MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 20th DAY OF MAY, 1969, AT 7:30 P. M.

On the 20th day of May, 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
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
David Walker	Acting City Manager - City Attorney
Lynn Durham	City Secretary

being present, and

Byron McNeil	Commissioner, Ward No. 3

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

1. Meeting opened with prayer by Rev. Leslie Grounds, Pastor of The First Assembly of God Church, Lufkin, Texas. Mayor thanked Rev. Grounds for his participation.

2. Mayor welcomed a number of visitors who were present in connection with items on the Agenda or as observers.

3. CL made motion that minutes of regular meeting of May 6, 1969, be approved as written. WOR seconded the motion and a unanimous affirmative vote was recorded.

4. DW read caption of Ordinance for second reading changing zone from R-1 District to A District on Lot 1 in the Paul McWilliams Addition to the City of Lufkin, located at Pershing and Calvin Streets, application by Paul McWilliams.

   DVS made motion that Ordinance be approved on second reading. Motion seconded by WOR. However, before vote was taken, Mayor inquired if any persons present to object to the change and there were none. The following vote was unanimous in the affirmative.

5. DW read caption of Ordinance for second reading setting speed zones on Highway 59 S. near Angelina Junior College as recommended by the Highway Department. DVS made motion that Ordinance that Ordinance be approved on second reading. Motion seconded by ECW and a unanimous affirmative vote was recorded.

6. Mayor opened two bids as follows on the purchase of an ambulance unit per recent advertisement by the City of Lufkin.

   Gordon K. Allen Co.
   Dallas, Texas

1 New 1969 Chevrolet Carry-All Ambulance	$5,735.00
2 New 1969 Chevrolet Carry All Ambulances	$5,665.00 each

   Whitley-Holsenback
   Cushing, Texas

1 Used 1969 Chevrolet Carry-All Ambulance	$5,272.00

   Mayor appointed BEA, Chairman, ECW and DVS to study the bids and consult with Fire Chief and Fire Marshall and make recommendation on purchase. BEA set meeting for 2:30 P.M. Wednesday, May 21, 1969, for studying of the bids.

7. Mayor opened following bids on the sale of second-hand automotive equipment recently advertised for by the City.

B. R. "Jimmy" Parker, Lufkin, Texas

1 - 1952 2 Ton Chevrolet Truck
1 - 1954 2 Ton Chevrolet Truck
1 - 1962 Pontiac Ambulance

Bid for all three units $169.00

O. B. Rice, Lufkin, Texas

1 - 1952 2 Ton Chevrolet Truck ....$ 52.50
1 - 1954 2 Ton Chevrolet Truck ....$ 52.50
1 - 1962 Pontiac Ambulance $60.00

E. L. Callahan, Lufkin, Texas

1 - 1952 2 Ton Chevrolet Truck ....$ 51.00
1 - 1954 2 Ton Chevrolet Truck ....$ 60.00
1 - Pontiac Ambulance ....$ 10.00

Curry McElroy Tire Co., Lufkin, Texas

1 - 1952 Chevrolet 2 Ton Truck $157.50
1 - 1954 Chevrolet 2 Ton Truck $157.50

No bid on Pontiac Ambulance.

CL made motion that the two 2 Ton Trucks be sold to Curry McElroy Tire Co. for $157.50 each and the 1962 Ambulance be sold to O. B. Rice for $60.00. WOR seconded the motion and a unanimous affirmative vote was recorded.

8. DW stated would run an ad in local paper for bids from local banks as depository for City funds for two year period beginning July 1, 1969, such bids to be received and opened in regular meeting of June 17 of City Commission. City Commission concurred in this action by DW.

9. DW called attention to decision at last meeting of City Commission wherein authorization was given for a franchise agreement with Herty Water Company to operate within the City Limits of Lufkin. DW stated that Herty Water Company desired to purchase water from the City of Lufkin at prevailing rates and that if this was allowed should amend our proposed franchise to allow for this or enter into a contract authorizing the sale of water to the Herty Water Company at our regular water rates.

A considerable amount of discussion developed on this matter and CL made motion that City be authorized to enter into a franchise agreement with Herty Water Company with an expiration date of November 4, 1974, with the following provisions.

1. 6 Months cancellation notice to be included;

2. Herty Water Company to pay for master meter or meters;

3. Rates would not be raised without public hearing;

4. Prevailing rates to be in effect.

ECW seconded the motion and a unanimous affirmative vote was recorded.

10. DW presented invoice of Henningson, Durham and Richardson in the amount of $4,305.48 which has been held up for payment pending discussion of preliminary report which has been completed. DW recommended that this invoice be approved for payment. WOR made motion that invoice to Henningson, Durham and Richardson in the amount of $4,305.48 be paid. Motion seconded by DVS and a unanimous affirmative vote was recorded.

11. DW stated that a discussion should be had on preliminary sewer study by Henningson, Durham and Richardson in order for the Consultants to proceed with the application for federal funds. DW stated that the City Commission members were familiar with preliminary report and recommended that action be taken at this meeting on authorizing the Consulting Engineers to proceed if the City knew at this date what plan they wish to proceed with.

CL made motion that Henningson, Durham and Richardson be authorized to proceed with administrative steps in making application for approval of the system and for application for federal funds under Public Law 660 and any other similar funds as envisioned for Plan No. 8 which included recommendations as follows:

a.	Sewage Treatment Plant Improvements - Plan VIII - converting existing treatment facilities to a two-stage trickling filter plant, construct a new 3.67 MGD two-stage trickling filter plant a site No. 1	$ 2,054.200
b.	Outfall Sewer Main - to S.T.P. @ Site No. 1	678,000
c.	Interceptor Sewer Main - Along Highway No. 59	28,000
d.	Keltys System (Northwest Area)	516,000
e.	Herty System (Northeast Area)	585,000
	ESTIMATED PROJECT COST	$ 3,861,200
	LESS ESTIMATED FEDERAL GRANT (33% of eligible items)	$ 1,259,300
	TOTAL ESTIMATED COST TO CITY	$ 2,601,900

WOR seconded the motion and a unanimous affirmative vote was recorded.

12. DW called attention to proposed paving request of Diana and Wallace Streets by John Duke. DW stated it was his recommendation after discussion of this matter with Billy Wolff and Harold Kaemmerling that paving of these streets be allowed to proceed under our present paving program. However, would like to request City Commission to consider, as an alternate, the type of paving for these streets as is being used on Card Drive.

After some discussion, WOR made motion that DW's recommendation on inclusion of Diana and Wallace Streets under present paving program be allowed. ECW seconded the motion and a unanimous affirmative vote was recorded.

13. DW recommended that along with above item, other petitions for participation under paving program of our assessment plan, where all streets have not been approved by the City Commission and on which money is being held at City Hall, that these property owners be given a certain time period to obtain the money for their street or else this money on deposit with the City be refunded and that such street be excluded from the present paving program.

ECW made motion that those property owners on the present assessment plan who do not have proper amount of money required under present paving plan, be given until midnight July 7, 1969, to get in the money required or else be dropped from the present pricing. BEA seconded the motion and a unanimous affirmative vote was recorded.

14. DW stated that the Highway Department had made a study of traffic situation at the intersection of FM 58 and Loop 287 and that they recommended that a caution-flashing light be installed before each side of the stop sign on Loop 287. No action was taken and DW stated he would consult further with all concerned regarding final disposition.

15. DW called attention to the fact that our Zoo Director, Don Anderson, was leaving the City June 15, and that he was checking out a man in Houston who he thought could fill the position and would like concurrence to employ this man if proper arrangements could be made. City Commission concurred with DW and instructed him to proceed.

16. DW stated had received approximately $1,100.00 from the Rotary Club as well as $300.00 from two citizens for use specifically for the Childrens Zoo at Ellen Trout Lake. DW stated we have approximately $4,927.00 in the Park money from right-of-way sales for proposed Loop 287 and would like authority to spend some of these funds for Zoo purposes if needed. DW stated he felt part of these funds would be needed in connection with childrens area in zoo and also for benches and tables in the zoo area.

17. DW stated that due to illness of employee handling ambulance collection was unable to get the report for ambulance cost for this meeting.

18. DW stated that City Commission was aware that the City was trying to pave some streets as well as street improvements with only one large grader and would like permission that only in the event we are paving streets and need an extra grader that allowance be given to rent such grader and other equipment needed for street work.

The reason for this request was that a limit of $250.00 expense had been placed on this type of outside work by City Commission recently. BEA made motion that DW be allowed to proceed on the rental of equipment needed when work is to be done on new streets. ECW seconded the motion and a unanimous affirmative vote was recorded.

19. DW called attention to Change Order from Wm. B. Wiener, Morgan & O'Neal, Architects, for two Fire Stations No. 4 and 5, covering the addition of framing and floor area above storage and work room in apparatus room including painting. DW stated he had talked to Jerry Hill, Architect, and L. E. Bass, Building Inspector, and they felt it would be to the City's benefit to authorize this Change Order and that he concurred in their recommendation. This Change Order is in the amount of $148.00 for each station or a total of $296.00.

CL made motion that the Change Order in the amount of $296.00 be approved and also official approval be given to previous verbal approval for the installation of copper in place of titanaloy metal under the overhead doors at the Fire Stations. WOR seconded the motion and a unanimous affirmative vote was recorded.

20. DW stated he had contacted two janitor service companies, one of which now does our janitor work, for a price of two nights a week service and had received the following quotations for such work.

George's Janitor Service $138.00

Professional Cleaning Service $150.00
(Now doing the work)

DW stated would like to check into item further and discuss with these people before making a decision on this janitor service. City Commission concurred in DW's request.

21. DW stated he was furnishing City Commission copies of letters furnished to various industries on compliance with our sewer ordinance and that all poultry companies were not given this letter. City Commission requested that letters be mailed out that were previously supposed to have been mailed.

22. DW stated that something would have to be done soon about our City dump with regard to land fill operations and recommended that we have a complete property survey, after that would like to sell the marketable timber off this tract of land and then have the property fenced. He stated he had requested and received specifications for a crawler type machine for use on this land fill operation from Public Works Director and City Engineer and the Street Department, and would like to advertise for bids for machine estimated to cost approximately $31,000.00.

    CL made motion that DW be authorized to advertise for bids on equipment for land fill operation as recommended by Public Works Director, City Engineer and Street Department. ECW seconded the motion and a unanimous affirmative vote was recorded.

23. DW stated was considering reassigning duties of our Assistant Street Superintendent and would advise later on final decision.

24. DW called attention to Police Code prepared by the Chief of Police showing his organization and command in detail and stated that each City Commissioner was being furnished copy of this code.

25. DW stated that Smith Street needs to be included in our paving assessment ordinance since all money had been turned in covering this proposed paving work. DVS made motion that this street be included in our paving assessment ordinance. CL seconded the motion and a unanimous affirmative vote was recorded.

26. DW stated at proper time would advertise for bids on the sale of timber at the dump grounds. City Commission concurred with this recommendation.

27. DW called attention to proposed figures from Honeywell Company, Shreveport, La., in the amount of $804.00 per year for maintaining air-conditioning equipment contract in the City Hall and Police Station on a yearly basis.

    It was the decision of the City Commission that a representative of Honeywell Company be invited to next meeting to explain in more detail the work to be performed.

28. CL called attention to the railroad crossing at Denman and Raguet wherein the grade at railroad tracks was higher than the street level. He stated that previously the Southern Pacific Railroad had authorized City to make an adjustment in this grade and bill them for the expense. DW will check this matter.

29. CL stated he had noted that Article 5, Section 10, under the Charter had not been complied with by our previous City Manager in having certain detailed information published regarding audit of the City books. He made motion that in accordance with Article 5, Section 10, of the Charter that this information be published in the paper as well as copy of the Auditors letter dated December 16, 1968, outlining in detail certain recommendations on detailed accounting procedures.

    This brought on a considerable amount of discussion and DVS and EN did not think this particular letter should be published as it was available to the public and had to do only with procedures being followed at City Hall. CL withdrew this portion of his motion regarding release of letter dated December 16, 1968, as he now understood was public record. BEA seconded the motion and a unanimous affirmative vote was recorded.

30. WOR made motion that the City of Lufkin call a City Sales Tax Election for August 5, 1969, in order that the City of Lufkin can receive this additional income from the City Sales Tax which has been adopted in most other cities within the State of Texas. In this same motion, WOR also requested the adoption of the following Resolution:

"BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LUFKIN, that in order to assure the improvement and paving of existing streets within the City of Lufkin, it is hereby resolved that in the event the sales tax election which is being called this date be done so primarily for the purpose of improving and paving existing streets within the City of Lufkin, and to further support this aim, that 75% of the funds received from the city sales tax within a period of seven years be appropriated for the specific purpose of paving and improving existing streets within the City of Lufkin,"

ECW seconded the motion, however, before vote was taken, CL stated that he thought the timing of the Sales Tax election date was not proper in that we should allow sufficient time to successfully handle possible bond election for the sewer treatment plant. BEA stated he was against calling this election at this time for the same reason. ECW stated that the City was fooling around and thought this matter should have immediate action.

EN suggested that Resolution state "existing streets and drainage" which was agreed to. EN then called for a vote on the matter which was as follows:

Voting Aye: EN, DVS, ECW and WOR.

Voting Nay: BEA and CL.

Mayor declared motion carried by majority vote.

31. ECW stated that his committee composed of WOR, BEA and himself had studied the proposal by the National Steel Maintenance Corporation of Des Moines, Iowa for painting and repairing certain towers for the City of Lufkin and made motion that the City of Lufkin award the National Tank Maintenance Corporation of Des Moines, Iowa a contract for initial repair and painting of the Wood Street and Jones Lake elevated tanks and towers as covered in their bid of April 18, 1969, and for a 10 year maintenance contract on these same two tanks. WOR seconded the motion and a unanimous affirmative vote was recorded.

It was noted that the Wood Street tank would cost $5,990.00 and maintenance $890.00 per year and that the Jones Street tank would cost $6,880.00 and maintenance cost of $770.00 per year.

32. DVS called attention to holes in street on Laurel Street and the condition of the bridge on Oleta Street. DW will follow through on this item.

33. EN stated that in his opinion we should purchase another mosquito fogging machine as he did not think the present equipment was sufficient. This matter will be given further study.

34. EN stated had received four applications for the position of City Manager and would like to set up schedule of going over these applications with the City and recommended that the first meeting be held on Thursday, at 10:00 A.M. This was agreeable with the other City Commission members.

35. EN stated...

"at our last stated meeting of the Commission a resolution regarding the Deep East Texas Development Council was presented and passed. I submit that we were out of order in passing such motion.

We are not members of the Council, and the official body of the City of Lufkin is, in my opinion, completely out of order in condeming an organization covering an area which the Governor of the State of Texas was instrumental in helping to establish for the aid and benefit of those who desire membership.

We are free to join or not join, but we should not condemn by implication our many neighboring Cities and Governmental units who are members of the Deep East Texas Development Council.

I ask for a motion to remove the resolution from the minutes by official action of the Commission."

No motion was given to removing the Resolution as requested by the Mayor.

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

Mayor - City of Lufkin, Texas

ATTEST:

City Secretary - City of Lufkin, Texas