

October 23, 1952

REGULAR MEETING OF THE CITY COUNCIL
HELD IN THE COUNCIL CHAMBER OF THE CITY
HALL ON THURSDAY, OCTOBER 23, 1952
AT 9:00 A.M.

PRESENT: WHITE, LOZANO, SCHMIDT, KELLER, SPIVEY, GERHARDT, CASSIDY, GREEMAN, STEVES
Mayor Steves presiding.

Invocation by Rev. M. K. Blackmon, Faith Lutheran Church

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

The following ordinance was presented and was passed and approved by
unanimous vote:

AN ORDINANCE 18,434

AN ORDINANCE AMENDING AN ORDINANCE PASSED AND APPROVED NOVEMBER 3, 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 OTHER PROVISIONS APPLICABLE TO DISTRICTS AND AREAS; PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS THEREOF; TO RE-ZONE FROM "E" APARTMENT TO "G" LOCAL RETAIL AS FOLLOWS: PART OF LOT 6, ALL OF LOT 7, ALL OF LOT 8, N.C.B. 6144, LOT 8 AND LOT 8A, N.C.B. 6145, AND ALL OF LOT 27, N.C.B. 6570. 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, AGENTS, 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 18, DECEMBER, 1951.

(Full text in Ordinance Book Y. page 225)

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

AN ORDINANCE 18,435

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF PHILIP J. SHERIDAN AT 815 WILTSHIRE

(Full text in Ordinance Book Y. page 225)

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

APPRO. NO. 1917

AN ORDINANCE 18,436

APPROPRIATING \$8,523.65 OUT OF THE TRENCH MAINTENANCE FUND TO PAY COLGLAZIER & HOFF, INC. FOR BASE MATERIAL FOR THE MONTHS OF JULY AND AUGUST, 1952

(Full text in Ordinance Book Y. page 226)

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

APPRO. NO. 1918

AN ORDINANCE 18,437

APPROPRIATING \$850. OUT OF THE PARK SALES FUND TO BE USED IN THE PURCHASE OF LOTS 25 AND 26 NEW CITY BLOCK 6043 IN BEXAR COUNTY, TEXAS AND WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, TEXAS

(Full text in Ordinance Book Y. page 226)

The following resolution was read before the above ordinance.

A RESOLUTION

AUTHORIZING THE PURCHASE OF LOTS 25 AND 26 IN NEW CITY BLOCK 6043 IN SAN ANTONIO, BEXAR COUNTY, TEXAS FOR PARK PURPOSES

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

AN ORDINANCE 18,438

ACCEPTING THE ATTACHED BID OF THE VENDORS LISTED TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PARKS AND RECREATION WITH CERTAIN ITEMS OF POWER MOWING EQUIPMENT AS LISTED FOR A TOTAL OF \$4,767.70

(Full text in Ordinance Book Y. page 226)

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

AN ORDINANCE 18,439

ACCEPTING THE ATTACHED BID OF O'KRENT FLOOR COVERING COMPANY TO FURNISH 405 SQUARE YARDS LINOLEUM FOR THE MUNICIPAL AIRPORT AT A PRICE OF \$1324.35

(Full text in Ordinance Book Y. page 227)

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

AN ORDINANCE 18,440

ACCEPTING THE ATTACHED BID OF HOBBS MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PARKS AND RECREATION WITH ONE HOLMES-OWEN LOADER FOR A PRICE OF \$1850.00

(Full text in Ordinance Book Y. page 227)

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

AN ORDINANCE 18,441

ACCEPTING THE ATTACHED BID OF FLEXIBLE SEWER-ROD EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PUBLIC WORKS WITH TWO FLEXIBLE POWER DRIVES AND RODS FOR A TOTAL OF \$3370.90

(Full text in Ordinance Book Y. page 228)

October 23, 1952

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

AN ORDINANCE 18,442

ACCEPTING BID OF LOUIS RUBIOLA TO PURCHASE IMPROVEMENTS ON CITY-OWNED PROPERTY AT 814 N. MAIN AVENUE, AND MAKING BILL OF SALE THEREFOR

(Full text in Ordinance Book Y. page 228)

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

AN ORDINANCE 18,443

DECLARING THE EXISTENCE OF WEEDS ON CERTAIN DESIGNATED LOTS IN THE CITY TO BE A NUISANCE AND ORDERING THE CITY MANAGER TO ABATE THE NUISANCE AND ASSESS THE COST OF SAID ABATEMENT AGAINST THE PROPERTY OWNERS OF SAID LOTS

(Full text in Ordinance Book Y. page 229)

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

AN ORDINANCE 18,444

FIXING PERCENTAGE OF A GROSS RECEIPTS CHARGE ON THE YELLOW CAB COMPANY, THE AIRLINES DESIGNATED CARRIER TO AND FROM THE MUNICIPAL AIRPORT, AS OF OCTOBER 16, 1952, DATE OF THE IMPOSITION OF PROVISIONS OF ARTICLE VIII AIRLINES CONTRACTS AGAINST SAID GROUND CARRIER

(Full text in Ordinance Book Y. page 230)

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

AN ORDINANCE 18,445

AMENDING AN ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL ON THE 28TH DAY OF FEBRUARY A. D. 1952 AND ENTITLED "AN ORDINANCE PROHIBITING THE INVASION AND DISTURBANCE OF THE PRIVACY OF HOMES PROVIDING A PENALTY AND DECLARING AN EMERGENCY

(Full text in Ordinance Book y. page 231)

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

AN ORDINANCE 18,446

ACCEPTING THE ATTACHED BID OF DULANEY SERVICE COMPANY TO FURNISH THE CITY OF SAN ANTONIO, DEPARTMENT OF PUBLIC WORKS WITH ONE MOTOR GRADER FOR \$11,479.20, AND REPEALING ORDINANCE NO. 18403, PASSED AND APPROVED OCTOBER 9, 1952

(Full text in Ordinance Book Y. page 231)

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

AN ORDINANCE 18,446-A

ACCEPTING A DEED FROM G. S. MCCRELESS TO THE CITY OF SAN ANTONIO CONVEYING A STRIP AND PARCEL OF LAND 16 FEET IN WIDTH AND 277.95 FEET IN LENGTH OFF THE SOUTHERN EXTREME OF N.C.B. 7587 IN SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book Y. page 231)

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

AN ORDINANCE 18,447

AUTHORIZING THE CITY MANAGER TO SIGN AN OWNERS CONSENT AGREEMENT, GIVING MAGNOLIA PETROLEUM CO. PERMISSION TO MAINTAIN UPON LEASED PREMISES AT THE MUNICIPAL AIRPORT, TANKS, PUMPS AND OTHER EQUIPMENT

(Full text in Ordinance Book Y. page 232)

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

AN ORDINANCE 18,448

GRANTING THE PETITION OF GALATIAN CHURCH OF GOD IN CHRIST FOR EXEMPTION FROM CITY TAXES ON LOT 12, BLOCK 13, N.C.B. 10250, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

(Full text in Ordinance Book Y. page 232)

AN ORDINANCE 18,449

GRANTING THE PETITION OF LAUREL STREET CHURCH OF CHRIST FOR EXEMPTION FROM CITY TAXES ON LOT 15 AND W. 30 FEET OF 16, BLOCK 21, N.C.B. 2084 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS"

(Full text in Ordinance Book Y. page 233)

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 18,450

ESTABLISHING STANDARDS FOR STREET PAVING CONSTRUCTION AND FINANCIAL PARTICIPATION BY CITY AND ABUTTING PROPERTY OWNERS

(Full text in Ordinance Book Y. page 233)

A letter from the City Manager was read giving a report of a traffic survey on Cevallos Street alley.

A letter from the City Manager was read with regard to petition of Mr. C. F. Bustillo, et al, requesting repair of Bustillo Drive. The Maintenance Engineer has been instructed to make the requested repairs.

October 23, 1952

A letter from the City Manager was read with regard to petition of Albert Fuentes, requesting repairs on Rivas Street and the Public Works Director instructed the Maintenance Engineer to make the necessary repairs.

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

AN ORDINANCE 18,451

AUTHORIZING PAYMENT OF \$864.78 TO MARCEAU ELECTRIC COMPANY FOR MATERIALS FURNISHED AND WORK PERFORMED AT VARIOUS SEWER PUMPING STATIONS; PAYMENT TO BE MADE OUT OF JUDGMENT & CLAIMS ACCOUNT

(Full text in Ordinance Book Y. page 234)

A letter from the City Manager was read recommending that the following ordinance be passed and the recommendation was ^{unanimously} approved by the council.

AN ORDINANCE 18,452

ACCEPTING THE ATTACHED BID OF JACK NEAL, INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO WITH ANTI-FREEZE FOR VARIOUS DEPARTMENTS (1372 GALLONS) FOR \$2958.03

(Full text in Ordinance Book Y. page 234)

A letter from the City Manager was read with regard to proposed health center.

A letter from the City Manager was read recommending the reassignment of wading pool location to Elmendorf Park.

A letter from the City Manager was read with regard to Community Chest subscriptions.

When the above letter was read, Dr. Greeman suggested that the city employees should be congratulated on their excellent showing and a vote of thanks (unanimous) was voted.

A letter from the City Manager recommending that the following resolution be passed and the recommendation was ^{unanimously} approved by the Council.

A RESOLUTION

EXPRESSING THE ATTITUDE AND INTENT OF THE CITY COUNCIL WITH REFERENCE TO FURTHER CONSTRUCTION AND FINANCING OF THE EXPRESSWAY PROJECT WITHIN THE CITY LIMITS

When reading of letters of City Manager was completed Mr. Hardy, City Attorney, read the council a letter from the City Attorneys Association calling attention to the disadvantages to the City in the proposed constitutional amendment to be voted on in Texas on November 4th regarding Workmen's Compensation, etc for City employees.

He also read a letter he had written to the City Manager on the subject and then read a proposed resolution of Condemnation of the proposed change.

Mr. Lozano introduced the resolution as read by Mr. Hardy and it was unanimously adopted.

A RESOLUTION

The following letter from the City Clerk was then read:

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

Gentlemen:

The following petitions were received by this office and then referred to Mr. C. A. Harrell, City Manager, for his attention or recommendation.

- 10-15-52 Petition of The Salvation Army Men's Social requesting tax exemption on Lots 6 & 7, Block 1, NCB 616, 812 Wyoming Street
- 10-15-52 Letter from W. Jay Johnson relative to parking on Navarro Street between Travis and Martin Streets
- 10-17-52 Petition of Mr. Jacob Gonzales requesting refund of \$7.00 paid for building permit.
- 10-20-52 Petition of Palm Heights Baptist Church requesting tax exemption NCB 3442 and NCB 3436
- 10-20-52 Petition of Mr. Lucio D. Gomez, et al, requesting repair of Linden Avenue
- 10-20-52 Petition of Mr. David W. Culbreth requesting refund of \$10.00 (ten dollars) paid for building permit.
- 10-20-52 Petition of Central Christian Church requesting tax exemption at 245 Mary Louise Drive.

Yours very truly,

/s/ J. Frank Gallagher

Mr. Keller addressed the council regarding some items appearing in local papers with regard to recall of council members, and rumors of certain members resignations in efforts to effect a compromise with the promoters or recall.

He stated no one had any authority to suggest a compromise and as far as he is concerned he is not accountable to any clique or committee but only to the people. He has no intention of resigning.

He was followed by Mr. Cassidy who stated he was not bartering away his rights to any group and did not now intend to resign.

Mr. Lozano, Dr. Greeman, and Mayor Steves followed with similar remarks and all denied any intention of resigning.

Mr. Cassidy reported that users of Cassiano Park would like to know if the center supporting parts at Cassiano Pavilion could be removed so that it could be used for basketball.

The City Manager agreed to investigate.

Hearing was called as advertised for rezoning from "E" Apt to H Local retail of property on W. Myrtle Street being W. 38.64 feet of lot 13, NCB 1912.

Mr. George L. Wideman, Attorney for protestants, presented a petition signed by 11 property owners protesting against any change. He argued about the change would create a nuisance and a traffic hazard and create also a shortage of parking space.

He introduced Mrs. Grace Jiminez and Mrs. Lottie Ward who both protested.

Mr. Bert Scott of the American Printers, the petitioner, explained the need for the increase of business area, explained that parking difficulties were not of their making but, rather, due to the proximity of the San Antonio Transit Company, the San Antonio Junior College, and the Chiropractic College all of whom required lots of parking space.

Mr. Green, Administrator of Zoning, explained the ground layout and showed maps and charts and gave the reasons of the Zoning and Planning Commission for recommending the change.

A vote was then taken with the following votes being recorded:

Ayes: Lozano, Keller, Spivey, Gerhardt, Cassidy, Greeman, Steves

Nays: Schmidt

Not Voting: White

Mayor Steves then introduced the following ordinance appointing members of the Unit Valuation Schedules Board.

AN ORDINANCE 18,453

APPOINTING MEMBERS OF THE UNIT VALUATION SCHEDULE BOARD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

1. The following named persons are hereby appointed as members of the Unit Valuation Schedule Board:

A. H. Cadwallader, Jr.
John M. Bennett, Jr.
J. B. Etheridge
George A. French
A. J. McKenzie, Jr.
Russell Hill
Haby Seay

2. That the above members shall serve at the pleasure of the Council and shall receive no compensation from the City.

3. PASSED AND APPROVED this 23rd. day of October, 1952.

Sam Bell Steves
Mayor

Mr. Steves then called attention of Council to certain bills for gasoline purchased by Mr. & Mrs. Alvin Schmidt which were charged on the card issued to Councilmen Schmidt in his official capacity as Commissioner last year.

He deplored any payment by the city for bills for any individual.

Mr. Schmidt replied that the bill had been paid by him personally and he did not intend that the City should pay any of them.

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

APPROVED:

James H. Stives
M A Y O R

ATTEST:

Frank Gallagher
City Clerk
