

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE  
CITY OF LUFKIN, TEXAS, HELD ON JULY 18, 1961, AT 7:30 PM

On this the 18th day of July, 1961, the City Commission of the City of Lufkin, Texas, convened in regular session in regular meeting place in said City, with following members thereof, to-wit:

Jim Waters	Mayor
Beamon S. Cook	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
A. G. Welch	Commissioner, Ward No. 4
Harold Schmitzer	City Manager
Lynn Durham	City Secretary
Wm. D. Perkins	City Attorney

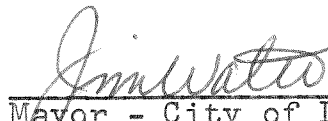
being present, and the following absent:

E. Kurl Shirey      Commissioner, Ward No. 1

1. Meeting opened with prayer by Capt. Cecil Brown of Salvation Army. Mayor Jim Waters thanked Capt. Brown for his participation and invited him to remain for the entire proceedings if he so desired.
2. Minutes of previous meeting were read and approved after minor correction.
3. A number of visitors were present in connection with items on agenda or as visitors and were welcomed by Mayor Jim Waters.
4. Commissioner Beamon S. Cook made motion that notice of zone change from "B" to "L" District covering property beginning at north margin of Abney and adjoining Land-O-Pines Dairy between Sayers and Maple Streets as requested by Dixon F. Abney, be published for hearing in meeting of August 15, 1961. Commissioner A. G. Welch seconded motion and vote was unanimous.
5. Second and final reading of ordinance covering proceedings, duties, etc., of Corporation Court and ordinance covering traffic control for entire city was postponed due to fact that Commissioner E. Kurl Shirey could not be in attendance and Commissioner S. Harry Kerr would be late at this meeting. Visitors present were invited to be present at next meeting when these two items would be handled.
6. City Manager presented monthly estimate from Freese, Nichols, Turner and Collie in amount of \$1,022.54 for professional services in connection with Contract #4, West Side Trunk Sewer & Lift Station. Stated City Engineer had checked estimate and found it to be correct and in line with Contract. City Manager recommended estimate be paid. Commissioner Beamon S. Cook made motion that payment of this estimate be authorized, seconded by Commissioner A. G. Welch and vote was unanimous.
7. City Manager presented Resolution covering policy to be followed on payment of paving only for streets in a subdivision where City desires that paved surface be wider than minimum width indicated on plat. This policy is that City shall pay the additional cost of paving only and developer assuming all other costs of the additional width in excess of the minimum required by City Planning Commission. City Manager stated the City Planning Commission had requested a policy be established in this regard and City Attorney had been consulted and approved this Resolution. City Manager recommended its passage. After some discussion, Commissioner A. G. Welch made motion that Resolution be passed, seconded by Commissioner Beamon S. Cook and vote was unanimous.

8. Chester Mowan of Mowan Studio appeared before City Commission, along with Mr. and Mrs. J. H. Wagnon of Joy Studio, to protest outside photographers coming into Lufkin and setting up shop in local business establishments who sponsor them and not pay license to operate. Mayor advised that since Mr. Mowan was not on agenda, City Commission could indicate whether or not it desired to consider his request at this meeting. It was the feeling of City Commission that Mr. Mowan should present his information to City Attorney and matter be discussed at next meeting.
9. Open items were gone over and discussed with action being taken on two of these items as follows:
  - (a) Claim of Joe Stephano for reimbursement of portion of water and sewer tapping fees he paid City for 19 houses at \$80.00 each. Benton Musslewhite, attorney, along with Mr. Stephano, were present and Mr. Musslewhite felt Mr. Stephano was entitled to reimbursement in that he claimed a verbal agreement with former acting City Manager that there would be no tapping fee. City Manager presented a letter from Mr. Joe McClendon dated July 18, 1961, advising that City had obtained easement across Mr. Stephano's property for sewer line construction in 1949 and Mr. Stephano was advised at that time that he would be allowed to connect to this line without connection fee in accordance with practice at that time. City Manager stated City installed a sewer line down Lining Street two years ago for Mr. Stephano's convenience and Mr. Stephano came in and paid tapping fee in accordance with established policy and felt claim of any verbal agreement made 10 or 12 years ago on a different line should not be honored at this time. City Attorney was in agreement and recommended claim be disallowed. Commissioner Beamon S. Cook made motion that this claim by Mr. Stephano be rejected by City, seconded by Commissioner A. G. Welch and vote was unanimous.
  - (b) Discussion was had regarding proposed construction of park area in portion of City property on South Timberland Drive. City Commission members were all in accord that this area should be developed in future and City Manager is continuing his efforts toward this end. Commissioner S. Harry Kerr felt the portion involved should be dedicated for park purpose in official records in order that outside interests will know it is not available for commercial uses and motion to this effect. Commissioner Beamon S. Cook seconded motion and vote was unanimous.
10. Commissioner Beamon S. Cook made motion that payment of invoices for month be authorized. Commissioner A. G. Welch seconded motion and vote was unanimous.
11. Mayor Jim Waters called attention to meeting of Region 16, Texas Municipal League, scheduled to be held in Port Arthur on evening of July 27th with Groves and Lakeview as hosts. Said he would like to see a good attendance from Lufkin as this would be his last meeting as President.
12. There being no further business for consideration, meeting adjourned at 9:45 P.M.

ATTEST:

  
Mayor - City of Lufkin, Texas

  
City Secretary - City of Lufkin, Texas