

APRIL 25, 1946

REGULAR MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, AT TEN O'CLOCK, A.M., ON THURSDAY, APRIL 25th, 1946.

Only Commissioners Steffler and Hein were present at 10:00 A.M., Mayor Mauermann and Commissioners Anderson and Callaghan having been summoned to Thirty-Seventh District Court to appear in a hearing on a suit to restrain carnival operations. Accordingly, the meeting was in recess until 12:00 o'clock, noon, when, a quorum being present, the Council was called to order by the Mayor and proceeded to transact business.

PRESENT: Mauermann, Callaghan, Hein, Steffler and Anderson; Mayor Mauermann presiding.

The Clerk read the minutes of the meeting of April 18th, which were approved, as read, on motion of Commissioner Hein, seconded by Commissioner Steffler and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

PETITIONS PRESENTED:

REFERRED to City Engineer:

G. A. Tuttle, 2 petitions, for approval of plats vacating the east 39.5 feet of Lot 17 and all of Lots 18 to 22, inclusive, NCB 8411; and subdividing Lots 25 to 29, inclusive, and lots 32 to 42, inclusive, NCB 8411.

Ed Arnold, for approval of plats vacating and subdividing tract 539 and four feet of Tract 537, NCB 7283.

Frank T. Drought, for approval of subdivision plat of Lot 12, Country Gentleman Estates.

E. L. Kirby, for approval of plat subdividing certain lots in NCB 7779, 7782 and 7783.

Thurman Barrett, on behalf of Harlandale Housing Corp., for approval of three plats vacating and subdividing certain lots or tracts in Argonne Heights.

Alexander Brenner, for approval of plats vacating and resubdividing certain lots in County Block 5536, outside City Limits.

Referred to Commissioner of Streets:

C. Baladez, and others, asking extension of sewer and water lines on Bank St.

REFERRED to Commissioner of Fire and Police:

Brown Oil Co., for permission to make gasoline installation at 5245 W. Commerce St.

REFERRED to Commissioner of Taxation:

Leonard W. Coote, on behalf of International Bible College, three petitions, for exemption from taxes on properties at 915, 935 and 955 W. Mistletoe.

REFERRED to Committee of the Whole:

Bonifacio W. Lopez, and others, asking the closing of alley in 1200 block of N. Alamo St. and sale of said land to petitioners.

Presented also was a letter from County Judge Charles W. Anderson, asking refund of a Corporation Court fine paid by Melvin M. Campbell, a minor. Commissioner Anderson moved that the fine be refunded and the necessary ordinance drawn. After a second by Commissioner Callaghan, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

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The Clerk read a letter from Mr. Fred E. Pflughaupt, Chairman, Zoning Commission, concerning the Petition of L. E. Fite & Co. to enlarge the "F" Local Retail District of NCB 9175 bounded by Donaldson, Manor, Retama (formerly Morning Glory) and O'Neill Place in line with projected increase of the length of that block from 400 to 408 feet; to extend the "B" Two-Family on the south side of Retama to Morning Glory by changing Lots 1 through 14, NCB 9177 and the corner lot of the block to the east from "A" One Family; and to change the zoning of NCB 9176 "A" One Family to "B" Two Family.

Chairman Pflughaupt's letter reported the Zoning Commission, at a meeting held April 23, 1946, recommended the changes be made as petitioned.

Commissioner Anderson moved that the Council adopt the Zoning Commission recommendation and order the resolution drawn setting a public hearing on the re-zoning petition. After a second by Commissioner Hein, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

Commissioner Callaghan introduced the following ordinances, which were passed & approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 771 AN ORDINANCE (3337)
APPROPRIATING \$175,167.79 OUT OF 1945 GENERAL FUND TO PAY SEVEN NOTES, Nos. 73 to 84 inclusive, AND ACCRUED INTEREST.

APPRO. NO. 772 AN ORDINANCE (3338)
APPROPRIATING \$8,000 OUT OF CITY-COUNTY TUBERCULOSIS CONTROL FUND TO PAY EIGHT NOTES.

APPRO. NO. 773 AN ORDINANCE (3339)
APPROPRIATING \$196.97 OUT OF 1945 GENERAL FUND TO PAY TELEPHONE SERVICE FOR MONTH OF APRIL, 1946.

APPRO. NO. 774 AN ORDINANCE (3340) REPEALING AN ORDINANCE.

APPRO. NO. 775 AN ORDINANCE (3341)
APPROPRIATING \$1,217.90 OUT OF 1945 GENERAL FUND, TAX ASSESSOR'S DEPT., PAYABLE TO BURROUGHS ADDING MACHINE CO. FOR ONE BURROUGHS CALCULATING MACHINE.

APPRO. NO. 776 AN ORDINANCE (3342)
APPROPRIATING \$1,125 OUT OF WATER IMPROVEMENT DISTRICT NO. 8 SINKING FUND TO PAY MAY 1, 1946, MATURITIES.

APPRO. NO. 777 AN ORDINANCE (3343)
APPROPRIATING \$138.12 TO REFUND CITY TAXES PAID IN ERROR.

Commissioner Hein introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 778 AN ORDINANCE (3344) REPEALING AN ORDINANCE.

APPRO. NO. 779 AN ORDINANCE (3345)
AUTHORIZING PURCHASE OF TWO USED TRUCKS FROM WAR ASSETS ADMINISTRATION AND APPROPRIATING \$946.29 OUT OF 1944 and 1945 GENERAL FUNDS, PARKS AND PLAZAS DEPT., IN PAYMENT.

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Commissioner Steffler introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 780

AN ORDINANCE (3346)

APPROPRIATING \$41 OUT OF 1945 GENERAL FUND, SEWER MAINTENANCE, PAYABLE TO COUNTY CLERK FOR RECORDING FEES FOR CONTRACTS.

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APPRO. NO. 781

AN ORDINANCE (3347)

APPROPRIATING \$1,039.50 OUT OF 1945 GENERAL FUND, STREET MAINTENANCE DEPT., PAYABLE TO BELFAST SUPPLY CO. FOR ASPHALT.

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APPRO. NO. 782

AN ORDINANCE (3348)

APPROPRIATING \$74.76 OUT OF 1945 GENERAL FUND, STREET MAINTENANCE DEPT., PAYABLE TO E.L. HANSEN FOR EXPENSES ON TRIP TO CAMP BOWIE.

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APPRO. NO. 783

AN ORDINANCE (3349)

APPROPRIATING \$688.95 IN PAYMENT TO ANDERSON & WAITE CO. FOR ADDITIONAL WORK DONE IN CONNECTION WITH CONTRACT TO CONSTRUCT SANITARY SEWER MAINS ON SOUTH WALTERS STREET.

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APPRO. NO. 784

AN ORDINANCE (3350)

APPROPRIATING \$190 OUT OF STREET EXCAVATION TRUST ACCOUNT FOR REFUNDS AND REPAIRS.

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APPRO. NO. 785

AN ORDINANCE (3351)

APPROPRIATING \$7.50 OUT OF 1945 GENERAL FUND, ANNEXATION ENGINEERING DEPT., PAYABLE TO RAYMOND GUERRA FOR SERVICES RENDERED IN COMPILING MAPS.

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Upon recommendation of Sewer Engineer Paul C. Nauschutz, and on motion of Commissioner Steffler, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council granted the petition of Merle Starnes for permission to construct sanitary sewer main on Bandera Road from Woodlawn Ave. approximately 700 lineal feet to the north, and ordered the necessary ordinance drawn.

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Commissioner Steffler introduced "An Ordinance Accepting Bid of David A. Kaine for the Construction of Sidewalk and Driveway at East Magnolia and North St. Mary's St.; Authorizing Mayor to Execute Contract; and Appropriating \$500.00 in Payment Therefor." The vote on roll call was as follows: Ayes, Callaghan, Hein and Steffler; Nays, Mauermann and Anderson.

The City Attorney, in reply to a question from the Mayor, stated the ordinance had failed of passage, as the City Charter requires four affirmative votes to carry an appropriation ordinance.

Later, Commissioner Anderson moved that the same ordinance be re-submitted. After a second by Commissioner Callaghan, the motion to re-submit was carried by roll call vote, to-wit: Ayes, Callaghan, Hein, Steffler and Anderson; Nay, Mauermann.

Commissioner Steffler then stated the ordinance grew out of the widening of St. Mary's St. by the WPA during the Quin administration. He said the City got \$10,000 worth of paving at no cost under that project; that the filling station of Grover Cain was in the way but the City did not condemn it; that he agreed at the time with Mr. Cain that he would fix the station, which was left ~~3~~ ^{* 1 to 2} feet above the street, when Mr. Cain was ready to reopen it; and that he was trying to keep his promise.

Mayor Mauermann asked if the street level was lowered on Magnolia Ave. by this project. Receiving a negative reply from Commissioner Steffler, the Mayor stated that the City should not build the sidewalk on Magnolia, adding that he could not see how there could be 2000 square

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feet of sidewalk at that location.

Commissioner Anderson suggested that Commissioner Steffler have the City Engineer prepare a break-down, showing the exact amount of work on each street before taking the vote on the re-submitted ordinance.

Commissioner Steffler agreed to this procedure, stating he wanted to "pay what we destroyed, but no more."

Commissioner Steffler presented the following communication:

CITY OF ALAMO HEIGHTS
6116 Broadway
Alamo Heights, Texas
April 16, 1946

City of San Antonio,
San Antonio, Texas.

Attention Mr. Paul Steffler.

Dear Sir:-

The City of Alamo Heights, Texas, has awarded a contract for completing the paving of streets in Alamo Heights, Texas.

Under the present program, the property owners on streets to be paved are being assessed according to the amount of frontage they own on each street included in the program.

The amount being charged each property owner is 80¢ (Eighty Cents) per front foot on the street being paved. This is each property owner's part for a complete paving job including paving and curb.

The following chart shows the property belonging to the City of San Antonio that has frontage on streets that come under the paving program. This chart also shows the frontage and the amount due on each piece of property

Ogden Lane	Lots 1-2-3-4	Blk 113	CB4024	Ftg. 245.5	\$ 196.40
Ogden Lane	1-2-3	114	4024	150.0	120.00
Ogden Lane	6-7-8-9-10	114	4024	250.0	200.00
Ogden Lane	6-9	115	4024	100.0	80.00
Ogden Lane	Pt. C.C.L. 30				
	Range 1-Dist. 2	--	5216	170.0	136.00
Corona	1 thru 10	139	4024	476.0	380.80
Acacia	9	60	4024	62.0	49.60
Acacia	1-2	59	4024	60.5	48.40
Claiborne Way	10-11-12	58	4024	151.2	120.96
Greely	12	58	4024	30.1	24.08
Greely	1-6	112	4024	260.2	208.16
Greely	7 thru 13	111	4024	344.0	275.20
Imlay	1-13	114	4024	300.0	240.00
Imlay	9-10	115	4024	300.0	240.00
Parked Blvd.	10-11	139	4024	346.7	277.36

TOTAL 3246.2' \$2,596.96

Yours very truly,

CITY OF ALAMO HEIGHTS

s/ C. E. Hoff
C. E. Hoff - Mayor

CEM/hd

Mayor Mauermann pointed out the School District does not pay for paving in the City, but that he thought if the City owns this abutting property it should morally pay it. ~~XXXXXXXXXXXXXXXXXX~~ *City Attorney Cobbs stated it was legal for the City to pay this, although it was not mandatory to do so. ~~legally required XXXXXXXX~~ *(CORRECTION voted 5-2-46.)

Commissioner Steffler moved that the letter be referred to the City Engineer to prepare a plat to determine the location of the property cited and be sure it is City-owned. After a second by Commissioner Anderson, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

In each case on recommendation and motion of Commissioner Anderson, seconded by Commissioner Callaghan and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council approved the following petitions for permission to make

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gasoline installations at the stated locations:

Magnolia Petroleum Co., at Our Lady of the Lake College at 24th St., and 119 E. Martin St.
Bear Oil Co., at 702 Pleasanton Road.

Sinclair Refining Co., 3902 S. Presa St.

Enrique Coronado, on Lots 23 and 24, 125 feet west of Cleveland Ave. on north side of Highway 90.

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Commissioner Anderson introduced the following ordinances, which were passed & approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 786

AN ORDINANCE (3352)

REPEALING THE UNUSED BALANCE OF AN APPROPRIATION ORDINANCE.

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APPRO. NO. 787

AN ORDINANCE (3353)

TRANSFERRING \$13,482.55 FROM 1944 GENERAL FUND TO 1945 GENERAL FUND.

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AN ORDINANCE (3354)

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF JESSE THOMPSON.

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AN ORDINANCE (3355)

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF C.G. BENHAM.

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AN ORDINANCE (3356)

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF MRS. W. P. GLASS.

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AN ORDINANCE (3357)

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF W. F. LAWLER.

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Mayor Mauermann introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 788

AN ORDINANCE (3358)

APPROPRIATING \$2 OUT OF 1945 GENERAL FUND, REFUNDS DEPT., PAYABLE TO PATRICK C. NEAL.

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APPRO. NO. 789

AN ORDINANCE (3359)

APPROPRIATING \$123.50 OUT OF 1945 GENERAL FUND, VARIOUS DEPTS., TO PAY DAN QUILL, POSTMASTER, FOR POSTAGE STAMPS AND POST CARDS.

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The Council then proceeded to hold the public hearings, set for this date, on the petitions for re-zoning San Pedro Place, and for re-zoning an area at Quincy and Newell Sts.

There being no protests, Commissioner Anderson moved that the Council adopt the recommendations of the Zoning Commission for re-zoning San Pedro Place and order the necessary ordinance drawn. After a second by Commissioner Callaghan, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

There being no protests, Commissioner Anderson moved that the Council adopt the recommendations of the Zoning Commission for re-zoning the area at Quincy and Newell Sts. and order the necessary ordinance drawn. After a second by Commissioner Callaghan, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

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Commissioner Anderson, in an address to the Council, offered congratulations, on behalf of the Mayor and Commissioners, to Commissioner Hein on this, his birthday.

Commissioner Hein responded and thanked the Council.

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On motion of Commissioner Steffler, seconded by Commissioner Callaghan and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council ordered City Hall closed at noon, Friday, April 26, to allow employees to attend the annual Battle of Flowers parade.

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On motion of Commissioner Hein, seconded by Commissioner Steffler and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the meeting was recessed to 11:00 o'clock, A.M., Tuesday, April 30, 1946.

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PURSUANT TO THE RECESS of the meeting of April 25, the Council re-convened in the Council Chamber of the City Hall at 11:00 o'clock, A.M., on Tuesday, April 30, 1946.

PRESENT: Mauermann, Callaghan, Hein, Steffler and Anderson; Mayor Mauermann presiding.

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PEITITIONS PRESENTED:

REFERRED to Commissioner of Fire & Police:

White & Blue Cab Co., for permission to make gasoline installation at 502 Dolores St.

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REFERRED to Committee of the Whole:

Marshall Aguilar, and others, asking that Martinez Creek be cleaned and Casiano Park be improved.

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REFERRED to Corporation Court:

Letter from County Judge C. W. Anderson, asking the refund of a Corporation Court fine paid by Ramona Fuller, a minor.

City Attorney Cobbs stated minority is a special defense and has to be plead before the case is tried, and, further, the Mayor has power to remit fines for offenses arising under the ordinances of the City (Sec. 25, City Charter), but this might not apply to violations of the state laws.

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Commissioner Callaghan introduced the following ordinances, which were passed & approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRC. NO. 790

AN ORDINANCE (3360)

APPROPRIATING \$101,181.76 OUT OF 1945 GENERAL FUND FOR SEMI-MONTHLY PAYROLLS.

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APPRC. NO. 791

AN ORDINANCE (3361)

APPROPRIATING \$5,760 OUT OF SINKING FUND, WATER IMPROVEMENT DIST. # 3 TO PAY MAY 1, 1946, BOND & COUPON MATURITIES & CERTAIN FEES & SALARIES OF BEXAR COUNTY WATER CONTRL & IMPROVEMENT DIST. #3.

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Commissioner Hein introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.