

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

MONDAY, SEPTEMBER 17th, A. D. 1928, 10:00 A. M.

PRESENT: Honorable C. M. Chambers, Mayor, presiding and Commissioners, Bushick, Steffler, Wright. Absent Commissioner Rubiola.

On motion, of Commissioner Wright, duly seconded and carried, the reading of the Minutes of the Meeting of Sept. 10th, was dispensed with, and ordered approved.

---MEMORIALS AND PETITIONS---

Herewith submitted bids for supplying the City with fuel oil for the winter season, 1926-1929. I recommend that the low bid of Grayburg Oil Co. on 25/28 gravity oil of the Grayburg Oil Co. at \$1.40 per bbl, be accepted.

I also recommend that the bid of Slimp Oil Co., to furnish a light fuel oil of 28/30 gravity for certain Fire Stations at \$1.80 per bbl, be accepted.

Jas. Simpson.
City Purchasing Agent.

Herewith submitted bids for printing 50,000 notices of Charter Amendment Election, I recommend that the low bid of Bellinger Bros. \$110.00, be accepted.

Jas. Simpson.
City Purchasing Agent.

Herewith submitted bids for binding and lettering approximately 58 books for Tax Assessor. I recommend that the low bid of The Sigmund Press, \$5.64, be accepted.

Jas. Simpson.
City Purchasing Agent.

Traders Investment Company, proposal to purchase City Property. Read and laid over for further consideration.

Shelley Undertaking Co., for permit to conduct a Funeral Home in the 400 Block on South Alamo Street. Was read and laid over.

On motion, duly seconded and carried, the following petitions, were read referred to the Commissioner of Fire and Police.

- ✓ Alfred Sahn, for permit to operate a Planing Mill 507 E. Cincinnati Avenue.
- ✓ Anna McKinnon, for approval of a location for drive-in gasoline filling station.
- ✓ Humble Oil & Ref. Co., for permit to install gas equipment for Groos Service Station.
- ✓ Humble Oil & Ref. Co., for permit to install gas equipment for Howell & Gullettee.
- ✓ Texas Outdoor Adv. Co., for permit to erect Bill Board 502 N. St. Mary's Street.
- ✓ Texas Outdoor Adv. Co., for permit to erect Bill Boards 2705 S. Flores Street.
- ✓ Texas Outdoor Adv. Co., for permit to erect Bill Board at 1732 N. Hackberry Street.
- ✓ Petition for Arc Lamp at the intersection of San Marcos and Dunn Alley.
- ✓ Texas Outdoor Adv. Co., for permit to erect Bill Boards 2730 Nogalitos Street.

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Texas Outdoor Adv. Co., for permit to erect Bill Boards at 903 Cincinnati Avenue.

On motion, duly seconded and carried, the following petitions, were read and referred to the Commissioner of Streets and Public Improvements.

Petition to Gravel Alley between Hackberry and Mesquite Streets and Florida and Delaware Sts.

G. H. & S. A. Ry. for permit to erect Spur No. 1 across Dawson Street.

A. W. West Jr. for permit to lay sewer lines in N. C. B. No. A-34.

On motion, duly seconded and carried, the following petitions, were read and referred to the City Engineer.

Jno. F. Davis & Ed. Wolf, to vacate City Blocks 6832, 6833, 6834.

Jno. F. Davis & Ed. R. Wolf, for approval of Plat of sub-division of City Blocks, 6832, 6833, 6834.

Commissioner Wright, made the following recommendations, which were read and adopted by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

A. Diaz, for permit to install gas equipment 824 Tampico St. Granted.

A. M. Hoffman Petroleum Co., for approval of a location for drive-in gas filling station 519 Seguin Road. Granted.

Texas Outdoor Adv. Co., for permit to erect Bill Board at the Cor. Main Lexington Aves. Granted.

Braden-Hudson-Wangler Co., to erect Electric Sign for Nisley Shoe Co. 209 Alamo Plaza. Granted.

Pierce Petroleum Corporation, to install gas equipment for Blue Bonnet Cleaners 257 Josephine Street. Granted.

Albino Saenz, for permit to install gas equipment 1920 Vera Cruz St. Granted.

Robert N. Barkley, for permit to install tanks for cleaning solvent 906 McCullough. Granted.

J. A. Leppard, for approval of a location for drive-in gasoline filling station 3701 W. Commerce Street. Granted.

On motion of Commissioner Wright, duly seconded and carried the petition of H. Rodriguez, for permit to install gas equipment at 2002 Guadalupe St. was refused by the following vote to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

On motion of Commissioner Wright, duly seconded and carried, the petition of the Magnolia Petroleum Co., for permit to install gasoline equipment at the Fleishman Yeast Co Plant, at Heefgen Ave. and Carolina Street, was refused by the following vote to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

A Hearing was given the owners of property interested in the improvement of Grand Avenue from Broadway to Austin Street. (See Record of Hearings page 104).

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

Calling for bids for the construction of a 36" steel pipe, replacing present line now out of service, on the Outfall Sewer, crossing the San Antonio River.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Clerk be and he is hereby directed to advertise for bids for the construction of a 36" Steel pipe to be erected on present piers, on City's outfall sewer, crossing the San Antonio River near South City Limits, contract Section No. 98, the approximate quantities being as follows:

1560 feet of 36" steel pipe.
Painting pipe, inside and out, also
All steel and iron towers and trusses.
50 yards reinforced concrete,
Painting present 60" steel pipe and all
steel and iron work, same location,

As per plans and specifications on file in the office of the Sewer Engineer, 4th Floor City Hall, which will be available after September 20th, 1928.

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

Directing the City Clerk to advertise for sale, lot No. A-7, New City Block No. 541 at the intersection of Elm, Burnett and Sixth Streets.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,
The City Clerk be and is hereby directed to advertise for sale Lot No. A-7, New City Block No. 541, at the intersections of Elm, Burnett and Sixth Street, as per plat on file in the office of the City Clerk. Bids to be received at the City Clerk's Office, until 10 A. M. October 1st, 1928. A Certified check of _____% must accompany each bid. The City reserves the right to reject any and all bids.

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

MI-30 Authorizing purchase of Chevrolet Cars for use in Street Maintenance Department.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,
The City Purchasing Agent be and he is hereby directed to purchase three one ton Chevrolet Trucks, and one Chevrolet Coach, for use in the Street Maintenance Department.

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

-31 Authorizing purchase of car cement for Storm & Sanitary Sewers.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,
The City Purchasing Agent be and he is hereby authorized to purchase one car of cement for use in constructing storm and sanitary Sewers for the sum of \$451.20

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

-32 Authorizing the purchase of screens for Witte Museum.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,
The City Purchasing Agent be and he is hereby directed to issue requisition in payment for screens for windows at Witte Museum, amounting to \$170.50

Commissioner Steffler, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

Authorizing the City Clerk to advertise for bids for the Construction of a New Reinforced Concrete Bridge over the San Antonio River on Ninth St.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Clerk is hereby authorized to advertise for bids for the construction of a new Reinforced Concrete Bridge over the San Antonio River on Ninth St. as per plans and specifications on file in the office of the City Engineer. Bids to be received until October 8th, 1928. \$1000. cashiers check to be required.

Commissioner Bushick, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

MI-33

Authorizing purchase of pay roll checks.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Purchasing Agent be and he is hereby authorized to purchase fifty thousand pay roll checks from The Todd Company, for the sum of \$120.00 for use in the office of the City Auditor.

Commissioner Wright, introduced the following resolution, which was on his motion adopted by unanimous vote.

RESOLUTION

-34

Authorizing payment of One Hale Rotary pump for use of Fire Department.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that,

The City Purchasing Agent be and he is hereby directed to issue requisition in payment for one Hale Rotary Pump for Reo Speedwagon chassis to Burke & Simms Fire Equipment Co. in the sum of \$1,050.00

REPORT OF CITY ENGINEER on South Alamo Street Widening from Nueva Street to Lavaca Street. Was Read and ordered filed.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

-35

No.106

AN ORDINANCE

Appropriating \$18,280. out of the 1924 St. Opening & Widening Fund, and \$93,056.00 out of the 1926 St. Opening & Widening Fund to be used for the widening of South Alamo Street between E. Nueva Streets.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of Eighteen Thousand Two Hundred Eight & no/100 (\$18,280.00) Dollars or as much thereof as is necessary, be and the same is hereby appropriated out of the 1924 St. Opening & Widening Fund, to pay the Oriental Oil Company, and the sum of Ninety-three Thousand Fifty-six & no/100 (\$93,056.00) Dollars, or as much thereof as is necessary, be and the same is hereby appropriated out of the 1926 Street Opening & Widening Fund, to pay:

Mrs. Marie Zellweger	- - - - -	\$ 28,230.00
A. L. Dietzel	- - - - -	25,597.00
R. M. Silsbee	- - - - -	39,229.00

for land taken to be used for the widening of South Alamo Street between East Market and East Nueva Street.

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

MI-36
No.107

MI-36 AN ORDINANCE

Transferring \$22,000.00 of General Sinking Fund from the Frost National Bank to the City National Bank and Alamo National Bank.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The Commissioner of Taxation, as ex-officio City Treasurer and the City Auditor, be and the are hereby ordered and directed to transfer or cause to be transferred, the sum of \$22,000.00 of General Sinking Fund from the Frost National Bank of San Antonio, Texas, of which amount, \$10,000.00 is to be deposited in the City National Bank and \$12,000.00 to be deposited in the Alamo National Bank.

Commissioner Bushick, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

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No.108

MI-37 AN ORDINANCE

Appropriating \$3,004.38 to pay Merchants' Bills:

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$3,004.38 be and the same is hereby appropriated out of the following Funds to pay Merchants' Bills as per itemized invoices duly approved and now on file in the office of the City Auditor:

Market House Fund - - - - -	\$ 61.78
Gold Course Fund - - - - -	17.59
Auditorium Fund - - - - -	10.82
Trench Fund - - - - -	1,462.99
Flood Prevention Olmos Dam & S.A.River-	1,000.00
Storm & Sanitary Sewer Fund 1927 - - -	451.20
	<u>\$3,004.38</u>

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

38
No.109

AN ORDINANCE

Appropriating \$2,094.50 to pay for three Chevrolet truck chassis.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The sum of \$2,094.50 be and the same is hereby appropriated out of Trench Fund to pay for three Chevrolet Trucks for use in Street Maintenance Department, to-wit:

One Ton Chevrolet Chassis - - - - -	\$ 621.50
One ton Chevrolet Truck with closed cab-	736.50
One ton Chevrolet truck with closed cab-	736.50
	<u>\$2,094.50</u>

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

39

AN ORDINANCE

Approving contract on E. Euclid Avenue, from Jones Avenue to 172 feet east of Donehue Street, Uvalde Rock Asphalt Company Contractors.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

The City of San Antonio does hereby approve contract entered into between the property owner, and the Uvalde Rock Asphalt Company, for the paving of East Euclid Avenue, from Jones Avenue to 172 feet east of Donehue Street, with a 1 1/2" cold rock asphalt paving on a macadam

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base, for which the property owners agree to pay the entire cost of topping, and the Uvalde Rock Asphalt Company does hereby agree to accept the macadam foundation constructed by the City of San Antonio.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

MI-40 AN ORDINANCE

DECLARING THE NECESSITY FOR THE CONSTRUCTION OF A SIDEWALK ON BROADWAY IN FRONT OF THE PROPERTY OF L. P. CORLEY.

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

1. That a public necessity exists for the construction of a sidewalk on Broadway in front of, and abutting upon, Lot No. 6, N. C. B. 1746, fronting 65 feet on Broadway, House No. 2018, between Josephine and Alling Streets, in the City of San Antonio, County of Bexar, and State of Texas, owned by L. P. Corley.

2. That said sidewalk shall be constructed in the manner and to the extent as stipulated by the Ordinances of the City of San Antonio, and especially the Ordinance passed and approved on the 10th day of August, A. D. 1914, as amended by the Ordinance passed and approved on the 18th day of September, A. D. 1916.

3. That it shall be the duty of said owner to forthwith lay and construct, or cause to be laid or constructed, such sidewalk as so ordered and of the character herein required.

4. The City Clerk shall immediately issue a written notice addressed to L. P. Corley, which shall include the substance of this Ordinance, and the City Clerk shall thereupon place such notice in the hands of the City Marshal, who shall forthwith make personal service thereof on the said L. P. Corley and make proper return on a copy of such notice, and file the same in the office of the City Clerk.

5. If the said L. P. Corley shall fail or refuse to commence the construction of the sidewalk prescribed, within a period of thirty days after the service of the notice herein prescribed, or shall allow such work to be discontinued before the completion otherwise than with the written consent of the City Engineer; the said L. P. Corley shall be adjudged guilty of misdemeanor and shall be tried and fined as provided by the Ordinances of the City of San Antonio, herein set out.

6. "Section Nine. Upon the expiration of said period of thirty days after service of notices as aforesaid, the City Clerk shall furnish a copy of such order and list of the names of the person notified to the City Engineer who shall thereupon inspect the premises along which such work was ordered to be constructed, and shall cause a complaint to be filed in the Corporation Court against each person who, after such order and notice, has failed or refused to begin or to continue the construction of sidewalk, sidewalks, curbing or repairs, or to cause same to be begun and continued, all as herein required. And such inspection and complaint shall be made at least once each month until such work may be commenced and prosecuted with diligence."

7. That this Ordinance is essential for the immediate preservation of the public safety and comfort and on account of its urgency it shall go into effect immediately upon its passage.

8. PASSED AND APPROVED, this 17th day of September, A. D. 1928.

ATTEST: Fred Fries.
City Clerk.

C. M. Chambers.
Mayor.

Commissioner Steffler, introduced the following ordinance, which was read and passed and approved, by the following vote on roll call, to-wit; Ayes, Chambers, Bushick, Steffler, Wright.

MI-41

AN ORDINANCE

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

1. That V. W. Mills is authorized to construct, at his own expense, a sewer system in the present Palm Heights Addition to the City of San Antonio, the same to be done under the supervision and direction of the City Engineer, in accordance with all Ordinances of said City, now and that may hereafter be in force; and after such system is completed and ready for use, to the satisfaction of the City Engineer and City Commissioners, be turned over and conveyed to said City of San Antonio, free of all expense and with clear and unencumbered title; said V. W. Mills assumes and agrees to pay all liabilities, damages and claims that may arise out of the construction of said sewer system and hold said City of San Antonio free and harmless therefrom.

2. All streets, squares, parks, plazas and throughfares along which said sewer system is constructed, shall be dedicated irrevocably to the City of San Antonio, and full control thereover, as provided by the present City Charter of said City, shall be vested in said City, and said streets, squares, parks, plazas and throughfares shall be laid out and designated as provided by the Charter and Ordinances of said City then in force.

3. It being represented to the City of San Antonio that there are one hundred and sixty-two (162) houses now in said Palm Heights Addition, which should immediately be connected with said sewer system, said City agrees to rebate and pay to said V. W. Mills, at the rate of thirty-five (\$35.00) Dollars, for each house, if application is made for such connection within sixty (60) days after the completion of this sewer, and will collect and keep in a separate account for his account, Thirty-five (\$35.00) Dollars for each subsequent connection and permit for connection with such sewers, to lots not now owned by him, until the amount paid by said V. W. Mills (but without interest) is reimbursed, and thereafter no such amount shall be paid over to said V. W. Mills; provided that immediately upon the completion of said sewer system, said V. W. Mills will, under oath, and to the satisfaction of the City Engineer and City Commissioners of said City, file with said City, a full, true and complete account showing all sums of money so paid by said V. W. Mills, in the construction of said sewer system, the same to be verified and found correct and reasonable by said City Engineer and City Commissioners.

4. It being contemplated that contract for the furnishing of water and the construction of pipes, hydrants and water mains will be made by said V. W. Mills with the City Water Board of the City of San Antonio, satisfactory to said Board, it is agreed and understood that this Ordinance, and the terms and conditions thereof, are conditioned upon such satisfactory contract being made with said City Water Board, and if such contract is not made with said City Water Board, then this Ordinance shall not be effective and no obligations on the part of said City of San Antonio, or any rights under this contract shall pass, but such contract with said City Water Board is a condition precedent to the going into effect of this Ordinance.

5. Should litigation result between said V. W. Mills and any other person whomsoever, with reference to any rights in any of said property, affecting the rights of the City of San Antonio, said V. W. Mills will pay all the expenses, damages and claims that may result therefrom, and hold said City of San Antonio harmless therefrom.

6. The said V. W. Mills agrees to all the provisions above contained, and signs his name hereto as evidence thereof, and unless he so accepts in writing and signs this obligation

within twenty (20) days after its passage and approval, no rights shall accrue to him and this Ordinance shall be ineffective for any purposes whatsoever.

7. PASSED AND APPROVED, this 17th day of September, A. D. 1928.

ATTEST: Fred Fries.
City Clerk.

C. M. Chambers.
Mayor.

And now the Commissioners resolved themselves into a committee of the whole, with the Mayor as chairman, to take testimony under the rules of the District Courts of Texas, on the petition of various citizens, to revoke a permit granted Alamo Food Products Company on April 9th 1928, to erect and conduct a reduction plant for the manufacturing and canning of Animal Foods at Zarzamora Street and Southern Pacific Railroad Companys Tract, petitioners being represented by Hertzberg and Kercheville, Attorneys and respondents by Messrs Cunningham and Johnson, Attorneys.

The day was consumed by the hearing of testimony of witnesses for petitioners which witnesses were examined and cross examined by Attorneys of the various parties.

At the close of petitioners case, the Commissioners indicated that its Judgement would be with petitioners unless respondents introduced testimony other than that offered by Max Lamm, vice president of the Company; Whereupon the Commissioners adjourned to resume their session at 2 o'clock p. m. on Sept. 18, 1928.

ATTEST: *Fred Fries*
CITY CLERK.

APPROVED *C. M. Chambers*
MAYOR.