

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4th DAY OF FEBRUARY, 1969, AT 7:30 PM

On the 4th day of February, 1969, 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. Warcing	Commissioner, Ward No. 4
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
William E. Wolff	City Manager
David Walker	City Attorney
Lynn Durham	City Secretary

being present, and

W. O. Ricks, Jr.	Commissioner at Large, Place A
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Richard Creech, Pastor of Happy Hour Baptist Church, Lufkin, Texas. Mayor thanked Rev. Creech for his participation and invited him to remain for the meeting if he desired.
2. Mayor welcomed a number of visitors who were present in connection with items on the Agenda or as observers.
3. BMcN made motion that minutes of regular meeting of January 23, 1969, be approved with minor correction to item 14. ECW seconded the motion and a unanimous affirmative vote was recorded.
4. DVS stated that he and his committee had gone over bids covering two police cars and recommended that the low bid of Sewell Buick-Pontiac in the amount of \$6,315.48 be accepted but that future specifications be written to also include the lower priced automobiles. CL made motion that the recommendation of the above committee be accepted and City Manager be authorized to purchase the two units from Sewell Buick-Pontiac. ECW seconded the motion and a unanimous affirmative vote was recorded.
5. ECW stated that he and his committee had met with City Manager and studied bids on fire hoses for new Fire Stations as recently advertised by City and opened in City Commission meeting of January 23, 1969. He stated there was a wide variation in the bids but his committee had come to the conclusion and recommended that the bids should be placed with Bi-Lateral Fire Hose Co., Chicago, Ill. for \$1.15 per foot on 1½" hose and \$1.66 per foot on the 2½" hose for a total price of \$17,470.00 which was within the limits of the amount budgeted for such hose.

BMcN made motion that the recommendation of ECW and his committee be followed and that the Fire Hose be purchased from Bi-Lateral Fire Hose Co. DVS seconded the motion. However, before vote was taken, CL asked several questions with regard to bids by the other companies which were clarified by ECW. A unanimous affirmative vote was then given to the above motion.
6. WEW called attention to Ordinance presented at last meeting amending the present Ordinance covering speed limits on designated State Highways within the City Limits of Lufkin. He stated the Police Department had run a radar check of the school crossings within the City Limits at such designated State Highways and the following results were obtained as to speeds:

Loop 287 and Turtle Creek Drive 40 MPH

Atkinson Drive and Trenton Street 25 MPH

Timberland Drive and Third Street 34 MPH

Kurth Drive and Lake Street 36 MPH when school
crossing guard is
not on duty and
25 MPH when school crossing
guard is on duty.

WEW stated he had discussed this amendment to the present speed limits ordinance in the City Limits as recommended by the State Highway Department with Dr. Frank Leathers, Superintendent of Lufkin Independent School District, and the school had no objection.

DVS made motion that Ordinance be passed on first reading to allow for 30 MPH speed sign to be placed by school crossing guards at the above locations during certain hours of the day. BMcN seconded the motion and a unanimous affirmative vote was recorded.

7. Mayor presented plans and estimated cost figures from the Lufkin Area Council of Garden Clubs covering beautification of City Hall area. After some discussion BMcN made motion that an expenditure of \$1,533.35 be authorized by City for this project subject to City Manager finding available funds in the Budget. ECW seconded the motion and a unanimous affirmative vote was recorded.

8. DW read Ordinance calling for and setting date for City Election to fill the positions of Commissioner Ward No. 4 and Commissioner at Large, Place B, for three year period as of April 1, 1969 with Claud Cook and Falcor Perry being named Election Judges for this election and be held at Central Fire Station on Lufkin Avenue. CL made motion that this Ordinance be passed on first and final reading. Motion seconded by BMcN and a unanimous affirmative vote was recorded.

9. Mr. Benton Musslewhite, Attorney, acting as spokesman, along with two representatives of Local 1550, AFL-CIO, covering Federal, State, County and Municipal employees, as well as approximately 25 members of the local Labor Council, appeared before the City Commission and presented proposed Ordinance which he requested be considered and passed by City Commission covering a number of items, such as:

Recognition of above local as bargaining agent
for City Employees,

Union dues check-off,

Grievance procedure,

\$50.00 per month increase in pay,

Increase in number of holidays from 7 to 9,

Improvement in sick leave policy,

A more flexible retirement plan,

Revision of vacation plan, etc.

Mr. Musslewhite presented petitions to City Secretary which he stated carried in excess of 1800 qualified voters requesting City Commission to pass Ordinance covering the above provisions or call an election for such provisions to be voted on by the Citizens of Lufkin. Mr. Musslewhite requested the City Secretary be instructed to check and verify the names on the petitions at the earliest possible moment as being qualified registered voters. Mayor stated the request by Mr. Musslewhite would be taken under consideration by the City Commission.

10. Mr. Benton Musslewhite, Attorney, stated that he was instituting a law suit against City of Lufkin, Pit Construction Co. and Bernard Johnson Engineers, Inc. covering alleged damage claims to Mr. L. C. Sanches' home during the improvement program to Angelina Street. DW stated he had met with all parties regarding the above claim but no settlement had been reached as a result of such meetings.
11. Mr. Jim Cornelius, Attorney, representing Mr. Bruce Cunningham and Mr. W. W. Blackburn who own Youngblood's Restaurant, appeared before the City Commission with regard to reimbursement by the City for cost in connection with the installation in 1966 of a 6" water line, sewer system and lift station that was connected to the City's system to serve Youngblood's Restaurant and the adjoining Enco Service Station South of the City Limits in the amount of \$12,443.20. Mr. Cornelius stated that his clients should be reimbursed by the City for such expenditures since this line had been tied into by an 8" water line to serve the Angelina College and other customers when the area was recently annexed.

A considerable amount of discussion was had on this matter and it was determined that the installation was made after letter of instructions was received by Mr. Cunningham from the City Engineer. However, there were no contracts or written agreements made in connection with such installation which is generally the case in such instances. DW stated had been in discussion with Mr. Cornelius on this matter and agreed that the City might be obligated on the lift station since it was still on private property but could not agree with the request for reimbursement of cost on the water and sewer lines.

ECW suggested that the City Commission be furnished a plat of this whold area with all property owners showing lines, lift station, etc. WEW stated information and plat would be furnished as requested at which time the City Commission could give further study and come to a definite conclusion on the above request.

12. WEW presented Estimate 2 from Thomas & Thompson Construction Co. in the amount of \$11,729.70 covering work on construction of Fire Stations #4 and 5 which had been approved and verified by Jerry Hill, Architect with Wiener, Morgan and O'Neal.

BMcN raised the question as to whether or not this estimate and project had been gone over and inspected by a representative of the City. WEW stated it had not but in the future would have City representative check over such estimates and work performed by Thomas & Thompson Construction Co. DVS made motion that Estimate 2 in the amount of \$11,729.70 be ordered paid. CL seconded the motion and a unanimous affirmative vote was recorded.

13. WEW stated the City had a 1946 Dodge Fire truck which was replaced by one of the new Booster trucks which could now be disposed of if the City Commission so desired. CL made motion that WEW be instructed to advertise for bids for this 1946 Model Fire truck. BEA seconded the motion and a unanimous affirmative vote was recorded.
14. WEW stated that no decision had been reached as yet on appointment of a Fiscal Agent for the City of Lufkin in connection with the proposed Sewer Improvement Program and since the Consulting Engineers were now in the process of making their study that it would be necessary as soon as possible that the Fiscal Agent be appointed. WEW will discuss further with members of City Commission and would set date for visiting a firm in Dallas before decision is made on appointing such Fiscal Agent.

15. DVS called attention to bad condition on York Drive. WEW stated will check this street immediately. DVS called attention to Card Drive and if anything could be done about it. WEW stated that this street had never been paved by the City and the only solution to probable improving would be to tear the base completely up and regrade which he stated would be done.

16. DVS stated had been in contact with Pit Construction Co. who advised that the City had held up work on the underpass project. WEW stated this was not the case and the City had not held the work up under any conditions. WEW called attention to letter from A. W. Cockrell of the State Highway Department regarding underpass construction which is quoted below:

"I am advised by the Sub-Contractor, Mr. C. T. Boles, that they wish to renew drilled shaft operations at the underpass Feb. 10th. They plan to do a small amount of drilling west of the railroad and then move to the area adjacent to the Coca-Cola building. This will close Frank Avenue at the old bank alley and may also close Angelina Street. These streets perhaps can be reopened for a short period later but I am not sure of this yet.

There are some water and sewer line adjustments to be made to accomodate the drilled shaft and storm sewer construction in the street in front of the Coca-Cola building. This is the same as was pointed out to Mr. Milligan and Mr. Flournoy sometime ago, but Mr. Paul Bates will be standing by to furnish whatever information your forces need.

The adjustments should be made as quickly as possible.

I will notify you further as to timing of closing the streets."

WEW stated would keep abreast of this item and handle.

17. DVS stated with regard to water rates study that he wanted it understood that it was not his intention to run industry out of town.

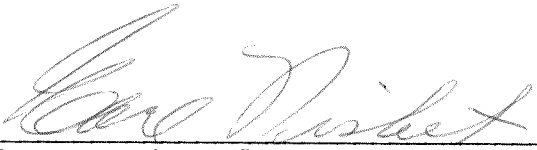
18. BEA suggested that study be given for a set of standards to be followed by the various City Departments in construction of water and sewer lines, etc. to prevent repetition of claim presented by Mr. Bruce Cunningham and Mr. W. W. Blackburn of Youngblood's Restaurant. WEW stated that he thought that we were now operating under a set of standards that would prevent such incidents in future.

19. BEA suggested that before specifications were put out for bids on equipment by the City that the City Commission be consulted on such specifications before same were put out for bids. BEA inquired as to status of committee reports on ambulance. DW stated he was preparing information and data received from various Cities and same would be furnished to members of the ambulance committee.

20. DW stated had prepared contract between City of Lufkin and Kurth Memorial Library covering library services for one year which was desired by the Kurth Memorial Library in order to secure State Funds. BEA made motion that Mayor be authorized to sign the contract on the part of the City. BMcN seconded the motion and a unanimous affirmative vote was recorded.

21. DW called attention to Legislative Breakfast scheduled for next Monday morning in Austin sponsored by the Texas Municipal League. WEW stated he would personally like to attend the breakfast in order to be conversant with legislation affecting Cities.

22. Mayor stated would like to set a date for discussion on Herty Water Company's request to secure water from the City of Lufkin. However, this will be set later and Mayor will advise City Commission members of such time.
23. There being no further business for consideration, meeting was adjourned at 10:05 P.M.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas