

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY
OF LUFKIN, TEXAS, HELD ON 6th DAY OF APRIL 1965, 7:30 P.M.

On the 6th day of April, 1965, 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	Mayor
Jack W. Tucker	Commissioner, Ward No. 1
Dayle V. Smith	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
H. E. Rowin	Commissioner, Ward No. 4
Granville Wright	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 Rev. V. G. Garrett, retired Baptist minister. Mayor Waters thanked Rev. Garrett for his participation and invited him to remain for entire meeting or to feel free to leave when he so desired.
2. Minutes of two previous meetings were read and approved.
3. Mayor Waters opened and City Manager read following bids on two police units, one of which to be equipped with factory installed air-conditioning:

Gibbs Motor Company, Lufkin, Texas:

1-1965 T-93 (Plymouth) Police Car	2,275.00
1-1965 T-93 (Plymouth) Police Car with air conditioner	2,531.00
	<u>4,806.00</u>

Henderson-Medford Motor Company, Lufkin, Texas:

2-1965 Ford Cruiser Forder (2,223.00 each)	4,446.00
One with factory-installed air-conditioning	200.00
	<u>4,646.00</u>

Angelina Chevrolet-Cadillac Company, Lufkin, Texas:

1-1965 Chevrolet 4 Door Sedan	2,249.94
1-1965 Chevrolet 4 Door Sedan with factory-installed air-conditioning	2,506.94
	<u>4,756.88</u>

City Manager requested permission to check bids as to specifications, etc., before making recommendations at a later meeting. This request was granted by the City Commission.

4. Mr. Robbie N. Warren appeared before the City Commission on behalf of Youth Baseball Association to request additional facilities at Teener Park for practice field for West Side Little League Farm Teams.

After some discussion, Commissioner S. Harry Kerr made motion that this request be granted with the understanding that, if and when the property is needed by the City, the agreement would be terminated. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

5. City Attorney read caption of ordinance covering zone change from LB and R3 District to C District on property located in the vicinity of Denman Avenue and Timberland Drive and described in application by field notes.

This application is by Doyle Anderson, acting as Agent for Conn-Fender-Herring, et al.

City Secretary advised that application was considered by the City Planning and Zoning Commission in regular meeting of March 11, 1965, and it was the unanimous recommendation that zone change be approved by the City Commission.

Mr. Sumner Williams, Jr., Attorney, Doyle Anderson, and Mr. Donald Kerr of Henry S. Miller Company of Dallas, Texas, were present and outlined in detail the construction of a Shopping Center if approval is granted for the zone change request.

Mr. Ernest Hudgens and several property owners in the area were present and were vitally concerned with the drainage in the area as now exists and what it will be if shopping center is allowed to be constructed.

Mr. Kerr stated that his Company could certainly abide by all City regulations as to drainage, etc., but that it would be the City's responsibility to rectify any conditions that might exist on adjoining property.

Commissioner S. Harry Kerr stated that this whole drainage situation should be taken care of and thought it was the City's responsibility to see that adequate drainage was provided in the whole area.

Commissioner H. E. Rowin made motion that ordinance changing the zone be passed on first reading with the understanding that the City Engineer and the Engineer handling construction details for Mr. Donald Kerr's Company (Henry S. Miller Company of Dallas) make a study of and recommend a solution of the drainage problem both on-site and off-site in the area before City Commission passes ordinance on second reading. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

6. City Manager stated that County Judge O. L. Hubbard contacted him a few days ago with regard to appointing a committee to administer the program of the County Health Unit, the City's portion of expenses of operation having been approved in the current budget.

City Manager further stated that the County suggested that they appoint 5 Committee members and that the City appoint 3 Committee members. No action was taken by the City Commission and item will be left open for discussion at next meeting and it was also the desire of the City Commission that Dr. Jack Pruitt be present.

7. Open items were discussed and status developed.

Under the item of paving, City Manager stated that a petition to pave Davis Street was about complete. Discussion brought out the fact that City will use this street with its heavy equipment going and coming from the City warehouse since it is located in this vicinity.

Commissioner S. Harry Kerr made motion that this project be pursued by the City Manager with dispatch and that the City give every assistance possible in this paving project. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

- City Attorney was instructed to study ordinance covering charges for water and sewer connections to see if any amendment might be desired.
8. R. C. Musslewhite, Attorney, and several members of Samaria Lodge #480, I.O.O.F., were present to inquire as to status of

their zone change request to construct a lodge on Loop No. 287.

City Secretary called attention to recommendations of City Planning and Zoning Commission in their meeting of February 25, 1965, that City Commission amend the zoning ordinance to allow for additional special use provision under Article 15 of Special Uses allowing for lodges of a religious nature under R-1 District on sites of 1 acre or more.

City Attorney stated that in order to amend the ordinance as recommended by the City Planning and Zoning Commission, it would be necessary to advertise notice in newspaper of such amendment at least 15 days prior to first reading of ordinance covering same.

Commissioner Jack W. Tucker made motion that necessary procedure be started to allow City Commission consideration of amendment to zoning ordinance as recommended by the City Planning and Zoning Commission in this instance. Commissioner S. Harry Kerr seconded the motion and a unanimous affirmative vote was recorded.

9. Mayor Waters read results of City Election held this date covering Mayor and Commissioner of Ward 1 and Commissioner of Ward 3; the results of which are listed below:

Mayor:

Ray Cornelius	184
Jack W. Tucker	794
Polly A. Durham	106
Jim Waters	897
Joe Barnes (write-in)	1

Commissioner, Ward No. 1

Joe P. Bynum	708
William F. (Billy) Prince	1258
James B. Ames (write-in)	1
O. L. McFaddin (write-in)	1

Commissioner, Ward No. 3

Ronald T. Gammill	301
S. Harry Kerr	891
Byron McNeil	767
O. L. McFaddin (write-in)	1

Commissioner S. Harry Kerr made motion that the above results be declared official and that William F. (Billy) Prince be certified as Commissioner of Ward No. 1 for the next two year period. Commissioner Jack W. Tucker seconded the motion and a unanimous affirmative vote was recorded.

Mayor Waters stated that it would be necessary to call a run-off Election for the Mayor and Commissioner of Ward No. 3 positions since a majority was not received by any candidate. This Run-Off Election for position of Mayor will be between Jack W. Tucker and Jim Waters and the position of Commissioner of Ward No. 3 will be between S. Harry Kerr and Byron McNeil and the date for same, according to City Charter, must not be less than 10 days nor more than 20 days from this date.

Commissioner Dayle V. Smith made motion that Tuesday, April 20, 1965, be set as the date for this Run-Off Election and that the following Election officials be named to handle the Election:

Claud Cook	Judge
Falcon Perry	Assistant Judge
Mrs. Basil Atkinson, Jr.	Assistant Judge
Mrs. Claud Green	Clerk
Mrs. Paul Green	Clerk
Mrs. Rose Moss	Clerk
Mrs. Eunice Curry	Clerk
Mrs. W. F. Roberts	Clerk
Mrs. Lorraine Webb	Clerk
Mrs. Ernest Medford	Clerk
Mrs. Barney Glade	Clerk
Mrs. Joe T. (Jane) Floyd	Clerk

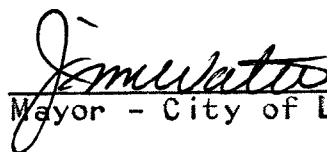
Commissioner S. Harry Kerr seconded the motion and a unanimous affirmative vote was recorded.

10. City Attorney advised he had been studying the request by William D. Perkins, Attorney, at last regular meeting, requesting City Commission to instruct City Manager to place policemen on a 40 hour per week basis and to pay overtime for any hours in excess of 40 hours and stated City's position due to ruling by the Court of Civil Appeals in Beaumont against the City of Nacogdoches.

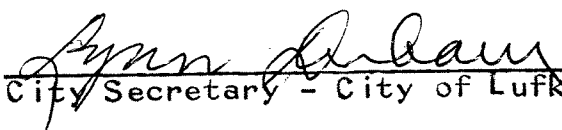
City Manager stated that current budget did not allow for this additional pay and also Charter states that not more than 1/12 of approved budget may be expended in any one month for such pay; also that he understood State Law supercedes local ordinance or Charter and that amendment to budget would have to be approved by City Commission to allow this additional pay.

After some discussion, Commissioner S. Harry Kerr made motion that the City of Lufkin advise Mr. Perkins that the Police Department would be put on a 40 hour per week basis effective October 1, 1965, and that any hours worked in excess of 40 after that date would be paid at time and one-half. Commissioner Dayle V. Smith seconded the motion and an affirmative unanimous vote was recorded.

11. Commissioner S. Harry Kerr made motion that Resolution be written commending Commissioner Jack W. Tucker for his fine work in handling the affairs of the City while serving as Commissioner of Ward No. 1 during the past two year period. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.
12. There being no further business for consideration, meeting adjourned at 9:45 P.M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas