

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER OF THE CITY HALL
ON THURSDAY, OCTOBER 21, 1954 AT 10:00 A.M.

PRESENT: SCHERLEN, OLIVER, RUDELOFF, DILLASHAW, RUSSELL, R. N. WHITE, JR., LACY,
BARRETT, GONZALEZ

Immediately after the roll call, Mr. Scherlen moved to adjourn "since there are not enough legally constituted members of the council present to make a quorum". There being no second to the motion, the question was not put to the council.

Motion made by White, seconded by Oliver, to dispense with reading of the minutes of the previous meeting. Mr. Scherlen announced that he was not voting because he did not believe a sufficient number of duly elected members were present to conduct the business of the council. The vote was announced eight "Ayes" and one not voting that being Mr. Scherlen.

Mr. Scherlen then objected to Mr. Dillashaw signing the approval of the minutes because "he is not legally Mayor Pro-tem".

The following ordinance was read and was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, R. N. White, Jr., Lacy, Barrett, Gonzalez; NAYS, none; Mr. Scherlen announced that inasmuch as there was not a legally constituted council membership, no legal action could be taken. He wants to be recorded as "Not Voting".

AN ORDINANCE 20,654

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE BOUNDARIES OF THE CITY, SAID TRACT OF LAND BEING KNOWN AS TANGLEWOOD SUB-DIVISION CONTAINING APPROXIMATELY 36.48 ACRES OUT OF THE WILLARD SIMPSON SURVEY NO. 148, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 339)

Mr. Scherlen announced that he would not vote on the following resolution and succeeding ordinances because he did not consider that enough qualified members of the council were present.

The resolution was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING OF A PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION DESCRIBED HEREIN, (CASE 393, 398)

The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,655

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF BURL TAYLOR AND JEFFIE MAE BOYETT AT 4412-4416 S. GEVERS

(Full text in Ordinance Book AA page 340)

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The following ordinance was passed and approved by the following vote: AYE, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,656

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF HENRY MEYER AT 111 SUNNYCREST

(Full text in Ordinance Book AA page 341)

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The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,657

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF HENRY MEYER AT 115 SUNNYCREST

(Full text in Ordinance Book AA page 341)

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The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,658

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF P. B. STOKES AND MRS. P. B. STOKES AT 126 CITY VIEW

(Full text in Ordinance Book AA page 341)

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The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,659

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF A. F. HUDSON PLUMBING CO. AT 111 HARRY WURZBACH HWY

(Full text in Ordinance Book AA page 342)

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The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,660

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF BREMER & WILHELM AT 219 LARK

(Full text in Ordinance Book AA page 342)

The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,661

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF BREMER & WILHELM AT 226 LARK

(Full text in Ordinance Book AA page 342)

The following ordinance was passed and approved by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

AN ORDINANCE 20,662

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF BREMER & WILHELM AT 255 LARK

(Full text in Ordinance Book AA page 342)

The following ordinance was read:

AN ORDINANCE 20,663

AUTHORIZING THE TRANSFER OF \$31,289.57 FROM THE 1954 GENERAL FUND TO THE GARBAGE DISPOSAL E-45 BOND FUND AS REIMBURSEMENT DUE TO PURCHASE OF EQUIPMENT ERRONEOUSLY CHARGED TO SAID BOND FUND

(Full text in Ordinance Book AA page 343)

When the above ordinance was read, Mr. Scherlen again raised the point that there were not enough duly constituted members of the council present to appropriate city money and he warned all concerned that they might be called upon to make good any funds expended illegally. The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,664

ACCEPTING THE ATTACHED BID OF THE SEAGRAVE CORPORATION TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH THREE (3) FIRE PUMPERS AT A TOTAL COST OF \$50,700.00

(Full text in Ordinance Book AA page 343)

When the above ordinance was read, Mr. Scherlen again registered as Not Voting

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and raised the same objections as heretofore to membership status of those attending the meeting and again warned against illegal expenditure of funds. The Mayor Pro-tem asked Mr. Scherlen if he wished to avoid additional statements and be recorded as not voting for the reasons given on all other legislation. Mr. Scherlen said he did want the same objections to be shown to all actions of the meeting. The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, None; ABSENT, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,665

REPEALING ORDINANCE NO. 20,483, DATED AUGUST 26, 1954, ACCEPTING A SEWER EASEMENT FROM THE SOUTHERN STEEL CO., AND CANCELLING A CHECK FROM THE CITY OF SAN ANTONIO TO THE SOUTHERN STEEL CO. (CHECK NO. 10, DATED AUGUST 31, 1954) IN THE AMOUNT OF ONE DOLLAR (\$1.00) APPROPRIATED TO PAY FOR ABOVE EASEMENT

(Full text in Ordinance Book AA page 344)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,666

ACCEPTING AN EASEMENT FROM THE ISLAND PARK FARMS CONVEYING TO THE CITY OF SAN ANTONIO A TEN FOOT (10') EASEMENT FOR A PUBLIC SANITARY SEWER LINE ACROSS THE THOMAS THATCHER SURVEY NO. 24, COUNTY BLOCK 5155, BEXAR COUNTY, TEXAS, AND APPROPRIATING THE SUM OF ONE DOLLAR (\$1.00) TO PAY FOR SAME

(Full text in Ordinance Book AA page 344)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,667

AMENDING SECTION 60-75 OF THE SAN ANTONIO CITY CODE ENTITLED "STREETS WHERE PARKING PROHIBITED AT CERTAIN PERIODS" BY ADDING A PORTION OF ALAMO STREET PROHIBITING PARKING AT CERTAIN PERIODS

(Full text in Ordinance Book AA page 344)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,668

AMENDING SECTION 60-74 OF THE SAN ANTONIO CITY CODE ENTITLED "STREETS WHERE PARKING PROHIBITED" BY ADDING OTHER STREETS TO THOSE THEREIN CONTAINED PROHIBITING PARKING THEREON

(Full text in Ordinance Book AA page 345)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

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The following ordinance was read:

AN ORDINANCE 20,669

AMENDING CHAPTER 60, SECTION 47, PARAGRAPH 11 (b) OF THE SAN ANTONIO CITY CODE ENTITLED "SPEED LIMITS OTHER THAN THIRTY MILES PER HOUR" BY ADDING THERETO OTHER STREETS AND PROVIDING REASONABLE, SAFE, AND PRUDENT SPEED LIMITS OTHER THAN 30 MILES PER HOUR AND STATING LEGISLATIVE FINDINGS

(Full text in Ordinance Book AA page 345)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,670

GRANTING THE PETITION OF HARLANDALE METHODIST EPISCOPAL CHURCH FOR EXEMPTION FROM CITY TAXES ON LOT 5, BLOCK 35, NCB 7821, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book AA page 346)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,671

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN ETC., PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN. CASE NO. 389, AUSTIN HWY BETWEEN MEADOW LANE AND FRANKLIN STREET)

(Full text in Ordinance Book AA page 347)

The ordinance was adopted by the following vote: AYE, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,672

INCREASING THE NUMBER OF POSITIONS IN THE CLASSIFICATION OF LIEUTENANT IN THE SAN ANTONIO POLICE DEPARTMENT FROM ELEVEN (11) POSITIONS TO FOURTEEN (14) POSITIONS

(Full text in Ordinance Book AA page 347)

The ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,673

AMENDING SECTION 54-2 OF THE SAN ANTONIO CITY CODE AND TRANSFERRING THE TAXICAB INSPECTION DIVISION FROM THE LEGAL DEPARTMENT TO THE CITY MANAGER AND TRANSFERRING FUNDS FOR OPERATION THEREOF

(Full text in Ordinance Book AA page 347)

When the above ordinance was read, Mr. Russell asked if the City Manager approved of its passage. The answer being in the affirmative, he asked what the police chief

thought about it. With the consent of the City Manager, the chief stated the pro's and con's of the case and said in summary that in his opinion no police officer should hold the job, but that the proposed change to control of City Manager direct instead of City Attorney would be an improvement. The vote was then taken as follows: AYES, Oliver, Rudeloff, Dillashaw, Russell, R. N. White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE 20,674

ACCEPTING A DEED FROM NORMA G. TINDALL AND HUSBAND, KENNETH O. TINDALL, CONVEYING TO THE CITY OF SAN ANTONIO AN IRREGULAR PORTION OF LOTS 23, 24, AND 25, N.C.B. 6734, AND APPROPRIATING THE SUM OF \$780.00 TO PAY FOR SAID LAND SO CONVEYED

(Full text in Ordinance Book AA page 348)

The above ordinance was adopted by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

The following ordinance was read:

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE BOUNDARIES OF THE CITY, SAID TRACT OF LAND CONTAINING APPROXIMATELY 200 ACRES OUT OF THE DAVID J. DAVIS SURVEY NO. 103, COUNTY BLOCK 5029, BEXAR COUNTY, TEXAS

The above ordinance was read for the first time and was ordered^{published} by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Russell, White, Barrett, Lacy, Gonzalez; NAYS, none; NOT VOTING, Scherlen.

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 referred to Dr. George W. Rice, Acting City Manager, for his recommendation or action.

- 10-11-54 Petition of Mrs. H. T. Parr, et al, for the extension of a street over the Southern Pacific tracks somewhere between Alhambra Street and Basse Road.
- 10-11-54 Petition of A. P. Martin requesting refund of unused portion of \$34.00 paid for trailer court license.
- 10-11-54 Petition of Texas Conference Association Seventh-Day Adventists requesting tax exemption of Lots 9 and 10, Block 2, New City Block 2364.
- 10-12-54 Petition of Aldersgate Methodist Church requesting tax exemption of Lot 3, New City Block 3327.
- 10-14-54 Petition of Texas Mission Home & Training School requesting tax exemption of Lot 11 and the N. 10 feet of Lot 12, New City Block 8119.

Yours very truly,

J. Frank Gallagher
City Clerk

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Mr. Tom Nolan appeared before the council and protested at having been arrested for violation of the noise ordinance by using a sound truck. He asked that the charges against him be dismissed and that he be given permission to use an amplifier and making speeches from a car and also that he be granted the use of Alamo Plaza for a speech on November 1st. The permit for Alamo Plaza was granted but he was told to consult the City Manager about any permit. He would also have to take up the matter of dismissal of charges with the Corporation Court Judge.

Mr. Charles Carroll, who was in the audience, thanked the council for having restored the funds to the proper bond fund (Ord. No. 20,663). He also asked that the council or City Manager look into the possibility of perjury in the former diversion of this fund.

The Clerk then read the following letter:

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

Gentlemen:

It is with deep regret that I tender my resignation as a member of the City Council. I leave my position with the sincere hope that I have contributed to the welfare of the city during my stay. Since taking my seat at the council table, I have sincerely and honestly attempted to represent the people to the best of my ability. Needless to say my efforts have been met with considerable abuse and criticism, formulated not on fact, but rather upon prejudice and hate.

However, I want to point out, despite my own efforts and those of several other members of this Council, our city government has been used selfishly and exclusively for the benefit of individuals who lust for power and control of governmental affairs of this city.

Since emerging on the political scene Al Jergins has done everything in his power to satisfy his personal ego and force his demands. In a public speech during the campaign, Jergins himself stated "Nothing makes a person more acutely aware of politics than when politics have a direct and adverse effect on him personally." This was true when annexation cramped Jergins and it is still true today. He has used every means at his disposal to gain his objective.

Since the administration took office, he has tried to pacify, pressure, and threaten majority members of this council. When these means failed he went the limit and forced a recall. Jergins has admitted under oath he spent some \$1500.00 to further the recall drive.

The members under recall are guilty of no offense other than their refusal to be dictated to by Jergins, and in addition, we fired his hand-picked, personally-backed city manager. Jergins stated in court that he was a political friend of Mayor Lester until Mayor Lester quit the ranks of Winton supporters.

Last February when the Council called the manager's hand on his close association with Jergins, Jergins began doing everything in his power to prevent Winton's ousting. At the time the manager was fired, Jergins saw his grasp on city hall slipping away, and recall resulted. He claimed his hand-picked manager was the only roadblock between council manager charter and a city hall run by hack politicians of the spoils type. He conveniently overlooked the fact nearly all major appointments first had to be cleared through Jergins. He even went so far as to conduct interviews with those being considered for the most important appointments.

Now, regardless of the fact that the ordinance calling the election has been declared illegal by the city attorney, Jergins sits back waiting not only for the people to pull his chestnuts out of the fire, but for them to foot the bill as well.

I, for one, do not want to be a party to the spending of \$15,000.00 of the taxpayers' money on an election which has already been ruled illegal.

I want to say I was under no obligation to any individual when I was elected to this office and I am under no obligation to anyone as I leave. I am leaving without ever having knuckled to a single person, either by force or favor, and I am confident what I have done in the past and what I am doing now is in the best interest of the city.

Sincerely,

/s/ R. N. "Dick" White, Jr.
City Councilman

After the reading of the above letter, Mr. Rudeloff placed in nomination Mr. R. N. White, Sr. for membership on the Council, Place No. 6 to succeed his son. After a

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second by Mr. Oliver, the vote was taken and Mr. White was elected by the following vote: AYES, Oliver, Rudeloff, Dillashaw, Lacy, Barrett; NAYS, none; NOT VOTING, Scherlen, Russell, Gonzalez.

A recess was then taken for five minutes while Mr. White was sworn in as a member by the Clerk.

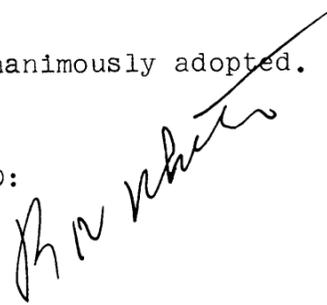
After the recess, the roll call showed all nine members present which included White, Sr., White, Jr. having vacated his seat when his resignation was read.

Mr. Oliver then nominated R. N. White for the vacant office of Mayor. Seconded by Mr. Rudeloff, the vote was as follows: AYES, Oliver, Rudeloff, Dillashaw, Lacy, Barrett; NAYS, none; NOT VOTING, Scherlen, Russell, Gonzalez.

Mr. White was then sworn in as Mayor after which he assumed the Chair and entertained.

A motion to adjourn was made by Mr. Dillashaw and was unanimously adopted.

APPROVED:



MAYOR

ATTEST:


City ClerkADDENDUM

At the pre-council session of the Council members, a lengthy discussion was held on the subject of auto liability insurance and the possibility of the City setting up a self insurance plan. Mr. Rudeloff and Mr. Gonzalez agreed that certain action should be taken in that direction and the members present decided to ask the City Manager to consult the Legal and Finance Department and call in the Insurance Committee to see what immediate steps can be taken toward elimination of part of the insurance being carried and have the City go into the self insurance plan.