

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE CITY COUNCIL CHAMBER, CITY HALL  
ON THURSDAY, JANUARY 28th, 1960, AT  
8:30 A.M.

The meeting was called to order by the Mayor, J. Edwin Kuykendall, with the following members present:

KUYKENDALL

DIETERT

McMAHON

JOHNSON

SIMPSON

OLIVARES

PINSON and

SAN MARTIN;

THOSE ABSENT: PASSUR.

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The invocation was by the Rev. Father Albert Vasquez of the San Fernando Cathedral.

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On motion the reading of the minutes of the previous meeting were dispensed with.

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Mayor Kuykendall welcomed Mr. Sam Jorrie and Mr. A. J. Ploch, Bexar County Commissioners, who were in attendance at the meeting.

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The following ordinances were passed and approved by the following vote: AYES: KUYKENDALL, DIETERT, McMAHON, JOHNSON, SIMPSON, OLIVARES, PINSON and SAN MARTIN; NAYS: NONE; ABSENT: PASSUR.

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AN ORDINANCE 28, 236

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF GILLESPIE MOTOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH SIXTEEN MOTOR TRUCK CAB AND CHASSIS FOR A TOTAL OF \$56,203.04.

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(Full text in Ordinance Book J.J. Page 93)

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AN ORDINANCE 28, 237

ACCEPTING THE PROPOSAL OF PRESTRESSING, INC. TO BAND SIX (6) DIGESTER COVERS AT THE SEWAGE TREATMENT PLANT; MANIFESTING A CONTRACT BETWEEN THE CITY AND PRESTRESSING, INCORPORATED, FOR SUCH WORK AND APPROPRIATING THE SUM OF \$12,000.00 OUT OF FUND NO. 479-14, SANITARY SEWER IMPROVEMENT BOND FUND, SERIES 1957, AS PAYMENT FOR THIS WORK.

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(Full text in Ordinance Book J.J. Page 94)

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A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE NEBRASKA STREET AND ARTESIA ROAD PROJECT.

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AN ORDINANCE 28, 238

APPROPRIATING THE SUM OF \$2,894.81 OUT OF SANITARY SEWER BOND FUND NO. 479-14 (1957 SERIES) TO BE USED FOR THE PURCHASE OF MATERIALS TO CONSTRUCT SANITARY SEWER PROJECT S-24.

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(Full text in Ordinance Book J.J. Page 94).

AN ORDINANCE 28, 239

APPROPRIATING THE SUM OF \$258.39 OUT OF SANITARY SEWER BOND FUND NO. 479-14 (1957 SERIES) FOR REIMBURSEMENT TO GENERAL FUND ACCOUNT NO. 09-02-03 IN PAYMENT FOR MATERIALS PURCHASED FOR PLACEMENT OF SANITARY SEWER IN ALLEY WEST OF ZARZAMORA STREET FROM EXISTING MANHOLE ON DELGADO SOUTH 213 FEET AND EAST 147 FEET.

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(Full text in Ordinance Book J.J. Page 95)

A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF SANITARY SEWER EXTENSIONS WITHIN THE AREA OF PROJECT S-16.

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AN ORDINANCE 28, 240

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS OF THE PETITION OF JOHN T. SAUNDERS AND WIFE AT 613 ARCADIA PLACE, LOT 30 BLK. 9, CO. BLK. 4054, TERRILL HILLS, TEXAS.

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(Full text in Ordinance Book J.J. Page 95)

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AN ORDINANCE 28, 241

GRANTING PERMISSION TO J. T. VALDEZ AND WIFE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS AT 1401 WILTSHIRE, LOT 1, CB 5848-A, CITY OF TERRILL HILLS, TEXAS.

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(Full text in Ordinance Book J.J. Page 96)

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AN ORDINANCE 28, 242

ABANDONING CERTAIN EXCESS PROPERTY IN NCB 11155 DEDICATED BY MRS. QUIE L. THOMPSON TO THE CITY OF SAN ANTONIO FOR STREET PURPOSES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT-CLAIM DEED FOR THE EXCESS PROPERTY, TO MRS. QUIE L. THOMPSON.

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(Full text in Ordinance Book J.J. Page 97)

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AN ORDINANCE 28, 243

ACCEPTING THE HIGH BIDS ON SURPLUS LAND OWNED BY THE CITY OF SAN ANTONIO IN NCB 3247 AND 8822; AND AUTHORIZING THE CITY MANAGER TO CONVEY THESE PROPERTIES BY SPECIAL WARRANTY DEED TO THE HIGH BIDDERS. *Paul Adams + Frank Salsola*

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(Full text in Ordinance Book J.J. Page 97)

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AN ORDINANCE 28, 244

AUTHORIZING AND DIRECTING THE CITY MANAGER TO DECLARE CERTAIN CONTRACTS BREACHED, AND DIRECTING DISPOSAL AS LIQUIDATED DAMAGES OF CASH DEPOSITS AND BONDS, AND ORDERING THE REMOVAL OF THE IMPROVEMENTS FROM RIGHT OF WAY AIRPORT EXPANSION PROJECT.

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(Full text in Ordinance Book J.J. Page 98)

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AN ORDINANCE 28, 245

ABANDONING A CERTAIN SANITARY SEWER EASEMENT IN NCB'S 12259 AND 12260 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT-CLAIM DEED THEREFOR TO E. S. JOHNSON FOR AND IN CONSIDERATION OF THE NEW SEWER LINE HE CONSTRUCTED.

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(Full text in Ordinance Book J.J. Page 98)

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AN ORDINANCE 28, 246

CLOSING, ABANDONING AND AUTHORIZING THE CITY MANAGER TO QUIT-CLAIM PORTIONS OF GROSVENOR, ASCOTT AND SUNGLO AVENUES TO H. E. BUTT GROCERY COMPANY FOR THE CONSIDERATION OF \$1.00.

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(Full text in Ordinance Book J.J. Page 99)

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A RESOLUTION

ACCEPTING AN EASEMENT (DEDICATION) FROM ROGER RASBACH AND WIFE, JANE PHILLIPS RASBACH TO THE CITY OF SAN ANTONIO TO BE USED FOR THE INSTALLATION OF DRAINAGE FACILITIES.

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(Full text in Ordinance Book J.J. Page 99)

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AN ORDINANCE 28, 247

APPROPRIATING CERTAIN SUMS OF MONEY IN CONNECTION WITH THE CITY LAND ACQUISITION PROGRAM BEING \$3,850.00 TO CARMEN HINOJOSA AND JUANITA HINOJOSA NCB 1174 PARCELS 3847 and 3848, \$7,500.00 TO IDA KRUEGER FOR NCB 1156 PARCELS 3826A and 3827A, \$600.00 TO W. R. L. AND ROSALIE KRUEGER FOR NCB 1156 PARCELS 3824A and 3825A AND \$500.00 TO JESSE D. OPPENHEIMER FOR NCB 1186 PARCELS 3855, 3856 AND 3857.

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(Full text in Ordinance Book J.J. Page 100)

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AN ORDINANCE 28, 248

ASSIGNING A NAME TO A CERTAIN STREET LOCATED WITHIN THE CITY LIMITS OF THE CITY OF SAN ANTONIO BEING THEATRE DRIVE.

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(Full text in Ordinance Book J.J. Page 100)

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AN ORDINANCE 28, 249

AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH THE FEDERAL AVIATION AGENCY FOR THE CONSTRUCTION OF THE APPROACH LIGHTING SYSTEM AT INTERNATIONAL AIRPORT.

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(Full text of Ordinance in Book J.J. Page 100)

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AN ORDINANCE 28, 250

AUTHORIZING CLAUDE ANIOL & ASSOCIATES TO PLACE MUNICIPAL ADVERTISING IN CERTAIN PUBLICATIONS AS RECOMMENDED BY THE MUNICIPAL ADVERTISING COMMITTEE AND AUTHORIZING THE PAYMENT OF \$3,512.87 THEREFORE.

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(Full text in Ordinance Book J.J. Page 101)

AN ORDINANCE 28, 251

MANIFESTING A CONTRACT BETWEEN THE CITY AND PARKING, INC. FOR THE PARKING OF 50 POLICE CARS AT A MONTHLY RENTAL OF \$300.00 PER MONTH.

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(Full text in Ordinance Book J.J. Page 102)

AN ORDINANCE 28, 252

TRANSFERRING \$3,826.72 OUT OF THE GENERAL FUND CONTINGNECY ACCOUNT NO. 70-01-01 INTO GENERAL FUND ACCOUNT NO. 05-01-01, CODE 2-55, AND AUTHORIZING PAYMENT OF \$9,076.72 OUT OF GENERAL FUND ACCOUNT NO. 05-01-01, CODE 2-55, TO THE MUNICIPAL CODE CORPORATION OF TALLAHASSEE, FLORIDA, FOR SERVICES IN CONNECTION WITH THE CODIFICATION OF THE CITY CODE OF ORDINANCES.

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(Full text in Ordinance Book J.J. Page 102)

AN ORDINANCE 28, 253

GRANTING AND CONFIRMING TAX EXEMPTIONS OF CERTAIN PROPERTIES OWNED BY VARIOUS CHURCH, SCHOOL AND CHARITABLE ORGANIZATIONS BEING BOARD OF NATIONAL MISSIONS OF THE UNITED PRESBYTERIAN CHURCH, CALVARY BAPTIST CHURCH, CHRISTIAN WOMAN'S BOARD OF MISSIONS, EGLESIAS ESCUELA MAGNETICO ESPIRITUAL DE LA COMUNA UNIVERSAL, GRANDVIEW BAPTIST CHURCH, MANOR BAPTIST CHURCH, METHODIST STUDENT MOVEMENT OF TEXAS, INC., PRESBYTERY OF AUSTIN OF THE UNITED PRESBYTERIAN CHURCH, MOST REVEREND ROBERT E. LUCEY, ARCHBISHOP OF SAN ANTON IO, ST. MARK'S METHODIST CHURCH.

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(Full text in Ordinance Book J.J. Page 103)

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The following ordinance was read by the Clerk.

AN ORDINANCE 28, 254

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE WATER WORKS BOARD OF TRUSTEES TO LEASE FOR A PERIOD OF TEN (10) YEARS TWO TRACTS OF LAND FRONTING ON THE SOUTH LINE OF WEST MARKET STREET WHICH LIE EAST OF THE SAN ANTONIO PUBLIC LIBRARY AND WEST ON THE SAN ANTONIO RIVER.

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\*full text in Ordinance book J.J. Page 105

City Attorney Cadena explained the lease and purpose was to make the property available for expansion of the library. Dr. San Martin asked if it were correct that any surplus property is to revert to the City after it is no longer used by the Water Board. The City Attorney agreed this was true but that the Water Board is not willing at this time to make the determination that it is surplus property because it still has some wells on the property. On roll call the ordinance was passed and approved by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

The following ordinances were passed and approved by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

AN ORDINANCE 28, 255

AMENDING SECTION 16-104 OF THE CITY CODE BY INCREASING THE LICENSE FEES FOR PERMITS TO OPERATE RESTAURANTS.

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(Full text in Ordinance Book J.J. Page 105)

AN ORDINANCE 28, 256

AUTHORIZING TWO (2) ADDITIONAL WARRANT OFFICER POSITIONS AT CORPORATION COURT FOR SIX MONTHS; AND AUTHORIZING SIXTEEN (16) AIRPORT GUARD POSITIONS IN THE DEPARTMENT OF AVIATION FOR 8 1/2 MONTHS, SAID PERIODS BEING OVER AND ABOVE THE TIME AUTHORIZED IN THE CITY BUDGET 1959-60.

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(Full text in Ordinance Book J.J. Page 106)

AN ORDINANCE 28, 257

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BEXAR COUNTY AND THE BEXAR COUNTY WELFARE BOARD TO PROVIDE A PROGRAM OF CARE AND PROTECTION FOR DEPENDENT AND NEGLECTED CHILDREN IN BEXAR COUNTY FOR A TERM ENDING DECEMBER 31, 1960.

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(Full text in Ordinance Book J.J. Page 106)

AN ORDINANCE 28, 258

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND NOONAN AND KROCKER, ARCHITECTS AND ENGINEERS, FOR THE ASSUMPTION OF CERTAIN CONTRACTUAL OBLIGATIONS BY NOONAN AND KROCKER PREVIOUSLY ENTERED INTO BETWEEN THE CITY OF SAN ANTONIO AND NOONAN, THOMPSON AND KROCKER.

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(Full text in Ordinance Book J.J. Page 107)

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AN ORDINANCE 28, 259

MANIFESTING A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND R. E. YARBROUGH AND COMPANY OF FORT STOCKTON, TEXAS, GRANTING TO SAID COMPANY THE RIGHT TO ERECT AND OPERATE TERRESTRIAL-SCOPES IN "SUNKEN GARDENS" FOR A PERIOD ENDING JULY 31, 1962.

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(Full text in Ordinance Book J.J. Page 107)

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The Clerk read the following ordinance.

AN ORDINANCE 28, 260

DIRECTING THE GIVING OF NOTICE OF THE INTENTION OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO TO AUTHORIZE THE PURCHASE BY THE TRANSIT BOARD OF TRUSTEES OF SAN ANTONIO OF THIRTY FIVE MOTOR BUSES FOR THE TRANSIT SYSTEM OF SAID CITY, THE BORROWING OF FUNDS WITH WHICH TO PAY PART OF THE PURCHASE PRICE THEREOF, AND THE EXECUTION AND DELIVERY OF PROMISSORY NOTES TO EVIDENCE SUCH LOAN, SAID NOTES BEING SECURED BY CHATTEL MORTGAGES ON SAID BUSES; AND TO SET FEBRUARY 26, 1960 AS THE DATE FOR OPENING SEALED BIDS FOR SUCH LOAN; AND DECLARING AN EMERGENCY.

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(Full text in Ordinance Book J.J. Page 109 ).

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The City Attorney explained the procedure for the purchase of thirty-five air conditioned busses and the manner in which purchase would be financed.

On motion of Mr. Dietert, Seconded by Dr. San Martin the ordinance was passed and approved by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

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The following ordinance was passed and approved by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

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AN ORDINANCE 28, 261  
REVISING AND ESTABLISHING ELECTION PRECINCTS FOR THE  
CITY OF SAN ANTONIO AFTER JANUARY 31st, 1960.

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(Full text in Ordinance Book J.J. Page 111)

Zoning case 1218 to rezone property in NCB 7920 which had been continued to this time in order to complete replatting was brought up for hearing. The City Clerk explained that the replatting had not been completed and asked that the hearing be continued to February 4th. On motion of Dr. McMahon, seconded by Dr. Johnson, the hearing was continued one week by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

The Mayor announced that the Council would now open the hearing on the petition against establishment of a morgue on North St. Marys Street.

The Clerk read the following Petition.

We, the undersigned residents of San Antonio, Texas, hereby petition the City Council of the City of San Antonio to reconsider its action on or about December 30, 1959, whereby the Council passed an ordinance authorizing a Dead Body and Embalming Room on North St. Mary's Street between 9th and Dallas Streets on Lots 4, 5, 5A, 6, 6A, 7, and Track A of Blk. 26, NCB 783 for the samereasons that the Council recognized in its denial of such a Dead Body and Embalming Room on King Williams Street in San Antonio and for the further reasons that such a room would be detrimental to the best interests of the surrounding property owners as well as the City of San Antonio and would cause and create a traffic hazard on North St. Mary's Street and on Arden Grove, and further that said property is immediately adjacent to Central Catholic High School and would be detrimental to the physical and educational welfare of the students attending said school.

Mr. Lester Klein, Attorney, stated he represented someof the signers of the petition but not all of them and would act as a moderator. He restated the reasons for the protest. He called on the following persons who spoke against the establishment of the morgue: Mr. & Mrs. A. P. Ziehr, 304 Arden Grove; Mr. & Mrs. J. R. Huff and Miss Sarah Huff 318 Arden Grove; Mrs. True Evans, 217 Arden Grove; Mrs. Agnes Pruitt, 305 Arden Grove; Mr. Orville Campbell, representing Central Catholic High School, John Wilson of KONO Radio; Mr. E. L. Olds; and Mr. McKee Herbert of KONO-TV.

Mr. Lester Klein then asked that the ordinance passed on December 30th, 1959 approving the establishment of the morgue Homer McClagherty be repealed.

Mr. Edward J. Shahady, attorney for Mr. Homer T. McClagherty, showed a sketch of the type of building that is proposed to be constructed. He presented a deed to prove that he had an interest in the property. He stated the property was purchased in good faith on the strengh of the Council approving this location for a morgue. He claimed that Mr. MC Claugherty had a vested interest in the property and referred to court decisions in similar matters. He stated that his application for the permit included property which his client does not own and expects the Council to amend the ordinance to show only the property owned.

The matter was then discussed by all parties concerned, and after due consideration Dr. Johnson then moved "That the City Manager be instructed to have the ordinance granting the establishment of a morgue by Mr. McClagherty redrawn to include only the

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the property owned by him." Seconded by Mr. Pinson, the motion carried by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

It was explained to the petitioners that it was the intention of the Council not to repeal the ordinance granting the establishment of a morgue but to correct it to show only the property owned by McClaugherty.

Mrs. Graves, President of the San Antonio Conservation Society, announced that the Society on January 27th had purchased the Navarro House from Lady Brady, which would settle the question of what to do with it.

Mr. Henry Steinbomer, Chairman of the Historic Site Evaluation Committee and Chairman of a Committee appointed by the County Commissioners to study the matter of the Navarro House asked that since the Society has purchased the building the only question to be solved was the off-set in the street at Nueva and Laredo. He asked that the Conservation Society meet with the Traffic, Planning, Urban Renewal Officials to work out a solution of the off-set.

He was told the City Officials would cooperate in every way possible.

Miss Adela Navarro, representing the Instituto de Cultura Hispanica, presented a resolution against destruction or removal of the Navarro House. Also speaking regarding the Navarro House was Mr. Marvin ~~W~~enroth representing the committee of American Institute of Architects to preserve historic sites.

Dr. Johnson then moved that the City Manager instruct the necessary departments to cooperate with Mr. Steinbomer's Committee in connection with the offset at Nueva and Laredo, seconded by Dr. McMahon the motion carried by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

Mr. Manuel Orteaga, Chairman of the Westlawn Taxpayers Association requested traffic signal lights at the intersections of General McMullen and El Paso, and at General McMullen and Ceralvo. He also asked for street repairs of the area South of Castroville Road and West of General McMullen. He was told the City would look into the matter and make a report to him.

The City Manager stated that requests for permits for fireworks displays had been received from the Optimist and Lions Club and Playland Park Corporation. After discussion of the requests Dr. San Martin moved that both requests be granted subject to the displays being completed no later than 11:00 o'clock P.M. Seconded by Mr. Simpson the motion carried by the following vote: AYES: Kuykendall, Dietert, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: McMahon; ABSENT: Passur.

The City Manager was instructed to prepare the necessary ordinances.

The City Manager stated the Alamo National Bank had requested use of portions of Market and Commerce Streets for drive-in teller windows during new construction for the bank. The Traffic Engineer on a map showed the traffic situation and recommended that the request be granted. After discussion Dr. McMahon moved that the request for two temporary window tellers be granted for a period of one year. Seconded by Mr. Dietert, the motion carried by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

The Manager then discussed the matter of barricades needed during construction on the bank. He explained that a permit had been issued through<sup>error</sup> which allowed a barricade to extend into Market and Commerce more than was allowed by ordinance or for the expeditious flow of traffic.

The traffic engineer also explained the situation and recommended that the barricade on West Commerce extend into one-third of the street and on Commerce the barricade be restricted to 6 feet from the curb.

Mr. Bartlett Cocke, Architect and Mr. Nunnely, Contractor stated this would impose a hardship on them. Mr. Nunnely stated that when he pours concrete for the basement he would need 21 feet on Commerce for one day. After discussion and consideration of the question Mr. Nunnely was asked to meet with Mr. Shelley, the Traffic Engineer and the Director of Housing and Inspection to work the matter out. This was agreed to.

The City Attorney made a report on enforcement procedures used in cases of zoning violations. He stated that in the future the City will file for injunction to stop violations rather than wait until the Planning Commission acts on zoning cases. In this procedure, if the matter is delayed, it will be because of the District Court rather the Planning Commission.

Mr. Bennett Bolen, explained the fire insurance schedule for City properties. Mr. Gorsky of the Insurance Exchange explained distribution of the premiums. After discussion the following ordinance passed and approved by the following vote: AYES: Kuykendall, Dietert, McMahon, Johnson, Simpson, Olivares, Pinson and San Martin; NAYS: None; ABSENT: Passur.

AN ORDINANCE 28, 262

AUTHORIZING THE EXECUTION OF A CERTAIN INSURANCE CONTRACT BY THE CITY OF SAN ANTONIO WITH QUEEN INSURANCE COMPANY OF AMERICA AND AUTHORIZING PAYMENT OF THE INSURANCE PREMIUM.

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(Full text in Ordinance Book J.J. Page 112 )

The City Attorney then stated that there has been a rapid turn over of legal department personnel. He said Mr. Smith and Mr. Sullivan have resigned and that will leave him with only Mr. Troilo in his office who has been tied down with condemnation and administrative work. He commented there are 2 other attorneys but are attached to the Land Division. He proposed to hire an experienced trial attorney, bring the two attorneys from the land division to his office and create a trial section in the legal

department. He stated the problem has been in the pay scale, and thought that with a pay scale of \$12,000 a year he could get an experienced trial attorney. He stated the overall additional expense would be \$720 for the balance of the year.

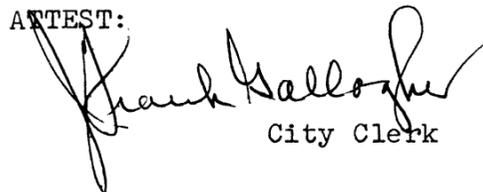
The City Manager stated an ordinance will be needed to set up the pay range and create the classification. The Council indicated approval.

There being no further business and no one else asking to be heard, the meeting was adjourned.

APPROVED:

  
MAYOR

ATTEST:

  
City Clerk