MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5th DAY OF AUGUST, 1969, AT 7:30 P.M.

On the 5th day of August, 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. 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, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by BMcN.

2. CL made motion that minutes of regular meeting of July 15, 1969, and special meeting of July 22, 1969, be approved as written. BEA seconded the motion and a unanimous affirmative vote was recorded.

3. DW read caption of ordinance for second reading changing zone from LB District and R-3 District to C District and Special Use covering property located between Alton and Chestnut Streets and immediately behind residences of applicants, W. C. Royle and Milton Hickman, on Laurel Street.

   BEA made motion that Ordinance be passed on second reading. DVS seconded the motion, however, before vote was taken, ECW stated would like for applicants to present plat of Mobile Home Park they propose to construct to City Planning and Zoning Commission for further checking. ECW further stated that the plat did not indicate street widths, etc. and no indication as to whether or not the area could be served by fire hydrants. CL thought it would be of mutual advantage to all if this plat was submitted to the City Planning and Zoning Commission for further consideration. EN stated the City Planning and Zoning Commission had given this matter study in their open hearing and had recommended approval and called for a vote on the motion and second.

   Voting Aye: EN, BEA, DVS and BMcN.

   Voting Nay: CL, ECW and WOR.

   Mayor declared motion carried by majority vote.

   After vote was taken, Mrs. Hollis Massingill, who had opposed the change from its beginning stated she did not think the action was fair and desired the City Commission to know this.

4. DW stated had readvertised for bids on timber on City's property at dump grounds but no bids had been received and that the only bid received was called to attention at last meeting, July 15, but not opened at that time, this bid being from Bell Wood Co., Inc., Pollok, Texas.

   BEA made motion that this bid be opened at this time for consideration. ECW seconded the motion and a unanimous affirmative vote was recorded. The Bid from Bell Wood Co., Inc., was opened and same was $300.00 for all pine and hardwood timber on this property and DW recommended that the City accept the price and dispose of the timber since there was not too much timber involved. BEA made motion that this timber be sold to Bell Wood Co., Inc. for $300.00. BMcN seconded the motion and a unanimous affirmative vote was recorded.

5. Mayor opened and read the following bids on construction of sewer line to Slack Elementary School, the expense of which was to be borne by the Lufkin Independent School District.

Roy W. Green Co.
Longview, Texas
Total Base Bid $33,869.08

Shull Construction Co.
Euless, Texas
Total Base Bid $30,417.40

Mr. Fred Hill, member of the Lufkin Independent School District Board of Education was present and he stated the School appreciated the cooperation of the City and it would accept the City's recommendation for consideration at their next Board meeting on Wednesday, August 13, 1969. EN appointed ECW (Chairman), BMcN and WOR to study bids and make recommendation to the Lufkin Independent School District Board of Education.

6. Mr. L. E. Henningan of Fitch and Holdredge, Architects and Engineers, of Houston, appeared before the City Commission and presented the Mayor and each Commissioner with information on qualifications and jobs performed by his Company in projects of low rent housing, etc. He gave a complete outline of the procedure to follow should the City of Lufkin desire to go into a program of this nature. EN thanked Mr. Henningan for appearing before the City Commission and presenting the procedures involved in such a program.

7. DW read ordinance for consideration of first reading covering installation of screens by poultry processing plants to prevent feathers, etc. from going into our sewer treatment system. Discussion was had as to the effective date for this ordinance and 90 to 120 days was decided.

DVS stated that we now had an ordinance covering operations of the poultry processing plants covering sewer disposal to City Sewer Treatment Plant which was not being complied with. BEA made motion that ordinance be passed on first reading. CL seconded the motion and a unanimous affirmative vote was recorded.

8. DW read ordinance regulating the discharge of individual waste into the public sewers of the City of Lufkin, promulgating regulations and establishing charges for services rendered, providing for a penalty not to exceed $200.00 for each offence.

CL made motion that ordinance be passed on first reading with the addition of section regulating the rates recommended in letter of July 14, 1969, from Henningson, Durham & Richardson, the City's Consulting Engineers, and these rates to be effective with billing beginning October 1, 1969, and to continue in effect until such time as final rates are negotiated under provisions of this Ordinance. BEA seconded the motion and a unanimous affirmative vote was recorded.

9. DW stated that the item of paving Reen and Roseneath Streets had been held open until this meeting and since there was a number of citizens present would like for the City to hear them and consider action on this paving project.

Joe Byrd, acting as spokesman for a number of visitors from this area, spoke briefly on behalf of his neighbors and expressed appreciation to the City Commission for consideration given in their project. He gave a breakdown on the amount of money that was necessary to begin such paving and stated that a little over $2,000.00 was lacking in cash collected or notes signed.

After considerable discussion, CL made motion that the City accept this paving petition on Reen and Roseneath Streets waiving and making exception of their failure to meet the minimum requirements of cash participation and to include the 300' from Koch property to Loop 287 in paving assessment ordinance. ECW seconded the motion and a unanimous affirmative vote was recorded.

Lee W. Friesen who was present, stated he would like consideration for curb and gutter and paving of Evans Street in front of his house. However, no action was taken on his request at this time.

10. DW stated that inasmuch as the City had approved the paving of Reen and Roseneath Streets, he recommended that similar approval be given to pave Lakeview, Highland and Wood Streets eventhough petitions had not been completed on all these streets as to cash receipts or notes signed.

BMcN made motion that DW's recommendation be followed in paving these three streets; namely, Lakeview, Highland and Wood and same be included in paving assessment ordinance to be prepared by DW. WOR seconded the motion and a unanimous affirmative vote was recorded.

DW stated that the above streets were all that were pending under the old price schedule and before any new petitions or arrangements made for paving other streets, new price would have to be determined.

11. DW gave a report on street activity since July 31, 1969, covering streets resurfaced, oiled, etc. DW also gave a report on expenses by all departments each month covering the period 10/1/68 to 6/30/69 and passed out to the City Commission a copy of breakdown of such figures.

12. DW passed out letter from Texas Parks and Wildlife Department covering recent fisheries survey of the City park lakes, which cited certain contaminations.

13. DW stated that the City was progressing satisfactorily on the work of installing the sewer line to Angelina Junior College and was nearing completion but this work had held up other work that was needed by City. He stated expenditure to date was $7,000.00 to $10,000.00.

14. DW stated had been in consultation with the Public Works Director and others concerned regarding prices to be charged for use of City dump grounds and the following recommendation was made.

A. That we close the site to all but citizens of the City of Lufkin except by issuing permits or charging at the gate as set out in paragraph B.

B. That we issue permits, or charge at the gate, for all waste materials other than garbage (household refuse) as follows:

1. Pickup or utility trailer or less	$ 2.00 per load
2. 1 to 1½ ton truck or equivalent	$ 4.00 per load
3. 1½ ton truck or more	$10.00 per load

C. That we offer an all service City pickup, and if the customer wishes to haul his own waste materials rather than to pay our commercial rates, charge him according to paragraph B. We are now receiving 16 loads of garbage from our collection department and the equivalent of 10 loads from outside sources. This does not count refuse from shops, factories, stores, and contractors.

This matter was discussed in considerable detail and DVS made motion that the above regulations be put into effect by the City as soon as possible. Motion seconded by BEA and a unanimous affirmative vote was recorded.

It was brought out in discussion, after the passage of the above regulations, that changes might have to be made before finalizing such regulations.

15. Mr. C. W. Fenley, Jr., representative of Angelina Fresh Water District No. 1 covering services to Cedar Grove Community called attention to recent visit of Mr. W. F. Soules of the engineering firm of W. F. Soules and Associates, Waco, Texas, regarding Cedar Grove being allowed to use the services of the City of Lufkin for disposal of their waste sewage. It was brought out in discussion that the Texas Water Quality Board had recommended that this matter be given serious consideration by the City in their overall sewer improvement program.

    It was the decision of the City Commission that no action be taken on Mr. Fenley's request at this time until the City's Consulting Engineers, Henningson, Durham and Richardson, could study and make recommendations on what it would cost for such services, design, etc. Mr. Fenley stated he would have engineering representative of Cedar Grove Community to get in touch with the City's Consultants on this matter. It was stipulated that no expense in connection with this program was to be incurred by Henningson, Durham & Richardson against the City of Lufkin and that any expense incurred was to be charged to Angelina Fresh Water District No. 1.

16. DW presented old invoice dated May 19, 1969, from Henningson, Durham & Richardson in the amount of $4,576.53, which he recommended for payment and which completed the $10,000.00 charge for preliminary sewer phase work in connection with the City Sewer Improvement Program.

    DVS made motion that this invoice be paid. Motion seconded by BMcN. BEA stated that he was not convinced that adequate plans had been furnished the City on our sewer program by Henningson, Durham & Richardson and desired to see these plans before final payment was made. CL was in agreement that workable plans had not been furnished.

    AT this point, BMcN withdrew his second to the above motion and DVS withdrew his motion. WOR then made motion that invoice be paid. Motion seconded by ECW and the following vote was recorded.

    Voting Aye: EN, DVS, BMcN, W_OR and ECW.

    Voting Nay: CL and BEA.

    Mayor declared motion carried by majority vote.

17. DW called attention to an open hearing scheduled for August 26, 1969, in the Jefferson County Court House in Beaumont, on the City's application for amendment to present sewer permit No. 10214 which should be attended by representatives of the City of Lufkin.

18. DW stated that he was turning his City Manager car over to Hayne Stokes, Director of Public Works, within the next few days since Mr. Stokes was in need of this automobile which had radio communications in order to keep jobs progressing.

19. WOR inquired as to when further action would be taken on City Manager appointment. EN stated a number of applications had been gone over and several interviews had been made and was contacting Mr. Kerry R. Sweatt, City Manager of Stamford, requesting he and his family to return to Lufkin for further consultation by the City Commission and as soon as a definite time had been arranged would advise the City Commission members.

20. DVS stated that John Moody, reporter for the Lufkin News, was leaving the employment of the Lufkin News to become associated with the Houston Chronicle and understood this would be his last meeting as a reporter for the Lufkin News. DVS made motion that Resolution be prepared by the City Attorney commending John Moody for the work he has performed while covering the City Commission meetings. BMcN seconded the motion and a unanimous affirmative vote was recorded.

21. DVS inquired as to the amount of street patching going on at this time and stated that Lowery Street needed some repairs. Also that attention should be given to Oleta Street which needed repairing in places.

BEA called attention to repairs that needed to be done on Turtle Creek Drive just East of Loop 287.

BMcN called attention to patch work that needed to be done on Pershing Drive in the vicinity of the Lufkin Foundry.

22. CL stated that he thought it would be appropriate at this time and would like to make motion that the City Commission go on record as expressing its thanks, appreciateion and commendation to Chief of Police, A. J. Schammerhorn, for his having developed in a relatively short time one of the more efficient Police Departments in East Texas. Since assuming the post of Chief of Police he has instituted various new programs and brought the department up to full strength and as a result of the activities of the Lufkin Police Department, the City Commission recognizes that the crime rate in the Lufkin area has been held to a very minimum and, in addition to this expression of confidence, the City Commission further offers its continued full support to Chief of Police A. J. Schammerhorn, and the Lufkin Police Department. Motion seconded by BEA and a unanimous affirmative vote was recorded.

23. EN inquired as to the progress of work on the two new fire stations since he had noted no activities during the last week or 10 days. DW stated he would check into this item.

24. EN read following results of special local sales and use tax election held this date at the Central Fire Station as shown in report by the Election Judge, Claud D. Cook.

Number of votes cast	2,034
For Adoption of Local Sales and Use Tax	1,102
Against Adoption of Local Sales and Use Tax	886

DVS made motion that the above results be declared official wherein the results showed the local sales and use tax carried by a majority vote. BMcN seconded motion and unanimous affirmative vote was recorded.

25. WOR made motion that necessary arrangements be made to borrow sufficient money for City to continue its present street resurfacing program. This subject was discussed in some detail and although the motion died from lack of second, City Commission members were in concurrence with the idea of continuing the program by DW with reports from time to time on progress.

26. There being no further business for consideration, meeting was adjourned at 10:00 P.M.

[signature]

Mayor - City of Lufkin, Texas

ATTEST:

[signature]

City Secretary - City of Lufkin, Texas