

July 22, 1954

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN THE
COUNCIL CHAMBER OF THE CITY HALL ON
THURSDAY, JULY 22, 1954 AT 10:00 A.M.

PRESENT: SCHERLEN, STEVENS, SHEARER, A. C. WHITE, R. N. WHITE, EASLEY, LESTER,
GONZALEZ

ABSENT: RUSSELL

Mayor Pro-tem R. L. Lester presiding.

Invocation by Rev. Dan Horton, West Avenue Church of the Nazarene

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

The Mayor Pro-tem then received Mrs. Preston Dial who introduced Mr. Athanoseus Delikostopolous, an honor student from Greece who as an exchange student sent by the King of Greece has made an honorable record as a student at Trinity University. The Mayor pro-tem, on behalf of the City, presented Mr. Delikostopolous a scroll as Alcalde of La Villita and also presented him with a La Villita Plate.

The following ordinance was passed and approved by the following vote:
Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez.
Nays, none; Absent, Russell.

AN ORDINANCE 20,397

AMENDING SEC. 60-41, PAR. I, AS AMENDED FEBRUARY 25, 1954, AND APRIL 15, 1954 OF THE SAN ANTONIO CITY CODE; ESTABLISHING OFFICIAL ELECTRIC TRAFFIC CONTROL SIGNAL LOCATIONS; REGULATING VEHICULAR AND PEDESTRIAN TRAFFIC IN CONFORMANCE WITH SUCH SIGNALS; BY ADDING AND INCLUDING OTHER ELECTRIC TRAFFIC CONTROL SIGNAL LOCATIONS AND PROVIDING A MAXIMUM PENALTY OF \$200.00 FOR VIOLATIONS THEREOF

(Full text in Ordinance Book AA page 165)

The following ordinance was passed and approved by the following vote:
Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez
Nays, none; Absent, Russell.

AN ORDINANCE 20,398

APPROPRIATING \$5.00 OUT OF 1953 GENERAL FUND-ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN REFUND TO BILL DANIEL, OF LIBERTY, TEXAS, OF IMPOUNDING FEE IMPROPERLY COLLECTED

(Full text in Ordinance Book AA page 165)

The following ordinance was passed and approved by the following vote:
Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez;
Nays, none; Absent, Russell.

AN ORDINANCE 20,399

AMENDING CHAPTER 60, SECTION 47, OF THE SAN ANTONIO CITY CODE BY ADDING A NEW PARAGRAPH DESIGNATED AS SECTION 60-47, PARAGRAPH 11, ENTITLED "SPEED LIMITS OTHER THAN THIRTY (30) MILES PER HOUR", WHICH ESTABLISHES THE REASONABLE, SAFE AND PRUDENT SPEED LIMITS UPON STREETS WITHIN THE CITY OTHER THAN THIRTY (30) MILES PER HOUR

(Full text in Ordinance Book AA page 166)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,400

ACCEPTING THE ATTACHED LOW BIDS OF VARIOUS VENDORS AS LISTED TO FURNISH THE CITY OF SAN ANTONIO INTERNATIONAL AIRPORT WITH BUILDING MATERIALS FOR GARAGES IN THE AMOUNT OF \$3,115.02

(Full text in Ordinance Book AA page 166)

THE following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,401

ACCEPTING THE ATTACHED LOW BID OF COKESBURY BOOK STORE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CERTAIN BOOKS AS PER LIST FOR A TOTAL OF \$1,032.15

(Full text in Ordinance Book AA page 167)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,402

ACCEPTING A DEED FROM H. E. NICHOLSON AND WIFE, FLORENCE NICHOLSON, CONVEYING TO THE CITY OF SAN ANTONIO 3.77 ACRES OF LAND OUT OF WM. SMALL SURVEY NO. 26, AND MISSION SAN JUAN LANDS AND APPROPRIATING THE SUM OF \$3,016.00 TO PAY FOR SAME

(Full text in Ordinance Book AA page 167)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer; A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,403

ACCEPTING A DEED FROM MARIANO GUERRERO AND WIFE, POLICARPIA GUERRERO, WHICH CONVEYS TO THE CITY OF SAN ANTONIO 0.53 ACRE OF LAND IN WM. HERBERT SURVEY NO. 150 AND APPROPRIATING THE SUM OF \$730.00 TO PAY FOR SAME

(Full text in Ordinance Book AA page 167)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,404

APPROPRIATING \$25.50 OUT OF THE 1953 GENERAL FUND-ACCOUNT NO. 56-02-02, CLAIMS AND REFUNDS, IN PAYMENT TO LLOYD A. DENTON OF REFUND OF BUILDING PERMIT FEE, ON BUILDING PERMIT NO. 11,357 UNUSED

(Full text in Ordinance Book AA page 168)

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The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,405

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. 378, 300 BLOCK OF WEST CRAIG)

(Full text in Ordinance Book AA page 168)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,406

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 287 SOUTH SIDE OF BASSE ROAD, BETWEEN BLANCO AND SAN PEDRO, NCB 7252, 7239)

(Full text in Ordinance Book AA page 168)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,407

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. 379, NCB 3900, NORTH SIDE OF BAYLOR STREET BETWEEN NOGALITOS AVE AND EDWARDS ST.)

(Full text in Ordinance Book AA page 169)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,408

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. 380, NCB 10,374)

(Full text in Ordinance Book AA page 169)

The following ordinance was passed and approved by the following vote: Ayes, Scherlen, Stevens, Shearer, A. C. White, R. N. White, Easley, Lester, Gonzalez; Nays, none; Absent, Russell.

AN ORDINANCE 20,409

AMENDING SUB-SECTION 8 OF SECTION 64-32 OF THE SAN ANTONIO CITY CODE, PERTAINING TO ZONING REGULATIONS AND AUTHORIZING CERTAIN HOME OCCUPATIONS

(Full text in Ordinance Book AA page 170)

The above ordinance was passed after a hearing was called on an amendment to the zoning ordinance, Sec. 4, Par. 6 Subparagraph (8) which will permit home occupation of telephone secretarial service. No one appearing to be heard, the recommendation of the Planning Commission was approved by the above vote, on motion of R. N. White, seconded by Mrs. Stevens.

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 Mr. Ralph H. Winton, City Manager, for his recommendation or action.

- 7-14-54 Petition of Patton Heights Church of Christ requesting tax exemption of part of Tract 7, Block 102 in Mayfield Park, located at 900 Gillette.
- 7-14-54 Petition of Lloyd A. Denton for refund of \$28.00 paid for Building Permit No11357.
- 7-14-54 Petition of Eugene Williams et al for abatement of public nuisance created by the Silver Slipper Nightclub located at 506 S. Gevers Street.
- 7-15-54 Petition of S. L. Montgomery for withdrawal of petition previously filed for transfer of 4 taxicab permits to Herbert Williams.
- 7-15-54 Petition of Merritt E Wright for annexation of Lots 9 through 21, Block 5, N.C.B. 10318.
- 7-19-54 Petition of General Conference Corporation of Seventh day Adventists requesting tax exemption of Lots 1, 2, 9 and 10, Block 10, N.C.B. 1890.
- 7-19-54 Petition of Community Chest-Welfare Council Committee for creation of joint City-County public assistance program and requesting a public hearing on the question.
- 7-19-54 Petition of S. L. Montgomery & Alamo Cab Co. for approval of transfer of 4 taxicab permits from S. L. Montgomery to Alamo Cab Co.

Yours very truly,

J. Frank Gallagher
City Clerk

The City Clerk read to the Council, the following telegram just received by him.

HONORABLE MEMBERS
CITY COUNCIL
CITY HALL
SAN ANTONIO, TEXAS

UNLESS SUPREME COURT DECISION IS REQUISET TO CLEARANCE ON SALE OF FREEWAY BONDS WHY DELAY PURCHASES OF LAND AND CONSTRUCTION BY FURTHER EXPENSIVE LITIGATION ON DEANNEXATION HARDY HAS ALREADY DELIVERED TWO BLACK EYES WHY INVITE ANOTHER.

CHARLES W. CARROLL

Zoning Case #381 was next called to be heard. The recommendation of the Planning Commission is to rezone property on Mission Road from "B" Residence to "J" Commercial being Arb A16, NCB A20. No one appearing, Mr. R. N. White, seconded by Mr. Easley, moved to approve the recommendation of the Planning Commission and to rezone. The motion carried by Aye vote of the eight members present. Russell, absent.

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Mr. William K. Huth, a plaintiff in a suit against the City for the voiding of tax assessments in the deannexed area of the city was next heard. He called on the council to advertise the results of a decision of the District Court and to advise the people affected how to proceed about re-assessing. The council referred the matter to the City Attorney with power to act.

Mr. R. N. White stated that he was informed that the Court of Civil Appeals decided against the City in the De-annexation suit. He moved that the City Attorney be instructed to carry the case to the Supreme Court. The motion unanimously carried.

Next was called up a petition of Roy Akers for a permit to open an embalming room in connection with an undertaking business at S. St. Marys and King William St. Mr. L. W. Schlesinger, Attorney for Mr. Akers explained the nature of the petition and the necessity for council action. He claimed his client had been told that the area involved was zoned so that such a business could be established. He was not aware of a conflicting law which put such business in a special category. Mr. Akers then addressed the council, showed his architects drawings, plot plan, etc. He also answered many questions by councilmen.

Mr. Henry Dielman, Attorney for 94 property owners in the vicinity, then appeared asking that the permit be not granted and that the historic area be preserved. He also pointed out that the area on the plot plan, which was to be used for parking cars, is in a residential zone and cannot be so utilized.

Mr. Ernest Clemens, Attorney, next appeared in protest after which the council informed the other protesting parties that it would be obliged to adjourn and hear them at a later date. Mr. R. N. White, seconded by Mr. Scherlen, moved that the hearing be continued Thursday, July 29, 1954. The meeting then adjourned.

APPROVED:



MAYOR PRO-TEM

ATTEST:



City Clerk

ADDENDUM

The Council was presented with a plan and proposition by Matthews & Kenan regarding the overpass bridge at N. New Braunfels Avenue and the T & NO RR tracks. The proposal made to Mr. Winton, City Manager, was discussed fully and action was deferred for one week pending a written opinion of the City Attorney.

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Mr. Wallace Payne, a Bond Broker, appeared before the council with a proposal to get up a prospectus and brochure to show up the advantages of the City and its finances in an endeavor to get the credit rating of the City improved for bond sales purposes. the matter was thoroughlydiscussed but any definite action was deferred one week.

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