

REGULAR MEETING OF THE CITY COUNCIL
HELD IN THE COUNCIL CHAMBER OF THE CITY
HALL ON THURSDAY, JUNE 19, 1952 AT 10:00 A.M.

PRESENT: WHITE, LOZANO, SCHMIDT, KELLER, TUCKER, CASSIDY, STEVES

ABSENT: ROPER, GREEMAN

Mayor Steves presiding.

Invocation by Alvin E. Schmidt.

On motion of Mr. Lozano seconded by Mr. Schmidt the reading of the minutes of the previous meeting was dispensed with.

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The following ordinances were presented and were passed and approved by unanimous vote:

APPRO. NO. 1831 AN ORDINANCE 17,748
APPROPRIATING \$898.76 OUT OF THE "TRENCH MAINTENANCE FUND" TO PAY THURMAN BARRETT, JR., AND HARRY A. RAHE, FOR FURNISHING GRAVEL FOR MONTH OF MAY, 1952
(Full text in Ordinance Book X. page 615)

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APPRO. NO. 1832 AN ORDINANCE 17,749
APPROPRIATING \$49.60 OUT OF THE TRENCH MAINTENANCE FUND TO PAY JOSE TREVINO FOR HAULING GRAVEL FROM RAHE PIT TO SYLVIA STREET, IN ACCORDANCE WITH CONTRACT
(Full text in Ordinance Book X. page 615)

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APPRO. NO. 1833 AN ORDINANCE 17,750
APPROPRIATING \$3,400.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND TO PAY PAYROLLS DURING THE INTERIM PERIOD JUNE AND JULY, 1952
(Full text in Ordinance Book X. page 616)

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APPRO. NO. 1834 AN ORDINANCE 17,751
APPROPRIATING \$124.86 OUT OF THE PARK REVENUE BOND-1945 FUND TO PAY VARIOUS MERCHANTS FOR MISCELLANEOUS SUPPLIES AND SERVICES
(Full text in Ordinance Book X. page 616)

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APPRO. NO. 1835 AN ORDINANCE 17,752
APPROPRIATING \$62.43 OUT OF THE 1950 GENERAL FUND-PROCEEDS OF NOTES-POLICE DEPARTMENT TO PAY GRAYBAR ELECTRIC CO., INC. ADDITIONAL AMOUNT FOR TRAFFIC CONTROL CABLE, BEING INCREASE IN PRICE
(Full text in Ordinance Book X. page 616)

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APPRO. NO. 1836 AN ORDINANCE 17,753
APPROPRIATING \$150.20 OUT OF THE COMMERCE BUILDING FUND TO PAY OTIS ELEVATOR COMPANY FOR SERVICES DURING THE MONTH OF MAY, 1952
(Full text in Ordinance Book X. page 616)

APPRO. NO. 1837

AN ORDINANCE 17,754

APPROPRIATING \$4,178.59 OUT OF THE TRENCH MAINTENANCE
FUND TO PAY VARIOUS MERCHANTS FOR MISCELLANEOUS SUPPLIES

(Full text in Ordinance Book X. page 617)

APPRO. NO. 1838

AN ORDINANCE 17,755

APPROPRIATING \$133.59 OUT OF THE SANITARY SEWER PLANT
& SYSTEM A-47 FUND TO PAY VARIOUS MERCHANTS FOR
MISCELLANEOUS SUPPLIES AND SERVICES

(Full text in Ordinance Book X. page 617)

APPRO. NO. 1839

AN ORDINANCE 17,756

APPROPRIATING \$1,710.00 OUT OF THE STATE OR STATE-
AID HIGHWAYS BONDS A-49 FUND TO PAY JOHN E. ZELLER
3% COMMISSION ON RIGHT-OF-WAY PURCHASES FOR THE PERIOD
MARCH 31ST, 1952 THROUGH JUNE 3RD, 1952

(Full text in Ordinance Book X. page 617)

APPRO. NO. 1840

AN ORDINANCE 17,757

APPROPRIATING \$5,000.00 OUT OF THE TRENCH MAINTENANCE
FUND TO PAY UVALDE ROCK FOR ASPHALT

(Full text in Ordinance Book X. page 618)

APPRO. NO. 1841

AN ORDINANCE 17,758

APPROPRIATING \$49.46 OUT OF THE STATE OR STATE-AID
HIGHWAY BONDS A-49 FUND TO PAY VARIOUS FIRMS FOR
SERVICES

(Full text in Ordinance Book X. page 618)

APPRO. NO. 1842

AN ORDINANCE 17,759

APPROPRIATING \$1,870.97 OUT OF THE TRENCH MAINTENANCE
FUND TO PAY VARIOUS FIRMS FOR MISCELLANEOUS SUPPLIES
AND SERVICES

(Full text in Ordinance Book X. page 618)

APPRO. NO. 1843

AN ORDINANCE 17,760

APPROPRIATING \$846.34 OUT OF THE PARK REVENUE BOND-
1945 FUND TO PAY PER DIEM PAYROLL FOR THE PERIOD ENDING
MAY 31ST, 1952

(Full text in Ordinance Book X. page 618)

APPRO. NO. 1844

AN ORDINANCE 17,761

APPROPRIATING \$3,000.00 OUT OF THE ROBERT B. GREEN
MEMORIAL HOSPITAL FUND PAYABLE TO NATIONAL BANK OF
COMMERCE FOR INTEREST ON ROBERT B. GREEN MEMORIAL
HOSPITAL NOTES

(Full text in Ordinance Book X. page 619)

APPRO. NO. 1845

AN ORDINANCE 17,762

APPROPRIATING \$4.50 OUT OF THE STREET & BRIDGE A-49 FUND TO PAY ENGINEERS TESTING LABORATORY, INC. FOR PROFESSIONAL SERVICES

(Full text in Ordinance Book X. page 619)

APPRO. NO. 1846

AN ORDINANCE 17,763

APPROPRIATING \$167.63 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND TO PAY VARIOUS FIRMS FOR SUPPLIES AND SERVICES

(Full text in Ordinance Book X. page 619)

APPRO. NO. 1847

AN ORDINANCE 17,764

APPROPRIATING \$32.00 OUT OF THE CITY OF SAN ANTONIO RODENTCONTROL TRUST ACCOUNT TO PAY RODENT CONTROL REVOLVING FUND FOR 200 LBS. WARFERIN

(Full text in Ordinance Book X. page 620)

APPRO. NO. 1848

AN ORDINANCE 17,765

APPROPRIATING \$47.80 OUT OF THE PARK REVENUE BOND-1945 FUND TO PAY VARIOUS MERCHANTS FOR VARIOUS SUPPLIES AND SERVICES

(Full text in Ordinance Book X. page 620)

APPRO. NO. 1849

AN ORDINANCE 17,766

APPROPRIATING \$1.00 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY STEWART TITLE COMPANY RECORDING FEE ON PROPERTY PURCHASED BY THE CITY OF SAN ANTONIO

(Full text in Ordinance Book X. page 620)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,767

ACCEPTING THE PROPOSAL AND CREATING CONTRACT WITH J. H. BLACK FOR THE MOVING OF A CITY-OWNED HOUSE

(Full text in Ordinance Book X. page 620)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,768

EXTENDING TERM OF LEASE OF LAND OUT OF THE SEWER FARM PROPERTY TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR SOIL CONSERVATION NURSERY, TO 30TH JUNE, 1953

(Full text in Ordinance Book X. page 621)

June 19, 1952

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,769

ACCEPTING PROPOSAL, CREATING CONTRACT WITH MASTERTON DISTRIBUTING COMPANY TO FURNISH SWIMMING POOL BASKETS TO THE CITY OF SAN ANTONIO DEPARTMENT OF PARKS

(Full text in Ordinance Book X. page 621)

A letter from the City Manager was read recommending that the following ordinances be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,770

REPEALING ORDINANCE NO. 17~~66~~9, PASSED AND APPROVED THE 12TH DAY OF MAY, 1952 MAKING AND MANIFESTING A DEED TO GEORGE W. HOPPER CONVEYING PROPERTY OWNED BY THE CITY OF SAN ANTONIO IN CONSIDERATION OF THE SUM OF \$150.00

(Full text in Ordinance Book X. page 622)

AN ORDINANCE 17,771

MAKING AND MANIFESTING A DEED TO GEORGE W. HOPPER CONVEYING PROPERTY OWNED BY THE CITY OF SAN ANTONIO IN CONSIDERATION OF THE SUM OF \$150.00

(Full text in Ordinance Book X. page 622)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,772

ACCEPTING THE BID OF AAA HOUSE MOVERS TO MOVE BUILDING NO. 345 AND NO. 347 FROM STINSON FIELD, IN BEXAR COUNTY, TEXAS TO THE SAN ANTONIO MUNICIPAL AIRPORT FOR THE SUM OF \$5,481 PAYABLE OUT OF INTERIM, GENERAL - SAN ANTONIO MUNICIPAL AIRPORT

(Full text in Ordinance Book X. page 623)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,773

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE A REFUND OF \$13.00 TO THE BERNARD LUMBER CO. DUE TO BUILDING PERMIT BEING PURCHASED IN ERROR

(Full text in Ordinance Book X. page 623)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,774

AMENDING AN ORDINANCE PASSED AND APPROVED ON THE 3RD DAY OF NOVEMBER, 1938 ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND STRUCTURES: PER CENT OF LOT THAT MAY BE OCCUPIED: THE SIZE OF YARDS, COURTS AND OPEN SPACES: DENSITY OF POPULATION: LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES: DIVIDING THE CITY OF SAN ANTONIO INTO DISTRICTS, REGULATING AND RESTRICTING THE ERECTION, CONSTRUCTION, RE-CONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICT: PROVIDING THE UNIFORM REGULATIONS FOR CLASSES OR KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE RESTRICTED DISTRICT: ADOPTING ZONING MAP

DISCLOSING VARIOUS DISTRICTS, USE, AREAS, RESTRICTIONS, LIMITATIONS AND PROVISIONS APPLICABLE TO DISTRICTS AND AREAS: PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS THEREOF: TO RE-ZONE TRACTS A-1, 2, 3, AND C, OF NEW CITY BLOCK 8416 (Case #198); LOT 4, NEW CITY BLOCK 7637 (Case #199); LOT B, NEW CITY BLOCK 7184, (CASE #200); TRACT #1, O.C.L. 194, NEW CITY BLOCK A-34 (CASE #201). ANY PERSON WHO VIOLATES THIS ORDINANCE OR THE OWNER OF ANY BUILDING OR PREMISES OR PART THEREOF WHERE ANYTHING IN VIOLATION OF THIS ORDINANCE SHALL BE PLACED OR SHALL EXIST, AND ANY ARCHITECT, BUILDER, CONTRACTOR, AGENT, PERSON OR CORPORATION EMPLOYED IN CONNECTION THEREWITH, WHO MAY HAVE ASSISTED IN THE COMMISSION OF ANY SUCH VIOLATION SHALL BE GUILTY OF A SEPARATE OFFENSE AND UPON CONVICTION MAY BE FINED NOT MORE THAN \$100.00 AND EACH DAY SUCH VIOLATION EXISTS SHALL CONSTITUTE A SEPARATE OFFENSE. PASSED AND APPROVED 19 JUNE 1952

(Full text in Ordinance Book X. page 624)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,775

TRANSFERRING \$1,000.00 OUT OF THE 1951 GENERAL FUND-PROCEEDS OF NOTES ACCOUNT TO THE INTERIM PERIOD GENERAL FUND-SPECIAL INVESTIGATION ACCOUNT

(Full text in Ordinance Book X. page 624)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,776

DEFINING AND DECLARING ANY BUILDING OR USE OF ANY PREMISES IN VIOLATION OF THE ZONING ORDINANCES RELATING TO THE DISTRICT IN WHICH IT IS LOCATED A PUBLIC NUISANCE, WHERE THE ERECTION OR MAINTENANCE OF SUCH BUILDING OR THE USE OF THE PREMISES IS OF SUCH NATURE THAT CREATES A FIRE OR HEALTH MENACE OR INTERFERES WITH THE HEALTHY, QUIET, SAFE AND PEACEABLE ENJOYMENT OF THEIR HOMES BY CITIZENS LIVING IN THE VICINITY OF SUCH BUILDING OR PREMISES, AND GIVING TO THE BOARD OF ADJUSTMENT THE POWER TO HEAR AND DETERMINE THE FACTS IN EACH CASE; AND THE POWER TO ORDER THE ABATEMENT AND CESSATION OF SUCH NUISANCE

(Full text in Ordinance Book X. page 625)

A letter from the City Manager was read recommending that the following ordinances be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,777

AMENDING SEC. 1 OF "AN ORDINANCE ESTABLISHING A PARKS AND RECREATION BOARD, FIXING TERMS OF MEMBERSHIP THEREOF, AND REPEALING SECTION 2-10 OF THE SAN ANTONIO CITY CODE" PASSED AND APPROVED ON JUNE 5TH, 1952 BY INCREASING THE MEMBERSHIP OF SAID BOARD TO NINE (9) MEMBERS

(Full text in Ordinance Book X. page 625)

AN ORDINANCE 17,778

APPOINTING MEMBERS TO THE PARKS AND RECREATION BOARD

(Full text in Ordinance Book X. page 625)

A letter from the City Manager was read recommending that the following resolution be passed and the recommendation was approved by the Council.

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING ON JUNE 26, 1952 REGARDING PROPOSED STREET NAME CHANGES

June 19, 1952

A letter from the City Manager was read recommending that the following resolution be passed and the recommendation was approved by the Council.

A RESOLUTION

AUTHORIZING THE DIRECTOR OF FINANCE AND CONTROLLER
TO SIGN CHECKS AND WARRANTS FOR URBAN REDEVELOPMENT
EXPENDITURES

A letter from the City Manager was read recommending that the following resolution be passed and the recommendation was approved by the Council.

A RESOLUTION

AUTHORIZING THE CITY CLERK TO RECORD PETITIONS
AND FORWARD SAME TO THE CITY MANAGER AND PROVIDING
FOR A WEEKLY SUMMARY TO BE PRESENTED TO THE CITY
COUNCIL

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,779

GRANTING TO THE TEXAS AND NEW ORLEANS RAILROAD
COMPANY THE RIGHT AND PRIVILEGE OF CONSTRUCTING,
MAINTAINING AND OPERATING AN INDUSTRY RAILROAD SPUR
TRACK IN, UPON AND ALONG MACKENSEN STREET IN THE CITY
OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND PRESCRIBING
THE TERMS AND CONDITIONS OF SAID RIGHT AND PRIVILEGE

(Full text in Ordinance Book X. page 626)

A letter from the City Manager was read with regard to petition filed by Frank V. Garcia, et al, requesting sanitary sewer lines in the 400, 500 and 600 blocks of S. San Eduardo Street.

The petitioner was advised that funds were not available to provide such sewer service at this time.

A letter from the City Manager was read with regard to petition filed by Mr. and Mrs. Joe Charles, et al, requesting a sanitary sewer line in the 3600 block of S. Olive Street.

The petitioner was advised that funds were not available to provide such sewer service at this time.

A letter from the City Manager was read recommending approval of petition of Magnolia Petroleum Company for permission to install underground storage tanks at the southeast corner of Olmos and Fredericksburg Road and the recommendation was approved by the Council.

A letter from the City Manager was read with regard to letter from Alamo City Building Owners' and Managers' Association offering services in participating in various activities and developments . The association suggested that consideration be given to the appointment of some of their members to some of the committees or advisory panels having to do particularly with activities affecting properties that they represent.

A letter from the City Manager was read with regard to the budget showing the General Fund expenditures for the year 1952-53 from present known sources of income would be approximately \$10,857,200. and a tentative total of \$1,790,000.

A letter from the City Manager was read recommending that Mr. Joe Lucia, 405 DeWitt, be reimbursed a portion of his license fee in the amount of \$37.50 and the recommendation was approved by the City Council.

A letter from the City Manager was read recommending that the following ordinances be passed and the recommendation was approved by the Council.

AN ORDINANCE 17,780

(Increasing membership of the Board of Examiners and Appeals) AMENDING SEC. 12-1. BUILDING CODE - AMENDMENT NO. 1 OF THE SAN ANTONIO CITY CODE
(Full text in Ordinance Book X. page 626)

AN ORDINANCE 17,781

APPOINTING H. S. BROWN AND RIGDON TERRELL AS MEMBERS OF THE BOARD OF EXAMINERS AND APPEALS
(Full text in Ordinance Book X. page 627)

At this time Councilman White was obliged to leave the Council Chamber because of illness.

The following petitions were presented and were, upon motion, referred to the City Manager for his attention or recommendation.

The petition of Maria De Flores to improve Lorraine Place.

The petition of Sigmor Service Station for the approval of a location for filling station at 2100 E. Commerce Street.

The petition of Grace Lutheran Evangelical Church for exemption from city taxes at 615 E. Fifth Street.

The petition of Memorial Baptist Church for exemption from city taxes at 161 Beethoven Street.

Petition of Memorial Baptist Church for exemption from city taxes at 173 Beethoven Street.

Petition of Memorial Baptist Church for exemption from city taxes at NCB 7525 (vacant lot).

June 19, 1952

Petition of United Gospel Tabernacle for exemption from city taxes at 105 Sadie Street.
Petition of Wilder Kenon, et al, to open alley in NCB 6830.
A letter from the Transit Company was read with regard to proposed change of fare rates.

A hearing was set for this time on rezoning lots 1, 2, 3, 4, 5, & 6 - NCB 2773 which was recessed from the meeting of June 12th.

The Mayor called upon Mr. Maury Maverick, attorney for the petitioners, to state their case.

Mr. Maverick started his case by stating he had called upon Mr. Don Pickles, Mr. E. J. Slayman, Mr. W. O. Parker and Mr. C. A. Harrell to be present to testify. All responded being present.

Mr. Maverick stated in general terms the contention of his clients that the property involved is so traffic ridden and encroached upon by business that it is no longer suitable for residential purposes. He asked Mr. Pickles and Mr. Slayman if they had ever been excluded from meetings of the Planning & Zoning Commission. Both replied in the affirmative.

He asked Mr. Harrell if he did not recommend the change and zoning and if he was not still of the same opinion. Mr. Harrell read a letter written by him, recommending the change of January 17, 1952 and stated that he was still of the same opinion.

Mr. Maverick then called upon Mr. Parker, the Director of Planning, and questioned him closely upon reasons for the recommendation of the Board that the change be not allowed and also asked for his personal opinion in the matter.

At this stage in the proceedings, the City Attorney called the attention of the Mayor and Councilmen that to make the change in zoning over the objection of the Zoning Commission seven votes would be required and since only six members of the Council were present it was inadvisable to have any further testimony at this time.

Mr. Maverick agreed and asked for recess of the hearing until a better attendance of the Council could be obtained.

On Motion of Mr. Keller the hearing was recessed for one week.

Mr. Ed. A. Marceau, former Superintendent of Waste Collection for the City asked to be heard.

He asked the Council to reinstate the employment of five or six members of the department who had been fired from their jobs because they were accused of being ring-leaders of a strike which occurred in his department on Monday, June 16th.

His contention was that the men were only elected spokesmen and not instigators of the strike.

Heated discussion followed and a statement was made by Councilman Schmidt who emphatically denied any pre knowledge or connection with the strike and called upon Mr. Marceau as a witness.

Mr. Lozano, Mr. Keller, Mr. Tucker and Mr. Cassidy, all made statements and Mr. Lozano said the Council would be out of order if it interfered with the City Manager in an employment matter.

He moved that the Council remain silent in the matter.

Mr. Keller seconded the motion and it carried but the discussion continued.

Mr. Henry Koger, a citizen present in the Chamber, asked if the Manager and whoever was responsible for the discharge of the men would not reconsider. He was followed by Mr. Wallace Cook, another citizen, who proceeded to tell the Council how it should conduct itself in this and other matters.

Mr. Hardy read at length from the law governing strikes of public employees and declared that the men fired themselves and under the law the Civil Service Commission had no authority to hear complaints in the case. No further action was taken in the matter.

Mr. A. J. Hice, an employee who was discharged from his position because he draws a pension as a retired policeman, registered a bitter complaint and criticized the Council severely.

Mr. Harrell, City Manager, made response and explained the reasons for the discharge.

Dr. J. C. Granberry then addressed the Council and complimented them on their acts today and congratulated them.

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The City Manager then asked for permission to have some of the Department heads explain their requests for additional sums in their budget.

Mr. Gus Haycock, Director of Parks and Recreation, was called first and he gave the council a complete outline of his needs and wishes. He is allocated \$891,303 and is asking for \$250,000 additional.

Dr. Austin E. Hill, City Health Director, followed with a set of graphs and charts showing the workings and needs of the Health Department and why the budget should be materially increased.

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Mrs. Juanita McElroy then appeared to complain of mistreatment of her husband by the Police Department. The City Manager agreed to look into the matter.

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On motion of Mr. Keller seconded by Mr. Lozano the meeting was adjourned.

APPROVED

Sam Hill
M A Y O R

ATTEST:

Frank Malloy
City Clerk