

MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

THURSDAY, SEPTEMBER 20TH, A. D. 1917, 4:00 P.M.

PRESENT: Honorable Sam C. Bell, Mayor, Presiding, and Commissioners Lambert, Heuermann and Lowther. Absent, Garland.

Minutes of previous meeting were ordered approved.

-----MEMORIALS AND PETITIONS-----

Petition for better water service in block bounded by Peck Avenue, Drexel Avenue and Gevers and Mittman streets by Citizens was read and referred to Commissioner of Sanitation, Parks, etc.

Petition of Mrs. Ruth Padgett for correction of assessment was read and referred to Commissioner of Taxation.

Petition of Citizens complaining of hog pens controlled by Mr. Hilje in Southern part of City was read and referred to Commissioner of Fire and Police.

Petition of Sunset System to replace billboard at 228 South Flores street was read and referred to Commissioner of Fire and Police.

Petition of Sunset System to replace billboards at Vance and Prega streets was read and referred to the Commissioner of Fire and Police.

Petition of M. Lee for permit to erect and electric sign at 1221 W. Houston street was read and referred to Commissioner of Fire and Police.

Petition of Spurligg and Kirk for permit to erect and electric sign at 201 W. Houston street was read and referred to Commissioner of Fire and Police.

Petition of Liberty Cafe for permit to erect an electric sign at 216 E. Houston street was read and referred to Commissioner of Fire and Police.

Petition of W. H. Pippin for refund of unexpired portion of Jitney License was read and referred to Commissioner of Taxation.

Commissioner Heuermann introduced the following ordinances which were read and adopted by the following vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

MB-850.5 An ordinance granting permit to I. W. Sullivan to operate car No. 505 in Local Street transportation.

- 850.6 An ordinance granting permit to H. K. Martin to operate Car No. 522 in Local Street transportation.

Commissioner Heuermann introduced the following resolution which was read and adopted:

RESOLUTION.

BE IT RESOLVED by the Commissioners of the City of San Antonio, that, the City Clerk is hereby directed to call for bids for construction of storm sewer on Dallas street from Wilmington to Jones Avenue, and on Jones Avenue, from Dallas street to a point opposite the engine room of the Brewery, according to plans and specifications on file in the City Engineer's Office. Bids to be received until 4:00 P.M., October 4th, 1917. Certified check of ten per cent (10%) to accompany the bid. Bids to be in Duplicate.

Commissioner Heuermann introduced the following ordinance which was read and adopted by the following vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

- 85 / AN ORDINANCE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that the sum of Two Hundred and seventy-seven and 50/100 (\$277.50) Dollars be and is hereby appropriated out of the 1916 General Fund, warrant therefor to be issued to Mrs. Dr. G. H. Moody, to reimburse her for money paid contractor for the completion of the paving of Olympian Way, the

above amount of Two Hundred and Seventy-seven and 50/100 (\$277.50) Dollars having been assessed by Bexar County, as part of their obligation to pay for a portion of said completed paving and paid into the 1916 General Fund.

Commissioner Heuermann introduced the following ordinance which was adopted by the following roll call: Ayes, Bell, Lambert, Heuermann and Lowther:

MB-852 AN ORDINANCE.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that the sum of Sixty-two and 65/100 (\$62.65) Dollars be and is hereby appropriated out of the Judgement Fund to pay Osceola Archer, District Clerk, the amount of costs in Tax Suit No.B-4893, City of San Antonio vs. J. H. Terrill et al., 73rd District Court, now on appeal to the Court of Civil Appeals.

Commissioner Heuermann introduced the following ordinance which was adopted by the following vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

-853 AN ORDINANCE.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of Thirty-six and 75/100 (\$36.75) Dollars be and is hereby appropriated out of the construction of Sidewalks Fund to pay Dave Lehr Jr. for the construction of sidewalks on East Crockett street, under his bid of June 2, 1912, this sum being in addition to the sum of One Hundred and Fifty (\$150.00) Dollars appropriated under appropriation No. 45 for the same purpose.

Commissioner Heuermann introduced the following ordinance which was adopted by the following vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

-854 AN ORDINANCE.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, the sum of Fifty Dollars be and the same is hereby appropriated out of the 1917 general Fund for the purpose of reimbursing Mr. George Potchernick for damages sustained to his automobile in a collision with a motorcycle policeman on April 17, 1917, as per recommendations attached from City Attorney.

Commissioner Heuermann introduced the following ordinance which was adopted by the following vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

-855 AN ORDINANCE.

BE IT ORDAINED BY THE CITY COMMISSIONERS OF THE CITY OF SAN ANTONIO, that the sum of Fifty-six Dollars be and the same is hereby appropriated out of the 1917 General Fund for the purpose of paying Mr. John Downey for labor performed on the Beuma Vista street job in the month of June, 1913, as per recommendation of City Attorney.

A petition by L. Werbner to install a gasoline underground tank at 171 Water street was granted on recommendation of Plumbing Inspector.

A petition of the Salvation Army to erect a tent was held over on account of no definite location given.

Commissioner Lowther recommended the granting of the following petitions for changes in Jitney routes:

Paul C. Eisenhauer. H. W. Wagner and F. Osterroth.

Commissioner Lambert introduced the following ordinance which was adopted by vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

AN ORDINANCE.

Amending an ordinance regulating the production, making, manufacture, care, delivery and sale of registered milk or cream, pasteurized milk or cream, cream, milk, skimmed milk and butter milk, within the limits of the City of San Antonio, passed and approved on the 14th day of December 1914. See Ord. Book "F", Page 279

 Mayor Bell introduced the following ordinance which was adopted by vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

AN ORDINANCE.

Amending the ordinance of September 23rd, 1915, entitled "An ordinance for the licensing and regulation of automobiles for hire and providing penalties thereof", by repealing the penalty clause thereof and providing a different penalty and declaring an emergency. See Ord. Book "F", Pages 279 & 280.

 Mayor Bell introduced the following ordinance which was adopted by vote on roll call: Ayes, Bell, Lambert, Heuermann and Lowther.

MB-858 AN ORDINANCE.

WHEREAS, Mary B. Gaenslen, Cornelia B. Noonan, Elizabeth B. Nelson, Isabella B. Orynski and Francis J. Bowen are the owners of that certain lot or parcel of land out of City Block No. 125, and more particularly described as follows, to-wit:

Lying and being situated in the City of San Antonio, Bexar County, Texas, in City Block No. 125. Beginning at the intersection of the South line of Villita street with the East line of Garden street. Thence in a southerly direction along the East line of Garden street 254.3 feet. Thence S. 84° 40' E. 101.7 feet to the West line of the Robinson lot. Thence in a northerly direction along the line of the old Concepcion Ditch to the south line of Villita street. Thence in a westernly direction along the south line of Villita street about 61 varas to the place of beginning; and

WHEREAS, on said lot and parcel of land there are located certain buildings, sheds and other fixtures now being occupied by J. Ed. Williams as a tenant of the above named owners, and used for livery, feed and sale stable purposes, where horses, mules, etc. are kept, fed and cared for; and

WHEREAS, the construction and condition of said buildings, sheds and other improvements and the nature and condition of the surface of the ground on which same are situated is such that said premises cannot be used for the purposes aforesaid, without creating and causing to exist a continuous nuisance, constituting a serious menace to life, health and property; and

WHEREAS, the condition of said property and the use to which it is being put as aforesaid is a public nuisance, injurious, detrimental and dangerous to public health, public morals, public decency and prevents and renders impossible the full enjoyment and use of property adjacent thereto and situated within the vicinity of said property; THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

Section 1. That the use of said premises and the buildings and improvements thereon situated for livery stable purposes or for the corralling, housing, keeping, feeding or caring for mules, horses, mares or other like animals, be and the same is hereby declared to be a grave, public nuisance, constituting a serious menace to public health, morals, decency and property by being a breeding place for flies, mosquitoes, rats and other vermin, as well as disease germs and disease-germ carrying agencies, and by reason of the foul and noxious odors being continuously created on and emitted from said premises, in violation of the general rights, well being and welfare of the community at large.

Section 2. That the sheds on the southwest corner of said lot, and in the rear of the main buildings and along the east line of Garden Street, being in a dilapidated and unstable condition, the outer wall of same leaning several degrees towards Garden street, and being in ^{my} imminent danger of collapsing and falling down upon said sidewalk; that said sheds, being divided into stalls or compartments, the floor or ground of which is lower than the surface of the lot upon which same is situated, and being filled with manure ^{and} or filth; that said sheds are open and accessible to the public and are being constantly resorted to by tramps, vagrants and other persons who use same in an indecent and vulgar manner, thereby rendering impossible the full enjoyment of property adjacent thereto and creating a condition of lewdness and indecency that has become unbearable and intolerable, all of which renders the removal and destruction of said sheds and open stalls an imperative public necessity for the protection and preservation of the general welfare, public health, life, morals and property.

Section 3. The City Commissioners of the City of San Antonio, acting under the police power attached to it for the preservation of the general welfare, public health, life and property, and by virtue of the powers conferred upon them by the Charter of the City of San Antonio, do now and hereby declare that the use to which said property is being put, the manner in which said business is being operated and conducted, constitutes a continuous, public nuisance and a constant menace and eminent source of danger to life, health and property in the City of San Antonio; that said premises and the improvements thereon by virtue of the inherent defects in their condition and construction are such that said nuisance cannot be abated by any reasonable rules and regulations permitting said business to be continued thereon; that the dilapidated and unstable condition of the sheds and open stalls to the rear of said main buildings and on the southwest corner of said lot, because of their dangerous condition and inherent defects and the indecent, lewd and vulgar use permitted to be made of same, as aforesaid, create a continuous ^{public} nuisance and render their immediate removal and destruction an imperative public necessity; that said Mary B. Gaenslen, Cornelia B. Noonan, Elizabeth B. Nelson, Isabella B. Grynski and Francis J. Bowen, owners of said property, and J. Ed. Williams, the tenant of said owners and the occupant of said premises and the proprietor of said business and each of them, be and they are hereby directed and ordered to cease the use of said premises for the purposes above stated, and to remove from said lot and parcel of real estate all manure, filth, trash and rubbish of any character whatsoever, and to place said premises in a clean, sanitary condition, and to remove, or cause to be torn down and removed said sheds and open stalls in the rear of the main buildings and adjacent to Garden street on the southwest corner of said lot, all within ten days from and after service of notice of the passage of this ordinance, as hereinafter provided.

Section 4. That should said Mary B. Gaenslen, Cornelia B. Noonan, Elizabeth B. Nelson, Isabella B. Grynski, Francis J. Bowen and J. Ed. Williams fail, refuse or neglect to abate said nuisance as hereinbefore provided, then and in that event the Chief of Police of the City of San Antonio is hereby instructed to remove all horses, mules, mares, or other animals from said premises, and to close and prevent the use of said premises for livery, feed, boarding or sales stable purposes, and to have or cause to be removed from said premises all manure, trash, filth and rubbish of any character whatsoever that in any manner renders said premises unhealthy, unsanitary and in any manner constituting a menace and ^{my} imminent source of danger to life, health and property, and to cause said premises to be put in a clean, sanitary condition;

to remove or cause to be torn down and removed said sheds and open stalls in the rear of the main buildings and adjacent to and on the east line of Garden street, on the southwest corner of said lot; all at the expense of the said J. Ed. Williams, Mary B. Gaenslen, Cornelia B. Noonan, Elizabeth B. Nelson, Isabella Orynski and Francis J. Bowen, or either of them.

Section 5. The City Clerk is hereby directed to issue a certified copy of this ordinance, and to cause the same to be served upon each of the parties hereinbefore named, respectively, immediately by some person competent to certify to the fact of service.

PASSED AND APPROVED, this 20th day of September, A. D. 1917.

ATTEST: SAM C.. BELL,
Mayor of City of San Antonio.
FRED FRIES,
City Clerk.

On motion of Commissioner Lambert duly seconded and carried, the Mayor was authorized to appoint a committee of seven citizens together with members of the Chamber of Commerce to assist in the drafting of a new contract for public lighting.

On motion duly seconded and carried, the meeting adjourned.

APPROVED Sam C Bell
MAYOR.

ATTEST: [Signature]
CITY CLERK,