

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION  
OF THE CITY OF LUFKIN, TEXAS, HELD THE THIRD DAY OF  
NOVEMBER, 195 9, at 7:30 P. M.

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On this the 3rd day of November, A. D., 195 9,  
the City Commission of the City of Lufkin, Texas, convened in  
regular session, in the regular meeting place in said  
City, with the following members thereof, towit:

Jim Waters, Mayor  
E. Kurl Shirey, Commissioner,, Ward No. 1  
W. C. Royle, Commissioner, Ward No. 2  
Bayo Hopper, Commissioner, Ward No. 3  
H. E. Rowin, Commissioner, Ward No. 4  
Harold Schmitzer, City Manager  
Lynn Durham, City Secretary  
Dan Brazil, City Attorney

being present, and the following absent: None  
\_\_\_\_\_, constituting a quorum when  
the following business was transacted:

1. Meeting opened with prayer by Captain Cecil Brown of the Salvation Army. Mayor thanked Captain Brown for his participation and invited him to remain for the full proceedings or leave when he so desired.
2. Minutes of regular meeting of October 26, 1959 were read and, after one minor correction, were approved.
3. City Manager opened bids covering construction of Sewage Treatment Plant, bid bonds and financial statements being furnished with bids. Following is a tabulation of the bids:

Temple Associates, Diboll, Texas

|                       |                   |
|-----------------------|-------------------|
| #1 Base Bid           | 352,859.00        |
| #2 Supplemental Items | 2,015.00          |
|                       | <u>354,874.00</u> |

Howard Pool Construction Co., Houston, Texas

|                       |                   |         |
|-----------------------|-------------------|---------|
| #1 Base Bid           | 298,400.00        | (Low    |
| #2 Supplemental Items | 1,405.00          | Bidder) |
|                       | <u>299,805.00</u> |         |

Elm Fork Construction Co., Inc., Dallas, Texas

|                       |                   |            |
|-----------------------|-------------------|------------|
| #1 Base Bid           | 298,980.00        | (Third Low |
| #2 Supplemental Items | 4,380.00          | Bidder)    |
|                       | <u>303,360.00</u> |            |

Broughton & Ericson, Dallas, Texas

|                       |                   |
|-----------------------|-------------------|
| #1 Base Bid           | 323,690.00        |
| #2 Supplemental Items | 3,270.00          |
|                       | <u>326,960.00</u> |

Ed Johansson Construction Co., Galveston, Texas

|                       |                   |
|-----------------------|-------------------|
| #1 Base Bid           | 329,500.00        |
| #2 Supplemental Items | 4,210.00          |
|                       | <u>333,710.00</u> |

Graham Construction Company, Jameron, Texas

#1 Base Bid

#2 Supplemental Items

298,860.00 (Second Low  
3,455.00 Bidder)  
302,315.00

Arthur Brothers, Inc., Kingsville, Texas

#1 Base Bid

#2 Supplemental Items

360,000.00  
2,712.00  
362,712.00

George C. Cox, Inc., Houston, Texas

#1 Base Bid

#2 Supplemental Items

326,431.00  
3,450.00  
329,881.00

Maxwell Construction Company, Baytown, Texas

#1 Base Bid

#2 Supplemental Items

453,000.00  
3,875.00  
456,875.00

City Manager stated a tabulation of bids would be prepared by Mr. R. E. L. Johnson and all bidders would be furnished copy. He stated that all bid bonds and financial statements would be returned to bidders with exception of the three lowest bidders, but desired Commission approval of this procedure. Commissioner Bayo Hopper made motion to this effect, seconded by Commissioner H. D. Rowin and voted unanimously.

City Manager stated that at next regular meeting of the City Commission, tentative award of contract would be made, subject to approval of State Department of Health.

Mayor Waters expressed appreciation of the City Commission to the visitors present, most of whom were representatives of companies submitting bids.

3. Mr. R. E. L. Johnson, Consulting Engineer, with Turner & Collie, appeared before the Commission and discussed in detail a program to be followed in line with funds available in the Sewer Improvement Program. It was Mr. Johnson's recommendation that City Manager be authorized to advertise for bids covering work in connection with Phases 2 and 4, subject to approval of plans by State Department of Health. Commissioner Bayo Hopper made motion to this effect, seconded by Commissioner W. C. Royle and the vote was unanimous.
4. Mr. R. E. L. Johnson also called the City Commission's attention to the scarcity of clay tile and the extremely long delivery date of approximately three months for this material. Stated that he knew of approximately 5,000 feet of such tile that was available in North Carolina which did not meet A.S.T.M. specifications in that it contained three or four cracks in the bell. Felt this pipe was as durable as pipe meeting A.S.T.M. specifications and was available for immediate delivery at approximately \$1.00 per foot less than pipe meeting A.S.T.M. specifications. The Commission felt that our specifications should be drawn up to allow contractors to make bid covering this pipe, as well as pipe meeting A.S.T.M. specifications. Mr. R. E. L. Johnson will handle accordingly.
5. Mr. Bob Putnam appeared before the Commission and presented plans for Scout Cabin to be erected in Winston Park for use by Boy Scout Troop sponsored by the Evening Lions Club. City Manager said he approved of the plans and that suitable site was available, and that he had gone over the whole matter with Paul McWilliams, Park Superintendent. City Manager recommended this construction be allowed since precedent had been set in the past by allowing the construction of a Scout Cabin in Chambers Park, this construction being of no expense to the City, and all utility bills to be paid by Boy Scout sponsors, including water and sewer. Commissioner W. C. Royle made motion that City Manager's recommendation be followed. Commissioner Bayo Hopper seconded the motion and the vote was unanimous.
6. Commissioner E. Kurl Shirey made motion that Ordinance covering the following Zone Changes be passed on first reading:
  - "A" to "F" District, Lots 6 and 7, Block 3, Oakland Addition, by Dr. B. H. McVicker;
  - "A" to "F" District, Lots 1 and 2, Block 5, Woodland Heights Addition, by Dr. B. H. McVicker;
  - "F" to "H" District, Lots 1 and 2 and N.  $\frac{1}{2}$  3, Block 2, A. P. Johnson Addition, also portion of land formerly called Heath Street, by Ralph Tree; and
  - "A" to "D" District, Lots 15 and 16, Block 3, V. D. Bynum Addition, by Angelina Society for Crippled Children, Inc.

Commissioner H. E. Rowin seconded the motion and the vote was unanimous.

7. Commissioner H. E. Rowin made motion that Ordinance changing zone from "A" to "D" District, covering parcel of land in the John L. Quinalty League, requested in application of Dr. V. L. Jensen and wife, be approved on second and final reading. Commissioner Bayo Hopper seconded the motion, and ensuing vote was unanimous.
8. Commissioner Bayo Hopper made motion that second and final reading be given to Ordinance calling for and setting date for Special City Election for Adoption of Firemen's and Policemen's Civil Service Act of Texas. Commissioner E. Kurl Shirey seconded the motion and the vote was unanimous.
9. Some discussion was had regarding wording of Article "I" of proposed Bylaws recently adopted by the City Planning Commission. Mayor Waters said he would discuss this with Cecil Simpson, Chairman, City Planning Commission and agree on the wording and then present it at the next meeting of City Commission for approval.
10. City Manager advised that the City Planning Commission had considered the item of opening Jackson Street from First Street to Second Street in meeting of October 22, 1959, and was unanimous in recommending this be done, and suggested the City secure right-of-way of fifty feet if possible, with a minimum of forty feet. The Mayor instructed City Manager to handle this item to conclusion.
11. City Manager advised that the City Planning Commission had studied the request of St Louis Southwestern Railroad Company to the City Commission, dated June 30, 1959, that a portion of Persimmon and Grove Streets, along with the intervening alley and a section of Herndon Street, be closed in order that a local industry could expand; and their recommendation to the City Commission, in meeting of October 22, 1959, was:

"From information available from the Railroad as to Company desiring to expand, and the fact that if this request is granted the Fire Department would not have complete access to the area in case of fire, the Police Department could not effectively patrol the area, and insurance rates would be higher for adjoining business establishments, the City Planning Commission was not in accord".

Commissioner Bayo Hopper made motion that City Commission adopt this recommendation and that St. Louis Southwestern Railroad Company be so advised by City Manager. Commissioner W. C. Royle seconded the motion and the vote was unanimous.

12. City Manager called the City Commission's attention to letter from Cecil Simpson, Chairman, City Planning Commission, advising of expenditures that were estimated would be made during the fiscal year Oct. 1, 1959 to Sept. 30, 1960, inclusive, for mapping work, which was in amount of \$2,000.00. City Manager stated this amount had been included in the budget.
13. Mayor Jim Waters read letter that Cecil Simpson had written to State Department of Health in Austin inviting Mr. Nathan L. Kiser to meet with the City Planning Commission on November 12th to go into details of financing, etc. in connection with Master Plan. Mayor Waters stated that the City Commission was invited to this meeting and urged all to attend.
14. Open items were gone over and discussed with the following information given by City Manager:

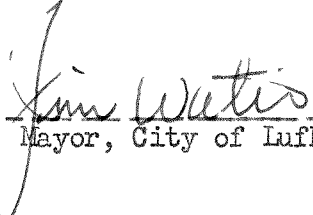
Open Angelina Street between Library and old Southern Pacific Railway Ticket Office. Deed has been received and examined by City Attorney and found to be in order, but recommended we delay the transaction until the City of Lufkin can be furnished with a release of mortgage lien.

Highway Department now ready to discuss the situation of highway routing of North Raguet and, at next meeting, definite information should be available.

Suit has been filed against Sullivan Packing Company on encroachment of City property.

Definite recommendation will be made shortly on removing old buildings and employing an Attorney to collect delinquent taxes by actually filing suits and selling old property on which such taxes are owed.

15. City Attorney presented a Resolution prepared by A. B. Youngblood's Attorney, authorizing correction of deed covering land recently traded by the City to him in connection with Sewer Improvement Program. States that land had been resurveyed and deed should be corrected accordingly. City Manager stated did not know anything about this Resolution as had not been discussed with him prior to meeting, and furthermore, the deal with Mr. Youngblood had been completed as we had given him deed to land in accordance with abstract and that same had been recorded. Mayor Waters instructed City Manager to discuss matter with all interested parties and clear up, but agreed with City Manager that subject should be closed since we issued deed and same had been recorded.
16. There being no further business for consideration, meeting was adjourned.

  
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Mayor, City of Lufkin, Texas

ATTEST:

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City Secretary, City of Lufkin, Texas