

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 15th DAY OF OCTOBER, 1968, AT 7:30 PM

On the 15th day of October, 1968, 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
William E. Wolff	City Manager
Lynn Durham	City Secretary
David Walker	City Attorney

being present, and

Basil E. Atkinson, Jr., M.D. Commissioner at Large, Place B

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

1. Meeting opened with prayer by Rev. John Caskey, Rector of St. Cyprian's Episcopal Church, Lufkin, Texas, who was thanked by Mayor for his participation.
2. Mayor welcomed a number of visitors who were present as observers or in connection with items on the Agenda.
3. BMcN made motion that minutes of special meeting of September 30, 1968 and regular meeting of October 1, 1968, be approved as written after correction of two typographical errors. 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 C District on Lots 5, 6, and 7, Thompson Addition by Dr. B. D. Rhodes and Mrs. E. E. Read. Mayor inquired if any persons present to object to change and there were none. BMcN made motion that Ordinance be passed on second reading. CL seconded the motion and a unanimous affirmative vote was recorded.
5. DW read caption of Ordinance for second reading changing zone from LB District to C District on Lots 1, 2, 3 and 4, Thompson Addition, by Dr. B. D. Rhodes and Mrs. E. E. Read. Mayor inquired if any persons present to object to change and there were none. BMcN made motion that Ordinance be passed on second reading. CL seconded the motion and a unanimous affirmative vote was recorded.
6. WEW requested and received permission for another week of study and consideration by Committee composed of ECW, Chairman, CL and BMcN, before recommendation is made for the purchase of a bookkeeping machine on bids opened in regular meeting of September 17, 1968. He stated there had been several developments and questions which had not been settled.  
  
The City Commission, without motion, granted this request by WEW.
7. Rufus H. Duncan, Developer, appeared before the City Commission to report on developments of drainage in area West of Loop 287. He stated he had contacted property owners from Turtle Creek Drive to just South of Gobbler Knob Road and thought right-of-way to permit cleaning out and straightening of Cedar Creek of 160 feet

could be acquired; however, two or three property owners on Turtle Creek did not desire to grant a perpetual easement but would grant permission to do improvements.

Discussion was had as to whether City of Lufkin would match contribution of County of \$3,000.00, making a total of \$6,000.00 to clean out and straighten a portion of Cedar Creek immediately below bridge on Copeland Street. DW stated had discussed this matter with WEW and City Engineer and the possibility of City contribution \$3,000.00 to this project was considered a legal expenditure since a large portion of the work would consist of straightening out the first bend which was inside City Limits or very near thereto.

WOR opposed the City participation since the amount of \$3,000.00 proposed, plus like amount from County, would not cure anything; also the City did not have the funds available. WOR also stated that this drainage condition has existed for years and prior to the development of the area by Mr. Duncan. WOR further stated that if certain lots had been filled in with dirt before construction of houses by the Developer, flooding of same could have been prevented. WOR then stated there were other areas inside City Limits that needed attention and should be considered before expending City's funds for drainage improvements further outside the City Limits.

Mayor thought this expenditure of \$3,000.00 was proper, even though it was not a cure-all and recommended the expenditure of \$3,000.00. CL stated that by expending this \$3,000.00 at this time, a precedent might be set in that City might be called upon each succeeding year for assistance, and made motion that no action be taken on this drainage matter at this meeting due to its controversial nature, and be considered later when all members of City Commission were in attendance. WOR seconded the motion and the following vote was recorded:

Voting Aye: CL, WOR, DVS and BMcN.

Voting Nay: EN and ECW.

Mayor declared motion carried by majority vote. ECW inquired if item would be placed on Agenda for next regular meeting and Mayor stated that it would.

8. Larry Gibbs and Curtis W. Fenley, Jr., Attorneys, appeared before the City Commission to request favorable consideration for closing Dollye Avenue. Mr. Gibbs, acting as spokesman, stated this application for closing Dollye Avenue was made by Mr. Jeff Singleton and Pinewood Park Trust and that property was located on Lake Street and adjoining Dunbar High School. Mr. Gibbs exhibited plats and descriptive information showing the property and stated that application was considered by City Planning and Zoning Commission and recommendation was made that request be allowed.

CL made motion that recommendation of the City Planning and Zoning Commission of closing Dollye Avenue be approved and Mayor be authorized to execute a quit-claim deed covering same. BMcN seconded the motion and a unanimous affirmative vote was recorded.

9. DW called attention to copy of proposed contract between City of Lufkin and Angelina County Fresh Water Supply District No. 1 covering proposed sale of water by City of Lufkin which had been furnished City Commission members. DW stated that contract had been rewritten after consultation with WEW and Mr. Curtis W. Fenley, Jr., Attorney for Angelina County Fresh Water Supply District No. 1. DW stated he was against the option for 30 years

shown in contract but would be agreeable to a 10 year option which was also agreeable to Mr. Fenley.

CL questioned the price of 35¢ per thousand gallons of water to be charged and desired to know if this price coincided with present water rate schedule. CL and DVS suggested that no action be taken on this proposed contract until further study could be given by the City Commission members. This suggestion was concurred in by the Mayor and other members.

10. Mr. L. E. Palmore appeared before the City Commission to request action on previous request for City to furnish sewer service to his property off Loop 287, North of State Highway 94. He stated there was a store, several houses and a proposed Nursing Home that would be available for this service.

WEW diagramed on blackboard the location of the property and stated the line should be 6". Mr. Palmore stated an estimated 2,100 feet of line would be required, and since previous provisions were approved to serve the Lufkin Industrial Foundation, requested this same consideration. WEW stated that estimated cost for this proposed line was \$3,000.00 but had no recommendation to make since the City does not have a set policy for such service.

After some additional discussion, DVS made motion that this sewer service be provided as requested by Mr. Palmore. WOR seconded the motion and a unanimous affirmative vote was recorded. CL recommended that WEW and DW study and come up with a recommendation to be followed on future requests of this nature and a determination of other areas in City not now being served with sewer.

11. Mr. L. E. Palmore requested consideration be given to installing street lights in the area between State Highway 94 and Lotus Lane. WEW will check into this and make recommendation at later date.
12. G. C. Starrett, along with three other citizens, appeared before the City Commission to determine when and if paving of Mitchell Street would be started.

WEW stated this paving project was approved previously with the provision that 50% of cost be turned into City and 25% guaranteed by signed liens which is in line with paving policy. WEW stated that approximately \$800.00 out of a total cost of \$2,367.50 had been turned in by property owners. WEW stated that even if all money was turned in by property owners now, would probably be April before project could be started and completed. Mr. Starrett was instructed to try to get balance of money in and sufficient number of signed liens.

13. WEW stated would like some additional time to develop cost for street paving repairs by contract as not enough information now available to make recommendation.
14. WEW stated had written property owners on Chestnut Street from Railroad crossing to Lufkin Avenue regarding contribution to cost for repaving of this street. He stated had heard from two or three of these property owners who were willing to pay if other property owners would also pay. WEW stated had not heard from Mr. William George, another property owner, as to what he would do. DVS and WEW will contact Mr. George to determine his intentions in this matter.
15. WEW stated that Texas Power and Light would bring a light van to City Hall next Monday night, October 21st, to demonstrate facilities for lighting the front of new City Hall building and requested the presence of the City Commission members for this demonstration.

16. WEW stated would like instructions on the possibility of City furnishing uniforms for Policemen and Firemen and the manner of procuring prices for such clothing; that is, did City Commission desire to advertise for bids or negotiate with reputable clothing concern for the uniforms.

After discussion, WEW was instructed to proceed with negotiations for such clothing. WOR brought up the question of men wearing such clothing other than during regular working hours. WEW stated this was a matter that would be handled through proper instructions.

17. Mayor stated "CB" Club was having the "Caravan of Stars" in the City of Lufkin on November 15, 1968, for a performance and desired the use of City Property near Rodeo Arena for this performance.

WOR made motion that request by "CB" Club to host the "Caravan of Stars" performance on City property near Rodeo Arena, subject to approval of City Attorney as to insurance, clean-up, etc., be granted. ECW seconded the motion and a unanimous affirmative vote was recorded.

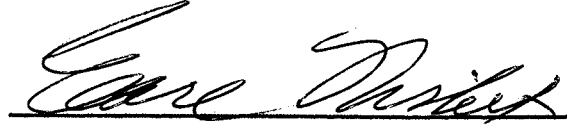
18. BMcN called attention to following items that should be handled:

- (a) Dirt in street on South Raguet across from Junior High School;
- (b) Remove old bus sign behind QP Store on Third Street;
- (c) Cut bushes and weeds in Chambers Park;
- (d) Remove old no parking signs in front of Old City Hall Building; and
- (e) Clean out drainage ditches on Cain Street and also on Circle Drive.

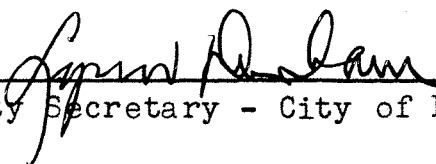
CL stated that in connection with item "a" above, consideration should be given by City of asking property owner across from Junior High School to compensate City for work for removing such dirt as he had noted recently several City employees with front-end loader working past regular hours in removing this dirt. DW will contact property owners in this connection.

19. Mayor stated he was getting numbers of complaints on clean-up and mowing of vacant lots and stated had always turned them in to City Hall but sufficient results not being obtained. He called attention to a lot on Fairy Street which he had turned in on several occasions but no action was taken by the City. Mayor stated that Ordinance should be enforced to the fullest. WEW will follow through on this to see that results are obtained and suits filed if necessary.
20. DW stated that Kye Lee right-of-way case was being appealed. Mayor stated this was good information to have and in the past he had not been aware of all City law suits. DW stated he thought he had advised in each instance previously.
21. DW called attention to letter from Mr. J. M. York, District Engineer, Texas Highway Department to Mayor Earl Nisbet, copy of which was furnished each City Commissioner, setting out new procedure to follow in acquiring right-of-ways and that he would be in Austin on Thursday and Friday of this week to attend a meeting on this subject.

22. DW stated he was now in the process of going through City Ordinances for purpose of codifying same. Stated this was a slow process but would bring our Ordinances up-to-date and allow for the disposal of old amended and out-dated Ordinances.
23. There being no further business for consideration, meeting was adjourned at 9:45 P.M.

  
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Mayor - City of Lufkin, Texas

ATTEST:

  
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City Secretary - City of Lufkin, Texas