

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN THE
COUNCIL CHAMBER OF THE CITY HALL ON THURSDAY
MARCH 17, 1955 AT 9:00 A.M.

PRESENT: Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett

ABSENT: Russell, Gonzalez (Both arriving later)

Mayor R. N. White presiding.

Invocation by The Reverend Bruce Galloway - Associate Pastor of Woodlawn Methodist Church.

On motion of Mr. Lacy, seconded by Mr. Dillashaw, the reading of the minutes of the previous meeting was dispensed with.

The following ordinances were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett; NAYS, none; ABSENT, Russell, Gonzalez.

AN ORDINANCE 21,027

APPROVING THE LOCATION OF U. S. HIGHWAY 81 IN THE CITY OF SAN ANTONIO, FROM THE MISSOURI-KANSAS AND TEXAS RAILROAD NEAR ARTESIA AVENUE NORTHEAST AND NORTH TO FRATT NEAR EXISTING U. S. HIGHWAY NO. 81 AS ESTABLISHED BY THE STATE PURSUANT TO HIGHWAY COMMISSION MINUTE NO. 32277, DATED JUNE 25, 1952, AND RESOLUTION OF CITY COUNCIL DATED JULY 17, 1952; ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF SUCH RIGHT OF WAY LOCATION; DIRECTING THAT BUILDING PERMITS BE NOT ISSUED FOR SPECIFIED WORK WITHIN THE BOUNDARIES OF SUCH RIGHT-OF-WAY

(Full text in Ordinance Book BB page 16)

AN ORDINANCE 21,028

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF DAN C. ALLENSWORTH AT 400 S. VANDIVER

(Full text in Ordinance Book BB page 17)

AN ORDINANCE 21,029

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF J. J. LOEP AT 616 CANTERBURY HILL

(Full text in Ordinance Book BB page 17)

AN ORDINANCE 21,030

GRANTING A PERMIT TO CONSTRUCT, INSTALL AND CONECT A SEWER MAIN TO THE CITY SEWER SYSTEM AT THE EXPENSE OF PERMITTEE, AND GRANTING PERMISSION TO CHARGE FOR CONNECTIONS THERETO, AT THE 800 BLOCK OF SOUTH SAN DARIO STREET

(Full text in Ordinance Book BB page 17)

AN ORDINANCE 21,031

GRANTING A PERMIT TO CONSTRUCT, INSTALL AND CONNECT A SEWER MAIN TO THE CITY SEWER SYSTEM AT THE EXPENSE OF PERMITTEE, AND GRANTING PERMISSION TO CHARGE FOR CONNECTIONS THERETO, AT THE 1200 AND 1300 BLOCKS OF KEATS STREET

(Full text in Ordinance Book BB page 19)

March 17, 1955

Mr. Gonzalez arrived at this time and the following ordinance was passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, Russell.

AN ORDINANCE 21,032

APPROPRIATING \$3,128.80 OUT OF THE 1954 SEWER REVENUE BOND FUND NO. 205, TO PAY IRVING S. SELIGMANN, CONSULTING ENGINEER, FOR WORK DONE IN CONNECTION WITH SEWAGE PLANT IMPROVEMENTS IN ACCORDANCE WITH CONTRACT

(Full text in Ordinance Book BB page 20)

Mr. Russell arrived at this time and the following ordinances and resolutions were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none.

AN ORDINANCE 21,033

ACCEPTING THE LOW BID OF THE FORD DEALERS COMBINED TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH ONE 3/4 TON TRUCK FOR A NET AMOUNT OF \$1,287.71

(Full text in Ordinance Book BB page 20)

AN ORDINANCE 21,034

ACCEPTING THE ATTACHED BIDS OF H. W. LEWIS EQUIPMENT COMPANY AND HI-WAY MACHINERY CO. TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH HYDRA-HAMMER AND ONE MOWER "IB" TRACTOR FOR A TOTAL OF \$6,897.50

(Full text in Ordinance Book BB Page 21)

AN ORDINANCE 21,035

AUTHORIZING THE CITY MANAGER TO REFUND AUTOMOBILE IMPOUNDING FEE OF JANUARY 19, 1955, IN THE AMOUNT OF \$5.00 TO DOCTOR A. J. BRIAR

(Full text in Ordinance Book BB page 21)

AN ORDINANCE 21,036

AUTHORIZING THE CITY MANAGER TO REFUND AUTOMOBILE IMPOUNDING FEE OF NOVEMBER 24, 1954 in THE AMOUNT OF \$5.00 TO CLEON LIGON, 2205 CROCKETT, AMARILLO, TEXAS

(Full text in Ordinance Book BB page 21)

AN ORDINANCE 21,037

APPROPRIATING \$5.00 OUT OF GENERAL FUNDS, ACCOUNT NUMBER 55-01-01, SETTLEMENTS AND REFUNDS, IN PAYMENT TO WILLIAM BENKE OF IMPOUNDING FEE IMPROPERLY ASSESSED AND PAID

(Full text in Ordinance Book BB page 22)

AN ORDINANCE 21,038

APPROPRIATING \$5.00 OUT OF GENERAL FUNDS, ACCOUNT NUMBER 55-01-01, IN PAYMENT TO FRED DELIN OF IMPOUNDING FEE IMPROPERLY ASSESSED AND PAID

(Full text in Ordinance Book BB page 22)

AN ORDINANCE 21,039

ACCEPTING THE ATTACHED BID OF J. ANDREW SMITH COMPANY TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH CERTAIN FILES FOR A TOTAL OF \$1,339.75

(Full text in Ordinance Book BB page 22)

March 17, 1955

AN ORDINANCE 21,040

GRANTING THE PETITION OF THE GENERAL CONFERENCE CORPORATION OF SEVENTH-DAY ADVENTISTS FOR EXEMPTION FROM CITY TAXES ON PROPERTY LOCATED IN NCB 1890

(Full text in Ordinance BB page 23)

AN ORDINANCE 21,041

GRANTING THE PETITION OF ALDERSGATE METHODIST CHURCH FOR EXEMPTION FROM CITY TAXES ON PROPERTY LOCATED IN NCB 3327

(Full text in Ordinance Book BB page 23)

AN ORDINANCE 21,042

GRANTING THE PETITION OF HIGHLAND PARK EVANGELICAL LUTHERAN CHURCH, INC., FOR EXEMPTION FROM CITY TAXES ON PROPERTY LOCATED IN NCB 3293

(Full text in Ordinance Book BB page 23)

AN ORDINANCE 21,043

GRANTING THE PETITION OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS FOR EXEMPTION FROM CITY TAXES ON PROPERTY LOCATED IN NCB 1889 .

(Full text in Ordinance Book BB page 24)

AN ORDINANCE 21,044

AUTHORIZING PAYMENT OF FEES INCORRECTLY EXACTED

(Full text in Ordinance Book BB page 24)

AN ORDINANCE 21,045

REFUNDING TO V. M. FUERRY FEE FOR BUILDING PERMIT NO. A-14781 IN THE SUM OF \$22.00 LESS \$2.50 MAKING A TOTAL OF \$19.50 AS PROVIDED BY ORDINANCE NO. 18,143

(Full text in Ordinance Book BB page 24)

AN ORDINANCE 21,046

REFUNDING TO BERNARD LUMBER COMPANY FEE FOR BUILDING PERMIT NO. A-9206 IN THE SUM OF \$13.00 LESS \$2.50 MAKING A TOTAL OF \$10.50, AS PROVIDED IN ORDINANCE NUMBER 18,143

(Full text in Ordinance Book BB page 25)

AN ORDINANCE 21,047

CHANGING THE NAMES OF CERTAIN STREETS LOCATED WITHIN THE CITY OF SAN ANTONIO

(Full text in Ordinance Book BB page 25)

AN ORDINANCE 21,048

ACCEPTING THE ATTACHED BIDS OF COKESBURY BOOK STORE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN BOOKS AS PER LISTS ATTACHED FOR A TOTAL OF \$3,740.15

(Full text in Ordinance Book BB page 28)

The following resolutions were passed and approved by the following vote:

AYES, Scherlen, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSTAINING, Oliver.

March 17, 1955

A RESOLUTION

AUTHORIZING AND DIRECTING THE CITY TAX ASSESSOR AND COLLECTOR TO CORRECT AND ADJUST THE CITY TAX ROLLS DUE TO CERTAIN ERRORS APPEARING IN THE ASSESSMENT OF PROPERTY OWNED BY CITY OF SAN ANTONIO (HELD FOR CITY WATER BOARD)

(Full text in Ordinance Book BB page 26)

Davis Manufacturing Company
 Dr. R. A. Goeth
 Morales Service Station
 F. G. Oppenheimer
 Morin M. Scott
 Walker Furniture Company

Leon Glasberg, Aurora Apt. Hotel
 Gibbs Building
 Nathan Properties, Inc.
 Paul T. Pfeiffer
 South Texas Enterprises, Inc.

The following resolution and ordinances were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez, NAYS, none.

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING OF A PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED ON NOMBER 3, 1938, BY CHANGING THE CLASSIFICATION DESCRIBED HEREIN
 CASE NO. 444, ELMENDORF AND GRAMERCY PLACE; CASE NO. 447, HARRY WURZBACH ROAD; HEARING TO BE HELD APRIL 7, 1955

AN ORDINANCE 21,049

REPEALING ORDINANCE NO. 20961, PASSED AND APPROVED FEBRUARY 10, 1955, AND VOIDING THE AGREEMENT CONNECTED THEREWITH

(Full text in Ordinance Book BB page 28)

AN ORDINANCE 21,050

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE OF THE PORTION OF HIGHWAY NO. U. S. 81 AND STATE HIGHWAY NO. 346 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS BETWEEN THE FOLLOWING LIMITS TO-WIT: U. S. HIGHWAY NO. 81 FROM PRESENT LOOP13 SOUTHWEST TO THE SOUTH CITY LIMITS AND STATE HIGHWAY NO. 346 FROM PROPOSED U. S. HIGHWAY 81 SOUTH TO THE SOUTH CITY LIMITS AS A FREEWAY AND AS A STREET, HEREINAFTER REFERRED TO AS "THE PROJECT" AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF SAID PROJECT AS A FREEWAY AND AS A STREET, AND DETERMINING THE LIABILITIES AND RESPONSIBILITIES OF THE CITY AND THE STATE OF TEXAS WITH REFERENCE THERETO; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE

(Full text in Ordinance Book BB page 29)

The following ordinance was passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett; NAYS, none; NOT VOTING, Gonzalez.

AN ORDINANCE 21,051

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY-OWNED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO FOR PUBLIC PURPOSES, TO-WIT: TO PROVIDE RIGHTS-OF-WAY FOR FREEWAYS TO BE CONSTRUCTED IN ACCORDANCE WITH CONTRACT NO. UI-1083(18), BY AND BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS HIGHWAY DEPARTMENT, AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION CONDEMNATION PROCEEDINGS FOR SO MUCH THEREOF AS CANNOT BE ACQUIRED BY PURCHASE

(Full text in Ordinance Book BB page 29)

The following ordinances were passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none.

AN ORDINANCE 21,052

ACCEPTING THE ATTACHED LOW BID OF PEASLEE-GAULBERT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO STINSON HOMES WITH TWENTY-FIVE APARTMENT SIZE RANGES FOR A TOTAL OF \$1,532.97

(Full text in Ordinance Book BB page 30)

AN ORDINANCE 21,053

AUTHORIZING THE REIMBURSEMENT OF W. W. PAYNE FOR EXPENSES INCURRED BY HIM IN RE A CITY SEWER MAIN OUT OF THE GENERAL FUND, CLAIMS AND REFUNDS

(Full text in Ordinance Book BB page 30)

The following ordinance was passed and approved by the following vote: AYES, Scherlen, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none; ABSTAINING, Oliver.

AN ORDINANCE 21,054

AUTHORIZING THE CONSTRUCTION OF EXTENSION OF SOUTHSIDE ARTERY FROM THELKA STREET TO SOUTH FLORES STREET AND APPROPRIATING THE NECESSARY FUNDS THEREFOR

(Full text in Ordinance Book BB page 31)

The following ordinance was passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, White, Lacy, Barrett, Gonzalez; NAYS, none.

AN ORDINANCE 21,055

APPOINTING OFFICERS OF ELECTION FOR APRIL 5, 1955

(Full text in Ordinance Book BB page 31)

The following letter from the City Clerk was read:

Honorable Mayor and Members of Council
City of San Antonio, Texas

Gentlemen:

The following petitions were received by this office and referred to Dr. George W. Rice, City Manager, for his recommendation or action.

- 3-7-55 Petition of Elmer E. Beard for The Reorganized Church of Jesus Christ of Latter Day Saints requesting tax exemption of Lot 4, NCB 7173.
- 3-8-55 Petition of Homer Shupp requesting the city to grade and gravel Gladstone Avenue, 300 to 1200 block.
- 3-8-55 Petition of Kelly Field Elementary School PTA to pave the 1000 block of Thompson Place from point where paving ends to intersection with school's paved driveway.
- 3-8-55 Petition of Charles H. Jackson, Jr., et al, requesting the city to repeal Ordinance No. 20,985 prohibiting parking on Mulberry Avenue and as an alternate proposal install electric traffic control signal light at intersection of Shook and Mulberry Avenue.
- 3-9-55 Petition of Fred F. Porter, et al, requesting the City to install an adequate sewage disposal line to service their property.

Yours very truly,

J. Frank Gallagher
City Clerk

March 17, 1955

Mr. Dillashaw moved that the Mayor be authorized to be absent from the city for one week on official business. The motion was unanimously approved.

Mayor Pro-tem Scherlen now presiding, Mayor White having left the meeting.

A hearing was called up at this time on the matter of a petition filed by the Old Texas Trail Drivers Association, the Texas Rangers Association and State Association of Texas Pioneers seeking to have an ordinance passed setting up certain bounds and restrictions regarding the use of the ground in Brackenridge Park between the Witte Museum Building and the Pioneers Building.

Mr. Rolla Taylor read the proposed ordinance and explained the situation.

Mr. Winston Martin, Director of Planning, was called on to clarify the situation.

After discussion, the matter was referred to the Planning Commission to consider and make recommendations by a unanimous vote.

Zoning Case #386 to rezone property on Highway 90 West was called up for a hearing.

Mr. Herman Knopp, Attorney for the petitioner, explained the background for the claim and stated the property was, by its very location, business property.

Mr. John Bayne, Attorney for a number of protestants, showed by maps and charts and aerial photographs what the rezoning would involve and by what manner others would be harmed.

After much discussion, the council voted to deny the petition as it applies to the south part of the tract involving what was platted formerly as separate lots and to approve the rezoning of the north triangle according to field notes which will describe the part to the north facing the highway. AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, Lacy, Barrett, Gonzalez; NAYS, none

Zoning Case No. 441 to rezone property at Hillcrest and Culebra was next called.

No one appearing to be heard, the council approved the recommendation of the Planning Commission by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Lacy, Barrett, Gonzalez; Disqualified, Russell; ABSENT, White.

The following ordinance was then introduced and passed by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Lacy, Barrett, Gonzalez; DISQUALIFIED, Russell; ABSENT, White.

AN ORDINANCE 21,056

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN CASE NO. 441: NCB 11410, HILLCREST AND CULEBRA AVENUE FROM "A" TEMP. RES. TO "F" LOCAL RETAIL

(Full text in Ordinance Book BB page 31)

Zoning Case No. 442 to rezone property at Military Highway and Bynum Street was next called. No one appearing to be heard, the recommendation of the Planning Commission was approved. AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, Lacy, Barrett, Gonzalez; NAYS, none; ABSENT, White.

The following ordinance was then introduced and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Russell, Lacy, Barrett, Gonzalez; ABSENT, White; NAYS, none.

AN ORDINANCE 21,057

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN CASE NO. 442, NCB 11257, 700 BLOCK OF BYNUM ROAD FROM "A" TEMP. RES. TO "H" LOCAL RETAIL

(Full text in Ordinance Book BB page 32)

The following report was then read by the Clerk:

San Antonio, Texas
March 14, 1955

To the Mayor and City Councilmen
City of San Antonio, Texas

Sirs:

We, your Committee, heretofore appointed by you to make study and report on the affairs of the Water Board of the City of San Antonio, respectfully state:

Paragraph 36 of the first mortgage deed of trust of the City of San Antonio to the St. Louis Union Trust Company, Trustee, provides as follows:

(36) The Mayor and City Commissioners shall have the right at any time to have the books and affairs of the Water Works System audited, and such audit to be done at the expense of said System, provided such auditing shall not be done more frequently than once in any two years.

We are informed that no audit has been made for the City of San Antonio within the past two years; and, therefore, one is now available to the City. We recommend the following:

1. That the Mayor and Councilmen immediately employ a certified public accountant to make a full and complete audit of the books and affairs of the Water Board, as contemplated above.
2. That said auditor be instructed and directed to make reports and certify to such facts in the progress of said audit as the Mayor and City Councilmen or each of them, may require.
3. That said audit be finished with all possible despatch and that multiple copies be filed with the City Clerk, Mayor, Councilmen and City Manager for public inspection and examination.

After we have been furnished with the above requested information, your Committee will then be in a position, from the facts disclosed, to make proper recommendation to the Mayor and Councilmen concerning said Water System.

Respectfully submitted,

/s/ C. W. Carroll
/s/ Herbert Oliver
/s/ Louis Le Flore
/s/ Gus B. Mauermann
/s/ Park Street

Mr. Carroll, the Chairman, then explained in detail, the necessity for an audit.

The following ordinance was then read and passed and approved by the following vote: AYES, Scherlen, Oliver, Rudeloff, Dillashaw, Lacy, Barrett; NAYS, none; DISQUALIFIED, Russell; ABSTAINING; Gonzalez; ABSENT, White.

March 17, 1955

AN ORDINANCE 21,058

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WALTER R. FLACK, CERTIFIED PUBLIC ACCOUNTANT, FOR A DETAILED AUDIT OF THE CITY WATER WORKS SYSTEM FOR THE PERIOD FROM MAY 1, 1925, TO DATE, AT THE EXPENSE OF SAID SYSTEM

(Full text in Ordinance Book BB page 32)

Mr. Karlton Halbert then appeared before the council and urged the passage of an ordinance requiring all council members to disclose complete figures annually of all their income. The matter was tabled for future consideration.

Mrs. Mary Jastrow appeared to protest her inability to obtain water facilities. She was referred to the Water Resources Board.

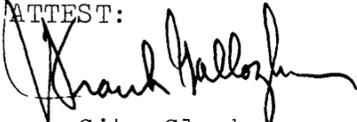
The Clerk read a letter from the San Antonio District Union of Holy Name Societies asking that a Proclamation be made for closing from 12:00 to 3:00 P.M. on Good Friday, April 8th. The Council voted unanimously to approve the proclamation and to allow all city employees up to three hours off duty on that day if they attended church during that time.

On motion of Mr. Lacy, seconded by Mr. Rudeloff, the meeting adjourned.

APPROVED:


MAYOR *Pro Tem*

ATTEST:


City Clerk