

FEBRUARY 28, 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, FEBRUARY 28, 1946.

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

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The Clerk read the minutes of the meeting of February 21, which were approved, as read, on motion of Commissioner Steffler, seconded by Commissioner Anderson and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

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PETITIONS PRESENTED:

Referred to Commissioner of Taxation:

Highland Park Evangelical Lutheran Church, for exemption from taxation of property at 625 Hammond Ave.

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REFERRED to Commissioner of Streets:

Louis J. Rodriguez, and others, for sanitary sewer on Orleans St. between San Jacinto and South Brazos Sts.

J. E. Lowrey, 2 petitions, for permission to make sewer connection charge to sewers in Blocks 1, 2 and 3, Donaldson Community Sites; Blocks 6, 7, 14, 18, 22, 25, 26 and 27, Donaldson Terraces; and Blocks 3, 4, 5, 9 and 10 in Woodlawn Hills Terraces.

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REFERRED to City Engineer:

Subdivision plat of Tract A out of R. T. Higginbotham Survey No. 29, NCB 7774, for Harlandale Presbyterian Church, submitted by Frank T. Drought.

Subdivision plat of T. E. Barnes Jr. Subdivision, facing Amanda St., submitted by T. E. Barnes, Jr.

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REFERRED to Commissioner of Fire and Police:

Rodolfo Enderle, and others, for street light at Brady Blvd. and Frio City Rd.

Gulf Oil Corp., for permission to make gasoline installation at 1603 N. New Braunfels Ave.

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Dr. Lewis C. Robbins, City Health Officer, presented and urged passage of an ordinance requiring food handlers to have permits and requiring that all food handlers take and pass the Health Department's food handlers course. Dr. Robbins said the proposed ordinance had the support of City, County and State Health Departments, San Antonio School District, the Restaurant Association, and other groups. He said the food handlers course, which has been conducted by the Health Dept. for five years, was in danger of losing funds granted by the State Department of Education due to the present low attendance.

Mayor Mauermann referred the proposed ordinance to the Committee of the Whole.

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Mr. Fred E. Pflughaupt, Zoning Commission Chairman, presented the following report:

Mayor Gus B. Mauermann & Commissioners  
City of San Antonio

Honorable Sirs:

The Zoning Commission at a called meeting in the Council Chamber on February 26, 1946, considered the petition of Albert Hirschfeld to zone the additions to the City of San Antonio known as Crown Hill Acres and Sky-Way Subdivision bounded on the West by the Jones Maltzberger Road, on the North by Northern Boulevard, on the East by North Loop Road and Wetmore Road, and on the South by the Wetmore Road.

Since the petitioner requested the quickest possible action on this

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matter, the Zoning Commission decided to suspend the customary but not legally required rule of holding an open hearing and notifying the public through the City's publication fifteen days prior thereto.

The Zoning Commission recommends that the Zoning of Lot 19 thru 25, NCB8672, Lots 1 thru 7, NCB8676, Lots 6 and 7, and 11 thru 21, Block 4 Crown Hill Acres, and Lots 3, 4, 5, 29, 30 and 31, Block 5, Crown Hill Acres be changed from "B" Residential to "F" Local Retail, that the zoning of Lots 42 thru 50, NCB8677 and Lots 10, 11, 12, 13 and 23 of the Sky-Way Subdivision be changed from "B" Residential to "J" Commercial, and that the other lots in the subdivision remain zoned as "B" Residential. Such zoning will provide for a community center in the north center and a warehouse district adjacent to the Airport and the railway tracks, but most of the property would remain "B" Residential district.

The Zoning Commission was requested by an owner of property in Block 8, Crown Hill Acres, facing on the Harry Wurzbach Military Highway to recommend the rezoning of his property as "Local Retail" or "Commercial", but it was the consensus that this owner's property is located in the approximate center of a section of the subdivision which would be best zoned as residential.

It was suggested to the Zoning Commission by Mr. Steinhardt that we might recommend a zone with height restriction on the property adjacent to the North Loop Road which also is a boundary of the Airport in order that the planes may come and go more safely. It was felt that this restriction would have to be provided if necessary by special ordinance, since the lowest height restrictions under the zoning law are 35 feet for residences and 45 feet for commercial buildings.

Respectfully submitted,

s/ Fred E. Pflughaupt  
Fred E. Pflughaupt  
Chairman Zoning Commission.

Following a discussion by the Council with Mr. Pflughaupt and Airport Director Steinhardt on the need for height restrictions near the airport, the Mayor instructed Mr. Steinhardt and Mr. Pflughaupt to work with the City Attorney on the preparation of an ordinance to put such restrictions into effect.

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 adopted the Zoning Commission's recommendations on re-zoning of Crown Hill Acres and Sky-Way Subdivision and ordered the resolution drawn setting a public hearing.

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. 623

AN ORDINANCE (3099)

TRANSFERRING \$6,500 FROM BACK TAX GENERAL FUND AND \$1,800 FROM 1944 GENERAL FUND TO 1945 GENERAL FUND.

APPRO. NO. 624

AN ORDINANCE (3100)

APPROPRIATING \$101,978.61 OUT OF 1945 GENERAL FUND FOR SEMI-MONTHLY PAYROLLS.

APPRO. NO. 625

AN ORDINANCE (3101)

APPROPRIATING \$12,253.20 OUT OF POLICE & FIREMEN'S PENSION FUND FOR PAYROLLS.

APPRO. NO. 626

AN ORDINANCE (3102)

APPROPRIATING \$25,025.89 OUT OF 1945 GENERAL FUND TO PAY NOTE NO. 47 AND ACCRUED INTEREST.

APPRO. NO. 627

AN ORDINANCE (3103)

APPROPRIATING \$270.44 OUT OF 1945 GENERAL FUND FOR TELEPHONE SERVICES.

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APPRO. NO. 628

AN ORDINANCE (3104)

APPROPRIATING \$162.50 OUT OF INTER-AMERICAN HEALTH PROJECT  
NO. AIA2-5309 FOR PAYROLL.

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APPRO. NO. 629

AN ORDINANCE (3105)

APPROPRIATING \$82.20 OUT OF 1944 GENERAL FUND, ASSESSOR'S DEPT.,  
FOR OFFICE SUPPLIES.

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APPRO. NO. 630

AN ORDINANCE (3106)

APPROPRIATING \$3,423.12 OUT OF VARIOUS FUNDS TO PAY NATIONAL BANK  
OF COMMERCE FOR BONDS AND INTEREST COUPONS MATURING MARCH 1, 1946  
OF BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2.

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

APPRO. NO. 631

AN ORDINANCE (3107)

APPROPRIATING \$9.18 OUT OF 1945 GENERAL FUND, PARKS & PLAZAS DEPT.,  
TO PAY BECHER & BECHER FOR EXTRAS ACCT. CONSTRUCTING SHELTER AT  
CATALINA AND EDISON DRIVE, LOS ANGELES HEIGHTS.

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In each case on recommendation of the City Engineer and on motion of Commissioner Stef-  
fler, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann,  
Callaghan, Hein, Steffler and Anderson, the Council approved the following plats:

Plats vacating and subdividing two lots on West Mayfield Blvd., submitted by Roy R.  
Campbell.

Subdivision plat of Tract D., NCB 7885, submitted by Morris Kallison. The City Engineer  
stated this approval was subject to the carrying out of an agreement made by the petitioner  
to curb and gravel streets in the subdivision, which work, he added, had been started.

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

A RESOLUTION (3108)

CALLING FOR BIDS FOR WIDENING PAVEMENT ON WEST SIDE OF NORTH CHERRY  
STREET, BETWEEN EAST COMMERCE AND NORTH CENTER STREETS.

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APPRO. NO. 633

AN ORDINANCE (3109)

APPROPRIATING \$11.50 OUT OF 1945 GENERAL FUND, VARIOUS DEPTS., FOR  
INSTRUMENTS FILED WITH COUNTY CLERK, PAYABLE TO CITY CLERK.

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APPRO. NO. 634

AN ORDINANCE (3110)

ACCEPTING PROPOSAL OF M. F. FISCHLER & SON TO CONSTRUCT SANITARY SEWER  
MAIN IN ALLEY NORTH OF WEST COMMERCE ST. FROM 25th ST. WEST 635 FEET;  
AUTHORIZING MAYOR TO EXECUTE CONTRACT; AND APPROPRIATING \$1110 IN  
PAYMENT THEREFOR.

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APPRO. NO. 635

AN ORDINANCE (3111)

APPROPRIATING \$42.90 OUT OF 1945 GENERAL FUND, ANNEXATION ENGINEERING  
DEPT., FOR COMPILING MAPS OF NEWLY ANNEXED AREAS.

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A RESOLUTION (3112)

CALLING FOR BIDS FOR THE SALE OF CERTAIN OBSOLETE EQUIPMENT OF THE  
STREET DEPARTMENT.

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APPRO. NO. 632

AN ORDINANCE (3113)

APPROPRIATING \$1862.20 IN PAYMENT TO H. W. LEWIS EQUIPMENT CO.  
FOR PARTS REQUIRED TO REPAIR BYARS SHOVEL.

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

Brown Oil Co., permission to make gasoline installation at 4517 Somerset Rd.

Magnolia Petroleum Co., permission to make gasoline installation at 201 Pleasanton Rd.

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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.

A RESOLUTION (3114)

GIVING NOTICE OF A PROPOSED AMENDMENT OF THE ORDINANCE ESTABLISHING  
ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON THE  
3RD DAY OF NOVEMBER, 1938.

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A RESOLUTION (3115)

GIVING NOTICE OF A PROPOSED AMENDMENT OF THE ZONING ORDINANCE ESTAB-  
LISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED  
ON THE 3RD DAY OF NOVEMBER, 1938.

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AN ORDINANCE (3116)

REPEALING AN ORDINANCE MAKING CONTRACT WITH SMITH MOTOR SALES CO.,  
PASSED AND APPROVED ON THE 18TH OF SEPTEMBER, 1944.

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APPRO. NO. 636

AN ORDINANCE (3117)

APPROPRIATING \$123.44 OUT OF 1945 GENERAL FUND, POLICE DEPT., TO  
PAY P. L. ANDERSON, COMMISSIONER, FOR EXPENSES BY VARIOUS MEMBERS  
OF POLICE DEPT. ON TRIPS ON OFFICIAL CITY BUSINESS.

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

APPRO. NO. 637

AN ORDINANCE (3119)

ACCEPTING PROPOSAL OF M. B. KILLIAN & CO. FOR CONSTRUCTION OF  
CONCRETE ISLAND AT MUNICIPAL AIRPORT, AUTHORIZING CONTRACT, AND  
APPROPRIATING \$14,500.

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Bids to repair roof of church at La Villita were opened and publicly read and referred to the Purchasing Agent for tabulation.

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On motion of Commissioner Callaghan, 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., to permit the Council and all employees to participate in ceremonies on the City Hall lawn planting and dedicating a tree to the memory of Henry M. Hein, son of Commissioner Hein, who lost his life in the European Theater in World War II.

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Mayor Mauermann presided at the tree-planting ceremony and made the principal memorial address. Other speakers included Commissioners Anderson and Callaghan and J. C. Loftin, president of San Antonio Junior College. The invocation was by Rev. A. L. Wolff. Eddie Murgatroyd, president, Brackenridge High School Senior class, recited the poem "Trees", and the Junior College Rangerettes sang. Henry M. Hein graduated from Brackenridge High School in 1942 and from

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Junior College in 1944. Commissioner and Mrs. Hein and their son, Robert, attended the ceremonies.

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PURSUANT TO THE RECESS, the Council re-convened in the Council Chamber at 11:00 o'clock, A.M., to conduct the public hearing, as advertised, on the re-zoning of an area in the vicinity of Grayson St. and Euclid Ave., on the petition of R. R. Saunders, Royal Crown Bottling Co., and others.

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

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The Clerk read the proposed amendment to the Zoning Ordinance. Mayor Mauermann's call for statements from opponents and proponents of the measure received no response. After discussion by the Council, Commissioner Anderson introduced the following ordinance, which was passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

AN ORDINANCE (3118)

AMENDING "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.", PASSED AND APPROVED ON THE 3RD DAY OF NOVEMBER, A. D. 1938.

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On motion of Commissioner Steffler, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, Commissioner Anderson was granted a ten-day leave of absence, if desired, to attend hearings in Washington, D. C., on a proposed bill affecting San Antonio's venereal disease control program.

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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 meeting was recessed to 11:00 A. M., Tuesday, March 5, 1946.

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PURSUANT TO THE RECESS of the Meeting of February 28, the Council re-convened in the Council Chamber of the City Hall at 11:00 o'clock, A.M., on Tuesday, March 5, 1946.

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

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## PETITIONS PRESENTED:

REFERRED to Committee of the Whole:

Rosenberg Bros., for permission to install sidewalk elevator at 113 W. Commerce St.  
Peacock Military Academy, to close certain streets intersecting Academy grounds.

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REFERRED to Commissioner of Taxation:

Most. Rev. Robert E. Lucey, for exemption from taxation on Lots 1 to 22, <sup>Block B,</sup> N.C.B. 2475.

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REFERRED to Commissioner of Fire and Police:

Mrs. T. W. Jennings, for permission to build barbecue pit at 234 Quentin Drive for family use.

Jack Neal, Inc., for permission to make gasoline installation at Colorado and Laurel Sts.

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REFERRED to City Clerk:

E. W. Harvey, and others, protesting operation of liquor, beer or wine business at 2010 S. Palmetto Ave.

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The petition of the Rev. C. Romero, and others, protesting the re-zoning of area between Brazos, Jean, Zarzamora and Merida Sts., was presented and set for hearing at 10:30 A.M. on March 21st, at which time a public hearing has been set and advertised on the proposed amendment to the Zoning Ordinance to put into effect this re-zoning.

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

APPRO. NO. 638

AN ORDINANCE (3120)

APPROPRIATING \$24,120.48 OUT OF THE 1945 GENERAL FUND FOR PER DIEM PAYROLLS.

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APPRO. NO. 639

AN ORDINANCE (3121)

APPROPRIATING \$2,600 OUT OF WATER IMPROVEMENT DISTRICT NO. 7 SINKING FUND TO PAY MARCH 15, 1946, BOND AND COUPON MATURITIES.

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APPRO. NO. 640

AN ORDINANCE (3122)

APPROPRIATING \$542 OUT OF PARK REVENUE BOND 1945 FUND FOR PAYROLL.

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Commissioner Hein introduced the following ordinance, which was passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein and Steffler; Nay, Anderson (absent).

AN ORDINANCE (3123)

AUTHORIZING PURCHASING AGENT TO APPROVE PURCHASE ORDER FOR REPAIR PARTS TO BE PURCHASED FROM ELGIN SWEEPER CO. FOR USE IN GARBAGE & SANITATION DEPT. TO REPAIR SWEEPER.

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

APPRO. NO. 641

AN ORDINANCE (3124)

APPROPRIATING \$196.20 OUT OF 1945 GENERAL FUND, STREET MAINTENANCE, PAYABLE TO MRS. MARY SCHUH FOR GRAVEL.

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APPRO. NO. 642

AN ORDINANCE (3125)

APPROPRIATING \$160.95 OUT OF 1945 GENERAL FUND, STREET MAINTENANCE, PAYABLE TO B. H. BUCH FOR GRAVEL.

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APPRO. NO. 643

AN ORDINANCE (3126)

APPROPRIATING \$886.02 OUT OF 1945 GENERAL FUND, VARIOUS DEPTS., TO PAY FOR INDEPENDENT HIRE OF TEAMS AND TRUCKS.

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Mayor Mauermann introduced the following resolutions which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein and Steffler; Nay, Anderson (absent).

A RESOLUTION (3127)

DIRECTING THE CITY ATTORNEY TO BRING CIVIL PROCEEDINGS AGAINST MEYER EPSTEIN FOR THE VIOLATION OF THE BUILDING ORDINANCE.

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A RESOLUTION (3128)

GIVING NOTICE OF A PROPOSED AMENDMENT OF THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON THE 3RD DAY OF NOVEMBER, 1938.

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On motion of Commissioner Hein to concur in the recommendation of the Fire and Police Commissioner, seconded by Commissioner Steffler and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein and Steffler; Nay, Anderson (absent), the council granted the petition of Gulf Oil Corporation for permission to make gasoline installation at 1603 North New Braunfels Ave., which was recommended by Commissioner Anderson.

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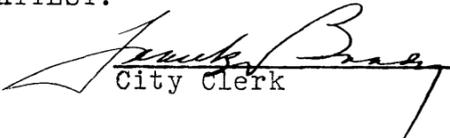
On motion of Commissioner Callaghan, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein and Steffler; Nay, Anderson (absent), the meeting adjourned Tuesday, March 5, 1946.

APPROVED:

  
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ATTEST:

  
City Clerk

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(For full text of all ordinances passed and approved at this Regular Meeting and Recessed Meeting, see Ordinance Book "N", pages 321 through 334.)

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