

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5th DAY OF JULY, 1966, AT 7:30 P. M.

On the 5th day of July, 1966, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the regular meeting place of said City, with the following members thereof, to-wit:

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, and

Jim Waters

Mayor

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

1. Meeting opened with prayer by Captain Lloyd Whitmire of the Salvation Army. Mayor Pro Tem Dayle V. Smith, who presided in the absence of Mayor Jim Waters, thanked Captain Whitmire and invited him to remain for the entire meeting or to feel free to leave when he so desired.
2. Minutes of previous meeting were read and approved.
3. Messrs. James P. Hunter, Elwyn Gipson, and I. D. Tims, representing their respective funeral homes, were present and Mr. Hunter read following Resolution addressed to the Honorable Mayor and Lufkin City Council and the Honorable County Judge and Angelina County Commissioners Court:

"We, the undersigned funeral homes, regret to inform you and the citizens of this community that effective at midnight, September 30, 1966 we will discontinue the operation of our ambulance service.

For many years we have faced an ever expanding problem in cost and manpower. Now, a new interpretation by the United States Department of Labor places ambulance service in Interstate Commerce. As a result, the cost of private ambulance service in a small community has become prohibitive.

This action is not confined to East Texas. It is Nationwide.

As of midnight, September 30, 1966, we therefore will relinquish our ambulance permits to the Texas State Health Department and surrender our ambulance liability insurance.

We deeply regret this situation having been forced upon us. Nevertheless, our primary concern is continued service to those in need. We trust you will give this matter serious consideration."

Mr. Gipson stated this presentation of the Resolution was in order that the City Commission might give study with regard to the Funeral Home owners request that the City and County take over ambulance service as of October 1, 1966.

There was some discussion of the matter and City Manager stated the City was not in a position to take over ambulance service and could not see where it would be fair for the City to be burdened with such a problem. He also called attention to our present employment problem with regard to Firemen and Policemen. Commissioner Byron McNeil made motion that City Manager be instructed to check into this matter thoroughly and report back at a later meeting. Commissioner Basil E. Atkinson, Jr., M.D. seconded the motion and a unanimous affirmative vote was recorded.

4. City Attorney read caption of ordinance for consideration on second reading covering zone change from R-2 District to LB District by T. W. Peavy and Joe Smith, et al, covering Tract 49, Map 21, J. L. Quinalty League; Lots 1 and 2, Woodland Heights Addition; Lot 1 and East 1/2 of Lot 2, Block 3, Woodland Heights Addition; Lot 3, Block 1, Woodland Heights Addition; North 1/2 of Lot 1 and Lot 2, Block 3, West End Addition; Lot 6 and 26 1/2 ft. of Lot 5, Block 77, Original Townsite of Lufkin, Texas.

City Attorney stated that description of property in ordinance was in variance from the application but the ordinance was correct. Mayor Pro Tem inquired if any persons present to object to change and there were none. Commissioner Byron McNeil made motion that ordinance be passed on second reading. Motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

5. City Attorney read ordinance for second reading amending present Fireworks Ordinance. Commissioner Gene H. Nerren made motion that ordinance be passed on second reading. Motion seconded by Commissioner Byron McNeil. However, before vote was taken, Commissioner Basil E. Atkinson, Jr., M.D. inquired as to enforcement of provisions of ordinance prohibiting sale and shooting of fireworks within City Limits. City Attorney advised the procedure that would be followed in case of violation. The following vote was recorded on motion and second:

Voting Aye: 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 Pro Tem advised motion carried by majority vote.

6. City Manager advised that several months ago the City Commission authorized Mr. Howard Walker to procure rights-of-way on Dozier and Angelina Streets. Since that time it has been necessary to procure rights-of-way and easements at other locations in the City and Mr. Walker would like to be assured that he could proceed with the procuring of such rights-of way and easements.

Commissioner Gene H. Nerren made motion that City Manager be authorized to secure the services of Mr. Walker or anyone else for such work. Motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

7. City Manager read letter from Highway Department requesting Mayor be given authority to sign agreement with the State Highway Department for right-of-way on Loop 287 and State Highway 94, total cost to the City being estimated to be \$32,300.00.

Commissioner Gene H. Nerren made motion that Mayor be authorized to sign the agreement for such right-of-way procurement on the part of the City. Motion seconded by Commissioner Byron McNeil. However, before vote was taken, City Attorney stated that he wanted it understood by the City Commission that the figure of \$32,300.00 was estimated, before present higher property values in this location, which might entail legal proceedings on the South portion of Loop 287. The vote on the motion and the second was unanimously in the affirmative.

8. City Manager presented invoice of Bernard Johnson Engineers, Inc., for engineering services on water well and water well rehabilitation thru design phase. Gross amount of invoice being \$11,607.03 less preliminary payments of \$911.40 and \$1,877.16, leaving a net amount due of \$8,818.47. City Manager stated that invoice has been approved by City Engineer and recommended that it be paid.

Commissioner Earl Nisbet made motion that invoice be approved for payment. Motion seconded by Commissioner William F. Prince and a unanimous affirmative vote was recorded.

9. City Manager presented invoice from Texas Water Wells covering labor, equipment and materials to rework our Water Well No. 8 and pumping equipment in the amount of \$10,899.43. City Manager stated this invoice had been brought to the attention of the City Commission some time ago and it was their request that Mr. Jim O'Conner of Texas Water Wells, Inc., be invited to be present at meeting to answer any questions regarding repairs to the well. Mr. O'Conner was present and gave a detailed account of the work.

Commissioner Gene H. Nerren made motion that City Manager be authorized to pay the above invoice in the amount of \$10,899.43. Motion seconded by Commissioner Byron McNeil and a unanimous affirmative vote was recorded.

10. City Manager called attention to the water supply situation and stated that during a four (4) day period recently the City had pumped six million gallons--plus which is an all time high. He further stated that if the hot-dry weather continued, it might be necessary to ration water to users. City Manager also suggested that consideration be given by City Commission to elimination of summer water rates.

After some discussion, in which all City Commission members were in agreement with suggestion of City Manager, Commissioner Gene H. Nerren made motion that City Attorney be instructed to prepare an amendment to our present ordinance to eliminate summer water rates and present at next meeting. Commissioner Byron McNeil seconded the motion and a unanimous affirmative vote was recorded.

11. City Manager recommended that work be started on drainage projects called for under our Capital Improvement Program and recommended that Consulting Engineers be authorized to begin.

Mr. B. M. E. Smith who was present on another matter requested that City Commission authorize consideration be given to drainage problem at Land O Pines Dairy. He stated that they had experienced a drainage problem at this business for a number of years but had been unable to get any relief to same.

Commissioner Byron McNeil made motion that Consulting Engineers and City Engineer be instructed to study the drainage problem at Land O Pines Dairy and immediate area and to report at a later meeting. Motion seconded by Commissioner William F. Prince and a unanimous affirmative vote was recorded.

12. Commissioner Byron McNeil made motion that Consulting Engineers and City Engineer be authorized to study and review drainage situation for the entire City and make report later. Motion seconded by Commissioner Gene H. Nerren and a unanimous affirmative vote was recorded.

13. City Manager advised that City Commission had given authority some time ago to proceed with removal of pulpwood and saw logs in Ellen Trout Lake Park. He stated City had been quoted a price of \$4.00 a cord for pulpwood and \$18.00 per thousand board feet for saw logs and recommended that only the pulpwood be sold.

Commissioner William F. Prince made motion that City Manager's recommendation be followed. Motion seconded by Commissioner Byron McNeil and a unanimous affirmative vote was recorded.

14. City Manager read letter from City Engineer approving paving in Carmel Addition and advising that the City's share of the cost, based on \$1.50 per foot of curb and gutter, is \$3,517.50 and that Mr. R. B. Thompson, Developer, had requested payment of the City's portion.

Commissioner Basil E. Atkinson, Jr., M.D. made motion that before payment is made for this paving that discussion be had with Mr. Thompson with regard to work he has not completed as of this date on Turtle Creek Drive. Motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

15. City Attorney read ordinance amending and supplementing Ordinance No. 168 and other ordinances concerned with milk specifications and requirements for grading and labeling milk products, adopting the specifications and requirements of the Texas State Department of Health.

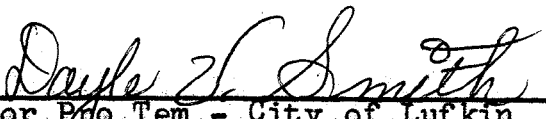
Mr. B. M. E. Smith, who was present, stated he was in accord with this ordinance and recommended its passage. City Attorney stated that City Health Inspector also recommended its passage.

Commissioner Byron McNeil made motion that ordinance be passed on first reading. Motion seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.

16. City Manager called attention to Mr. J. H. Sorrels recent report of his findings covering our Sewer Treatment Plant. Since the City Commission had instructed the City Manager to hire Mr. Sorrels, was following Mr. Sorrels recommendation to proceed with the engineering study by our Consulting Engineers.

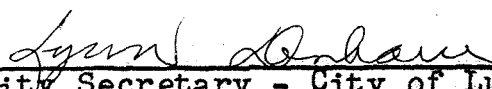
Mr. Robert K. Burchard, representative of Bernard Johnson Engineers, Inc., was present and gave a brief outline on proposed work to be done in connection with such a study should same be authorized by the City Commission. This brought on considerable discussion by City Commission members and it was the decision contained in the following motion made by Commissioner Gene H. Nerren that the City Manager and Health Inspector, Paul McWilliams, be instructed to visit with the management of the three poultry plants in the City of Lufkin and furnish them with copy of Mr. Sorrels' report as well as our present ordinance regulating the use of public and private sewers and drains and the discharge of waters and waste into the public sewer system, and to advise the management of these plants that the City Commission requests that they find a solution to their present problems within six (6) weeks from this date. Motion seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.

17. Open items were gone over and status developed.
18. Mr. C. G. Armet, who was not on the Agenda, appeared before the City Commission and was granted a hearing with regard to paving of Oleta Street from Broussard to Atkinson Drive. City Manager went into detail to explain the paving policy of the City but it was Mr. Armet's thought that Oleta Street was a commercial street and probably could be paved out of bond money without property owner participation. Mr. Armet was furnished a copy of regular paving petition to determine what could be done with regard to paving participation by the property owners on Oleta Street.
19. Commissioner Basil E. Atkinson, Jr., M.D. called attention to hearing scheduled at the Hotel Fredonia in Nacogdoches starting at 9:00 AM, July 6, 1966, by the Texas Water Development Board and requested all members of the City Commission who could do so to be in attendance.
20. There being no further business for consideration, meeting was adjourned at 11:15 P.M.



Mayor Pro Tem - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas