

MINUTES OF A SPECIAL MEETING OF THE CITY COMMISSION
OF THE CITY OF LUFKIN, TEXAS HELD AUGUST 16th, 1940
At 11:15 O'CLOCK A.M.

The City Commission of the City of Lufkin, Texas convened in special meeting on August 16, 1940 at 11:15 o'clock a.m. in the Council Room of the City Hall with the following members present:

W. M. GLENN	MAYOR
W. D. WINSTON, JR.	COMMISSIONER WARD NO. 1.
R. E. MELVIN	COMMISSIONER WARD NO. 2.
G. E. BARINGTON	COMMISSIONER WARD NO. 3.
J. E. JAY	COMMISSIONER WARD NO. 4.
C. L. STINE	CITY MANAGER
J. W. LEWIS	CITY SECRETARY
NED SHANDS, JR.	CITY ATTORNEY

and the following absent: **NONE**, constituting a quorum when the following business was had:

1. On Motion of Commissioner W. D. Winston, Jr., seconded by Commissioner G. E. Barington, Dr. Robert Tayler was re-appointed City Health Officer for the City of Lufkin, Texas for the ensuing term.

This motion carried by a unanimous vote of the Council.

2. Commissioner J. E. Jay introduced a resolution and moved that it be placed on first reading, seconded by Commissioner R. E. Melvin, and passed by the following vote:

YEAS: W. M. GLENN, W. D. WINSTON, JR., R. E. MELVIN,
G. E. BARINGTON, J. E. JAY:

NAYS: **NONE**:

Passed and placed on first reading.

Commissioner G. E. Barington moved that the resolution pass first reading, seconded by Commissioner W. D. Winston, Jr. and carried by the following vote:

YEAS: W. M. GLENN, W. D. WINSTON, JR., R. E. MELVIN,
G. E. BARINGTON, J. E. JAY:

NAYS: **NONE**:

Carried and passed first reading.

Commissioner R. E. Melvin moved that the rule requiring resolution to be read at two meetings be suspended, seconded by

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Commissioner J. E. Jay and carried by the following vote:

YEAS: W. M. GLENN, W. D. WINSTON, JR. R. E. MELVIN,
G. E. BARINGTON, J. E. JAY:

NAYS: NONE:

Commissioner W. D. Winston, Jr. moved that the Resolution finally pass, seconded by Commissioner R. E. Melvin and carried by the following vote:

YEAS: W. M. GLENN, W. D. WINSTON, JR., R. E. MELVIN,
G. E. BARINGTON, J. E. JAY:

NAYS: NONE.

The Mayor then declared the resolution finally passed.

The resolution is as follows:

RESOLUTION WITH REFERENCE TO CONTRACT FOR THE
MAKING OF CERTAIN STREET IMPROVEMENTS ON A
PORTION OF HOUSE STREET AND SUNDRY OTHER STREETS,
AVENUES AND ALLEYS IN THE CITY OF LUFKIN, AND
DECLARING AN EMERGENCY.

WHEREAS, on the 18th day of July, 1940, by ordinance passed and approved by the City Commission of the City of Lufkin, and styled:

"AN ORDINANCE DETERMINING THE NECESSITY FOR AND ORDERING THE IMPROVEMENTS OF CERTAIN DESIGNATED STREETS, AVENUES AND ALLEYS AND PORTIONS OF CERTAIN STREETS AND AVENUES WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESIGNATING CERTAIN STREETS, AVENUES AND ALLEYS, AND PORTIONS THEREOF, AND PROVIDING FOR THE PAVING OF SUCH DESIGNATED STREETS, AVENUES AND ALLEYS AND PORTIONS THEREOF BY CONTRACT FOR SUCH CONSTRUCTION IN THE NAME OF THE CITY OF LUFKIN, TEXAS, AND PROVIDING FOR THE PAYMENT OF A PORTION OF THE COST OF SUCH IMPROVEMENTS PARTLY BY THE CITY AND PARTLY BY ASSESSMENTS AGAINST ABUTTING PROPERTY AND THE OWNERS THEREOF, MAKING REGULATIONS NECESSARY FOR THE PURPOSE OF ENFORCEMENT AND CONDUCT OF SUCH IMPROVEMENTS AND PROVIDING AN EMERGENCY",

the City provided for the improvement of said portions of streets, avenues and alleys in said Ordinance described; and,

WHEREAS, plans and specifications for said improvements were submitted by the Engineers for the City and said plans and specifications were approved by the City Commission; and,

WHEREAS, notice to bidders was given and published; and,

WHEREAS, the bid of S. P. Reynolds and J. M. Sutton, co-partners, operating and doing business under the firm name of

REYNOLDS & SUTTON, was found to be the lowest and best bid for the making and constructing of said improvements, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS: THAT,

I.

The work of making and constructing said improvements and the contract therefor is hereby let to S. P. Reynolds and J. M. Sutton, copartners, operating and doing business under the firm name of REYNOLDS & SUTTON, which said contract is dated the 16th day of August, 1940, and is on file with the City and signed by the said REYNOLDS & SUTTON, and the Mayor of the City of Lufkin and the City Secretary are hereby directed to execute the said contract in the name of the City of Lufkin, Texas, and to impress the corporate seal of the City thereon, the said contract embracing therein, among other things, the prices for the work.

II.

It is ordered that any ordinance, rule, or regulation requiring or providing for the competitive bids, other than such as have already been had, shall be and the same is hereby waived and dispensed with and suspended for the purpose of the contract hereby levied.

III.

To provide for the payment of the indebtedness incurred by the City of Lufkin by said contract, there is hereby appropriated out of available funds of the City an amount sufficient to pay such indebtedness so incurred.

IV.

The present condition of said streets, avenues and alleys to be improved under the terms of said contract hereinabove mentioned endangers health and safety and it is necessary that said improvements be proceeded with while the weather will permit and the construction of said improvements is being delayed pending the taking effect of this Resolution and such facts constitute and create an emergency and an urgent public necessity requiring that this Resolution be passed as an emergency measure and the same is accordingly so passed, and shall take effect immediately from and after its passage.

ADOPTED AND APPROVED by unanimous vote of the City Commission of the City of Lufkin, all members of the City Commission voting "YEA", this the 16th day of August, 1940.

ATTEST:  J. M. Lewis Mayor, City of Lufkin, Texas

City Secretary, City of Lufkin,
Texas

There being no further business to come before the meeting, it was upon motion duly made and carried, adjourned.

PASSED AND APPROVED this 3rd day of September A.D. 1940.

J. M. Lewis
City Secretary, Lufkin, Texas.

 J. M. Glenn Mayor, City of Lufkin, Texas