

MINUTES OF REGULAR MEETING OF CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON 1st DAY OF NOVEMBER, 1966, AT 7:30 PM

On the 1st day of November, 1966, the City Commission of the City of Lufkin, convened in regular meeting in regular meeting place of said City, with the following members, to-wit:

Jim Waters	Mayor
William F. Prince	Commissioner, Ward No. 1
Dayle V. Smith	Commissioner, Ward No. 2
Byron McNeil	Commissioner, Ward No. 3
Earl Nisbet	Commissioner, Ward No. 4
Gene H. Nerren	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Reagan Parker	City Manager
Lynn Durham	City Secretary
David Walker	City Attorney

being present, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Henry Benchhoff, Pastor of the First Presbyterian Church, Lufkin, Texas. Mayor thanked Rev. Benchhoff for his participation and invited him to remain for the entire meeting or to feel free to leave when he so desired.
2. Commissioner Gene H. Nerren made motion that minutes of regular meeting of October 18, 1966, be approved as written. Motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

Commissioner William F. Prince made motion that minutes of special meeting of October 25, 1966, be approved. Motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

3. Curtis W. Fenley, Jr., Attorney, appeared before the City Commission and presented request by property owners on Clark Street, between Second and Third Streets, that Clark Street be closed and deeded to such property owners.

Mr. Fenley stated this matter was considered by the City Planning and Zoning Commission in their regular meeting of October 27, 1966, and the City Planning and Zoning Commission had no objection to the change if the City Commission desired to officially close the street.

Commissioner Earl Nisbet made motion that the Street be closed as requested. Commissioner Byron McNeil seconded the motion. However, several of the Commissioners stated they would like to delay any action until they could look the area over personally. Commissioner Earl Nisbet and Commissioner Byron McNeil concurred and withdrew the motion and the second.

Commissioner Gene H. Nerren made motion that no action be taken on the request until the City Commission members had an opportunity to look over the area involved. Commissioner Basil E. Atkinson, Jr., M.D., seconded the motion and a unanimous vote was recorded.

4. Mr. Earl Medford, Chairman of the Angelina County Chamber of Commerce, ~~Merchants Committee~~ along with several members of this committee, appeared before the City Commission and requested that the City Commission give serious consideration to locating the

proposed City Hall and Police Station in the immediate downtown area.

Several members of this group voiced their opinion to this effect, stating that the downtown business district would be adversely affected if new City Hall was constructed away from the downtown area.

Mayor Waters thanked Mr. Medford and his committee for their interest and stated their recommendation certainly would be given consideration before any permanent location was decided upon.

5. City Attorney read caption of ordinance changing zone from R-1 District to NR District covering property located at the corner of Copeland Street and Loop No. 287 by A. E. Allbritton (R. H. Duncan).

City Secretary stated this application was considered by the City Planning and Zoning Commission in regular meeting recently and it was their recommendation that the City Commission not approve the zone change due to the following reasons:

- (a) This zone change would constitute spot zoning.
- (b) The Planning and Zoning Commission feels that this area should be retained as R-1 District as indicated on the Master Plan.
- (c) An area has already been provided at the intersection of Pershing Avenue and John Redditt Drive to allow orderly neighborhood business development.
- (d) The Planning and Zoning Commission feels that the area between Pershing Avenue and Southwood Drive, along John Redditt Drive, should be developed as residential property and not commercial property.
- (e) John Redditt Drive was constructed to expedite the flow of traffic and the Planning and Zoning Commission feels that commercial development in this area would defeat this purpose.

Mr. R. H. Duncan and Mr. A. E. Allbritton were present and Mr. Duncan presented slides showing ranch style service station that would be constructed on the site if the zone change was allowed, and requested passage of the Ordinance changing the zone.

Mr. Duncan also presented petition signed by 32 property owners on the West side of Loop No. 287 who were agreeable to having the ranch style service station constructed.

There were approximately 30 residents of the area present to vigorously object to the change. A petition was presented to the Mayor signed by 56 property owners in the area who were opposed to the zone change.

Commissioner Gene H. Nerren made motion that zone change not be approved as recommended by the City Planning and Zoning Commission. Motion was seconded by Commissioner Basil E. Atkinson, Jr., M. D., and a unanimous affirmative vote was recorded.

After vote was taken, Mr. R. H. Duncan requested that the City discuss this matter with their Consulting Engineers to determine what this particular property might be used for since, in his opinion, it could not be utilized for residential property.

6. City Attorney read caption of ordinance to be passed on second reading changing zone from R-1 District to HM District covering tract of land east of Hill Street, north of Lotus Lane and west of T. S. E. Railroad and surrounded by property owned by Texas Foundries, Inc., and described in application by field notes, by Texas Foundries, Inc.

Mayor inquired if any one present desired to object to the change and there were no objections.

Commissioner William F. Prince made motion that Ordinance be passed on second reading, motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

7. One of the visitors present in connection with zone change request of Mr. R. H. Duncan stated a trailer house was located on Loop No. 287 near the Odd Fellows Lodge.

City Commission instructed City Manager to have Building Inspector check into this to see if same was in violation of present zoning ordinance.

8. City Manager called attention to damages done to 1962 Pontiac ambulance in the amount of \$1,579.94, less \$100.00 deductible. City Manager requested authority from City Commission to either repair it or make purchase of another unit.

City Manager was instructed to look into panel type equipment and determine the amount of present equipment on the Pontiac that could be salvaged.

9. City Manager stated at last meeting three bids were opened on pick-up truck for Parks Department but awarding of bid was delayed until warranties could be checked into. He stated the low bid was Angelina Truck & Tractor Company and it was hard to determine the best warranty on either of the bids and recommending that the International Pickup be purchased. Commissioner Basil E. Atkinson, Jr., M.D., stressed the importance of warranties and experience he had on warranty covering his personal automobile.

Commissioner Gene H. Nerren made motion that order be placed for the International Pickup as recommended by the City Manager. Motion was seconded by Commissioner Earl Nisbet and the following vote was recorded:

Voting Aye:

Mayor Jim Waters
Commissioner William F. Prince
Commissioner Dayle V. Smith
Commissioner Byron McNeil
Commissioner Earl Nisbet
Commissioner Gene H. Nerren

Voting Nay:

Commissioner Basil E. Atkinson, Jr., M.D.

Mayor declared motion carried by majority vote.

10. City Manager requested instructions from the City Commission on paving of Spence Street and advised he had investigated the Southern Pacific Railroad's agreed portion of paving cost of approximately \$3,500.00 which was in line with cost of asphalt. He stated that Moore Bros. Construction Company's bid of \$11,640.30 was the low bid.

Commissioner Basil E. Atkinson, Jr., M. D., asked from what money this paving would be paid. City Manager stated it could come out of the bond money if the City Commission so authorized to pay for such paving out of bond money.

Commissioner Earl Nisbet made motion that Moore Bros. Construction Company's bid of \$11,640.30 be accepted and the City Manager be authorized to pay for such paving out of bond money. Motion was seconded by Commissioner Gene H. Nerren and a unanimous affirmative vote was recorded.

11. City Manager presented petition signed by a number of County employees requesting City Commission to make certain changes in parking regulations for employees of Angelina County.

The County employees desired that they be issued permits or stickers to be placed on their cars to allow parking around the Court House Square at parking meters during regular work hours or to allow such Court House employees to sign said parking tickets and turn them in without be required to pay fines.

This matter was discussed in some detail and Commissioner Dayle V. Smith made motion that no action be taken on the petition. Motion was seconded by Commissioner Byron McNeil and a unanimous affirmative vote was recorded.

12. City Manager stated that Mr. Wilbur Kent, Architect, made proposal for work to be done on William George property, amounting to an estimated 10 hours at \$20.00 per hour.

City Commission instructed City Manager to check other sources to see if this work could not be done cheaper.

13. City Manager stated he had received following proposals on City Hall location:

Murphy George:

497 ft on Chestnut and 185 ft on Lufkin Avenue (total of 86,903 sq ft @ 90¢) =		\$78,212.70
Less trade-in of:		
City property on Shepherd St (43,000 sq ft @ 90¢) =	38,700.00	
Present City Hall Building	<u>20,000.00</u>	<u>58,700.00</u>
Cash Balance		\$19,512.70

R. L. Cunningham:

City lease laundry building on Lufkin Avenue on long term basis for Police Department, Jail, Corporation Court, Water Office and Tax Office.
Remodel main Fire Station for all other offices.
Vacant lot on east side of present Fire Station to serve for employee parking.
Will remodel his laundry building and add a story, if desired.

No action was taken by the City Commission on either proposal.

City Attorney inquired of City Commission as to what he should do regarding the contacting of property owners next to the City log cabin property since no progress had been made as of this date on purchase of this property.

City Attorney was instructed to contact Mrs. Largent again.

14. City Manager advised he had received telephone call from Mr. E. W. Easterling on October 25, 1966, of the Lower Neches Valley Authority in Beaumont, Texas, stating that last week their Board reaffirmed their position to help the City on water business.

Mr. Easterling stated that in view of the fact the Board wants to establish a policy applicable to all Cities, a Committee had been appointed to work with Freeze, Nichols and Endress to work out problems and that something definite would be worked out within the next 30 days.

15. Open items were gone over and discussed:

- (a) City Attorney called attention to the drainage situation at Land O'Pines and to his letter to Mr. B. M. E. Smith requesting a definite date as to when Land O'Pines would construct wash rack for washing of their trucks, with drain from the wash rack going into the sanitary sewer.

He also called attention to Mr. B. M. E. Smith's reply dated October 27, 1966, wherein no definite date was given for this construction.

Commissioner Gene H. Nerren made motion that City Attorney write Land O'Pines another letter requesting that City Commission be informed as to date construction will begin on this wash rack which will drain waste into our sanitary sewer system. Commissioner Basil E. Atkinson, Jr., M. D., seconded the motion and a unanimous affirmative vote was recorded.

- (b) The question of drainage in other parts of the City was discussed in some detail and Mr. Ray Terrell of Bernard Johnson Engineers, Inc., Houston, who was present, stated that he would consult with the City Engineer at no charge in order that a preliminary report might be given to the City Commission on this subject.

- (c) With regard to bridge on Jones Street, City Manager stated he had no further information. However, City Attorney advised that Attorney for Bryan-Stewart, Inc., stated the matter on Englewood Terrace Subdivision would be discussed tomorrow.

16. Mr. Ray Cornelius appeared before the City Commission and requested action be taken against speedsters on Copeland Street. He stated speeding on this street was very dangerous and should be stopped.

Mayor advised Mr. Cornelius that City Manager had authority to install stop signals and speeding signs and City Manager was instructed to investigate and install four-way stop sign at Copeland and Allendale that was previously removed.

Mr. Cornelius was asked to report back to City Commission at a later date on this speeding situation.

17. Commissioner Basil E. Atkinson, Jr., M. D., stated he would like for Commissioner Earl Nisbet to elaborate on recent statement he made to the Lufkin News with regard to the City spending sizeable amounts of money which were less important than having a good Fire Department.

Commissioner Atkinson asked Commissioner Nisbet to show where the City was spending money needlessly and the City Commission could then call meeting and amend the budget to take care of any wasted money. Commissioner Nisbet stated he did not desire to get into any argument about it but at the proper time could produce figures mentioned.

Commissioner Dayle V. Smith and Commissioner Gene H. Nerren also directed questions to Commissioner Nisbet.

Mayor Waters stated it was his desire that the matter be dropped in order to get on with other business, although he understood the thinking of the Commissioners.

18. Mayor read letters from the Mayor of Fort Worth and the Mayor of Dallas, asking that assistance be given them in voting for Constitutional Amendment No. 2 in General Election on November 8, 1966, which calls for plans for regional airport between Fort Worth and Dallas.

John Ross, KTRE News Reporter, stated that information on this Constitutional Amendment would be aired over KTRE-TV next Monday at 6:30 P.M.

19. Mayor read request from Mrs. Willie D. Brock requesting permission to park a trailer house at the home of her parents who are invalids and live at 807 Schuller Street.

Mayor stated request had been mailed to the City Planning and Zoning Commission and the Chairman of this Commission had mailed it to him for handling by the City Commission since it involved no permanent zone application or planning.

Mayor further stated he requested Mrs. Brock to secure signatures of all property owners within 200 feet of 807 Schuller, stating they had no objection to said trailer house being moved in, and that Mrs. Brock had furnished him with a list containing 4 property owners signatures.

City Commission members desired that this list be checked to ascertain if the list contained all property owners within 200 feet.

Commissioner Gene H. Nerren made motion that Building Inspector be instructed by the City Manager to check this list and, if it was found to contain all property owners within 200 feet of subject property, to permit the moving of the trailer house to this location for a six months period. Commissioner William F. Prince seconded the motion and a unanimous affirmative vote was recorded.

20. Mayor stated that next regular meeting of the City Commission would be held on Tuesday, November 22, 1966, at 7:30 P.M., instead of the 15th of November, which is the regular date, due to City Commission members and other City officials being in Fort Worth for the annual Texas Municipal League Conference. Mayor stated that reservations for officials had been made at the Loring Hotel in Fort Worth.
21. Mr. Ray Terrell of Bernard Johnson Engineers, Inc., Houston, advised that plans on sewer lines will be ready for review by the City Commission during the week of November 7, 1966, and would call City Manager for special meeting in order that approval might be made by the City Commission of such plans.

Mr. Terrell also called attention to his letter dated November 1, 1966, which had been furnished Mayor and members of the City Commission regarding drilling and rehabilitating the water wells.

City Attorney suggested that at such meeting the matter of contracts on individual jobs with Bernard Johnson Engineers, Inc., be gone over and discussed.

22. Commissioner Gene H. Nerren stated that Auditors, as well as the City Secretary, had discussed with him the necessity for writing checks on each bank on bond funds when bills were paid, such checks being in the amount of 75% and 25% each.

Commissioner Nerren suggested that this practice be eliminated and funds be consolidated so that each bank would have 75% and 25% of the bond funds and suggested that City Hall and Fire Station Construction funds be placed in the Citizens National Bank and other bond funds be placed in the Lufkin National Bank.

City Attorney stated that a depository contract had been entered into with both banks for a two year period and stated it would probably be best to make no change until discussion was started on renewal of such depository contracts prior to July 1, 1967, as the contracts are quite involved.


No action was taken on Commissioner Nerren's suggestion.

23. Commissioner Basil E. Atkinson, Jr., M.D., stated that Mr. Robert Killion had called his attention to Tax Department practice of including the improvements on Mr. Killion's property, although not complete at first of tax year.

City Attorney and City Manager stated they knew of this matter and thought it had been worked out between the Tax Department and Mr. Killion.

Commissioner Atkinson was concerned as to whether this was legal and also if all the tax payers were being treated the same on unfinished improvements. City Attorney stated that it was legal and, as far as he knew, the Tax Department was treating everyone the same.

24. City Engineer requested and received information on field notes desired on property of R. H. Duncan which may be considered for annexation at a later date.
25. A general discussion was had on sanitary sewer conditions in the City of Lufkin and possible action to be taken to enlarge on the sanitary sewer facilities; and Mayor brought the City Commission up to date on conferences held a year or so ago with the officials of Southland Paper Mills, Inc., on this subject.
26. There being no further business for consideration, meeting was adjourned at 11:15 P.M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas