

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN THE
COUNCIL CHAMBER OF THE CITY HALL ON THURSDAY
OCTOBER 15, 1953 AT 10:00 A.M.

PRESENT: SCHERLEN, STEVENS, SHEARER, A. C. WHITE, RUSSELL, R. N. WHITE, EASLEY, LESTER,
GONZALEZ; CITY ATTORNEY JACK DAVIS AND CITY CLERK J. FRANK GALLAGHER

Invocation by Rev. Chauncey Acrey - Westminster Presbyterian Church

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

- - -

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

AN ORDINANCE 19,673

APPROPRIATING THE SUM OF \$50.61 OUT OF 1953-54
GENERAL FUND, ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS,
IN REFUND TO VARIOUS NAMED PERSONS OF AMOUNTS DUE ON
ACCOUNT OF PAYMENTS TO CITY OF SAN ANTONIO IN ERROR

(Full text in Ordinance Book Z. page 288)

- - -

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

AN ORDINANCE 19,674

APPROPRIATING THE SUM OF \$35.00 OUT OF THE 1953
GENERAL FUND, ACCOUNT NO. 56-02-02, 4-41, CLAIMS
AND REFUNDS, PAYABLE TO VARIOUS PERSONS, BEING REFUND
OF FINES DUE TO DISMISSED CORPORATION COURT CASES

(Full text in Ordinance Book Z. page 288)

- - -

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

AN ORDINANCE 19,675

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
OF INSURANCE WITH MASSACHUSETTS BONDING AND INSURANCE
COMPANY OF BOSTON, MASSACHUSETTS, FOR BODILY INJURY
LIABILITY AND PROPERTY DAMAGE LIABILITY COVERAGE ON
THE MUNICIPAL AUDITORIUM, FOR ONE YEAR, FROM AUGUST 1ST,
1953; AND APPROPRIATING \$1,156.38 OUT OF THE 1953 GENERAL
FUND, ACCOUNT NO. 56-04-04, IN PAYMENT OF PREMIUM FOR SAID
INSURANCE

(Full text in Ordinance Book Z. page 289)

- - -

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

AN ORDINANCE 19,676 - See following page

October 15, 1953

AN ORDINANCE 19,676

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OF INSURANCE WITH MASSACHUSETTS BONDING AND INSURANCE COMPANY OF BOSTON, MASSACHUSETTS, FOR ELEVATOR PUBLIC LIABILITY COVERAGE AT VARIOUS CITY DEPARTMENTS, FOR THREE YEARS, FROM SEPTEMBER 19TH, 1953; AND APPROPRIATING THE SUM OF \$1,256.44 OUT OF THE 1953 GENERAL FUND, ACCOUNT NO. 56-04-04, IN PAYMENT OF PREMIUM FOR SAID INSURANCE

(Full text in Ordinance Book Z. page 289)

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

AN ORDINANCE 19,677

APPROPRIATING \$1000.00 OUT OF THE 1953 GENERAL FUND ACCOUNT 59-01-02 STEPHENSON ROAD, TO GUARDIAN ABSTRACT & TITLE CO., IN PAYMENT FOR LAND TO BE CONVEYED BY G. M. RAMIREZ AND WIFE, HORTENSIA T. RAMIREZ, TO THE CITY OF SAN ANTONIO, FOR STEPHENSON ROAD WIDENING.

(Full text in Ordinance Book Z. page 289)

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

AN ORDINANCE 19,678

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF JOHN R. GEORGE AT 500 WETMORE ROAD

(Full text in Ordinance Book Z. page 290)

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

A RESOLUTION

DIRECTING THE CITY CLERK, CITY OF SAN ANTONIO TO ADVERTISE FOR BIDS FOR LEASE OF LAND AT THE SAN ANTONIO INTERNATIONAL AIRPORT

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

AN ORDINANCE 19,679

ACCEPTING THE ATTACHED BID OF THE MCALESTER FUEL COMPANY, 3454 ROOSEVELT AVENUE TO FURNISH THE CITY OF SAN ANTONIO WITH ANTI-FREEZE REQUIREMENTS - 525 GALLONS FOR TOTAL OF \$1008.00

(Full text in Ordinance Book Z. page 291)

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

AN ORDINANCE 19,680

ACCEPTING THE SUM OF \$48.19 AS THE PREMIUM DISCOUNT DUE THE CITY OF SAN ANTONIO UNDER FIRE AND EXTENDED COVERAGE POLICY NO. 353992 (STINSON AIRPORT FIELD BUILDINGS) ISSUED BY QUEEN INSURANCE COMPANY

(Full text in Ordinance Book Z. page 291)

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

AN ORDINANCE 19,681

MAKING A LEASE CONTRACT BETWEEN THE CITY OF SAN ANTONIO, TEXAS, AND SAN ANTONIO LITTLE LEAGUE STADIUM COMPANY, PERTAINING TO CERTAIN REAL PROPERTY OWNED BY THE CITY OF SAN ANTONIO IN AND NEAR THE OLMOS CREEK BASIN

(Full text in Ordinance Book Z. page 291)

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

A RESOLUTION

GIVING NOTICE OF A HEARING ON NOVEMBER 5, 1953 OF A PROPOSED AMENDMENT OF THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON THE 3RD DAY OF NOVEMBER, 1938, FOR RE-ZONING OF: CASE 307, LOTS 11 THROUGH 20, BLOCK 23, NEW CITY BLOCK 8948, ON THE NORTH SIDE OF MILITARY DRIVE; AND, CASE 331, PORTION OF NEW CITY BLOCKS 354 AND 353 ON THE EAST SIDE OF JACKSON STREET

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

AN ORDINANCE 19,682

APPROPRIATING THE SUM OF \$212.00 OUT OF THE 1953 GENERAL FUND, ACCOUNT NO. 59-01-02, STEPHENSON ROAD RIGHT-OF-WAY, PAYABLE TO W. W. PALMER FOR LEGAL SERVICES RENDERED IN CERTAIN CONDEMNATION PROCEEDINGS IN ACCORDANCE WITH ORDINANCE PASSED AND APPROVED JUNE 18, 1953

(Full text in Ordinance Book Z. page 292)

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

AN ORDINANCE 19,683

APPROPRIATING THE SUM OF \$3250.00 OUT OF THE 1953 GENERAL FUND, ACCOUNT NO. 59-01-02, STEPHENSON ROAD RIGHT-OF-WAY, IN PAYMENT OF AWARD OF COMMISSIONERS IN CONDEMNATION PROCEEDING OF CITY OF SAN ANTONIO VS. LILLIE SCHUCHARDT, WALTER RUST, ET AL, SUBJECT TO THE ORDER OF WALTER RUST, AND OTHERS

(Full text in Ordinance Book Z. page 293)

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

October 15, 1953

AN ORDINANCE 19,684

AUTHORIZING THE PAYMENT OF \$30.70 TO JOE MATUSOFF AND \$13.50 TO T. C. BRITT, JR., IN SETTLEMENT FOR DAMAGES TO THEIR AUTOMOBILES

(Full text in Ordinance Book Z. page 293)

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

AN ORDINANCE 19,685

CREATING AND ESTABLISHING A NEW CLASSIFICATION UNDER THE MUNICIPAL CIVIL SERVICE OF THE CITY OF SAN ANTONIO, VIZ., LAY INSPECTOR CLASS NO. 202, PROVIDING PAY SCALE AND DEFINING THE DUTIES AND QUALIFICATIONS OF EMPLOYEES IN SAID CLASSIFICATION

(Full text in Ordinance Book Z. page 293)

The following ordinance was read for the first time:

AN ORDINANCE

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 SITUATED 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

(BELLAIRE ADDITION, SEWAGE DISPOSAL PLANT, HIGHLAND HILLS UNIT NO. 14, LEON CREEK POWER PLANT, GREENHILL VILLAGE)

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

AN ORDINANCE 19,686

AUTHORIZING THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT TO COLLECT A FEE OF \$47.00 FOR EACH SEWER CONNECTION MADE TO THE SANITARY SEWER MAIN CONSTRUCTED BY IT IN AN ALLEY NORTH OF RUIZ STREET, EXTENDING WESTWARD A DISTANCE OF 676 FEET

(Full text in Ordinance Book Z. page 294)

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

APPRO. NO. 2090

AN ORDINANCE 19,687

MAKING AND MANIFESTING A DEED FROM THE CITY OF SAN ANTONIO TO MELLIE MURGATROYD, A WIDOW, CONVEYING TO SAID MELLIE MURGATROYD A SOUTH PORTION OF LAND OUT OF LOTS 8 AND 9, IN NCB 3381, SAID PORTION OF LAND BEING FULLY DESCRIBED BY METES AND BOUNDS HEREINBELOW: AND ACCEPTING TWO DEEDS, EACH CONVEYING TO THE CITY OF SAN ANTONIO AN UNDIVIDED ONE-HALF INTEREST IN AND TO A NORTH PORTION OF LOTS 10 AND 11, IN NCB 3381, SAID DEEDS BEING EXHIBITED HERewith, ONE OF SAID DEEDS EXECUTED BY DOVEY COMBS, GUARDIAN OF THE ESTATE OF MELLIE MURGATROYD, A WIDOW, N.C.M., THE OTHER EXECUTED BY WILLIAM MURGATROYD, JR., AND WIFE, OPAL MURGATROYD, CHESTER ALVIN MURGATROYD AND WIFE, SOPHIE C. MURGATROYD, P. T. COMBS AND WIFE, DOVEY COMBS; AND APPROPRIATING THE SUM OF \$975.00 OUT OF THE STREET & BRIDGE C-45 FUND; \$487.50 PAYABLE TO THE ESTATE OF MELLIE MURGATROYD, A WIDOW, AND \$487.50 PAYABLE TO WILLIAM MURGATROYD, JR., AND WIFE, OPAL MURGATROYD, CHESTER ALVIN MURGATROYD AND WIFE, SOPHIE C. MURGATROYD, P. T. COMBS AND WIFE, DOVEY COMBS, SAID \$975.00 BEING THE DIFFERENCE IN THE EXCHANGE OF PROPERTIES

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

AN ORDINANCE 19,688

CLOSING AND ABANDONING THE ALLEY EXTENDING FROM KARNES STREET TO AVENUE "A" THROUGH NEW CITY BLOCK 960; AND MAKING A QUIT CLAIM DEED THEREOF TO THE PEARL BREWING COMPANY

(Full text in Ordinance Book Z. page 296)

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.

- 10-7-53 Petition of B. F. Roberts, et al, requesting annexation of Sections 3 and 3A, Bellaire Subdivision.
- 10-8-53 Petition of Robert H. MacDonald requesting refund of impounding fee.
- 10-8-53 Petition of Stafford Elementary School requesting the city to consider grading and paving of SW 36th Street.
- 10-8-53 Petition of Jefferson Church of Christ requesting tax exemption of Lot 10, Block 19, NCB 1932.
- 10-12-53 Petition of V. Rodriguez, et al, requesting the city to pave and curb the 3900 block of W. Travis Street.
- 10-13-53 Petition of J. B. Martin requesting permission to construct and connect a sanitary sewer line at a point on Sunset Road and Missouri Pacific tracks.

Yours very truly,

/s/ J. Frank Gallagher
City Clerk

Mayor White announced that we would now consider the proposition of H. B. Zachry of for the construction of an underground parking garage under Travis Park.

Mrs. Jack Allensworth, for the League of Women Voters, heartily protested the letting of this contract and cited her opinion that Sec. 137 of the Charter makes it illegal. She asked for a copy of the proposed ordinance and asked that action be deferred and a hearing be held.

Mrs. John M. Bennett, Jr., President of the San Antonio Conservation Society, appeared and called upon Mrs. Eric Harker to speak for that organization. Mrs. Harker read an excerpt from a magazine article describing Pershing Square and its parking facilities in San Francisco.

Mrs. Bennett read an editorial from the San Antonio Express unfavorable to the proposed project. She then called on Mr. Jake Rodriguez, Executive Secretary of the Mexican Chamber of Commerce, who read an editorial which will appear in the San Antonio News this day and summed up by declaring that his organization was strongly against the proposal and did not want to see his city desecrated.

Councilman Gonzalez then rose to a question of personal privilege.

He paid his respects to newspaper editors and editorials and to the women who are appearing before the council reiterating arguments which have already been made and chastized the women for their childish actions. He said he did not believe that anyone had a right to question his integrity or that of other councilmen.

October 15, 1953

Mrs. Ralph S. Gibbs presented a copy of a resolution of the Daughters of Republic of Texas asking that Alamo Plaza be not touched by any parking plans.

Mr. Zisman for the Conservation Society read various excerpts from the Charter and stated that he thought the proposed contract could not legally be made.

Mr. Henry Gonzalez interrupted the proceedings to announce that he had just been in communication with Mr. M. C. Gonzales, President of the Mexican Chamber of Commerce, and that he was informed by Mr. Gonzales that his organization had given no one authority to appear for it in this controversy.

Mr. L. A. McAllister, builder and engineer, stated that he thought the proposition was a good one and beneficial to the City.

Mr. Perry Whitaker, an architect, said that you could build four above ground garages for the cost of one underground.

Mr. Al Klein then asked again that the council allow a firm which he represents to make a bid. He was informed by Mr. Winton, the City Manager, that when the council opened the other bids after being asked by his company to delay, they in effect closed the door on further bids. Mr. Klein was very persistent but was told by Mr. Easley that there would be no more bids considered.

Mr. John Sherley for the Daughters of the Confederacy asked that the monument in Travis Park be not destroyed.

Mayor White then made a statement in which he stated his belief that the park would be more beautiful after the proposed replacement.

Mrs. John Bennett then read a prior statement made by the Mayor which she said did not bear out his statement.

Mr. Shearer moved that the proposition of Mr. Zachry be approved; Mrs. Stevens seconded.

Mr. Scherlen then made a statement in which he stated the park was not kept in shape now and would be better after the change. He believes Mr. Zachry would do everything possible to improve it, but he is not entirely satisfied with the wording of the contract and would like to delay action and make changes.

Mr. Gonzalez moved as a substitute motion that the City Attorney give a written opinion on the validity of this contract in view of all the points brought up and that action be deferred. Mr. Russell stated that he was for the proposition as a whole but wanted certain changes made in the wording of the contract. Mr. R. N. White, Mr. Scherlen and Mr. Gonzalez all stated they would be against the ordinance in the proposed form.

Mr. Gonzalez then withdrew his substitute motion and moved to table the motion of Mr. Shearer and lay the matter on the table until October 22nd or sooner.

Mr. Zachry then was permitted to make a statement in which he explained that the provisions of the ordinance as presented were made in order that it could be financed.

Mr. Scherlen again insisted that he thought the matter was being railroaded and insisted on holding the matter open for the 15 days provided in the original proposition.

The vote was then taken on Mr. Gonzalez' motion to table which failed passage by the following vote: Ayes, Scherlen, Russell, R. N. White, Gonzalez; Nays, Stevens, Shearer, A. C. White, Easley, Lester.

The Clerk then read the proposed ordinance in full as follows:

AN ORDINANCE 19,689

MAKING A LEASE BETWEEN THE CITY OF SAN ANTONIO
AND H. B. ZACHRY, TRUSTEE
(Full text in Ordinance Book Z. page 296)

Mr. Easley then moved to limit debate to three minutes. The motion was adopted by the following vote: Ayes, Stevens, Shearer, A. C. White, Easley, Lester; Nays, Scherlen, Russell, Gonzalez. Mr. R. N. White was temporarily absent.

Mr. Gonzalez then moved to adjourn; the motion was lost by the following vote: Ayes, Scherlen, Russell, Gonzalez; Nays, Stevens, Shearer, A. C. White, Easley, Lester; Mr. R. N. White temporarily absent.

The vote was ~~then~~ ordered on the motion of Mr. Shearer, seconded by Mrs. Stevens to adopt and approve the ordinance. The ordinance was adopted by the following vote: Ayes, Stevens, Shearer, A. C. White, Easley, Lester; Nays, Scherlen, Russell, R. N. White, Gonzalez.

Mr. Gonzalez then made a statement with regard to the resignation of Chief of Police E. B. Haddox. He stated that he believed that Mr. Haddox had been crucified for political reasons and in spite of all charges and insinuations he had come out of the matter unscathed.

The council then adjourned, on motion of Mrs. Stevens.

APPROVED:



M A Y O R.

ATTEST:


City Clerk