

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 16th DAY OF AUGUST, 1966, AT 7:30 P.M.

On the 16th day of August, 1966, 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
William F. Prince	Commissioner, Ward No. 1
Dayle V. Smith	Commissioner, Ward No. 2
Byron McNeil	Commissioner, Ward No. 3
Earl Nisbet	Commissioner, Ward No. 4
Gene H. Nerren	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Lynn Durham	City Secretary

being present, and

Reagan Parker	City Manager
David Walker	City Attorney

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

1. Meeting opened with prayer by Rev. Don Ballard, Pastor of the First Nazarene Church, Lufkin, Texas. Mayor thanked Rev. Ballard for his participation and invited him to remain for the entire meeting or to feel free to leave when he so desired.
2. Minutes of previous meeting were read and approved.
3. Mrs. Chester Russell was present and presented petition of some 17 property owners off Loop 287 on Berry Road who desired to tie onto City water line even though they were out of the City Limits. Discussion brought out that this proposed line would tie into Line No. 2 on which Hold Order had been previously given to Contractor by City Engineer. This proposed line would be outside the City Limits. Mayor stated the policy of City with regard to tieing onto City lines by outside City Limits customers.

Commissioner Earl Nisbet made motion that City Commission rescind the Hold Order given to the Contractor on Line No. 2 by City Engineer and that we proceed as per original plans for water lines as shown to the City Commission by Bernard Johnson Engineers, Inc., City's Consulting Engineers, on this particular project. Commissioner Byron McNeil seconded the motion and the following vote was recorded.

Voting Aye: Mayor Jim Waters
Commissioner William F. Prince
Commissioner Dayle V. Smith
Commissioner Byron McNeil
Commissioner Earl Nisbet
Commissioner Gene H. Nerren

Commissioner Basil E. Atkinson, Jr., M.D. abstained from voting, stating he owned property that would be affected by this line.

4. Mayor stated that in connection with proposed meeting of City Commissions of Lufkin and Nacogdoches with Mr. Ned Shands, Jr., President, Angelina and Nacogdoches Counties Water Control and Improvement District, and Bernard Johnson Engineers, Inc.

representatives, with regard to effort to get water from Angelina River when Lake Ponta was built, had tentatively been set for September 8, 1966, but would advise later definitely on the meeting.

5. Mayor advised that second reading of ordinance changing zone from R-1 District to C District covering 2.1419 acres, more or less, located on North side of Highway 103 East (Atkinson Drive) bounded on West by property of Ted Maberry and on East by property of C. W. Massingill, being more fully described in application by field notes, by R. B. Thompson, was on Agenda for second reading and inquired if anyone present to object to change and there were none.

Commissioner Earl Nisbet made motion that ordinance covering this zone change be passed on second reading. Commissioner Gene H. Nerren seconded the motion and a unanimous affirmative vote was recorded.

6. Mr. R. B. Thompson appeared before the City Commission to request payment of City's portion of paving of his Carmel Addition in the amount of \$3,517.50, which had been held up due to the City Commission desiring that he complete a drainage condition on Turtle Creek Drive which has been in existence for some time. Mr. Thompson stated that Everett Griffith, Jr. and Associates had checked this Turtle Creek Drive drainage situation and estimated an expenditure of approximately \$350.00 to place in satisfactory condition and he would proceed as per Mr. Griffith's recommendation and would put up sufficient money with City, guaranteeing completion of this drainage situation.

Commissioner Basil E. Atkinson, Jr., M.D. advised Mr. Thompson that he was concerned regarding this drainage situation but was satisfied with Mr. Thompson's proposal to correct same. Commissioner Gene H. Nerren made motion that Mr. Thompson deposit with City \$500.00 guaranteeing completion of the work on Turtle Creek Drive and that the City in turn pay its portion of paving cost in Carmel Addition in the amount of \$3,517.50 and also to release Cashier Check in the amount of \$5,000.00 that Mr. Thompson had placed with the City to guarantee completion of this work in Carmel Addition. Commissioner Basil E. Atkinson, Jr., M.D. seconded the motion and a unanimous affirmative vote was recorded.

7. Mayor called attention to first reading of ordinance scheduled at this meeting covering zone change by Abbie Ruth Woods from D District to D District and Special Use covering Lot 7B, Block 8, Denman Addition located at 306 Montrose.

City Secretary stated this zone change application had been considered by the City Planning and Zoning Commission in meeting of July 28, 1966, and it was their unanimous recommendation that City Commission not grant the zone change due to not being compatible with other property in the area. Commissioner Dayle V. Smith made motion that zone change not be allowed in accordance with City Planning and Zoning Commission recommendation. Commissioner Gene H. Nerren seconded the motion and a unanimous affirmative vote was recorded.

8. Mayor presented Estimate No. 2 from Layne Texas Co. in the amount of \$33,392.12 covering construction of 1000 GPM Water Well No. 9, less 10% retained, less previous payment and stated that this Estimate No. 2 had been approved for payment by Bernard Johnson Engineers, Inc. and City Engineer and recommended that same be paid. Commissioner William F. Prince made motion that invoice in the amount of \$33,392.12 be authorized for payment. Motion seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.

9. Mayor stated he and City Engineer and Water & Sewer Superintendent had checked on the possibility of Mr. Coy Read being able to connect onto City water per his request at previous meeting. Mayor stated that Mr. Read was approximately 1000 ft. from City's main and there were only three customers including Mr. Read available and City could run line 100 ft. to customer leaving 700 ft. to be paid for by Mr. Read and the other potential customers. Some discussion was had as to Mr. Read tieing onto Fuller Springs Water District line even though he was in the City Limits of Lufkin and the City Commission instructed that the legality of this measure be checked.

10. Mayor read letter from Mr. R. H. Duncan of R. H. Duncan Construction Inc., requesting permission to use plastic pipe of grades that might be specified by the City for water lines and services of 2" and smaller on future subdivision work that he might undertake, including WoodedAcres No. 2 and Brook Hollow No. 2. Mayor also read letter from City Engineer and endorsed by Water & Sewer Superintendent recommending that consideration be given to the use of PVC pipe meeting certain specifications for future lines of 2" and less for all subdivisions, this recommendation being due to present shortage of copper pipe.

Commissioner Earl Nisbet made motion that recommendation of the City Engineer and Water & Sewer Superintendent be followed in this connection. Commissioner William F. Prince seconded the motion and a unanimous affirmative vote was recorded.

11. Mayor read letter from City Attorney regarding drainage easement of John Winston, Sr., suggesting that this drainage easement be released and cancelled and a new drainage easement secured from Mr. Winston designating the area by field notes, since the old easement followed a creek.

Commissioner Byron McNeil made motion that present drainage easement be released and a new drainage easement secured, with the area being described by field notes, at no cost to City. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

12. Mayor advised had received invoice from Southern Pacific Railroad Co. covering City's portion of cost of installation of traffic signal at railroad crossing on Burke Street and Angelina Street. Mayor stated City had budgeted \$4,480.00 maximum for this cost but the actual cost was \$3,041.43 and recommended payment of this invoice. Commissioner William F. Prince made motion that this invoice in the amount of \$3,041.43 be authorized for payment. Motion was seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

13. Mayor called attention to present street paving policy by participation method of property owners and City, wherein cost for property owners part to be covered in payment by Cashier Check. Mayor stated that Davis Street had been in the process of being worked up before our present policy was set and suggested that an exception be made on this street due to prior work that had been done.

Some discussion developed and Commissioner Dayle V. Smith made motion that an exception be made from the present paving policy for paving of Davis Street due to prior work done before this paving policy was set and that City go ahead with paving provided 70 to 80% cash is paid in and the balance in signed notes covering their portion of the cost. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

14. Open items were gone over and status discussed.
 - A. Under open items, Commissioner Gene H. Nerren made motion that City of Lufkin extend an invitation to any Funeral Home existing or proposed to apply for an exclusive franchise for ambulance service within the City Limits of Lufkin. Commissioner Basil E. Atkinson, Jr., M. D. seconded the motion and a unanimous affirmative vote was recorded.
 - B. City Engineer advised some improvement in the situation at the Sewer Treatment Plant but would be unable to give a comprehensive report until a later date after B.O.D. test have been run and results determined.
15. Commissioner William F. Prince made motion that invoices for the month be authorized for payment. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.
16. Johnny Wise, student of Stephen F. Austin State College, was present as an observer and called attention to an old icebox on Frank Avenue at "Y", where Dunn's Grocery was previously located. Stated this icebox had the door attached and was dangerous since a child might get into same and lock self inside. Mayor thanked Mr. Wise for his information and stated the item would be handled.
17. Mr. R. H. Duncan, Developer, appeared before the City Commission to request consideration be given by the City to participating in the cost of a bridge over Cedar Creek on Copeland Street, the proposed bridge to be 32 ft. in width with a 37 ft. span. Mr. Duncan estimated the cost of the bridge to be approximately \$4,000.00. Mayor suggested, and the City Commission concurred, that this matter be held up until City Manager and City Engineer had an opportunity to check into and make recommendations.
18. Mayor stated that City Manager Reagan Parker would be released from the hospital this weekend and would be home and probably return to work shortly.
19. Mayor stated that the City Commission was invited to attend a movie at Calvary Baptist Church entitled "The Restless Ones" by Billy Graham, this being a preview of the picture.
20. Mayor called attention to dinner at 12:00 at the Townhouse on Wednesday, August 17, 1966, sponsored by the officers of the City-County Health Unit and requested all to be in attendance who possibly could.
21. Commissioner Byron McNeil called attention to dangerous traffic situation on Jones Street due to bridge being removed and that City will receive petition from property owners in this area shortly. He stated this bridge should be replaced before school starts. He stated the bridge was removed by City employees. After some discussion City Engineer was instructed to determine cost for installation of a new bridge and have available at next regular City Commission meeting.
22. Commissioner Dayle V. Smith mentioned the recent incorporation of Hudson Community and was wondering if same complied with State Laws. City Attorney was instructed to check on laws covering incorporation of Cities.
23. Mayor presented copy of proposed Budget for City of Lufkin for 1966-67 which is in accordance with Article 5, Section 2 of the Charter. He requested the City Commission members to check over and a meeting would be called later to discuss the Budget.

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

Jim Watters

Mayor - City of Lufkin, Texas

ATTEST:

Dawn Robison

City Secretary - City of Lufkin, Texas