 10487, 10490, and 10493 facing Vance Jackson Road from "A" Temporary Res. to "F" Local Retail.

Mr. Park Street, Attorney for the petitioners, addressed the council. He stated that he was informed that a petition had been filed against the zoning but that since the signatures were not acknowledged by the signers he doubted their validity. A long discussion ensued. Mr. Jerry Caples, one of the objectors, contended that the petition was valid. After much discussion pro and con, Mr. Caples questioned the right of Mrs. Stevens to vote on this case because he contended she was related to one of the petitioners.

Mrs. Stevens stated that one of the petitioners was related to her husband and she would disqualify herself.

Mr. Street then contended that only six members were present and eligible to vote therefore he asked for a recess of this hearing until a later date.

After much discussion by members and a five minute recess to clear up the confusion as to the legal aspects of the case Mr. Lester, seconded by Mr. Scherlen moved to recess the hearing until 10:00 A.M. May 6th.

The motion carried unanimously.

Mr. R. N. White presented a check for \$100.00 which was donated by Jack Ruback, the operator of the Fiesta carnival shows, to be placed to the credit of Police Officers Benefit Fund, as a token of gratitude to the council for allotting the City Hall parking space to the use of the shows.

On motion of Mr. Gonzalez seconded by Mr. Scherlen the meeting adjourned.

APPROVED:

MAYOR

ATTEST:


City Clerk

April 22, 1954

ADDENDUM

The Clerk read a letter from the President of the Chamber of Commerce asking that the council award commissions as Alcalde of La Villita to Honorable Robert F. Wagner, Mayor of New York, on the occasion of the Brand Name Awards and to W. A. Clarke, President of the Mortgage Bankers Association of America to be awarded during the convention of that organization hereby May 19 to 21.

On motion of Mrs. Stevens these awards were approved.

The Clerk presented a letter from Chamber of Commerce asking for permission to close Villita Street from Presa to Alamo Streets at the time of the Carnival of Nations on May 15th. The City Manager was instructed to take advisable action.

A request by Mr. Charles Weimer to award the rank of Alcalde to General James H. Davies of Randolph AFB at the time of his transfer May 1st. was approved.

The council was honored by the presence of Honorable Matute Renus, Mayor of Guadalajara, Mexico who also represented Honorable Augustin Yanez, Governor of the State of Jalisco, Mexico.

The Mayor presented a proclamation in their honor.