

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 14th DAY OF NOVEMBER, 1967, AT 7:30 PM

On the 14th day of November, 1967, 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:

Earl Nisbet	Mayor
Carl Liese	Commissioner, Ward No. 1
Dayle V. Smith	Commissioner, Ward No. 2
Byron McNeil	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
Gene H. Nerren	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
William E. Wolff	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 Clyde Moore, Minister of Herty Church of Christ, Herty, Texas.
2. Mayor welcomed a number of visitors who were present as observers or in connection with items on the Agenda.
3. BMCN made motion that minutes of regular meeting of October 17, 1967 and special meetings of October 24 and 31, 1967 be approved as written with the exception that correction be made in signatures on minutes of October 24, 1967. Motion was seconded by GHN and a unanimous affirmative vote was recorded.
4. DW read Ordinance annexing property owned or developed by R. H. Duncan as described in field notes of public hearing advertised in Lufkin News on September 28, 1967, which was to be considered on second and final reading.

CL made motion that Ordinance be passed on second reading. Motion seconded by ECW and a unanimous affirmative vote was recorded.

5. DW read caption of Ordinance changing zone from R-3 District to NR District covering Lots 1, 2, 3, 4, 5 and 6, Block 4, J. C. Smith Addition to City of Lufkin by Lee Sears, to be considered by City Commission on second reading. Mayor inquired if any persons present to object to zone change and there were none.

ECW made motion that Ordinance be passed on second reading. Motion seconded by GHN and a unanimous affirmative vote was recorded.

6. DW read Ordinance changing zone from R-3 District to NR District covering three tracts located at the intersection of Wood Avenue and Stark Street in the City of Lufkin by Leroy Tutt, to be considered by City Commission on second reading. Mayor inquired if any persons present to object to zone change and there were none.

DVS made motion that Ordinance be passed on second reading. Motion seconded by BEA and a unanimous affirmative vote was recorded.

7. Mayor introduced Mrs. John Futch who was present in connection with trailerhouse application she had presented to the City Planning and Zoning Commission in their meeting of November 9, 1967, to be located on property at Weiner Street. Mayor stated Mrs. Futch was not on the Agenda due to recommendation of City Planning and Zoning Commission not having been received.

Mrs. Futch stated that she understood the City Planning and Zoning Commission voted 6 to 2 against allowing this temporary trailerhouse permit. Mrs. Futch stated the reason for desiring this temporary permit was due to the financial strain on she and her husband in assisting her daughter and her husband and son and his wife in attending college and that it was strictly a family affair. She stated it was a hardship case from a financial standpoint and would greatly appreciate City Commission granting this temporary permit to assist she and her husband in their financial problem in assisting their children in attending college. Mrs. Futch further stated that all property owners within 200 feet had signed waiver voicing no objection to this temporary trailerhouse permit.

GHN made motion that City Commission grant this temporary permit for trailerhouse to Mrs. Futch due to the financial hardship being experienced in financially assisting their children in attending college. BEA seconded the motion and a unanimous affirmative vote was recorded.

After the above vote was taken, WEW recommended that the present Trailerhouse Ordinance be repealed with regard to temporary permits and a new ordinance be prepared to cover a new procedure in handling such permits. He stated the present ordinance was creating an unfriendly situation between the City Planning and Zoning Commission, who are now authorized under the ordinance to hear applications for these temporary permits, and the City Commission, who makes the final decision as to issuance of such permits, and there seems to be a break-down of communications between the two Commissions.

WEW's recommendation brought on a considerable amount of discussion and it was EN's recommendation that the authorization for hearing applications for temporary permits for trailerhouses be handled entirely by the City Commission since it was the City Commission's authorization to grant such permits after hearing by the City Planning and Zoning Commission. ECW and GHN thought the present ordinance should be considered for revision in its entirety instead of temporary permits only and thought a special meeting should be called to work out such details.

CL made motion that the present Mobile Home and Trailerhouse Ordinance be amended with regard to temporary permits to relieve the City Planning and Zoning Commission of its responsibility of conducting hearings of applications for such permits and that such applications come directly to the City Commission for hearing and final action. BEA seconded the motion and the following vote was recorded.

Voting Aye: EN, CL, DVS, BMcN and BEA.

Voting Nay: ECW and GHN.

Mayor declared motion carried by majority vote.

8. DW stated that the application for closing alley by W. O. Ricks, Jr. and H. H. Melton running East & West between Block 3 in the Clingman Addition and Block 1 in the Warren Addition from Clingman Street to Everett Street, was considered by the City Planning and Zoning Commission in meeting of October 12, 1967, and that it was the City Planning and Zoning Commissions recommendation that request for closing this alley be granted by the City Commission.

BMcN made motion that alley be closed as requested and that DW be instructed to prepare Resolution closing this alley and authorizing Mayor to sign quit-claim deed to property. BEA seconded the motion and a unanimous affirmative vote was recorded.

9. Parker McVicker, Attorney, along with several other citizens appeared before the City Commission with regard to City Planning and Zoning Commissions recommendation on Water and Sewer System for the community of Herty. The City Planning and Zoning Commission recommended in letter to City Commission that City permit the community of Herty to install water and sewer system unless the City of Lufkin plans to annex the Herty area and provide sewer facilities within the next year.

Mr. McVicker requested favorable consideration of the City Commission in granting this permit. Mr. Clyde Moore, also present, was in favor of such permit. Mr. Jim Walsh and Mr. Leo Porter requested the City Commission take no action on approving the permit since there was 8" water line looping the area of Herty providing sufficient water for all citizens in this area who desired to tie onto same.

10. After some discussion, the Mayor appointed a committee composed of BEA (Chairman), GHN, and ECW to study this situation in its entirety and make recommendation to the City Commission at the first meeting in December.

10. Mr. Johnny Braswell, who was not on the Agenda, appeared before the City Commission and requested that Paul Ave. be improved due to its present condition. WEW will check the condition of this street in an effort to improve the condition referred to by Mr. Braswell.

11. WEW presented proposed agreement between the State Highway Department and City of Lufkin covering construction of parking lanes, drainage facilities for street and underpass section including pumping facilities, curb and gutter, driveways, sidewalks and incidental items West and East of T & NO Railroad and State Highway 94, this agreement being per provisions of State Highway Department Minute Order No. 56990. The cost estimate for the above work was \$88,200.00 and WEW recommended agreement be approved.

BEA inquired as to whether curb and sidewalks West of Railroad was included in this agreement and CL inquired if \$30,000.00 previously approved for work East of Railroad was included. WEW stated this work was included in the agreement. ECW made motion that City enter into this agreement based on WEW's recommendation at the fixed amount of \$88,200.00. GHN seconded the motion and a unanimous affirmative vote was recorded.

12. WEW presented Estimate 3 from Temple Associates, Inc. covering work performed on City Hall and Police Station building during the period ending 10-20-67 in the amount of \$35,566.25. WEW stated this estimate had been approved by Bernard Johnson Engineers, Inc. and recommended same be approved for payment.

CL made motion that Estimate 3 from Temple Associates, Inc. in the amount of \$35,566.25 be authorized for payment. ECW seconded the motion and a unanimous affirmative vote was recorded.

13. WEW presented invoice No. 6493F dated November 9, 1967 in the amount of \$655.56 from Bernard Johnson Engineers, Inc. covering fee for construction phase of City Hall and Police Station and Jail and recommended that same be approved for payment.

CL made motion that this invoice be approved as recommended by WEW. Motion was seconded by ECW and a unanimous affirmative vote was recorded.

14. WEW presented invoice that was held up from previous meeting from Bernard Johnson Engineers, Inc. in the amount of \$1,206.88 covering engineering services for the preparation of plans, specifications and contract documents on Angelina Street Paving. WEW stated had checked this invoice with contract and same was in line and recommended payment.

DVS made motion that invoice in the amount of \$1,206.88 from Bernard Johnson Engineers, Inc. be authorized for payment. Motion seconded by BEA and a unanimous affirmative vote was recorded.

15. WEW presented Estimate No. 5 from Pit Construction Co. covering Angelina Street Paving Improvements for period 9-20-67 thru 10-20-67 in the amount of \$77,599.96 and stated same had been recommended for payment by City Engineer as well as Bernard Johnson Engineers, Inc. and recommended same be paid.

CL made motion that this Estimate be authorized for payment. Motion was seconded by BEA and a unanimous affirmative vote was recorded.

16. WEW presented invoice from Bernard Johnson Engineers, Inc. dated October 20, 1967, covering engineering services through design phase for preparation of plans for Water Well No. 10 and lines in the amount of \$3,139.93. WEW stated same had been checked by City Engineer and found to be in order for payment and recommended same be paid.

BEA made motion that this invoice be authorized for payment. CL seconded the motion and a unanimous affirmative vote was recorded.

17. WEW presented expense statement for October and November covering personal expenses due to trip to Houston for Texas Municipal League Convention and inspection of new gradall machine in the amount of \$43.18.

BMcN made motion that payment be authorized on these expenses. CL seconded the motion and a unanimous affirmative vote was recorded.

18. WEW ask for City Commission concurrence to have billing for lights at Kurth Memorial Library changed to City by Texas Power and Light instead of present method of billing directly to library in that a considerable saving would be made due to change to City's rate. He stated that the City now contributes \$300.00 per month to Kurth Memorial Library and under this proposal the City will pay the light bill and deduct this amount from the \$300.00 now contributed by the City monthly to the Library.

DVS made motion that WEW's recommendation be followed. BEA seconded the motion and a unanimous affirmative vote was recorded.

19. WEW discussed the possibility of changing head-in parking along Shepherd Street between Third and Fourth Streets in front of new City Hall to parallel parking and to widen Shepherd next to the City Hall property to 38 feet since he thought there was sufficient parking space at the new City Hall to allow for this change.

BMcN made motion that WEW's recommendation be followed. ECW seconded the motion and a unanimous affirmative vote was recorded.

20. Discussion was had on the new corner stone for the new City Hall building, particularly as to color. DVS made motion that BEA be given authority to choose the color. ECW seconded the motion and a unanimous affirmative vote was recorded.

21. BEA stated he had a visit with sub-contractor who is installing air conditioning equipment in new City Hall and Police Station building and this sub-contractor, Pete Sumners, was not satisfied with Honeywell, Inc. equipment. BEA stated had personally experienced difficulty with service from Honeywell, Inc. and was disturbed that we have this equipment in City Hall. BEA suggested that City Commission take another look at the air conditioning equipment for City Hall and particularly the probable installation of multiple units.

CL stated that apparently Pete Sumners had changed his position since he last talked with him on this subject. ECW stated that control equipment other than Honeywell could probably be secured if desired. WEW stated that the large chilling units were now on the site and we would probably not be able to substitute for multiple units and suggested that the City Commission meet with sub-contractor tomorrow morning at 8:15 to discuss this equipment on the ground. This suggestion was agreed to by City Commission members.


22. BEA inquired of WEW if any action taken on furnishing water to Woody Gann and DuBose Tractor Co. on State Highway 94 by the City of Lufkin. WEW stated had not completed his investigation of this item.

23. BEA requested information from the Manager on methods of purchasing items in a quantity of a year's supply in order to effect savings. WEW explained the method presently used in making purchases for the City which was in line with the idea BEA expressed.

24. BEA inquired as to who granted authority to City employees to use addressograph machine for mailing out literature for proponents of the local sales tax. WEW stated he authorized this to be done. EN stated that authorization was made by the Manager after he had instructed him to do so.


CL made motion that City facilities not be used under any condition except for official business. He withdrew his motion after City Commission informally agreed that the City facilities would not be used in any manner in the future in such instances.

25. CL inquired as to condition of Water Well No. 8. WEW stated the well was completely sanded in and probably would be abandoned and that a test hole will probably be drilled in this area if warranted by further evaluation of soil formation.
26. CL inquired as to contract covering Townsend Street paving. WEW stated the contract had been worked out to the satisfaction of both the City of Lufkin and Temple Associates, Inc. and had been officially executed and work under way.
27. CL inquired if any information developed by committee appointed by Mayor on Cedar Grove Water situation. He was advised by BEA, Chairman, that study had not been completed.
28. CL stated he would like to see a report at the earliest possible time as to the practicality, cost, etc. of persuing all delinquent personal property taxes on automobiles.
- WEW stated he would bring a report as to the amount collected and the amount due on such taxes at next meeting.
29. ECW inquired as to status of paving under the new assessment ordinance. WEW stated was waiting on people to complete petitions, etc. in order to get started.
30. DW called attention to hearing set for November 20, 1967, at 7:30 P.M. on proposed annexation of property owned by Angelina County Junior College and others, and stated that owners of McCall property across Highway 59S desired that their property be included in this annexation although field notes covering the McCall property was not included in the advertisement in the Lufkin News.
31. EN opened and read results of votes cast this date in special election on local sales and use tax. The report signed by the Election Judge, Claud Cook, showed that out of a total of 2863 votes, 1237 voted infavor of the tax and 1522 against.
- DVS made motion that the above results be accepted as official declaring the local sales and use tax failed to carry. BMC^N seconded the motion and a unanimous affirmative vote was recorded.
32. There being no further business for consideration, meeting was adjourned at 11:15 PM.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas