

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER OF THE CITY HALL  
ON THURSDAY, MAY 19, 1955 AT 9:00 A.M.

PRESENT: FRIEDRICH, BAINES, CRUMRINE, WINTON, KUYKENDALL, OLIVARES, GONZALEZ

ABSENT: PASSUR, DANIELS

Invocation by Rev. Ralph Seiler, Aldersgate Methodist Church.

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

The following resolution and ordinances were passed and approved by the following vote: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, none; ABSENT, Passur, Daniels.

A RESOLUTION

APPOINTING AND DESIGNATING WALTER C. GUNSTREAM,  
DIRECTOR OF AVIATION, AS ACTING CITY MANAGER IN  
THE ABSENCE OF GEORGE W. RICE, M.D., CITY MANAGER,  
FOR THE PERIOD OF JUNE 1 TO JUNE 3, 1955

( Full text in Ordinance Book BB page 137)

AN ORDINANCE 21,234

APPROVING THE ESTABLISHMENT OF AN EMBALMING OR  
DEAD ROOM TO BE SITUATED IN N.C.B. 172 AT 521-523-525  
NORTH MAIN AVENUE AND 520-522-602 NORTH FLORES STREET,  
IN SAN ANTONIO, TEXAS

( Full text in Ordinance Book BB page 137)

AN ORDINANCE 21,235

APPROVING THE LOCATION OF LOOP 13 HIGHWAY IN THE CITY OF  
SAN ANTONIO, FROM THE EAST CITY LIMITS NEAR THE W. W. WHITE  
ROAD AT ITS JUNCTION WITH RITTIMAN LANE NORTHWEST AND NORTH  
TO PROPOSED U.S. HIGHWAY 81 EAST OF FORT SAM HOUSTON 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 137)

The following ordinance was passed and approved by the following vote: AYES,  
Friedrich, Baines, Crumrine, Kuykendall, Olivares, Gonzalez; NAYS, none; NOT VOTING,  
Winton; ABSENT, Passur, Daniels.

AN ORDINANCE 21,236

ACCEPTING THE ATTACHED BID OF GILLESPIE MOTOR  
COMPANY AND JORDAN MOTOR COMPANY TO FURNISH THE  
CITY OF SAN ANTONIO POLICE DEPARTMENT WITH TWENTY  
EIGHT MOTOR VEHICLES, LESS TRADE-INS NET \$38,881.87

( Full text in Ordinance Book BB page 138)

May 19, 1955

The following ordinances and resolutions were passed and approved by the following vote: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, none; ABSENT, Passur, Daniels.

## AN ORDINANCE 21,237

AUTHORIZING THE CITY MANAGER TO PAY MR. AND MRS. GREYDON L. BUCK \$30.00 FOR WATER DAMAGE TO FURNITURE LOCATED AT 111 BUTO, STINSON HOMES AND APPROPRIATING THE SUM OF \$30.00 OUT OF GENERAL FUND ACCOUNT NUMBER 55-01-01 IN PAYMENT OF SAID CLAIM

( Full text in Ordinance Book BB page 138)

## AN ORDINANCE 21,238

GRANTING THE PETITION OF THE SAN ANTONIO ORDER OF EASTERN STAR CHARITY ASSOCIATION FOR EXEMPTION FROM CITY TAXES ON PROPERTY LOCATED IN NCB 562

( Full text in Ordinance Book BB page 138)

## AN ORDINANCE 21,239

AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT TO CLAUDE ANIOL AND ASSOCIATES FOR CIVIC ADVERTISING IN THE AMOUNT OF \$5,366.59

( Full text in Ordinance Book BB page 139)

## AN ORDINANCE 21,240

REFUNDING \$12.00 TO MANUEL DURAN PAID FOR SEWER SERVICE

( Full text in Ordinance Book BB page 139)

## AN ORDINANCE 21,241

AUTHORIZING THE PAYMENT OF \$4,064.56 OUT OF SPUR 247 FUND ACCOUNT NO. 7-41, TO TEXAS AND NEW ORLEANS RAILROAD COMPANY AND BEING \$3,593.58, CONTRACT AUDIT NO. 45803, AND \$460.98, CONTRACT AUDIT NO. 45802

( Full text in Ordinance Book BB page 139)

## AN ORDINANCE 21,242

ACCEPTING THE DEED OF BERT E. WILCUT CONVEYING TO THE CITY OF SAN ANTONIO A PORTION OF LOT 17, BLOCK 21, N.C.B. 7672, AUTHORIZING THE CITY MANAGER OF THE CITY TO EXECUTE A DEED CONVEYING TO SAID BERT E. WILCUT A TRACT OF RECLAIMED RIVER BED ADJACENT TO SAID LOT 17, AND AUTHORIZING THE PAYMENT OF \$500.00 TO SAID BERT E. WILCUT FOR THE DIFFERENCE IN EXCHANGE OF PROPERTIES

( Full text in Ordinance Book BB page 140)

## AN ORDINANCE 21,243

ACCEPTING A DEED FROM E. P. CROCKER AND WIFE, NONA MAE CROCKER, AND LEROY E. CROCKER AND WIFE, POLLY CROCKER, CONVEYING TO THE CITY OF SAN ANTONIO A PORTION OF THE EAST 129 FEET OF LOT 12, N.C.B. 7672, AUTHORIZING THE PAYMENT OF \$1.00 TO BE USED IN PART PAYMENT OF SAID LAND SO CONVEYED, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER TO THE NAMED PARTIES A DEED CONVEYING A TRACT OF LAND RECLAIMED FROM THE RIVER CHANNEL ADJACENT TO THE EAST SIDE OF SAID LOT 12

( Full text in Ordinance Book BB page 140)

A RESOLUTION

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO CORRECT AND ADJUST CERTAIN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW

( Full text in Ordinance Book BB page 141)

E. O. and Juanita Allen	Allena Village Impt. Company (6 Corrections)
Rene A. Baeten	Addie Baughcom
Sam and Vera Bassett	John A. Bertetti
Joe Martinez and Lazoro & Maria F. Carrizal	Pete P. Catalani
James T. Jr., & Apolonia M. Dawson (2 Corrections)	Henry B. Dielmann
Elvira De La Rosa	Lloyd Denton (Sam & Mary Goldsmith)
Hazel M. DuBose	R. B. Fairchild
C. W. Fenstermaker	First American Life Ins. Co.
Jules and Floy Fontaine	Minnie Schmidt Fredeck
Genero & Andrea Garcia (? Corrections)	Thomas A. & Mary L. Gaither
Byrd Goldie	Joe and Mary Gutierrez
Mrs. J. A. Hatch (Geo. M. Holmes, Dec'd)	Franklin E. & Gertrude Hewitt (2 Corrections)
S. L. Ives	L. S. Karren
King of Clubs	W. C. King
Raleigh E. & Dorothy L. Kinsala	Marvin & Mary Koehler
Ellen Lochte	W. W. McAllister, Jr.
Vienna & Augusta Maverick	Jean Cowden Milburn
Agnes Morris	B. W. & Jacque Newsom
Robert A. & Dora G. Nolen	Theo P. Otterstetter
Patio Foods, Inc.	Wm. Wallace & Kathleen Payne (2 Corrections)
Severin & Mathilda Persyn	C. C. Ridgeway
Simona Rodriguez	S. A. Portland Cement Co.
Schmeltzer Estates	Marie Schumann
L. M. Shaw	Sinclair Pipe Line Co.
Rupert and Anita Sprout	Matilda & Wilson Thomson
Otto Trenkle	Doland Van Der Brugen
West Side State Bank	

AN ORDINANCE 21,244

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF MR. & MRS. JOHN C. WEBBLES AT 117 IVY LANE

( Full text in Ordinance Book BB page 147)

The following ordinance was passed and approved by the following vote: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares; NAYS, none; NOT VOTING, Gonzalez; ABSENT, Passur, Daniels.

AN ORDINANCE 21,245

ACCEPTING THE BID OF H. B. ZACHRY, IN THE SUM OF \$373,776.40 FOR MAKING SEWAGE PLANT IMPROVEMENTS, AND AUTHORIZING THE PAYMENT OF \$373,776.40 OUT OF SEWER REVENUE BOND 1954 FUND TO H. B. ZACHRY COMPANY TO BE PAID IN ACCORDANCE WITH A CONTRACT TO BE EXECUTED BETWEEN THE CITY OF SAN ANTONIO AND H. B. ZACHRY COMPANY EMBRACING THE TERMS, CONDITIONS AND SPECIFICATIONS OF THE BID PROPOSAL FOR SUCH IMPROVEMENTS ON FILE IN THE CITY CLERK'S OFFICE  
( Full text in Ordinance Book BB page 148)

May 19, 1955

The following ordinance was passed and approved by the following vote: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, none; ABSENT, Passur, Daniels.

## AN ORDINANCE 21,246

ACCEPTING A DEED FROM MRS. H. G. VILLANUEVA, A WIDOW, CONVEYING TO THE CITY OF SAN ANTONIO THE NORTH PART OF LOT 4, BLOCK 2, N.C.B. 3382, AND AUTHORIZING THE PAYMENT OF \$635.50 FOR SAID LAND

( Full text in Ordinance Book BB page 148)

The following resolution was passed and approved by the following vote: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, none; ABSENT, Passur, Daniels.

## 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 NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION DESCRIBED HEREIN: CASE NO. 478, LOTS 10 THRU 12, NCB 8410, AND N.E. 191.22' OF LOTS 11 AND 12, NCB 8409; CASE NO. 493, LOTS 7, 8, 9, 10, 11 AND 12, BLOCK 44, NCB 10725; CASE NO. 496, LOT 29, BLOCK B, NCB 10110; CASE NO. 494, TRACT "P", N.C.B. 12174 (HEARING TO BE JUNE 9, 1955)

The following resolution was passed and approved by the following vote: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, none; ABSENT, Passur, Daniels.

## A RESOLUTION

CONCERNING ACCESS TO MCMULLEN DRIVE AT THE OLD CASTROVILLE ROAD PERMITTED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO IN VIOLATION OF THE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS STATE HIGHWAY DEPARTMENT

( Full text in Ordinance Book BB page 149)

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.

- 5-9-55 Petition of Edgar G. Tobin Foundation requesting tax exemption of property at 217 King William Street.
- 5-9-55 Petition of The Missionary Servants of Christ the Master and St. Anthony requesting tax exemption of property located off Broadway at Nottingham Place, next to the Portland Cement Company.
- 5-10-55 Petition of Mrs. Frank A. Riley regarding the dangerous traffic condition existing at the intersection of Manor Drive and Donaldson Avenue.
- 5-10-55 Petition of Dewey English, et al, requesting that Atlas Street be extended from its dead end at Sanborn Street to Blackwood Drive.
- 5-11-55 Petition of Joe Barvin proposing a procedure for the sanitary removal of small dead animals.
- 5-11-55 Petition of Most Rev. Robert E. Lucey for tax exemption of property located at 912 Ruiz Street at San Jacinto.
- 5-11-55 Petition of Lloyd A. Denton, et al, requesting that steps be taken to remedy the nuisance dust created from the San Antonio Portland Cement Factory on Jones Maltsberger Rd.
- 5-12-55 Petition of Susan B. Elliott, et al, requesting installation of a traffic signal light at Furnish Avenue and Nogalitos.
- 5-13-55 Petition of Houston Terrace Baptist Church requesting tax exemption of property at 157-175 Schumacher Road.

5-13-55 Petition of E. O. Reed requesting the City to grade and roll Grant Avenue beginning at Olmos Drive and extending north, and that police be dispatched to apprehend traffic violators on this street.

Yours very truly,

J. Frank Gallagher  
City Clerk

A hearing was next called on the petition of Mrs. Herman Sens to operate a Child Care Center at 1004 Edison Drive. Mr. John Goode, Attorney for the petitioner, explained the reason for the petition stating that his client was allowed under present regulations to care for six children but if seven or more were enrolled, over \$2000. worth of structural alterations in the building would be required under the existing Building Code.

After discussion by the Planning Director and the Council members, the council referred the matter to the City Attorney for an opinion as to its authority to grant the right to violate the code and to the Board of Examiners and Appeals for a study of the matter for the future.

Zoning Case #479 to rezone property in the 100 block of El Mio Drive and Breeden Drive from "B" Res. to "J" Commercial was next called up for a hearing. Mr. Solomon Casseb, Jr., Attorney for Mr. Jack Thurman, the petitioner, asked the council to override the recommendation made by the Planning Commission which would deny the petition, but to grant the petition and zoning change instead. He stated that the property was low lying creek beds and not fit for residences and that FHA would not approve it for a subdivision.

Mr. Leslie Necker, 119 Ave Maria Drive, for the Shearer Hills property owners association, protested the change as being unwarranted and detrimental. Other Shearer Hills residents also gave their objections after which, on motion of Mr. Winton, seconded by Mr. Olivares, the council approved the recommendation of the Planning Commission to deny the petition.

Messrs. Haas & Haynie, represented by their Attorney, Mr. Samuel J. Nunn and Mr. Al Klein, having asked of the council through the City Manager for an extension of 90 days additional time under their contract to present plans for a parking garage under Main Plaza, were allowed to be heard. Mr. Nunn explained that unforeseen circumstances had confronted them in securing their complete financing plan and drafting of plans and specifications. He stated they were working hard on the matter and would need this time. Mr. Klein also appeared. Mr. Olivares moved that the requested extension be granted. Mr. Winton seconded the motion. Before a vote was taken, Mr. Gonzalez voiced his objections to the original contract which he deemed illegal and expressed the fear that a favorable vote on the granting of the extension would serve to validate the contract. He asked the City Attorney a long series of questions regarding various possibilities if the extension were granted, after which he suggested that the motion be changed to ten days or two weeks extension. No one agreeing to the change, the following ordinance was read by the Clerk.

May 19, 1955

## AN ORDINANCE 21,247

SUPPLEMENTING ORDINANCE NO. 20,992, MAKING A  
LEASE BETWEEN THE CITY OF SAN ANTONIO AND HAAS  
AND HAYNIE, A CO-PARTNERSHIP

( Full text in Ordinance Book BB page 148)

On adoption of the ordinance, the vote was as follows: AYES, Friedrich, Baines, Crumrine, Winton, Kuykendall, Olivares; NAYS, Gonzalez; ABSENT, Passur and Daniels. Mr. Baines asked that the Clerk note on the record of the vote that he questions the validity of the original ordinance and does not, by his vote, approve of same but votes "Aye" simply on the extension of time for presenting plans and pending legal determination.

Mr. Krysten Bredvad addressed the council on the matter of traffic safety.

Mr. William Huth presented a resolution by the Southeast Taxpayers League making recommendations to the City Council and asking for facilities and services. He also presented a plan for future developments in that area and for tax assessing.

On motion of Mr. Baines, seconded by Mr. Olivares, the meeting adjourned.

APPROVED:

*John Kuykendall*  
MAYOR

ATTEST:

*Paul Ballagh*  
City Clerk