

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE
CITY OF LUFKIN, TEXAS, HELD ON MAY 16, 1961, AT 7:30 PM

On this the 16th day of May, A.D. 1961, the City Commission of the City of Lufkin, Texas, convened in regular session in regular meeting place in said City, with the following members thereof, to-wit:

Jim Waters	Mayor
E. Kurl Shirey	Commissioner, Ward No. 1
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
William D. Perkins	City Attorney

1. Meeting opened with prayer by City Manager Harold Schmitzer.
2. Minutes of previous meeting were read and approved.
3. Mr. Jack Irish, along with a number of other citizens from the Dodson Addition, appeared before the City Commission to ascertain if City had devised some plan to alleviate the drainage problem other than that approved in meeting of March 21, 1961. This matter was given considerable discussion and a number of the citizens from Dodson Addition were heard from. Some desired the proposed 24" storm sewer be placed in easement behind their homes as originally planned and approved; while some of the others desired the storm sewer be placed in the street in the front of their homes.

At the request of City Manager, Mayor Jim Waters suggested that the whole matter be tabled in order that the City Commission members, City Engineer, and City Manager could go out to this Addition to see what other means of alleviating the drainage might be worked out. It was the feeling, if easement could be secured from property owner immediately east of this Addition, that drainage ditch could be constructed, properly sloped and sodded, to divert the water from flowing through the Addition by going completely around it from North to South toward Form Road 58. This would also divert flow from business area of Billy Prince who was present to protest against this flow of water. Commissioner S. Harry Kerr made motion that Mayor Waters suggestion be followed. Motion was seconded by Commissioner E. Kurl Shirey and vote was unanimous. ✓

4. Messrs. R. B. Thompson and Rufus Duncan, developers, appeared before the City Commission and protested vigorously against a set of specifications covering concrete work in the City of Lufkin as issued by the City Engineer in recent letter to developers and other interested people. They felt these specifications were too strenuous and would make the cost of developing property prohibitive, in that price of lots would be too high. Also that City was not following such rigid rules in their own concrete work.

City Engineer stated that the reason this letter covering specifications for concrete work had been sent out to various contractors and other interested people was because Mr. Duncan had requested such information. City Engineer further stated that this matter had been given considerable thought and study before finally putting same into letter form.

There was considerable discussion on this matter and it was the feeling of the City Commission that the specifications as issued by the City Engineer were too strict and, since the developers did not have any previous idea as to what these would be, that they should be allowed to continue their work on present contracts under the present City specifications to avoid extra cost not anticipated. Commissioner E. Kurl Shirey made motion that letter by City Engineer setting out the specifications on concrete work be rescinded and the present specifications of —

4.5 sacks of cement per cubic yard;

Expansion joints every 40' using 1/2"
Cellotex or Temple Board;

Use dowel rods in expansion joints to
keep together, one end wrapped with
building paper;


be continued until new ordinance, which may or may not be approved, goes into effect and that a transition period be allowed the developers at such time. Commissioner S. Harry Kerr seconded the motion and the vote was unanimous.

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5. Mr. Robert Denum appeared before the Commission and called attention to several old houses located below his property in vicinity of Lufkin Avenue which are fire hazards and should be removed. He was advised by the Mayor that the City Manager, City Attorney and Fire Chief were handling this matter.
 6. Ward Burke, local attorney, appeared before the Commission regarding minimum liquidated damages on Contract #3, West Side Sewer & Lift Station against Temple Associates. He produced information showing delays and causes thereof, amounting to 69 days. He felt that Temple Associates could only be legally charged with 27 days and recommended that this be the number of days assessed by the City for minimum liquidated damages of \$50.00 per day, making a total of \$1,350.00. This 27 day period was from September 23, 1960, to October 21, 1960, when there was no electric service available to start pump, although the job was substantially completed.

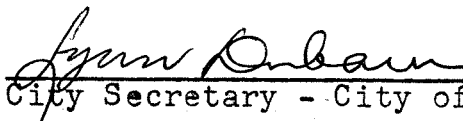
City Engineer stated the above facts were essentially correct and that Temple Associates were very cooperative in every way in trying to complete the work. Commissioner S. Harry Kerr made motion that the City assess Temple Associates 27 days at \$50.00 per day liquidated damages totalling \$1,350.00 to October 21, 1960, when the job was substantially completed. Commissioner E. Kurl Shirey seconded motion and the vote was unanimous.

7. City Manager read letter from Mr. R. E. L. Johnson of Freese, Nichols, Turner & Collie stating that the final inspection had been made on Contract #2, East Side Trunk Sewer Line, and that it was now in order for the City to issue a release to the Contractor accepting completion of work. Commissioner Beamon S. Cook made motion that City be authorized to issue this release. Motion was seconded by Commissioner A. G. Welch and vote was unanimous.
8. City Manager advised that he did not complete his progress report in time for this meeting but would mail it out to the members tomorrow, May 17, 1961.

9. Mayor Jim Waters stated that the Veterans of Foreign Wars would like permission to sell poppies on Saturday, May 27, 1961, in observance of Memorial Day which falls on May 30, 1961. In as much as they have been allowed this privilege in the past, was recommending that they be granted same privilege at this time. Commissioner Beamon S. Cook moved that this be allowed. Motion was seconded by Commissioner E. Kurl Shirey and vote was unanimous.
10. For record purposes, Mayor Jim Waters read letter dated May 12, 1961, to Mr. Lee Brookshire signed by himself and Commission members granting authorization to drop leaflets from an airplane over the City of Lufkin advertising "Trades Day" on Saturday, May 30, 1961. Commissioner Beamon S. Cook made motion that this be made a part of the minutes, seconded by Commissioner E. Kurl Shirey and the vote was unanimous.
11. For record purposes, Mayor Jim Waters read letter dated May 21, 1961, to Morris Smith, 1608 Barto Drive, Lufkin, Texas, signed by himself and Commission members, granting zone change from "B" to "F" District by variance covering Tract 51, Map 23, A. Varilla League, Angelina County, Texas, for 120 days until such time as proper approval could be given the application through regular channels. Commissioner E. Kurl Shirey made motion that this be made part of the minutes. Motion was seconded by Commissioner Beamon S. Cook and vote was unanimous.
12. Commissioner E. Kurl Shirey made motion that invoices for the previous month be approved for payment. Motion was seconded by Commissioner S. Harry Kerr and vote was unanimous.
13. City Engineer Col. Willard White called attention to the fact that Wilks, Dake & Steed were authorized in letter from Freese, Nichols, Turner & Collie to start work on Contract #4, West Side Trunk Sewer Extension on May 3, 1961, and that this Contractor had 10 days after this date to actually start work. As of today, May 16, 1961, Contractor has not made an appearance in Lufkin. This information being given in order that the City Commission would know status of this job.
14. Open items were gone over. Mayor Waters made recommendation that action be withheld on item of appointing zone board member to replace Commissioner S. Harry Kerr until decision is reached on recommendation of Comprehensive Planning Consultants on Board of Adjustment and City Planning Commission duties on zoning problems. Commission members were in agreement and item will be held in abeyance.
15. There being no further business, meeting adjourned at 11:00 PM.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas