

MINUTES OF REGULAR MEETING OF CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5th DAY OF DECEMBER, 1967, AT 7:30 PM

On the 5th day of December, 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 Mayor.
2. Mayor welcomed a number of visitors who were in attendance as observers or in connection with items on the Agenda.
3. BMcN made motion that minutes of meetings dated November 20th and 21st and record of open hearing on annexation of property dated November 20th be approved as written. BEA seconded the motion and a unanimous affirmative vote was recorded.
4. WEW stated had studied bids, received on tractor, front-end loader and backhoe and W. A. DuBose & Son was low on the Ford Tractor, front-end loader and backhoe; however, the bid of Gilbert-Bourrous Company for a Case tractor had several features that should be considered. This tractor had a 12 month warranty instead of 6 months for Ford equipment, immediate delivery instead of 30 to 60 days on the Ford equipment, and the Case tractor had a capacity of 8" greater depth for digging and greater horsepower. WEW stated had invited Water and Sewer Superintendent, Marvin E. Flournoy, to be present and requested his recommendation. Mr. Flournoy recommended that the Case equipment be purchased due to reasons given by City Manager. WEW stated it was difficult to make a recommendation on the type of equipment to purchase and would be guided by the decision of the City Commission.

CL made motion the low bid of W. A. DuBose & Son be accepted in order to keep faith with our bidding process. BEA seconded the motion and the following vote was recorded:

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

Voting Nay: GHN.

Mayor declared motion carried by majority vote.

5. WEW gave the following report on open items from previous meetings:

- (a) WEW stated that arrows would be painted on the street at Ellis and Raguet to direct proper turns; that pedestrian crossing at Frank and Bynum would be handled after the construction work was completed on Frank; that off-street parking of cars was being investigated by Chief of Police; and that he would be unable to properly synchronize lights in the downtown area to increase flow of traffic after giving the item considerable study.

(b) WEW stated that if City Commission authorized the substitution of 4 aluminum cased glass doors in place of wooden doors as was proposed in Item No. 6 Change Order No. 1, of City Hall and Police Station Building, and safety glass was included in all doors of this type, that the safety glass would amount to an increased cost of \$467.00; and that if this amount was added to Item No. 6 (\$615.71), the total cost of Item No. 6 would amount to \$982.71. To this figure would have to be added \$59.70 for Engineering fees. WEW recommended the approval of Item No. 6 with the addition of safety glass in all doors,

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

(c) WEW stated had checked into possibility of the State Highway Department widening State Highway 94 from City Limits West and was advised that this project was not anticipated for the immediate future due to demands for other improvements. After some discussion, GHN made motion that Mr. Woody Gann and others in the area be allowed to purchase and install their own water lines if desired. Motion seconded by BEA and the following vote was recorded:

Voting Aye: EN, DVS, BMcN, ECW, GHN, and BEA.

Voting Nay: CL.

Mayor declared motion carried by majority vote.

6. WEW stated had received only one bid on striping machine from Traffic Control Co., Houston, Texas, as advertised by the City and desired to know whether or not same should be opened or returned. DVS made motion that bid be returned unopened and that WEW be instructed to readvertise for bids. CL seconded the motion and a unanimous affirmative vote was recorded.

7. WEW opened and EN read the following bids on three trucks as advertised by City:

Angelina Chevrolet-Cadillac Co.  
Lufkin, Texas

Total bid, less trade-in	\$9,507.24
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Tipton-Billing Sley Ford  
Lufkin, Texas

Total bid, less trade-in	9,301.22
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Gibbs Motor Co.  
Lufkin, Texas

Total Bid, less trade-in	10,060.57
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Angelina Truck & Tractor Co.  
Lufkin, Texas

Total Bid, less trade-in	9,483.44
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BEA made motion that WEW be given authority to check bids and bring recommendation before the City Commission at a later meeting. DVS seconded the motion and a unanimous affirmative vote was recorded.

8. WEW opened and EN read the following bids on chlorine supply for the City of Lufkin as advertised:

Brine Service & Chemical Co., Houston, Texas	
1 Ton Cylinders	\$ 105.00/Ton
150 lb. Cylinders	\$0.11/LB.

Sanitary Chlorine & Ammonia Co., Beaumont, Texas	
1 Ton Cylinders	\$ 5.56/CWT
150 LB. Cylinders	\$0.10 $\frac{1}{2}$ /LB.

Dixie Chemical Co., Houston, Texas	
1 Ton Cylinders	\$ 6.55/LB.
150 Lb. Cylinders	\$0.12/LB.

WEW stated Brine Service & Chemical Company's bid was low and recommended that bid be awarded to this Company for our supply of chlorine for one year. CL made motion that WEW's recommendation be followed and that bid be awarded to Brine Service and Chemical Company. BEA seconded the motion and a unanimous affirmative vote was recorded.

9. DW read Ordinance in its entirety for first reading covering the annexing of certain property owned by Angelina County Junior College and other property East and West of U.S. Highway 59 South, as described by field notes and advertised in Lufkin News on November 5, 1967. There were no persons present to voice objection to the Ordinance and BMcN made motion that same be passed on first reading. DVS seconded the motion and a unanimous affirmative vote was recorded.

10. Parker McVicker, Attorney, who was not on the Agenda, appeared before the City Commission and inquired if any decision had been made on request of Herty Community citizens for approval to install a water and sewer system. EN stated this item would be placed on the Agenda for next regular meeting and discussed at that time as no information was available from the Committee appointed to investigate and report on this subject.

11. WEW presented Estimate No. 6 from Pit Construction Company in the amount of \$28,302.82 covering improvements on Angelina Street for the period October 20 thru November 20, 1967, and recommended its approval for payment. BEA inquired of Ray Terrell why Angelina Street was constructed at a lower depth than the old street and why there were dips in the street, particularly at Burke intersection. Mr. Terrell stated this item would be checked out and if found not be constructed in accordance with contract specifications, would have corrected. BEA made motion that approval for payment of this Estimate No. 6 be withheld until further investigation of the street could be made by Mr. Terrell. CL seconded the motion and a unanimous affirmative vote was recorded.

12. WEW presented invoice from Bernard Johnson Engineers, Inc. in the amount of \$232.18 covering fees in connection with City Hall and Police Station Building construction and recommended approval to pay. GHN made motion that authority be given for the payment of this invoice. ECW seconded the motion and a unanimous affirmative vote was recorded.

13. WEW presented Estimate No. 4 from Temple Associates, Inc. covering work on City Hall and Police Station building for the period ending November 20th, in the amount of \$23,159.91 which showed 32.5% complete. WEW stated estimate had been approved by Bernard Johnson Engineers, Inc. and recommended its approval for payment. DVS made motion that this estimate in the amount of \$23,159.91 be authorized for payment. Motion seconded by CL and a unanimous affirmative vote was recorded.

14. WEW presented Estimate from Shull Construction Company covering work on water line to Water Well No. 10 in the amount of \$32,929.62 and stated this estimate would have to be paid by time warrants and recommended approval to pay. CL made motion that authorization be given for the payment of this estimate. BEA seconded the motion and a unanimous affirmative vote was recorded.
15. WEW called attention to letter from State Board of Insurance Commission referring to deficiencies found in facilities in the City of Lufkin by their Engineer who visited our City recently. Considerable discussion developed on these recommendations and ECW made motion that WEW be instructed to adopt the recommendations set out in the letter that were economically justified and to notify the City Commission on these items. CL seconded the motion and a unanimous affirmative vote was recorded.
16. WEW called attention to letter from Chairman of City Planning and Zoning Commission wherein this body recommended that the City Commission write letter to Mr. R. V. Welch with copy to Honorable John Dowdy that the Keltys area be supplied with a classified station for postal services in Keltys and adjacent areas due to possible growth.

CL stated he would like to have additional information on this item since there were other areas in the City needing this type of services. ECW made motion that Mayor be authorized to write letter to R. V. Welch with copy to Honorable John Dowdy having recommendation by the City Planning and Zoning Commission. GHN seconded the motion and a unanimous affirmative vote was recorded.

However, before vote was taken on this motion and second, CL made motion that above motion be amended to provide that this letter be conditioned to a prior survey of all other areas of Lufkin and also be conditioned with the provision for adequate sub-station facilities for these other areas. Motion seconded by BEA and the following vote ensued.

Voting Aye: CL, DVS, BMcN and BEA.

Voting Nay: EN, ECW and GHN.

Mayor declared above motion carried by majority vote. Vote on amended motion was unanimous.

17. WEW presented layout of proposed water system of the City of Keltys as drawn up by the City Engineer. This layout was studied in detail by the City Commission members and WEW requested approval of the layout with permission to advertise for bids for material and instructions for City Attorney to take necessary legal action to issue time warrants not to exceed \$50,000.00 to cover payment for this material, since the City will perform the labor in connection with installation of such line.

BEA made motion that City Manager's recommendation be approved. ECW seconded the motion and a unanimous affirmative vote was recorded. Mr. Roy Miller, citizen of Keltys who was present, commended the City Commission for this action and stated his firm the AN & NR Railroad Company would cooperate in every way in right-of-way procurement.

18. BEA stated that our audit report did not give any audit figures on gross income of franchised utility companies and according to our franchises with these utility companies the City has a right for an audit of these accounts when desired.

WEW stated that these utility companies furnished a certified statement signed by one of their officials at the time they submitted their checks covering gross receipt tax on their operations for the previous year. This subject brought on a lengthy discussion and GHN made motion that a special meeting be called with all franchised utility companies to discuss their operations for the past year and that WEW be instructed to request a report from each company prior to such special meeting to be passed out to the City Commission members before such special meeting is called, and that each City Commission member be furnished with copy of franchises. BEA seconded the motion and a unanimous affirmative vote was recorded.

19. BEA stated that in Sundays ~~Edition~~ of Lufkin News there was a letter to the Editor signed by four Lufkin citizens regarding services of Vumore Co. and made motion that WEW request Manager of Vumore Co. to meet with the City Commission and to advise these four citizens by letter of such meeting. The motion died for lack of a second.
20. CL mentioned the report of delinquent ambulance accounts submitted by WEW covering September, October, and November. WEW stated no results were obtained from previous letters sent out on these delinquent accounts and no decision reached on procedure to follow in trying to collect such delinquent accounts.
21. ECW stated had received numerous calls regarding ditch across Frank Street which had closed the street for considerable length of time. He was advised by WEW that this improvement work on Frank Street was being done by the State Highway Department and the City had no control over the opening of this street due to construction work.
22. At the request of the Mayor, DW read Resolution honoring Colonel Homer Garrison, Jr., which will be presented to him at a luncheon in Waco on December 12, 1967. Mayor requested official approval of this Resolution to be signed by the City Commission members and attested to by the City Secretary and that on Thursday, evening, December 7, 1967, pictures would be made of such signing by the local press. BEA made motion that Resolution be passed by the City Commission. Motion seconded by CL and a unanimous affirmative vote was recorded.
23. WEW stated had invited Mr. Barney Baker, who represents a Tax Appraisal Co. in Fort Worth, Texas, to visit the City on Thursday, December 7, 1967, to study our tax structure and to meet with City Commission at 5:00 P.M. to explain work in connection with such reappraisal of property.
24. BEA stated he would like to voice his protest and thinks the City Commission should go on record by officially disagreeing with present programs by the Texas Municipal League. He stated at last annual convention in Houston the speeches were entirely political and also understood the speaker at the last ~~regional~~ meeting in Groves was of a political nature. CL stated he also agreed that the Texas Municipal League was operating as a political body.

WEW explained the method used by the State as well as Regional organizations of the Texas Municipal League in planning their programs and that the ~~Regional~~ officers should make their recommendations to the State Office with regard to this matter and how the City Commission of Lufkin feels on the subject.

It was suggested that DW assist DVS who is Secretary of this Region of the Texas Municipal League, to prepare a letter which may be presented to this Region for possible recommendation to the state office of the Texas Municipal League.

25. There being no further business for consideration, meeting was adjourned at 10:30 P.M.

Ene Nisket  
Mayor, City of Lufkin, Texas

ATTEST:

Jeanne D. Dean  
City Secretary, City of Lufkin, Texas