

JANUARY 4, 1945

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, JANUARY 4, 1945.

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

The Clerk read the minutes of the Regular Meeting of December 28, together with those of the recessed meeting of December 30, which minutes were approved as read on motion of Commissioner Steffler, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

The petition of Humble Oil & Refining Co. for permission to install two underground storage tanks and one electric pump at the Kerrville Bus Co. garage, North St. Mary's and Convent Streets, was presented and referred to the Commissioner of Fire and Police.

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

APPRO. NO. 440

AN ORDINANCE (1671)

APPROPRIATING \$258.40 TO PAY RODRIGUEZ BROS. FOR MONUMENT IN BAUMBERGER PARK.

(For full text, see Ordinance Book "M", page 240.)

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

APPRO. NO. 441

AN ORDINANCE (1672)

APPROPRIATING \$56.00 OUT OF CITY OF SAN ANTONIO STREET EXCAVATION TRUST ACCOUNT FOR REFUNDS AND REPAIRS.

(For full text, see Ordinance Book "M", page 240.)

APPRO. NO. 442

AN ORDINANCE (1673)

APPROPRIATING \$140.70 OUT OF 1944 GENERAL FUND, STREET MAINTENANCE, PAYABLE TO B. H. BUCH FOR GRAVEL.

(For full text, see Ordinance Book "M", page 241.)

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

A RESOLUTION (1674)

AUTHORIZING THE COMMISSIONER OF FIRE AND POLICE TO SELL NOT MORE THAN EIGHT USED POLICE SCOUT CARS.

(For full text, see Ordinance Book "M", page 241.)

On motion of Commissioner Steffler, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, Commissioner Anderson was granted a leave of absence of one week, beginning January 7, to represent the City of San Antonio at the celebration of the birthday of Colonel Gonzalo N. Santos, Governor of the State of San Luis Potosi, Mexico.

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On motion of Commissioner Anderson, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the following resolution was passed and approved:

A RESOLUTION

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

THAT The Mayor and Commissioners extend heartiest congratulations and felicitations to His Excellency, Colonel Gonzalo N. Santos, Governor of the State of San Luis Potosi, upon the occasion of his birthday; and

THAT The Mayor and Commissioners hereby appoint and commission Fire and Police Commissioner P. L. Anderson as the official representative of the City of San Antonio at the celebration of the Honorable Governor Santos' birthday in San Luis Potosi, since the press of official business prevents the entire City Commission from attending this celebration, which they deeply regret; and

THAT Commissioner Anderson is authorized and requested to convey the good wishes of the united people of San Antonio to our good neighbors, the people of the State of San Luis Potosi, as well as the personal greetings of the Mayor and Commissioners of the City of San Antonio; and

THAT The Mayor and Commissioners take this occasion to compliment and congratulate His Excellency, Governor Santos, on the far-sighted and progressive administration which he has instituted and most capably carried out in the State of San Luis Potosi; and

THAT it is hereby directed that this resolution be spread upon the minutes of the City Council, and that the original copy of this resolution be presented to Governor Santos by Commissioner Anderson in the name of the City of San Antonio.

PASSED AND APPROVED this fourth day of January, A. D. 1945.

s/ Gus B. Mauermann

GUS B. MAUERMANN, MAYOR

ATTEST: s/ Frank W. Brady

City Clerk

The bid of R. L. White Co. for the purchase of city property located on the southeast corner of Clark Avenue and Buchanan Street was opened and publicly read. This being the only bid received in answer to an advertisement for the sale of this property, it was accepted on the motion of Commissioner Hein, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, and the necessary ordinance was ordered drawn.

Mr. Charles W. Carroll, President of the Universal Bookbindery, Inc., addressed the Council, requesting the withdrawal of a clause in a deed to property which his firm purchased from the City almost two years ago. He stated that this clause, by which his firm agreed not to build on this property and to return it to the City if so requested, was inserted in the deed at his suggestion. At the request of Mayor Mauermann, City Engineer Coghill and City Attorney Cobbs made statements to the effect that they saw no objection to granting Mr. Carroll's request. On motion of Commissioner Hein, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the City Attorney was instructed to make the requested change in the deed.

On motion of Commissioner Steffler, seconded by Commissioner Callaghan and carried by the

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following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council set for hearing at 10:00 A. M. Saturday, January 6, the appeal of Lon D. Fisher from the action of Taxicab Inspector Frank C. Vogler.

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On motion of Commissioner Hein, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the meeting was recessed to 10:00 o'clock, A. M., Saturday, January 6, 1945.

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PURSUANT TO THE RECESS of the meeting of January 4, the Council re-convened in the Council Chamber of the City Hall at 10:00 o'clock, A. M., Saturday, January 6, 1945.

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

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

AN ORDINANCE (1675)

ACCEPTING THE BID OF R. L. WHITE COMPANY AND MAKING A DEED TO CERTAIN CITY PROPERTY.

(For full text, see Ordinance Book "M", page 241.)

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AN ORDINANCE (1676)

AMENDING THE DEED TO THE UNIVERSAL BOOK BINDERY.

(For full text, see Ordinance Book "M", page 242.)

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

APPRO. NO. 443

AN ORDINANCE (1677)

APPROPRIATING \$20.00 OUT OF 1944 GENERAL FUND, HEALTH DEPT., PAYABLE TO W. T. QUILLIN, CASHIER OF THE HEALTH DEPT., FOR INCIDENTAL EXPENDITURES.

(For full text, see Ordinance Book "M", page 242.)

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APPRO. NO. 444

AN ORDINANCE (1678)

APPROPRIATING \$38.00 OUT OF 1944 GENERAL FUND, PAUPERS INTERMENT, FOR BURIAL OF PAUPERS DURING THE MONTH OF DECEMBER 1944.

(For full text, see Ordinance Book "M", page 243.)

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The Council then proceeded to hear the appeal of Lon D. Fisher, dba White and Blue Cab Co., from the decision of City Taxicab Inspector Frank C. Vogler, who, on December 12, 1944, denied Fisher's application for license to operate fifteen additional taxicabs. Appearing as legal counsel for Mr. Fisher was Attorney Leonard Brown.

Appearing in protest to the granting of the application was Mr. J. M. Harris, President, representing Yellow Cab & Baggage Co., with Attorneys John Wheeler and Randle Taylor as legal counsel.

Inspector Vogler reported on his findings of December 12. The Clerk read the appeal filed by Mr. Fisher. All witnesses were sworn before the taking of testimony began.

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At the request of Attorney Wheeler, all witnesses were instructed to leave the Council Chamber and not to discuss among themselves or with anyone else the matter on appeal.

Attorney Brown explained the application of White and Blue Cab Co., introduced the company's financial statement of December 28, 1944, asking that it be made a part of the application, and stated that the company had on hand the cars for which licenses were being asked.

Testimony as to the necessity for the additional cabs was given by the following witnesses, called by White and Blue:

Mr. Fisher, ^{Mr.} Jack Mitchell, Mr. Lee Aronstein, Mr. Tom Moran, Mr. Tom Poulos, Mr. Carroll M. Allison, Mr. Harry Tappan, Mr. James Johnston, Mr. A. C. Willingham, Mr. Clyde Gherman.

Witnesses called by Yellow Cab and Baggage Co., protesting the granting of the application, were: Mr. W. D. Jenkins, Mr. Harris and Mr. Taylor. On cross-examination of the White & Blue witnesses, Yellow Cab counsel sought to establish that Mr. Fisher is not sole owner of the White & Blue Co. and questioned the record of Mr. Fisher as a law observer. For the same purpose, Yellow Cab summoned and questioned Mr. Sam Shannon, an employee of White & Blue. Mr. Taylor asked that the record show Mr. Shannon was examined as an adverse witness and that Yellow Cab not be bound as to the veracity of any of his statements. Mr. Harris suggested that the Council order a complete and thorough audit of the books of all taxicab companies operating in San Antonio and agreed to pay all costs of such an audit.

Commissioner Hein moved that the hearing be adjourned, subject to the call of the Mayor. After a second by Commissioner Steffler, the motion was carried by the following vote on roll call, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan.

On motion of Commissioner Hein, seconded by Commissioner Callaghan and carried by the following vote on roll call, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the meeting adjourned Saturday, January 6, 1945.

APPROVED:

George Mauermann

M A Y O R

ATTEST:

Frank Beady
City Clerk

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