

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 15TH DAY OF FEBRUARY, 1966, AT 2:15 P.M.

On the 15th day of February, 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:

Jim Waters
William F. Prince
Dayle V. Smith
Byron McNeil
H. E. Rowin
Reagan Parker
Lynn Durham
David Walker

Mayor
Commissioner, Ward No. 1
Commissioner, Ward No. 2
Commissioner, Ward No. 3
Commissioner, Ward No. 4
City Manager
City Secretary
City Attorney

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

1. Meeting opened with prayer by Major Fred J. Cherb of the Salvation Army. Mayor thanked Major Cherb for his participation 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 after minor corrections.
3. Mr. A. G. Ainsworth, Jr., along with two other gentlemen representing Lufkin Butane Co., appeared before the City Commission to discuss the possibility of a permit to install a Butane Fuel Station at 1602 North Raguet in the City of Lufkin. He stated that under the present ordinance was unable to get a permit from the City Building Inspector as there is some question as to it being permissible and would like permission from the City Commission to make application to the Railroad Commission of Texas for permission to make such installation and requested City Commission consideration of amending present ordinance by adopting present provisions of State Railroad Commission Regulations, covering Liquid Petroleum Gas, now in existence.

Commissioner Byron McNeil made motion that Mr. Ainsworth be granted permission to make such application with the Railroad Commission and that City Attorney look into the possibility of amending and up-dating our present ordinance to work in connection with State Railroad Commission Regulations. Commissioner H. E. Rowin seconded the motion and a unanimous affirmative vote was recorded.

4. City Attorney read caption of Ordinance and Election Order setting date for City Election under the new City Charter as of April 5, 1966. At this election City Commissioner from Ward No. 2 and Commissioner at Large, Place A, are to be elected for two year periods and City Commissioner from Ward No. 4 and Commissioner at Large, Place B, are to be elected for three year periods. Claud Cook was appointed Election Judge and Falcor Perry and Mrs. Frances Atkinson as Assistant Judges, with the necessary Clerks to be appointed to assist.

Commissioner H. E. Rowin made motion that this Ordinance and Election Order be passed on first and final reading by suspension of the rules. Motion seconded by Commissioner Byron McNeil and a unanimous affirmative vote was recorded.

5. City Attorney read caption of ordinance amending present ordinances covering sewer tapping fees and water and sewer charges as well as garbage charges to multiple unit apartments which is to be considered for second reading at this meeting.

Commissioner H. E. Rowin made motion that ordinances be passed on second and final reading, motion seconded by Commissioner Dayle V. Smith.

Before vote was taken Mr. W. O. Ricks, local plumber who was present, protested passage of the ordinances since in his words, only few people benefited therefrom and desired that other users such as churches, etc., be given the same consideration.

Mr. Ricks was advised that this matter had been under consideration for some time and had been given publicity in the papers and was passed on first reading at last meeting. Mayor called for vote on the passage of the ordinances as per motion and second and a unanimous affirmative vote was recorded.

6. City Manager advised that the City of Lufkin had a suit pending in District Court styled City of Lufkin vs. Hoople Jordan with regard to operation of an old folks home on Moody Street. City Attorney stated that this suit had been continued on several occasions but that Mr. Jordan has been operating this old folks home for approximately eight months and was complying with City and State regulations and City Attorney recommended that the suit be dismissed.

Commissioner Dayle V. Smith made motion to this effect, seconded by Commissioner H. E. Rowin and a unanimous affirmative vote was recorded.

7. City Manager requested City Commission approval to authorize a firm of competent Consulting Engineers to make proposal for study of our Sewer Treatment Plant to bring it up to requirements. This proposal to cover local work that would be necessary and a recommendation on how the cost would be handled.

Commissioner William F. Prince made motion that City Manager's request be granted and that City Manager be authorized to name the Engineering Firm to make this study. Commissioner Byron McNeil seconded motion and a unanimous affirmative vote was recorded.

8. City Manager advised that Mr. Tom Melton, from whom we recently purchased right-of-way on Dozier Avenue, had requested that he be given the old house that is located in the right-of-way in exchange for a strip of property that he would deed to City. City Attorney stated that if request was granted, that Mr. Melton pay for the legal fees involved, as this was the customary procedure in such instances.

Commissioner Dayle V. Smith made motion that Mr. Melton's request be granted and that he pay for the legal fees covering the transaction. Motion was seconded by Commissioner William F. Prince and a unanimous affirmative vote was recorded.

9. City Manager read letter from Mr. Zane Blanton of Blanton Concrete Construction Company requesting partial payment of \$50,000.00, less 5%, on Third Phase of paving in Englewood Terrace. City Manager stated that if this payment is made would make a total of approximately \$135,000.00 paid to date and that sufficient amount had been retained to complete the job.

Mayor recommended that this payment be made; City Engineer, who was present, recommended that this payment be made which was also concurred in by the City Manager. Commissioner Dayle V. Smith made motion that \$50,000.00, less 5%, be paid to Mr. Blanton as requested. Commissioner H. E. Rowin seconded the motion and a unanimous affirmative vote was recorded.

10. City Manager presented final estimate from Bella Company in the amount of \$29,654.74 covering sewer construction work which has now been completed. City Commission members inquired as to whether or not Bella Company would cooperate with the City in making any repairs to streets due to this work having been done, and it was the recommendation of the City Commission that Bella Company should be contacted and authorized to do such work.

City Manager stated that Bernard Johnson Engineers had recommended payment of this final estimate by letter.

Commissioner Dayle V. Smith made motion that Bella Company be paid this final estimate in the amount of \$29,654.74 but City should keep in contact with this company and request they do any repair work necessary as a result of the construction work they did. Commissioner H. E. Rowin seconded the motion and a unanimous affirmative vote was recorded.

11. Open items were gone over and status developed.
 - a. City Manager called special attention to the item calling for warning signal lights at railroad crossing on Hwy. 94 and stated had been advised by T.S.E. Railroad Co. that instead of a cost of \$7,000.00 for the warning light, which was reported at last meeting, it now develops this cost is estimated at \$14,000.00.
12. City Attorney read caption of ordinance amending present paving ordinance, copy of which had been previously furnished members of the City Commission.

Commissioner Dayle V. Smith made motion that this ordinance be approved on first and final reading by suspension of the rules. Commissioner Byron McNeil seconded motion and a unanimous affirmative vote was recorded.
13. Commissioner H. E. Rowin made motion that invoices for the month be ordered paid. Motion seconded by Commissioner William F. Prince and a unanimous affirmative vote was recorded.
14. Miss Hyacinth Odom appeared before the City Commission to request action by the City Commission on her previous request to zone all her property at the intersection of Loop 287 and Old Union Road, Commercial.

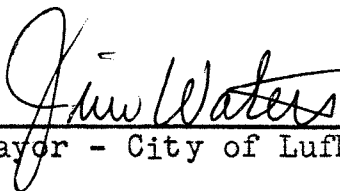
City Attorney recommended that no action be taken since sufficient letters had not been received from the members of the City Planning and Zoning Commission who were in office at the time the present zoning ordinance and zoning map were approved stating it was their opinion that all her property should have been rezoned Commercial.

Miss Odom was advised to either present letters containing this information before the City Commission or to go through regular channels of zone change covering this property.

15. City Attorney read Resolution and Order adopting the new City Charter which was voted on February 1, 1966. He stated he had checked the State Statutes and this was a necessary legal procedure to be taken by the City Commission.


Commissioner Dayle V. Smith made motion that Resolution and Order be passed, motion seconded by Commissioner Byron McNeil and a unanimous affirmative vote was recorded.

16. There being no further business for consideration, meeting was adjourned at 9:00 P.M.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas